

**Mandates of the Special Rapporteur on extrajudicial, summary or arbitrary executions and the  
Special Rapporteur on the situation of human rights in the Islamic Republic of Iran**

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Excellency,

We have the honour to address you in our capacity as Special Rapporteur on extrajudicial, summary or arbitrary executions and Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, pursuant to Human Rights Council resolutions 26/12 and 28/21.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the imminent risk of execution of juvenile offender Mr **Mohammad Reza Haddadi**.

According to the information received:

Mohammad Reza Haddadi was sentenced to death on 6 January 2004 after a criminal court in the southern city of Shiraz found him and his co-defendants guilty of kidnapping, killing and hiding the body of Mohammad Bagher Rahmat in an attempt to steal the victim's car. The court convicted Mr Haddadi of Rahmat's murder. At the time of the incident Mr Haddadi was 15 years old and was the only one under 18 years of age implicated in the crime.

It is reported that Mr Haddadi initially confessed to killing of Mr Rahmat because his co-defendants manipulated him into taking the blame for the murder by promising that they would give his family money in return. Mr Haddadi's former lawyer indicated that when his client realized he had been fooled by his co-defendants, he wrote a letter to the court informing that he had not taken part in the murder and had only accepted blame because of his co-defendants' false promises. Branch 24 of the Supreme Court nonetheless confirmed Mr Haddadi's death sentence on 3 July 2005.

On 27 May 2009, Ayatollah Hashemi Shahroudi, who was then head of the judiciary, intervened at the last minute and halted the execution. The government rescheduled Mr Haddadi's execution for 16 July 2009, but the judiciary spared his life again. On 4 July 2010, Haddadi's family received a summons indicating that their son was scheduled to be executed on 7 July, but authorities postponed the execution. On 30 May 2016, Iran's semi-official Iranian Students' News Agency

reported that prison authorities had scheduled Mr Haddadi's execution in the coming days. The next day authorities postponed Mr Haddadi's execution, but there is inconsistent information regarding whether the execution has been postponed for a few days or longer. It is believed this is at least the fourth time prison authorities have notified Haddadi's family of his imminent execution.

According to media reports, Mr Haddadi's court-appointed lawyer Mr Hossein Ahmadi Niaz has announced he will file a review of his client's case pursuant to Article 91 of the Islamic Penal Code which allows courts to determine whether juvenile offenders had the requisite "mental growth and maturity" to understand the consequences of their actions at the time they committed an offence. Mr Niaz told the Iranian Students' News Agency that his client never took advantage of revised Article 91 because he was poor and did not have a lawyer at the time the penal code was amended to allow such reviews.

We express grave concern that the death penalty has been imposed against Mr Mohammad Reza Haddadi, who was less than 18 years old at the time of the alleged crime, which is in contravention of international human rights law. We are further concerned that his execution may be carried out pending a review recently requested by Mr Haddadi's lawyer.

In view of the urgency of the matter, and of the irreversibility of the punishment of the death penalty, **we call upon your Excellency's Government as a matter of urgency to halt the execution of Mr. Mohammad Reza Haddadi**, which, on the facts available to us may constitute a violation of applicable international human rights standards, and thus an arbitrary execution. We further urge your Excellency's Government to ensure that the death sentence against Mr. Tajiki is annulled and that he is re-tried in compliance with international standards.

While we do not wish to prejudge the accuracy of the information made available to us, the above alleged facts indicate a prima facie violation of the right of every individual to life and security and not to be arbitrarily deprived of his life, as set forth in articles 6(1) of the International Covenant on Civil and Political Rights (ICCPR), ratified by the Islamic Republic of Iran on 24 June 1975, and 3 of the Universal Declaration of Human Rights. These allegations also seem to be in contravention of articles 6(5) of the International Covenant on Civil and Political Rights (ICCPR) and 37(a) of the Convention on the Rights of the Child (CRC), both of which strictly prohibit the issuing of death sentences for offences committed by persons below eighteen years of age.

We would also like to refer your Excellency's Government to article 14 of the ICCPR and article 40 of the CRC, which enshrine the right to a fair trial, including the right to access to a lawyer and other essential procedural guarantees. The imposition of a

death sentence following a trial in which these provisions have not been respected constitutes a violation of the right to life.

We further recall that according to the United Nations Safeguards Protecting the Rights of those Facing the Death Penalty, anyone sentenced to death shall have the right to appeal to a court of higher jurisdiction and to seek pardon, or commutation of sentence. Capital punishment shall not be carried out pending any appeal or other recourse procedure or other proceeding relating to pardon or commutation of the sentence. Moreover, capital punishment may be imposed only when the guilt of the person charged is based upon clear and convincing evidence leaving no room for an alternative explanation of the facts. Furthermore, if subsequent to the commission of the crime, provision is made by law for the imposition of a lighter penalty, as may be the case with the revision of article 91 of the Islamic Penal Code, the offender shall benefit thereby.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information or comments you may have on the above mentioned allegations.
2. Please provide the details of the proceedings against Mr Mohammad Reza Haddadi, and the legal basis and evidence used in court to sentence him to death. In addition, please provide specific information regarding the application in this case of the provisions of the juvenile sentencing guidelines relating to alternative punishments to the death penalty.
3. Please provide information concerning any laws or regulations related to the right to a fair trial and imposition of the death penalty, and how these are in conformity with the international norms and standards mentioned above.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Ahmed Shaheed

Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

Christof Heyns

Special Rapporteur on extrajudicial, summary or arbitrary executions