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PRESS RELEASE OCTOBER 14, 2015

## Execution of two juvenile offenders in just a few days makes a mockery of Iran's juvenile justice system

Reports have emerged of a second execution of a juvenile offender in Iran in just a few days. Amnesty International said today, which reveal the full horror of the country's deeply flawed juvenile justice system.

Fatemeh Salbehi, a 23-year-old woman, was hanged yesterday for a crime she allegedly committed when she was 17, only a week after another juvenile offender, Samad Zahabi, was hanged for a crime he also allegedly committed at 17.

Salbehi was hanged in Shiraz's prison in Fars Province despite Iran being bound by an absolute international legal ban on juvenile executions, and severe flaws in her trial and appeal. She had been sentenced to death in May 2010 for the murder of her 30-year-old husband, Hamed Sadeghi, whom she had been forced to marry at the age of 16.

An expert opinion from the State Medicine Organization provided at the trial had found she had had severe depression and suicidal thoughts around the time of her husband's death. However the death sentence was upheld by Iran's Supreme Court later that year.

**"The use of the death penalty is cruel, and inhumane and degrading in any circumstances, but it is utterly sickening when meted out as a punishment for a crime committed by a person who was under 18 years of age, and after legal proceedings that make a mockery of juvenile justice,"** said Said Boumedouha, Deputy Director of Amnesty International's Middle East and North Africa Program.

"With this execution the Iranian judiciary has yet again put on display their its brazen contempt for the human rights of children, including their right to life. There are simply no words to condemn Iran's continued use of the death penalty against juvenile offenders."

The adoption of a new Islamic Penal Code in May 2013 sparked hopes that Salbehi and other juvenile offenders on death row may have their death sentences quashed and her their cases re-examined. Article 91 of the Code allows judges to replace the death penalty with an alternative punishment if they determine that the juvenile offender did not comprehend the nature of the crime or its consequences or his or her "mental growth and maturity" are in doubt.

**The re-examination hearing that Salbehi was granted in relation to Article 91 proved to be deeply flawed.** It lasted only three hours and focused mostly on whether she prayed, studied religious textbooks at school and understood

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**Good News! - USA: Richard Glossip Granted Stay of Execution (UA 192/15)**

On 30 September the Governor of Oklahoma issued a 37-day stay of execution for Richard Glossip minutes before he was due to be killed, after the prison department revealed it did not have one of the drugs required for the lethal injection. The state Attorney General has now obtained indefinite stays of execution in this and two other cases.

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that killing another human being was "religiously forbidden."

anti-abortion law!...

On this basis, the Provincial Criminal Court of Fars Province had ruled in May 2014 that she had the maturity of an adult and therefore deserved the death sentence. In reaching this outrageous conclusion the judges failed to seek expert opinion, even though they lacked adequate knowledge and expertise on issues of child psychology.

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This underlines the importance of the clear provision in the UN Convention on the Rights of the Child (CRC), which is binding on Iran, that no death sentences may be imposed for offences committed by individuals under the age of 18.

In another appalling case eight days ago, another juvenile offender Samad Zahabi was secretly hanged in Kermanshah's Dizel Abad Prison in Kermanshah province for shooting a fellow shepherd during a row over who should graze their sheep.

As with the case of Salebhi, the execution was carried out without a 48 hour notice period being given to his lawyer, as is required by law. Horrifically his family said they only learned of his fate after his mother visited the prison on October 5, 2015.

Zahabi had been sentenced to death by the Provincial Criminal Court of Kermanshah Province in March 2013, even though he had said both during the investigations and at the trial that the shooting was unintentional and in self-defense, and resulted from a fight that he was drawn into against his will.

Branch six of the Supreme Court upheld his death sentence in February 2014, despite a written submission from the Office of the Prosecution that had asked for it to be quashed in light of the provisions of the 2013 revised Penal Code.

In December 2014, the general board of Iran's Supreme Court issued a pilot judgment which entitled all juvenile offenders to seek judicial review of their cases based on Article 91 of the Penal Code. Zahabi was never however informed of this legal development which may have spared his life.

"These latest juvenile executions cast a huge doubt over the commitment of the Iranian authorities to implement the provisions of the 2013 Islamic Penal Code with a view to abolishing their use of the death penalty against juvenile offenders," Boumedouha said.

**"The Iranian authorities should be under no illusion that they can avoid international scrutiny until they introduce a new law banning the use of the death penalty on any offender under 18 years of age."**

Iran is scheduled to be reviewed by the UN Committee on the Rights of the Child (CRC) in January 2016. The Committee of the Right of the Child oversees the implementation of the CRC, which Iran ratified in July 1994. As a state party to the CRC, Iran has pledged to ensure that all persons under 18 years of age are treated as children and never subjected to the same punishments as adults. However, the age of adult criminal responsibility remains nine lunar years for girls and 15 lunar years for boys.

**Between 2005 and 2015, Amnesty International has received reports of at least 75 executions of juvenile offenders, including at least three juvenile offenders in 2015. More than 160 juvenile offenders are believed to be currently on death row in prisons across the country.**

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