

ANNUAL REPORT ON THE DEATH PENALTY IN IRAN 2011



*Ensemble
contre
la peine
de mort*

Iran Human Rights

www.abolition.fr

www.iranhr.net



INTRODUCTION

The execution wave that began after the June 2009 post-election protests in Iran is still going on with high intensity. According to the present report, the execution figure in 2011 was the highest reported since the beginning of 1990's. The Iranian authorities continue executing several hundred prisoners each year in the pretext of fighting drug-trafficking. Among those executed for drug trafficking in 2011 we find three women, all mothers of dependent children, who were subjected to unfair trials and executed. The family of one of the women couldn't afford to the expenses of her burial.

What distinguishes the 2011 report from previous years is the dramatic increase in the number of public executions. The number of executions carried out publicly in 2011 in Iran is more than three folds higher than the average in the previous years.

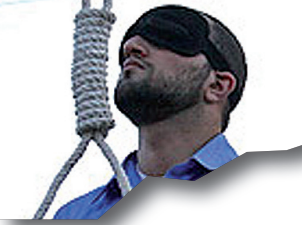
There is no indication that the Iranian authorities' execution machine will slow down in 2012. In the first two weeks of January 2012, an average of 3-4 people have been executed in Iran every day. By the end of January 2011, 11 executions have been carried out publicly.

At the same time, Iranian authorities are threatening to execute more people for other "crimes". The Iranian Supreme Court has recently approved the death sentence of Iranian-born Canadian permanent resident Saeed Malekpour for running "obscene" websites. He is now at imminent danger of execution. Iranian pastor Yousef Nadarkhani, who converted to Christianity at the age of 19 and who was sentenced to death for Apostasy in 2010, might also be in danger of execution. There is serious concern that approval of the new Islamic Penal Code (IPC) by the Guardian Council might lead to more death penalties for Apostasy. Iran Human Rights is also concerned about reports indicating Kurdish political prisoners Zanyar and Loghman Moradi might be in danger of execution. There are also indications that Sakineh Mohammadi Ashtiani- the 43-year-old mother of two whose stoning death sentence was stopped, thanks to a worldwide campaign- might be in danger of execution. Recently, an Iranian judge has indicated that the stoning verdict for Sakineh Mohammadi Ashtiani can be converted to death by hanging. Commenting on this report, Mahmood Amiry-Moghaddam, the spokesperson of IHR said: "There is little doubt that the Iranian authorities use the death penalty as a political mean. The dramatic increase in the number of executions shows that the Iranian regime is more than ever dependent on spreading fear to prolong its survival. Death penalty in general and public executions in particular- are the Iranian regime's most important instrument for creating fear in society." He added: "We urge the international community to put sustainable focus on the human rights violations and particularly on the death penalty in Iran, and take further steps to stop the Iranian regime's execution machine."

The numbers included in this report are mainly based on information announced by the Iranian authorities. However, some numbers are based on reports from reliable unofficial sources. During the past two years IHR has concluded that the number of the executions not announced by the official Iranian sources is much higher than previously anticipated. A significant portion of the unofficial numbers included in this report has been prepared thanks to the individuals in Iran who, despite all the risks, have contributed with invaluable information to make the report somehow closer to the reality. IHR must emphasize that the actual number of the executions in Iran is probably much higher those included in its annual report.

SOURCES

The present report uses the Iranian authorities as its main source. 62% of the executions reported here are based on the news published by state-run media news agencies and newspapers and the statements made by high-ranking officials within the Iranian judiciary. Like last year, IHR has received reports on large numbers of executions that haven't been announced by official Iranian sources. Many cases are directly communicated to IHR (though a direct witness, family member, lawyer, or key sources within the Judiciary) or reached us through other human rights organizations. The annual report only includes non-official cases confirmed by at least two different independent sources



DEATH PENALTY IN IRAN IN 2011

SOME FACTS

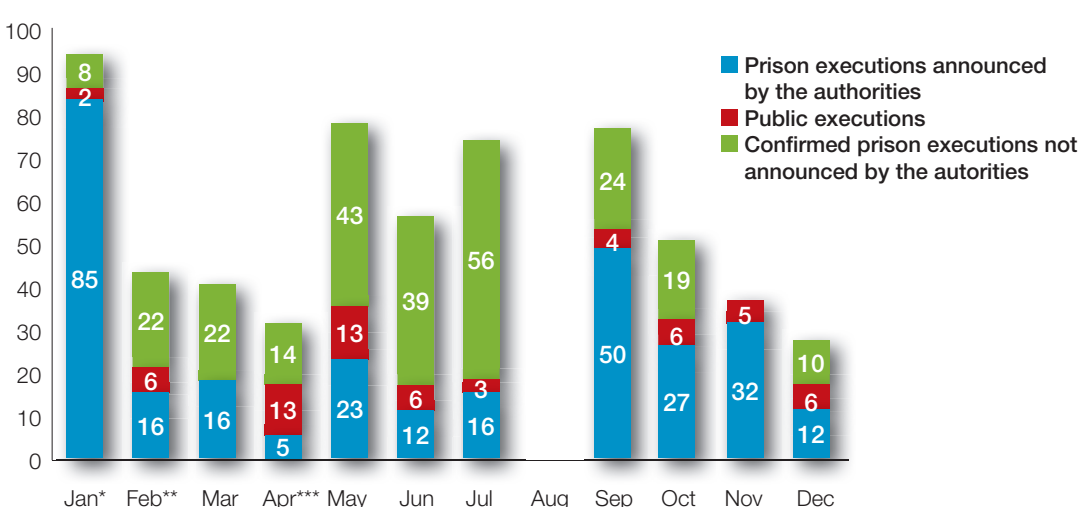
- At least 676 people were executed according to IHR's annual report 2011
- 416 of the 676 executions (62%) were announced by the Iranian authorities
- 65 executions were carried out in public. This is the highest number of public executions in more than 10 years.
- At least 4 juvenile offenders were among those executed in Iran in 2011
- At least 16 women were executed in 2011 . Executions of 13 of these women were not announced by the Iranian authorities
- 3 young men were executed convicted of homosexual act (sodomy)
- One man was executed convicted of "apostasy"
- At least one woman sentenced to death by stoning for adultery was hanged
- IHR has received reports of secret or "un-announced" executions in more than 15 different Iranian prisons
- More than 70 additional executions reported to IHR, are not included in the annual report due to difficulties in confirming some of the details

2011: THE HIGHEST NUMBER OF ANNUAL EXECUTIONS IN THE PAST 11 YEARS SOURCES: AMNESTY INTERNATIONAL (AI) AND IRAN HUMAN RIGHTS (IHR)

- | | |
|------------------|---|
| • 2000: 165 (AI) | • 2006: 177 (AI) |
| • 2001: 75 (AI) | • 2007: 317 (AI) |
| • 2002: 316 (AI) | • 2008: 350 (IHR), (346; AI) |
| • 2003: 154 (AI) | • 2009: 402 (IHR), (388; AI) |
| • 2004: 108 (AI) | • 2010: 546 (IHR) (adjusted to 646*) |
| • 2005: 94 (AI) | • 2011: 676 (IHR) : Official: 416 non-official: 260 |

* 100 of the 140 executions in the province of South Khorasan (Birjnd) that were confirmed by the Iranian officials have been added to the 2010 numbers

MONTHLY OVERVIEW OF THE REPORTED AND CONFIRMED EXECUTIONS IN 2011:



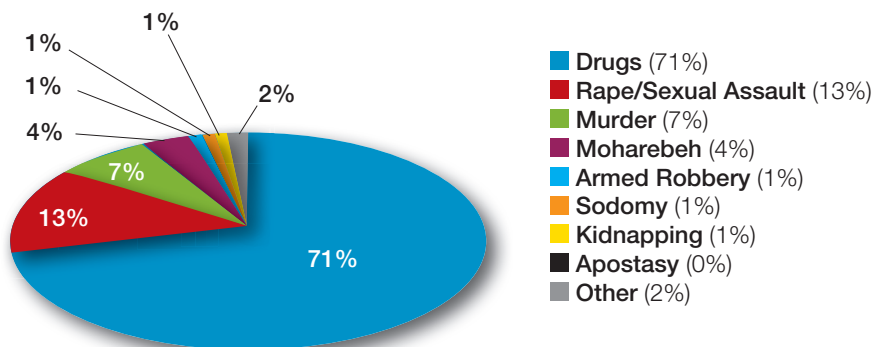
*: 40 executions in January and February 2011 in South Khorasan are not shown on this diagram.
 *** 13 executions in Mashhad's Vakilabad prison in the period of March to June are not shown in the diagram
 # Many reports on the secret or un-announced executions in the last four months of 2011 have still not been



CHARGES

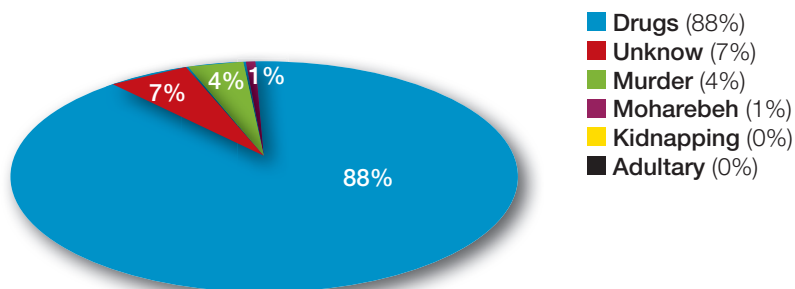
Diagrams showing relative frequency of charges used by the Iranian authorities

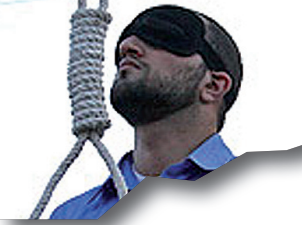
Official Charges



CHARGES FOR THE EXECUTIONS NOT ANNOUNCED BY THE AUTHORITIES

Unannounced/Secret Executions: Charges





DRUG TRAFFICKING

As in previous years drug trafficking was the most frequently used charge against those who were executed in 2011 in Iran. 81 % of those executed in 2011 (71% of the official and 88% of the unofficial cases) in Iran were convicted of drug trafficking and sentenced to death by the revolutionary courts. The trials were conducted behind the closed doors and it is not known whether the prisoners had access to lawyer or not. Since more than 80% (91% of the official and 81% of the unofficial cases) of those executed for drug-related charges are not identified by last (family) name it is not possible to confirm the charges. In 2011, there was at least one person who was primarily arrested sentenced to death for participation in anti-regime protests, but was later executed convicted of drug trafficking (see Case 2, below). IHR can not rule out that there might be other similar cases among those executed for drug trafficking.

The figures presented in this report are in line with the report published by Amnesty International in December 2011 (Amnesty International report: Addicted to death).

IHR has received reports indicating that many of those executed convicted of drug trafficking have not been subjected to fair trials.

CASE 1: Executed for drug trafficking:

Three women - *Leila Hayati*, *Hourieh Sabahi* and *Roghieh Khalaji* - and two men - *Mostafa Ahmadi* and *Ghanbar Shojaei* - were arrested in January 2009 and charged with keeping and trafficking of narcotic drugs. They had no access to lawyer during their interrogations and were tried and sentenced to death by Branch 2 of the Revolutionary Court in Hamedan, with no right to appeal. Laila Hayati was executed on September 28 while the four others were executed on October 8. None of the executions were announced by the official Iranian sources.



Laila Hayati (29) a single mother of an 8 year old boy was arrested in 2009 because she had introduced someone who wanted to buy drug from a drug dealer. She was later convicted of selling 7 kg of drugs and despite her denial and the fact that her poor economic situation could not enable her to buy and sell that quantity of drugs, she was sentenced to death. Before the execution she told the prosecutor: "you know that I am being executed innocent". Leila neither cried or begged for her life.

Hourieh Sabahi (35) was a single mother of five children, one of them disabled, and **Roghieh Khalaji** (32) was a single mother of a 12-year-old son and a 10-year-old daughter when they were arrested. Hourieh's family did not even have the money to pay for her funeral after her execution. These are only some examples among the several hundred who were executed for "drug trafficking".

CASE 2: Arrested after a protest demonstration but executed for drug trafficking



Zahra Bahrami, a dual Iranian-Dutch national was arrested in December 2009 in the aftermath of a protest demonstration related to the disputed presidential election earlier that year. She was reportedly beaten and held for months without access to a lawyer and her family and finally sentenced to death for Moharebeh through connection with the banned opposition organization "Anjoman-e-Padeshahi-e Iran". But later she was charged for keeping drugs and sentenced to death. She was hanged on January 28, 2011 in Tehran's Evin prison convicted of drug trafficking.



EXECUTION FOR HOMOSEXUAL ACTS (SODOMY)

Link: <http://iranhr.net/spip.php?article2227>

Six young men were executed in the prison of Ahvaz on September 5. The state run Iranian news agency ISNA reported that three of those executed were sentenced to death by the Ahvaz revolution court, convicted of “unlawful” acts and acts against Sharia, based on the articles 108 and 110 of the Iranian Islamic penal code. Articles 108 and 110 of the Iranian Islamic Penal code are part of the chapter covering the punishment of “Hadd” for “sodomy”. Article 108 says: “Sodomy (or Lavat) is sexual intercourse between men”, and article 110 says: “Punishment for sodomy is killing; the Sharia judge decides on how to carry out the killing”.

The spokesperson of Iran Human Rights (IHR), Mahmood Amiry-Moghaddam, said: “(these) executions for sodomy might be among the rare cases were the Iranian authorities admit to having executed men convicted of homosexual acts”. He added: “Iranian authorities normally present such cases as rape, but rape as not been mentioned in this case”.

Punishment for homosexuality is flogging or death under Iran-s new Islamic Penal Code:

Article 233: the person who played an active role (in sodomy) will be flogged 100 times if the sex was consensual and he was not married, but the one who played a passive role will be sentenced to death regardless of his marital status. If the active part is none Muslim and the passive part Muslim, both will be sentenced to death.

Articles 236-237: Homosexual acts (except for sodomy) will be punished with 31 -99 lashes (both for men and women)

Article 238: Homosexual relationship between women where there is contact between their sexual organs will be punished with 100 lashes

MOHAREBEH

Moharebeh (war against God) is a term commonly used by the Iranian authorities for those who are either involved in an armed struggle against the authorities or have connections with such groups. Some of those who were convicted of Moharebeh through connection with the banned opposition groups are named below:

-
- Jafar Kazemi and Mohammad Ali Haj Aghaei : Both convicted of Moharebeh through connections with the banned organization Mojahedin-e-Khalgh (MEK/MKO). They had allegedly visited their children who were staying at Camp Ashraf, participated in the post-election protest demonstrations and sent pictures and reports of the demonstrations to MKO sources outside the country. They were executed in Tehran’s Evin prison on January 24.
 - Hossein Khezri, convicted of Moharebeh through membership in the banned Kurdish organization PJAK He was executed on January 15. in the prison of Urmia.
 - One member of the banned Kurdish democratic Party.
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APOSTASY

The sentence of Apostasy in Sharia is death, but Apostasy is not explicitly mentioned in the new IPC. The new law makes it easier for judges to issue the death penalty for Apostasy because the new article 220 states: “If the present law is silent about any of the “hodoud” cases, the judge is referred to article 167 of the Constitution.” Article 167 of the Constitution states: “The Judge is bound to attempt to rule on each case, on the basis of the codified law. In case of the absence of any such law, he has to deliver his judgment on the basis of official Islamic sources and authentic fatwa.” The reference to article 167 was previously made in the Civil code but now it is also included in the Penal Law



According to the Iranian state media one man identified as “Ali Ghorabat” also known as “Saed”, was hanged on January 26 convicted of apostasy for “claiming to have contact with the God and the 12th Shiite Imam”. He was executed on in the Karoun prison of Ahvaz. According to some sources the man was a former commandor of the Islamic Revolution Guard Corps who had been critical of the Islamic Republic.

EXECUTIONS OF MINOR OFFENDERS

Iran continues executions of minor offenders in 2011. At least four people were convicted of offences they had allegedly committed when they were under the age of 18. Two of them were under 18 years of age at the time they were executed. Two other minor offenders were executed in 2011 according to unofficial sources but their IHR hasn't confirmed their age yet.



Photo : Armin Karami

FARS NEWS AGENCY

1. Alireza Molla-Soltani (17)

Alireza Molla-Soltani was hanged publicly on September 21, 2011.

The state-run Fars news agency reported that, before he was hanged from a crane, Alireza was crying loudly and asking for forgiveness while calling for his mother and some religious figures. Alireza Molla-Soltani was born in December 1993. He was still a minor at the time of the execution. After the execution, Ali Rezwanmanesh, the representative of the Judiciary present at the scene of execution, told news reporters that “Alireza was not a minor, according to Sharia, since in the Sharia the lunar calendar is used and the years are shorter.”

2. **A. N. :** Convicted of rape and murder in 2008 when he was 17 years old. Hanged publicly together with three others in Bandar Abbas on April 21. Source: Iranian media
3. **H. B.:** Involved in the same case as A.N., was 17 years old at the time of the offence. Hanged publicly together with three others in Bandar Abbas on April 21. Source: Iranian media
4. **Hamid Hashemi (16):** Belonging to the Arab minority in Ahwas, was according to Ahwaz news executed in the prison of Ahwaz together with five others allegedly because of participating in a protest. Unofficial source
5. **Vahid M.:** Executed for drug trafficking on September 18 according to the state run ISNA news agency. Full name: Vahid Moslemi, Afghan citizen who according to the rights group “Human Rights and Democracy Activists in Iran” (HRADI) was a juvenile when arrested (age not yet confirmed by IHR)
6. **Mohammad N.:** Executed together with Vahid M. and 20 other prisoners on September 18 (ISNA). Full name: Mohammad Nourozi, Afghan citizen and juvenile when he was arrested according to HRADI (age not yet confirmed by IHR).

Iran has ratified the UN convention on the rights of the child which bans death penalty for the offences committed at under 18 years of age. But according to the Iranian Islamic penal the minimum criminal age is 9 years for girls and 15 years for boys. In the new IPC that was recently ratified by the Guardian Council some changes have been made with regards to death penalty for juveniles. However, according to the article 90 of the new law a death sentence may still be applied to a juvenile who has reached “maturity”, if he or she has committed crimes that are considered to be “claims of God” and therefore have mandatory sentences (such as sodomy, rape, theft, fornication, apostasy and consumption of alcohol for the third time).



WOMEN

The executions of only three of the (at least) 15 women who were executed in 2011 has been reported by the Iranian authorities. The other executions have been reported to us through reliable unofficial sources. This trend might indicate that Iranian authorities do not announce execution of women prisoners in order to avoid international attention since the international opinion seems to be more sensitive to execution of women.

1. Zahra Bahrami: Executed on January 28 in Tehran's Evin prison. Iranian-Dutch citizen. Charge: drug trafficking. Originally arrested in connection with anti-regime protests and sentenced to death for Moharebeh. (Source: Iranian state media)
2. NOT IDENTIFIED (NI): Executed on February 28 in the prison of Urmia. Charge: drug trafficking (Source: HRANA)
3. (NI): Executed on February 28 in the prison of Urmia. Charge: drug trafficking (Source: HRANA)
4. Adiva Mirza Soleiman: Executed on March 14 in Tehran. Jewish. Charge: Unknown (Source: HRANA)
5. (NI): Executed on March 14 in Tehran. . Charge: Unknown (Source: HRANA)
6. (NI): Executed on on May 24 in Vakilabad prison of Mashhad. Charge: drug trafficking (Source: ICHR)
7. (NI): Executed on on May 24 in Vakilabad prison of Mashhad . Charge: drug trafficking (Source: ICHR)
8. (NI): Executed on on May 24 in Vakilabad prison of Mashhad. Charge: drug trafficking (Source: ICHR)
9. Begam N.: Executed on July 20 in the prison of Rafsanjan. Charge: drug trafficking. (Source: ISNA, Iranian state media)
10. Leila Hayati: 29 year old, executed on September 28 in Hamedan. Charge: drug trafficking. (Source: IHR)
11. Samaneh Mohammad Beigi: Executed on October 3 in Rasht. Charge: Adultery, sentenced to death by stoning, but hanged. (Source: IHR)
12. Roghiyeh Khalaj: 32 year old, executed on October 5 in Hamedan. Charge: drug trafficking. (Source: IHR)
13. Horiyeh Sabahi: 35 year old, executed on October 5 in Hamedan. Charge: drug trafficking. (Source: IHR)
14. (NI): Executed on November 29 in the prison of Kermanshah. Charge: drug trafficking. (Source: Fars news agency, Iranian state media)
15. Nahid A.: Executed on December 24 in the prison of Urmia. Charge: drug trafficking. (Source: Mukrian news agency)

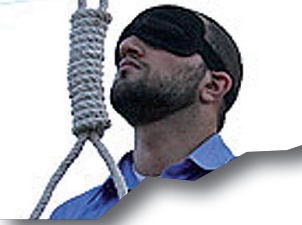
PUBLIC EXECUTIONS

In 2011 the Iranian authorities carried out a record number of at least 65 public executions. Six of these executions have not been reported by the Iranian authorities. Most of those hanged publicly were convicted of Rape/sexual assaults (30 of 66), followed by murder (16), Moharebeh/armed robbery (10), drug trafficking (6) and kidnapping (1) In at least 2 of the public hangings, the execution was carried out by a civilian (as qesas, or retribution)



A young boy was used to draw the chair Mehdi Faraji (convicted of murder) was standing on and carried out the execution. The picture shows the boy (arrow) while conducting the execution

Syed Salman Zaker member of the Parliament's Justice Committee: "Giving people the right to implement Qesas (retribution) is the ultimate democracy" ISNA, December 4, 2011



GEOGRAPHICAL DISTRIBUTION OF THE PUBLIC HANGING

In 2011 public hangings were conducted in all corners of Iran. The provinces of Fars (where Shiraz is the capital) and Isfahan were the provinces with the highest number of public executions.

Province	Public hanging
Fars (South)	12
Isfahan (Center)	7
Kermanshah (West)	7
Tehran/Alborz (Capital)	6
Khuzestan * (Southwest)	4
Hormozgan (South)	4
Qazvin (West)	3
W. Azarbaijan * (Northwest)	3
Lorestan (West)	3
Baluchestan (Southeast)	3
Yazd (Center)	3
Bushehr (South)	2
Khorasan Raz (Northeast)	2
Markazi (Center)	2
Bakhtiari (West)	1
Koh. Boy- Yasouj (West)	1
Gilan (North)	1
Mazandaran (North)	1
Total:	65

*Executions not reported by the official sources



The Azadi (Liberty) Square in Kermanshah (Western Iran) was the site of seven public executions in 2011. This picture is from a public execution in July where three young men were hanged.



CHILDREN WATCHING THE PUBLIC EXECUTIONS



Photo : Hossein Zohrevand

FARS NEWS AGENCY

A child is watching a public execution in Iran. IHR has urged the international community and the United Nations to put a ban on the public executions.

REPORTS OF SECRET/NON-OFFICIAL EXECUTIONS

In 2011 IHR received a large number of reports about executions not reported by the Iranian authorities. Execution reports from more than 15 different prisons throughout Iran have been confirmed. IHR has received reports of more than 70 other executions that have not been included in the present reports. These cases are in the process of being confirmed.

List of the prisons where secret/un-announced executions have been reported and confirmed:

PRISON	Executions
Vakilabad (Mahhad)	133
Urmia	45
Birjand	40
Ghezelhesar (Karaj)	25
Evin (Tehran)	15
Rajaei Shahr (Karaj)	8
Rasht	10
Ahvaz	10
Hamedan	5
Qom	4
Kerman	2
Boroujerd	2
Qazvin	1
Varamin (Khorin)	1



Some of the unofficial executions are not announced by official media, but the lawyers and family members of the prisoners were notified prior to the execution. In other cases, executions are categorized as “secret” since neither the lawyers or family members were informed before the execution took place.

IHR received reports in 2010 of 60-70 executions carried out in Birjand prison. Due to the lack of details surrounding their cases, those executions were not included in the annual report. However, In June 2011, Mohammad Bagher Bagheri, a provincial Justice Ministry official in the South Khorasan province, said 140 drug smugglers had been executed in the province in the past Iranian year (21 March 2010 to 20 March 2011; Mehr News agency, 25. June 2011). IHR has received credible reports about three episodes of executions in Birjand prison in the period from January 2011 to March 2011. Two of these episodes have been confirmed by Iran’s Prosecutor General Mohseni Ejei (Fars news agency 31. January 2011; Siasat-e-rooz, 28. February 2011). Based on the available information IHR has included 100 of the 140 Birjand executions in the 2010 annual report (causing the annual number to increase from 546 to 646). Additionally, 40 of the executions are included in the 2011 annual report.

IRAN HUMAN RIGHTS



Iran Human Rights

www.iranhr.net

Iran Human Rights (IHR) is a non-profit, human rights organization with members inside and outside Iran. It is a non partisan and politically independent organization with its base in Oslo, Norway. IHR has active and supporting members in Iran, USA, Canada, Japan and several European countries. The organization started as a network of Iranian and non-Iranian human rights defenders in 2005. Its official news web site (www.iranhr.net) was initiated in 2007.

IHR-International is the main body of the organization while there are several sections of the organization formed or in the process of forming in different countries.

Reporting about the death penalty in Iran has been the main focus of the website. IHR's aim has been to create an abolitionist movement in Iran by increasing awareness about the death penalty.

In recent years the number of executions in Iran has been rising and there are now a growing number of human rights defenders, groups and even political organizations giving attention to the death penalty.

In 2009, Iran Human Rights became a member of the World Coalition against Death Penalty (WCADP) and is one of the twenty elected members of its steering committee.

Mahmood Amiry-Moghaddam is the co-founder and the international spokesperson of Iran Human Rights. Any questions regarding the report or other related news can be made by e-mail to mail@iranhr.net , or by phone to +47 91742177

ENSEMBLE CONTRE LA PEINE DE MORT



Ensemble
contre
la peine
de mort

Since 2000, Together against the Death Penalty (Ensemble contre la peine de mort - ECPM) acts to fight against the death penalty around the world.

The association promotes the universal abolition through the creation and dissemination of publications and teaching tools, as part of public campaigns and lobbies governments at both national and international levels.

ECPM has definitely cemented his credibility as a unifying international abolitionist forces: the 4th World Congress against the death penalty in Geneva in 2010 (after Strasbourg 2001, Montreal 2004, Paris 2007, Madrid 2013) organized by ECPM, was exceptional by the level of States representation, the participation of retentionist countries, the involvement of the public and the media.



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