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PRESS RELEASE

End child death penalty in Iran

The International Secretariat of OMCT wishes to express its concern regarding the situation of human rights in Iran and would like to draw the attention of the new President Mr. Mahmoud Ahmadi-Nejad to Iran's use of the death penalty, including public executions of juveniles.

Indeed, the overall human rights situation in Iran remains worrying, as recent weeks have seen renewed violations of human rights in the country. In particular, despite the prohibition of article 37 of the UN Convention on the Rights of the Child to which Iran is state party, a number of juveniles have recently received death sentences.

In this regard, OMCT would like to recall that on July 19, 2005, two boys, aged 16 and 18, were arrested and subjected to corporal punishment (they were lashed 228 times) before being publicly hung by Iranian authorities in the northeastern city of Mashad. According to the information received from reliable sources, the sole reason for the hangings is their confessions, obtained through torture, that they were involved in homosexual sex. After being convicted of raping a 13-year-old boy at knifepoint, they were executed after the Supreme Court upheld the verdict of child rape. Although homosexuality is a crime in Iran, the death penalty is normally reserved for murder, rape, armed robbery, adultery, drug trafficking and apostasy. In August 2004, a 16 year old girl, Atefeh Rajabi, was executed in the Caspian port of Neka for having had sex before marriage.

OMCT stresses that it is strongly opposed to the death penalty and emphasises that it considers the capital punishment an extreme form of cruel, inhuman and degrading punishment, as proclaimed in the Universal Declaration of Human Rights and other international human rights instruments. Moreover, even if various bills have been considered for several years, in Iran the death penalty still exists in law and in practice for offences committed by persons under eighteen years of age. This is despite the fact that Iran ratified the Convention on the Rights of the Child that prohibits capital punishment in its Article 37 (a).

Despite an announcement by the Head of the Judiciary, Ayatollah Shahroudi, on April 28, 2004, in which he stated: "Any torture to extract a confession is banned and the confessions extracted through torture are not legitimate and legal", no subsequent improvements have been observed. Restrictions on freedom of expression appear to have tightened and the widespread practices of arbitrary detention following arrest, of detention in unofficial prisons and of torture while in detention continue to be features of the Iranian penal system.

OMCT therefore urges the Iranian authorities to:

- abolish the death penalty for child offenders both in law and in practice;

- pass legislation explicitly banning corporal punishment and also ensure that it is no longer used as a penal sanction;
- prohibit the use of torture and carry out independent and impartial investigations of all torture allegations, in order to identify the perpetrators, bring them to justice and pronounce sentences proportional to the gravity of their crime;
- guarantee the respect for human rights and fundamental freedoms throughout the country in accordance with national laws and international human rights standards.

Geneva, 11th August 2005