

ANNUAL REPORT ON THE DEATH PENALTY IN IRAN 2022



IRAN
HUMAN
RIGHTS



EC
PM

TOGETHER
AGAINST
THE DEATH
PENALTY

ANNUAL REPORT ON THE DEATH PENALTY IN IRAN 2022

Cover photo: A creative protest against executions of the protesters Mohsen Shekari and Majidreza Rahnavard at Alzahra University in Tehran on 13 December 2022.

Back photo: Protesters Mohsen Shekari, 22 (right) and Majidreza Rahnavard, 23 (left) were executed on December 8 and 12, respectively after grossly unfair show trials by the Revolutionary Court in Mashhad and Tehran. Majidreza's execution was carried out in public.

This report has been drafted by Iran Human Rights (IHRNGO) with the support of ECPM (Together Against the Death Penalty). Since 2012, Iran Human Rights¹ and ECPM² have been working together for the publication, international release and distribution of annual reports on the death penalty in Iran.

Editor: L. Tarighi
Layout: Olivier Dechaud (ECPM)
Printing: Imprim'ad hoc

© IHRNGO, ECPM, 2022
ISBN: 978-2-491354-22-0
ISSN: 2966-8093

1 <http://iranhr.net/en/>
2 <http://www.ecpm.org/en/>

TABLE OF CONTENTS

6	Glossary	70	GEOGRAPHIC DISTRIBUTION OF EXECUTIONS
7	FOREWORD BY ATENA DAEMI	73	Secret and unannounced executions
7	The death penalty is intentional state murder	76	EXECUTION CATEGORIES
11	PREFACE	76	Juvenile offenders
12	2022 ANNUAL REPORT AT A GLANCE	80	Mental disorders
13	INTRODUCTION	81	Women
17	SOURCES	83	Ethnic minorities
18	FACTS AND FIGURES	85	Foreign citizens
24	LEGISLATIVE FRAMEWORK	86	Dual citizens
24	International treaties	89	WAYS TO RESTRICT THE USE OF THE DEATH PENALTY IN IRAN
28	Iranian law	89	Sustained domestic campaigning and international pressure
34	The Anti-Narcotics Law	91	CATEGORIES OF THE DEATH PENALTY WITH THE POSSIBILITY OF IMPROVEMENT
36	PROCEDURES	91	Juvenile executions
36	From arrest to proof of guilt	91	Public executions
47	EXECUTIONS IN PRACTICE	92	<i>Qisas</i>
47	Charges	94	MOVEMENTS PROMOTING ABOLITION AND MOBILISING CIVIL SOCIETY INSIDE IRAN
48	Executions for <i>moharebeh</i> , <i>efsad-fil-arz</i> and <i>baghy</i> in 2022	96	FORGIVENESS MOVEMENT
50	Executions related to protests in 2022	97	REPRESSION OF ABOLITIONIST ACTIVISTS
53	Executions for rape and sexual assault in 2022	99	RECOMMENDATIONS
53	Executions for drug-related charges in 2022	102	ANNEXES
58	Executions for murder charges: <i>Qisas</i>	102	ANNEX 1: Executions Per Capita in Each Province
65	SHARE OF THE REVOLUTIONARY AND CRIMINAL COURTS IN 2022 EXECUTIONS	103	ANNEX 2: List of resolutions and reports adopted by the United Nations and European Parliament, mentioning the death penalty in Iran
67	PUBLIC EXECUTIONS	105	ANNEX 3: List of prisoners sentenced to death at preliminary trials and at risk of execution
68	First public execution in two years		

GLOSSARY

Baghy	Armed rebellion against the Islamic ruler
Diya	Blood money
Efsad-fil-arz	Corruption on Earth
Elm-e-qazi	Knowledge of the judge
Ertebad	Apostasy
Estizan	Authorisation required by the Head of Judiciary for <i>qisas</i> executions
Fiqh	Islamic jurisprudence
Hadd (pl. hudud)	Fixed punishment for offences mandated by Sharia
Lavat	Sodomy
Moharebeh	Enmity against God
Mosahegheh	Lesbian sex
Qadf	False accusations of sodomy/or adultery
Qassameh	Sworn oath
Qisas	Retribution-in-kind
Sabol-nabi	Insulting the prophet
Sharia	Islamic rule
Ta'zir	Punishment for offences at the discretion of the judge
Tafkhiz	Intercrural sex
Zena	Adultery

FOREWORD BY ATENA DAEMI

PROMINENT HUMAN RIGHTS DEFENDER



THE DEATH PENALTY
IS INTENTIONAL
STATE MURDER

Since its inception, the Islamic Republic has been using the death penalty as a tool to keep power. Thousands of people were executed by hanging or a firing squad for opposing the government in the dark years of 1980s. This despite the fact that many of them hadn't even been sentenced to death by the Islamic Republic's own unfair courts. In the 44 years of the Islamic Republic's rule, thousands of dissidents have been sentenced to death and executed, most after being severely tortured, physically and mentally, to accept baseless accusations against them and to confess on camera. Many of them were tried in minutes and were even deprived of the right to a lawyer of their choice.

But this practice goes beyond political or security charges. Executing death row prisoners for crimes such as murder and drug charges has always been the authorities' way of dealing with these social issues. Rather than examining or remedying the root causes of these crimes, the government uses deterrence as the justification for the death penalty. Yet every year, the number of murders (especially honour killings) and drug-related offences keeps rising, just as opposition and protests against the government have also become more widespread due to inhumane and ineffective State policies.

The Islamic Republic's role in the current social problems has been written about extensively. Many of the murders and crimes committed are the result of discriminatory and inhumane laws. For example, from my own observations in prison, most of the murders were committed because women don't have the right to divorce and were child brides. In both cases, the legislatures are to blame. Or in drug-related

cases, while the role of authorities in smuggling drugs into the country is evident, it is the petty sellers who are arrested and executed. Clearly, the death penalty as a punishment isn't a deterrent. In prison, I saw that drug prisoners, the majority of whom were from marginalised and impoverished communities, repeated their offences knowing that the punishment for possession in Iran is death, and despite having previously been arrested and imprisoned on the same charges. Some had even been on death row in the past and released through pardons.

A significant number of prisoners are there for murder and many are women with stoning sentences, which were changed to execution by hanging years ago. Most of them were in prison for killing their husbands, clearly the result of not having the right to divorce, being forced into child marriage, and living in a patriarchal society.

Years ago, I wrote an article from Evin Prison about the impact of the action and words of government officials on perceptions of violence and the death penalty in Iran. I monitored a newspaper for a month (the month of Moharam) and found a significant amount of bullying language by government officials, threats to citizens within and outside the country, and excessively violent language, behaviour and policies. This behaviour, combined with the number of times the words 'execution' and *qisas* were used in a reformist newspaper, left me with no other conclusion but that the government was trying to normalise both violence and the death penalty.

In 2017, following domestic and international efforts, the Islamic Republic conditionally removed the death penalty for certain drug offences. However, from prison we learned about large-scale drug distribution around the country, which according to many prisoners was happening in an organised manner and at the same time, resulting in mass arrests. By removing the death penalty and distributing drugs on a large scale, the Islamic Republic sought to give the impression to the public and the international community that the death penalty had been a deterrent for drug offences. We were not fooled.

Opposing the death penalty not only supports the most basic human right, the right to life, but also supports and affirms the rights of families and society, on which the death penalty has many adverse psychological effects.

For 44 years, civil activists have consistently expressed their opposition against the inhumane death sentences in different ways, trying to identify the societal causes and factors of criminal offences and social issues and fighting to amend discriminatory laws. Families of the victims of the death penalty have also tried to abolish the

practice by seeking justice and giving accounts of its impact. But most of these activists and families have either been arrested and imprisoned or forced into exile.

And yet the fight to abolish the death penalty continues, as fortunately, a large part of society has realised the inhumanity of this punishment and its inefficacy in deterring criminal offences. The government's efforts to present the death penalty as religiously and legally legitimate have failed.

The public demands the complete abolition of the death penalty. We activists of the right to life will continue this struggle until that has been achieved.

PREFACE

The 15th annual report on the death penalty by Iran Human Rights (IHRNGO) and ECPM (Together Against the Death Penalty) provides an assessment and analysis of death penalty trends in 2022 in the Islamic Republic of Iran. It sets out the number of executions in 2022, the trend compared to previous years, the legislative framework and procedures, charges, geographic distribution and a monthly breakdown of executions. Lists of the female and juvenile offenders executed in 2022 are also included in the tables. The report also looks into the abolitionist movement within Iran, including the forgiveness movement and its contribution to reducing the use of the death penalty, and provides analyses on how the international community can contribute to limiting the scope of the death penalty in Iran.

The 2022 report is the result of extensive work from Iran Human Rights members and supporters who took part in reporting, documenting, collecting, analysing and writing its contents. We are especially grateful to Iran Human Rights sources inside Iran who, by reporting on unannounced and secret executions in the prisons of 30 different provinces, incur a significant risk. Due to the very difficult context, the lack of transparency and the obvious risks and limitations that human rights defenders face in the Islamic Republic of Iran, this report does not give a complete picture of the use of the death penalty in Iran by any means. There are reported executions which are not included in this report due to insufficient details or an inability to confirm cases through two different sources. The current report also does not include the at least 537 protesters killed during the Woman-Life-Freedom protests, suspicious deaths in custody or those killed under torture³. However, it aims to provide the most complete and realistic figures possible in the present circumstances.⁴

ECPM supports the elaboration, editing process, publishing and distribution of this report in the framework of its international advocacy work against the death penalty. The problems of transparency of the data and information about the death penalty in Iran should be overcome by a strong strategy of distribution and dissemination. The overall objectives of this report for Iran Human Rights and ECPM are to shed light on and publicise the facts in order to change national and international views on the situation of the death penalty in Iran, the world's top executioner.⁵

³ <https://iranhr.net/en/articles/5795/>

⁴ See below, section "Sources".

⁵ Per capita.

2022 ANNUAL REPORT AT A GLANCE

- At least 582 people were executed in 2022, a 75% increase compared to 333 in 2021.
- 71 executions (12%) were announced by official sources, compared to 16.5% in 2021 and an average of 33% in 2018–2020.
- 88% of all executions included in the 2022 report (511 in total), were not announced by the authorities.
- At least 288 executions (49% of all executions) were for murder charges, the highest in more than 15 years.
- At least 256 (44%) were executed for drug-related charges, compared to 126 (38%) in 2021 and an average of 26 per year in 2018–2020.
- Only 3 of the 256 drug-related executions (1%) were announced by official sources.
- At least 23 people were executed for rape charges.
- At least 15 people, among them 2 protesters, were executed for security-related charges (*moharebeh* and *efsad-fil-arz*).
- Two people, including one protester, were hanged in public spaces.
- At least 3 juvenile offenders were among those executed.
- At least 16 women were executed.
- At least 273 executions in 2022 and more than 4,029 executions since 2010 have been based on death sentences issued by the Revolutionary Courts.
- At least 624 prisoners sentenced to death for murder charges were forgiven by the families of the murder victims per *qisas* laws.

INTRODUCTION

The 15th Annual Report on the Death Penalty in Iran, by Iran Human Rights and ECPM reveals the highest annual number of executions since 2015. At least 582 people were executed, an increase of 75% compared to 2021. In 2022, Iran's authorities demonstrated how crucial the death penalty is to instil societal fear in order to hold onto power. Weeks into the nationwide "Woman-Life-Freedom" protests, triggered by the state killing of Jina (Mahsa) Amini on 16 September 2022,⁶ hundreds of protesters were facing show trials at the Revolutionary Courts, many with charges punishable by death. Two protesters were executed in December 2022. At the time of publishing this report, four protesters have been executed, more than 100 protesters remain at risk of death penalty charges, sentences and execution and at least 20 others have been sentenced and execution, 20 of whom have been sentenced to death in preliminary trials. sentences and execution, 20 of whom have been sentenced to death in preliminary trials⁷. Strong international backlash, parliamentarians volunteering as "political sponsors" to save death row protesters, and targeted sanctions against individuals and entities involved in the repression, have raised the political cost of executing protesters. In response, authorities intensified the execution of prisoners with non-political charges. At least 127 people were executed in the months of November and December 2022; 67 for drug-related and 53 for murder charges. Unfortunately, international reactions have been lacking against the execution of non-political prisoners. This trend has continued into 2023⁸.

Commenting on the report, Iran Human Rights Director, Mahmood Amiry-Moghaddam said: "*The international reactions to the death sentences against protesters have made it difficult for the Islamic Republic to proceed with their executions. To compensate, and in order to spread fear among people, the authorities have intensified the execution for non-political charges. These are the low-cost victims of the Islamic Republic's execution machine. In order to stop this machine, the international community and civil society inside and outside Iran must show the same reaction to each and every execution*".

More than half of those executed after the start of the protests, and 256 (44%) of the 582 executions recorded in 2022, had been

⁶ <https://iranhr.net/en/articles/5489/>

⁷ <https://iranhr.net/en/articles/5795/>

⁸ <https://iranhr.net/en/articles/5795/>

sentenced to death for drug-related charges. This is a more than two-fold increase compared to 2021, and ten times higher than the number of drug-related executions in 2020. Despite a ten-fold increase in the executions for drug charges, neither the United Nations Office for Drugs and Crimes (UNODC) nor the countries funding UNODC projects in Iran have shown any reaction to this dramatic surge.⁹ The significant reduction in the number of drug-related executions which came as a result of the 2017 Amendment to the Anti-Narcotics Law has now completely reversed in practice.

Commenting on the alarming rise in drug-related executions, ECPM Director Raphael Chenuil-Hazan said: *“The positive reforms in the Anti-Narcotics Law were a result of coordinated pressure by the UNODC, donor countries and the civil society organisations. Lack of reaction by the UNODC and donor countries to the reversal of these reforms sends the wrong signal to the Iranian authorities. Abolition of the death penalty for drug-related offences must be a precondition for all future cooperation between UNODC and Iran on combating drug trafficking.”*

2022 marked the year when censorship and the lack of transparency in the Islamic Republic reached its highest peak in the last 10 years. More than 88% of all executions, and 99% of drug-related executions were not officially announced by the authorities.

The execution of ethnic minorities also continued to rise in 2022. Collected data shows that Baluch prisoners accounted for 30% of all executions across the country, while only representing 2-6% of Iran's population. According to the present report, 130 people were executed in the 4 ethnic provinces of Western Azerbaijan, Eastern Azerbaijan, Sistan and Baluchistan and Kurdistan in 2022. This is more than double the number in 2021 (62), and in 2020 (60). Moreover, in the last ten years, the majority of prisoners executed for security related charges belonged to the ethnic Arab, Baluch, and Kurd minorities. Ethnic minorities are amongst the socio-economically marginalised groups in Iran. The death penalty is part of the systematic discrimination and extensive repression to which ethnic minorities are subjected in Iran.

As in the previous five years, murder charges accounted for the largest number of executions. At least 288 people, including 3 juvenile offenders and 13 women were sentenced to *qisas* (retribution-in-kind) for murder charges and executed in 2022. This is the highest number of *qisas* executions in the last 15 years. Iranian law considers *qisas* to be the right of the victim's family and as the plaintiff, it places

⁹ <https://iranhr.net/en/articles/5777/>

responsibility on them to decide whether the defendant should be executed or not, and encourages them to personally carry out the execution. Furthermore, there is no distinction between premeditated murder and manslaughter. Commenting on the *qisas* executions, Mahmood Amiry-Moghaddam said: *“The Majority of those executed for murder charges in Iran are not accused of premeditated murder. A change in the law where a distinction is made between premeditated murder and manslaughter can significantly limit the use of the death penalty in Iran. But, as for the Anti-Narcotics Law, change requires sustained international pressure”*.

Finally, forced confessions extracted under torture, denial of access to lawyers, due process and fair trials, and a judiciary which functions as a repressive organ of government without separation of powers and judicial independence, are key obstacles in the abolition of the death penalty in Iran. More than 44 years since their establishment, the Revolutionary Courts are still responsible for a large number of death sentences issued in Iran. Mohsen Shekari was arrested at the nationwide protests on 25 September. He was tortured to force confessions and without a lawyer, he was sentenced to death on charges of *moharebeh* in a show trial. His crime had been to block a street with rubbish bins and using a knife in self-defence, causing injury. He was executed on 8 December, 75 days from arrest.¹⁰

In 2022, public executions also returned to the streets of Iran after a two-year hiatus. Two people, Iman Sabzikar and protester Majidreza Rahnavard, were publicly executed in Shiraz and Mashhad, with more death row prisoners facing the same fate. Afghan nationals, Mohammad Ramez Rashidi and Naeim Hashem Ghotali are awaiting public executions after being sentenced to death without due process and fair trials, with Mohammad's torture-tainted confessions aired prior to any legal proceedings taking place.¹¹ Dual-nationals, Habib Asyoud¹² (Swedish-Iranian) and Jamshid Sharmahd¹³ (German-Iranian) who were both kidnapped from neighbouring countries and subjected to torture and ill-treatment, were sentenced to death in unfair trials and are currently at risk of execution.

Simultaneously, calls for accountability and justice have increased in Iran and gained the support of the international community. On 30 September 2022, the International People's Tribunal (The Aban Tribunal in reference to the month of “Aban” when the repression took place in Iran at the end of 2019) which Iran Human Rights and ECPM

¹⁰ <https://iranhr.net/en/articles/5624/>

¹¹ <https://iranhr.net/en/articles/5796/>

¹² <https://iranhr.net/en/articles/5773/>

¹³ <https://iranhr.net/en/articles/5738/>

had joined Justice For Iran to establish, delivered its judgement in London. The panel of six unanimously found that the Islamic Republic was responsible for committing crimes against humanity during the November 2019 protests, and their verdict stressed that 13 of the individuals found guilty of planning and implementing these crimes against humanity remain engaged with government in senior roles and are leading the repression of the current protests.¹⁴

Finally, on 24 November 2022, in a historic move, the UN Human Rights Council adopted Resolution S35/1 to establish an International Independent Fact-Finding Mission (FFMI) on the Islamic Republic of Iran's human rights violations since the start of the "Woman-Life-Freedom" protests.¹⁵ The FFMI's findings will be presented to the Council at its fifty-fifth session (March 2024). These findings can be the basis of holding those responsible for the grave human rights violations in Iran accountable in a future court of law.

On the launch of the 2022 Annual Report on the Death Penalty in Iran, Iran Human Rights and ECPM call for an immediate moratorium on the death penalty in Iran. The organisations also call on the international community, in particular the UNODC and the States with diplomatic ties with the Islamic Republic and all other Member States, to play a more active role in supporting the improvement of the human rights situation by promoting the abolition of the death penalty in Iran. Today, 147 States in the world have abolished the death penalty or observe a moratorium on executions. Of the 57 member states of the Organisation of Islamic Cooperation, 20 have abolished the death penalty in law and 14 observe a moratorium on executions.¹⁶

¹⁴ <https://abantribunal.com/wp-content/uploads/2022/11/Aban-Judgment-Final.pdf>

¹⁵ <https://www.ohchr.org/en/hr-bodies/hrc/ffm-iran/index>

¹⁶ ECPM, The process of abolishing the death penalty in member states of the organisation of Islamic cooperation

SOURCES

There is an increasing lack of transparency on case law and the numbers of sentences and executions. The number of executions presented in this report is based on official information and documented cases. It is a minimum and the actual numbers are certainly higher, as the Iranian authorities do not announce all the executions implemented. Therefore, we distinguish between "official", and "unofficial" or "unannounced" executions. Official executions are those announced by the official websites of the Iranian judiciary, the Iranian police, the National Iranian Broadcasting Network, official or state-run news agencies and national or local newspapers. Unofficial or unannounced executions include cases that have not been announced by official sources but have been confirmed by Iran Human Rights through unofficial channels and communications. These include other human rights NGOs or Iran Human Rights' sources within Iran. The sources of unofficial reports are often eye-witnesses, family members, lawyers, and sources within prisons and within the Iranian judiciary (by the way of unofficial communication). Only unofficial reports that have been confirmed by two independent sources have been included.

Between 2016 and 2021, an average of 25% of all executions were announced by official Iranian media. In 2022, only 12% of the executions were announced by official sources and the remaining 88% were confirmed by Iran Human Rights. Due to the lack of transparency in the Iranian judicial system and the pressure put on families, 48 execution reports received by Iran Human Rights could not be confirmed by two independent sources and have not been included in this report.

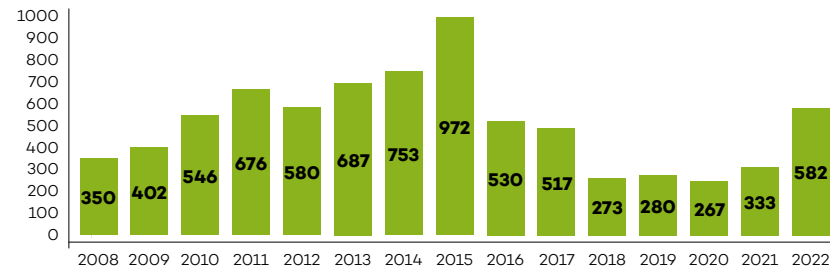
It is important to emphasise that the charges cited in this report are those issued by the Iranian judiciary.

Many of the trials leading to death sentences are unfair according to international standards. The use of torture to force confessions is widespread in Iran. Due to the lack of transparency in the Iranian judiciary, most of the charges mentioned in this report have not been confirmed by independent sources.

The figures presented in the report do not include extra-judicial killings inside or outside prisons.

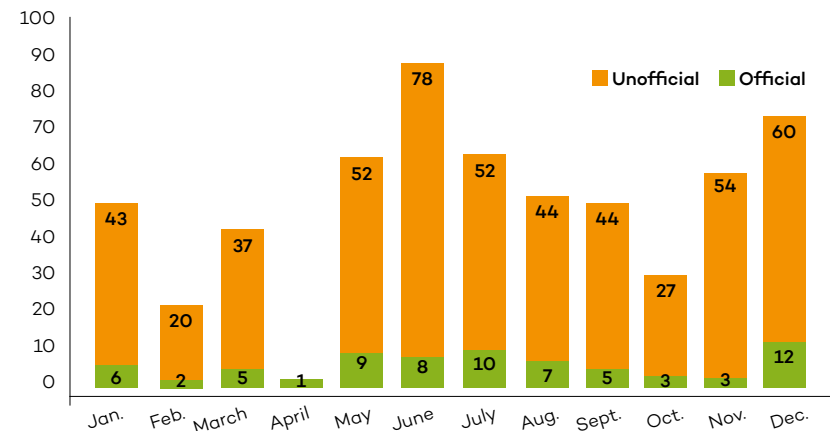
FACTS AND FIGURES

EXECUTION TRENDS IN THE LAST 15 YEARS



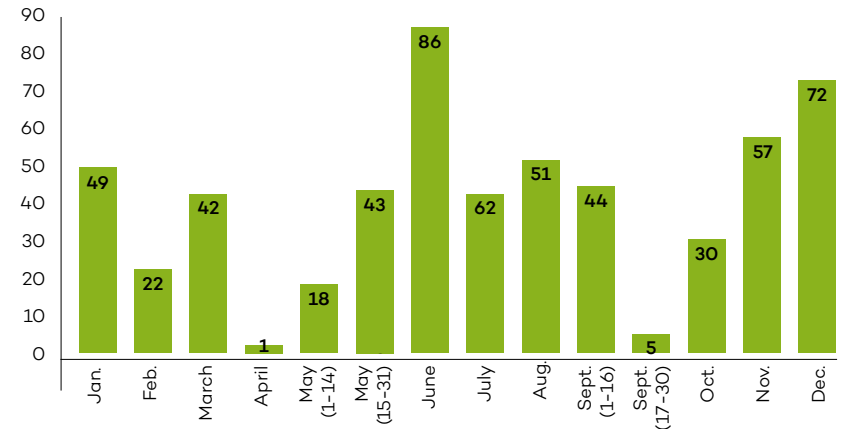
Since Iran Human Rights' first annual report in 2008, Iranian authorities have executed at least 7,748 people, an average of more than 516 executions per year. The number of executions in 2022 is the highest number since 2015 and significantly higher than the average over the last 15 years.

MONTHLY BREAKDOWN OF EXECUTIONS IN 2022



The monthly execution breakdown illustrates the high disparity between the number of officially announced and unannounced executions throughout the year. With one execution, April (coinciding with the Muslim month of Ramadan) had the lowest number of executions. With 86 and 72 executions, June and December were the bloodiest months in 2022.

CORRELATION BETWEEN THE NUMBER OF EXECUTIONS AND POLITICAL EVENTS



Although most of those executed are sentenced to death for ordinary crimes (non-political) charges, there is a meaningful correlation between the timing of the executions and political events. According to Iran Human Rights' recorded execution trends over the last two decades, execution rates typically go down in the weeks prior to the parliamentary and presidential elections, Nowruz holidays (21 March–3 April) and the month of Ramadan (which fell between 1 April and 1 May in 2022). The first execution surge began with the start of the teachers' protests on 7 May. The second surge started in October after the start of nationwide protests following the state killing of Jina (Mahsa) Amini in police custody on 16 September. Although the number of executions were lower than average in the first fortnight of the protests, at least 223 protesters were killed in street protests during that period.

THE THREE POWERS OF GOVERNMENT AND PROTESTER DEATH SENTENCES

According to Article 57 of the Constitution, "the powers of government are vested in the legislative, executive and judicial powers which function under the supervision of the absolute *velayate-ol-amr* and leadership of the Ummah." While the article stipulates that the aforementioned powers are independent of each other, this is contradicted in the Constitution and law. This section will provide an overview and detail the positions of each in regard to the use of the death penalty against protesters.

THE JUDICIARY

According to Article 156 of the Iranian Constitution: “The Judiciary shall be an independent power that protects individual and social rights.” However, Article 157 of the Constitution undermines the impartiality and independence of the judiciary and states that: “The Head of the Judiciary is directly appointed and supervised by the Supreme Leader,” who, under the Constitution, is the Head of State and holds the state’s highest political position.



On 1 July 2021, Supreme Leader Ali Khamenei promoted Gholamhossein Mohseni-Ejei (known as Ejei) to serve as the new Head of Judiciary. Ejei has held several key positions in the Islamic Republic’s security apparatus, including Minister of Intelligence (2005–2009), Attorney General of

Iran (2009–2014), and Deputy Head of Judiciary (2014–2021). In 2014, he was granted the power to make the final decision in death penalty cases of drug offenders. The following year, in 2015, at least 642 people were executed on drug-related charges, including the Ghezelhesar Prison mass executions¹⁷ on the direct orders of Ejei, setting the record for the highest annual drug executions since the early 1990s. Ejei is also one of the Islamic Republic officials who were sanctioned in 2010 by the United States¹⁸ and the European Union¹⁹ for their role in the suppression of the 2009 post-election protests. There has been a dramatic increase in the number of drug-related executions since his appointment as the Head of Judiciary.

At the Judiciary’s weekly Supreme Council meeting on 7 November, Ejei defended death sentences being issued against protesters²⁰ and maintained this position, giving regular updates at press conferences and other meetings. Of the three leaders in charge of the powers (Executive, Legislative and Judiciary) in Iran, he has been the most outspoken in defending the death sentence and executions.

THE LEGISLATURE

The legislature consists of the Islamic Consultative Assembly (Parliament), with Mohammad Bagher Ghalibaf as its Speaker, and the Council of Guardians, with Ahmad Jannati as its chairman.

17 <https://iranhr.net/en/articles/1217/>

18 <https://www.treasury.gov/press-center/press-releases/pages/tg877.aspx>

19 https://www.europarl.europa.eu/doceo/document/E-7-2010-8192_EN.html

20 <https://iranhr.net/en/articles/5578/>

Jannati also chairs the Assembly of Experts, which is charged with choosing the Supreme Leader.



Mohammad Bagher Ghalibaf is a former senior Islamic Revolutionary Guard Corps (IRGC) commander, Chief of Police (2000–2005), Tehran Mayor (2005–2017) and presidential candidate. He was appointed to the role of Speaker in 2020.

In a statement issued on 6 November, 227 of the 290 members of Parliament called on the Judiciary to issue and carry out the death penalty for protesters.²¹ Though later retracted due to backlash, it was a clear demonstration of the absence of separation between the powers. In his speech before reading the statement, Ghalibaf asserted that the protests were organised by the CIA, Mossad and their followers, with the aim of creating a new ISIS through riots.²²

A resolution adopted by the EU Parliament on 19 January 2023 called on the “VP/HR, the Council and the Member States to consider sanctions against the 227 Members of the Iranian parliament who encouraged the use of death sentences.”²³

THE EXECUTIVE



The government has been led by President Ebrahim Raisi since August 2021. Ebrahim Raisi, who was Head of Judiciary from 2019 until August 2021, served on a four-person commission, known as the “death commissions,” during the 1988 prison massacre of political prisoners. Based on an order by the

founder and then Supreme Leader Ayatollah Khomeini, commissions were formed across the country and were responsible for the execution of several thousand political prisoners in the summer of 1988. The prisoners, many of whom had been tried and were serving their prison terms, went through very short interviews (often just one question) with the death commission, who ruled whether they should be executed or not. Raisi, who is also on the US sanctions list for his

21 <https://iranhr.net/en/articles/5578/>

22 <https://www.isna.ir/news/1401081509782/هستند-حساز-ی-نویں-هستند-قالباف-گردانندگان-اعتقالات-به-دنیال-داعش-حساز-ی-نویں-هستند>

23 https://www.europarl.europa.eu/doceo/document/TA-9-2023-0016_EN.html

role in the massacre, served on the death commission responsible for the Tehran region, where the highest number of political prisoners were held. The 1988 extrajudicial prison massacre of political prisoners is considered by many distinguished lawyers and rights organisations as crimes against humanity.²⁴

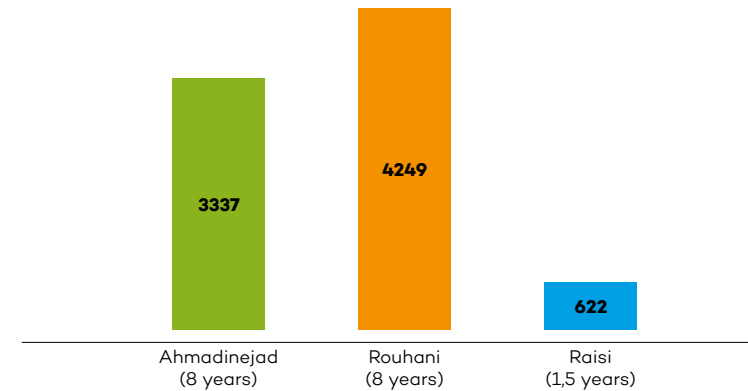
When questioned about his role in the massacre in the first news conference following his inauguration in June 2021, he responded: *“Everything I’ve done in my time of holding office has been to defend human rights. If a legal expert, a judge or a prosecutor has defended the rights of people and the security of the society, he must be lauded and encouraged for preserving the security of people against assaults and threats. I am proud to have defended human rights in every position I have held so far.”*²⁵

In an interview with CBS 60 Minutes on 18 September 2022, he was questioned again about his role in the 1988 massacre and asked whether he regretted it. Ebrahim Raisi first questioned whether they had happened at all, then falsely claimed that the political prisoners had committed “assassinations” and had received the “appropriate punishment.”²⁶ Following the execution of protester Mohsen Shekari on 8 December, he referred to protesters as “disrupters of security” and asserted that their prosecution and punishments would continue determinedly.²⁷

In his February 2022 report to the UN Human Rights Council on the situation of human rights in the Islamic Republic of Iran, the Special Rapporteur Javid Rehman urged the international community to call for accountability with respect to long-standing emblematic events that have been met with persistent impunity, including the enforced disappearances and summary and arbitrary executions of 1988.²⁸

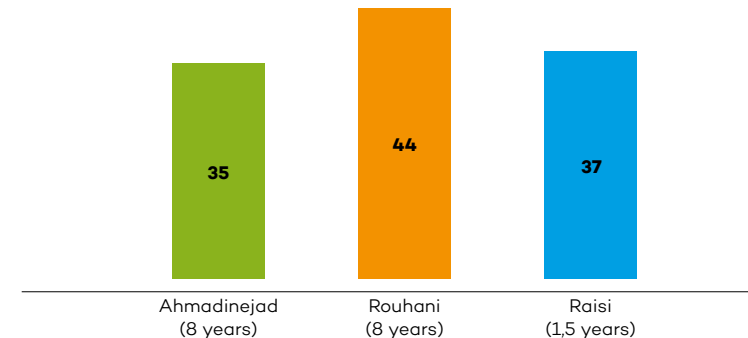
24 <https://www.amnesty.org/download/Documents/MDE1394212018ENGLISH.PDF>
 25 <https://www.aljazeera.com/news/2021/6/21/irans-president-elect-raisi-addresses-links-with-mass-executions>
 26 <https://www.cbsnews.com/video/iran-president-ebrahim-raisi-60-minutes-video-2022-09-18/>
 27 <https://www.asriran.com/fa/amp/news/869368>
 28 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/005/44/PDF/G2200544.pdf?OpenElement>

NUMBERS OF EXECUTIONS PER PRESIDENTIAL TERM



At least 622 people have been executed since Ebrahim Raisi took office in August 2021 and until 31 December 2022. During the two terms (8 years) of presidents Mahmoud Ahmadinejad (2005–2013) and Hassan Rouhani (2013–2021), at least 3,327 and 4,249 people were executed, respectively.

AVERAGE NUMBER OF EXECUTIONS PER MONTH



A comparison of executions under Raisi’s presidency with those under the previous two presidents, Ahmadinejad and Rouhani, shows that more than one person was executed every day during all three presidencies. With 44 average monthly executions, Rouhani has the highest monthly average, followed by 37 under Raisi and 35 under Ahmdinejad’s presidency. It is important to note that the 2017 Amendment to the Anti-Narcotics Laws also significantly reduced the monthly average execution count during Rouhani’s presidency.

LEGISLATIVE FRAMEWORK

INTERNATIONAL TREATIES

The Islamic Republic of Iran has ratified three international human rights treaties that apply to the death penalty: the International Covenant on Civil and Political Rights (ICCPR) in 1975, the International Convention on the Rights of the Child (CRC) in 1994, and the Convention on the Rights of Persons with Disabilities (CRPD) in 2009.

Other applicable treaties which they have neither signed nor ratified include the International Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at the abolition of the death penalty.

Since 2007, a resolution for a universal moratorium on the use of the death penalty has been put to a vote at the United Nations General Assembly (UNGA) every two years. Through this text, always adopted by a large majority of States, the UN reaffirms that the application of the death penalty violates human dignity and “calls upon all States that still maintain it to establish a moratorium on executions”. As the resolution is not legally binding, it cannot sanction a State or prevent it from performing an execution. However, a firm call from the UN’s most senior political body carries considerable moral weight and is a precious asset in creating a world without the death penalty. Since the introduction of the resolution in 2007, the number of voters supporting the resolution has steadily increased to a new record of 123 in 2020.

Since 2007, however, Iran has been voting against the Resolution. In December 2022, Iran voted against the Resolution once again.

TREATY DESCRIPTION	TREATY NAME	SIGNATURE DATE	RATIFICATION DATE, ACCESSION(A), SUCCESSION(D) DATE
International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	CAT		
Optional Protocol of the International Convention against Torture	OP - CAT		
International Covenant on Civil and Political Rights	CCPR	04 Apr 1968	24 Jun 1975
Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty	CCPR-OP2-DP		
International Convention for the Protection of All Persons from Enforced Disappearance	CED		
Interstate communication procedure under the International Convention for the Protection of All Persons from Enforced Disappearance	CED, Art.32		
International Convention on the Elimination of All Forms of Discrimination against Women	CEDAW		
International Convention on the Elimination of All Forms of Racial Discrimination	CERD	08 Mar 1967	29 Aug 1968
International Covenant on Economic, Social and Cultural Rights	CESCR	04 Apr 1968	24 Jun 1975
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	CMW		
International Convention on the Rights of the Child	CRC	05 Sep 1991	13 Jul 1994
Optional Protocol to the International Convention on the Rights of the Child on the involvement of children in armed conflict	CRC-OP-AC	21 Sep 2010	
Optional Protocol to the International Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	CRC-OP-SC		26 Sep 2007 (a)
International Convention on the Rights of Persons with Disabilities	CRPD		23 Oct 2009 (a)

LIMITATION OF THE APPLICATION OF THE DEATH PENALTY TO THE MOST SERIOUS CRIMES

Article 6 of the ICCPR sets out the inherent right to life and emphasises that the death penalty may only be applied for “most serious crimes.” Article 6 §2 of the ICCPR states: *“In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgement rendered by a competent court.”*

Article 6 §5 of ICCPR clarifies: *“Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women.”*

Article 6 §6 states: *“Nothing in this Article shall be invoked to delay or to prevent the abolition of capital punishment by any State Party to the present Covenant.”*

In the General Comment on Article 6 of the ICCPR, the United Nations Human Rights Committee stated that *“The term ‘the most serious crimes’ must be read restrictively and appertain only to crimes of extreme gravity, involving intentional killing. Crimes not resulting directly and intentionally in death, such as attempted murder, corruption and other economic and political crimes, armed robbery, piracy, abduction, drug and sexual offences, although serious in nature, can never serve as the basis, within the framework of Article 6, for the imposition of the death penalty. In the same vein, a limited degree of involvement or of complicity in the commission of even the most serious crimes, such as providing the physical means for the commission of murder, cannot justify the imposition of the death penalty. States parties are under an obligation to review their criminal laws so as to ensure that the death penalty is not imposed for crimes which do not qualify as the most serious crimes. They should also revoke death sentences issued for crimes not qualifying as the most serious crimes and pursue the necessary legal procedures to re-sentence those convicted for such crimes.”*

The UN Human Rights Committee also stated that *“Under no circumstances can the death penalty ever be applied as a sanction against conduct whose very criminalization violates the Covenant, including adultery, homosexuality, apostasy, establishing political opposition groups, or offending a head of State. States parties that retain the death penalty for such offences commit a violation of their obligations under Article 6 read alone and in conjunction with*

Article 2, paragraph 2 of the Covenant, as well as of other provisions of the Covenant.”

In a yearly supplement to his quinquennial report on capital punishment, the UN Secretary General reaffirmed this position: *“States parties to the Covenant that have not yet abolished the death penalty may only impose it for the ‘most serious crimes’. The Human Rights Committee has expressed the view that this means crimes of particular gravity involving intentional killing. States should remove from national laws any application of the death penalty to crimes not involving intentional killing, such as drug-related offences or terrorism-related crimes not involving intentional killing. The death penalty should especially not be imposed as a sanction for forms of non-violent conduct such as apostasy, blasphemy, adultery and consensual same-sex relations.”*

Although Iran did not make any reservation while ratifying the ICCPR, the death penalty is still imposed for crimes that do not meet the threshold of “the most serious crimes” despite what has been stated in the Addendum following the Universal Periodic Review (UPR): *“It should be noted that the deprivation of life has been considered as a punishment only for the most serious crimes in accordance with Article 6 of the International Covenant on Civil and Political Rights.”*

PROHIBITION OF SEVERAL METHODS OF EXECUTION

The HRC also highlighted that State parties that have not abolished the death penalty must respect Article 7 of the Covenant, which bars certain methods of execution including public executions.

Article 7 of ICCPR bans *“torture [and] cruel, inhuman or degrading treatment or punishment”*, and Article 14 provides for fair trial and due process and specifically mentions the importance of an impartial judicial system, access to a lawyer, and not compelling individuals to testify against themselves or to confess guilt.

PROHIBITION ON THE DEATH PENALTY FOR CHILDREN AND PREGNANT WOMEN²⁹

Article 6 §5 of ICCPR states: *“Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women.”*

Article 37a of the CRC states: *“No child shall be subjected to torture*

²⁹ https://www.unodc.org/pdf/criminal_justice/Safeguards_Guaranteeing_Protection_of_the_Rights_of_those_Facing_the_Death_Penalty.pdf

or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age.”

However, upon ratification, Iran made the following reservation: “If the text of the Convention is or becomes incompatible with the domestic laws and Islamic standards at any time or in any case, the Government of the Islamic Republic shall not abide by it.”

IRANIAN LAW

Chapter III of the Constitution of the Islamic Republic of Iran contains provisions related to the rights of the people. Article 22 states: “The dignity, life, property, rights, domicile, and occupations of people may not be violated, unless sanctioned by law.”³⁰

Codified laws relating to the death penalty can be found in the 2013 Islamic Penal Code (IPC) and the Anti-Narcotics Law and its 2017 Amendment. While murder, drug possession and trafficking, rape/sexual assault, *moharebeh*, *efsad-fil-arz* and *baghy* are the most common charges resulting in the death penalty in Iran, the IPC sanctions the death penalty for a wide range of crimes, the number of which is among the highest in the world.

However, there are also uncoded laws relating to the death penalty. Article 220 of the IPC states that Article 167 of the Constitution can be invoked by a judge to pronounce *hudud* punishments that the law has not addressed: “The judge is bound to endeavour to judge each case on the basis of the codified law.”³¹ In the absence of such laws, the judge has to deliver judgement on the basis of authoritative Islamic sources and authentic *fatwa* that can carry the mandatory death penalty. The judge cannot refrain from admitting and examining cases and delivering judgement based on the lack or deficiency of the law in the matter, or its brevity or contradictory nature.

It is important to note that the majority of charges punishable by death in the Islamic Republic cannot be considered as “most serious crimes” and do not meet the aforementioned ICCPR standards.

30 Chapter III, Article 22 in English: <https://iranhrdc.org/the-constitution-of-the-islamic-republic-of-iran/>

31 Islamic Penal Code in English: <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/>

ISLAMIC PENAL CODE & CAPITAL OFFENCES

The current Islamic Penal Code (IPC) came into force in 2013.³² Section Two sets out four types of punishments, three of which are applicable to the death penalty: *hadd*, *qisas* and *ta'zir*.

Hadd (pl. hudud) are fixed punishments for which *Sharia* or Islamic law has fixed the measure, degree and method. They can be divided into three subcategories:

- **Sexual offences:** incest, rape, *zina* (adultery), *lavat* (sodomy or consensual homosexual penetrative sex), *tafkhiz* (intercrural sex) where the “active party” is non-Muslim and the “passive party” is Muslim.
- **Offences against the State and religion:** *efsad-fil-arz* (corruption on earth), *moharebeh* (enmity against God), *baghy* (armed rebellion), *sabot-nabi* (insulting the prophet) and *ertedad* (apostasy).
- **Repeat offences on the fourth occasion:** theft, adultery, sodomy, *mosahegheh* (lesbian sex), intercrural sex, pimping, insulting the prophet, alcohol consumption, *qadf* (false accusation of sodomy or adultery), *moharebeh*, *efsad-fil-arz* and *baghy*.

Qisas: Retribution-in-kind for “intentional murder”, which due to a lack of grading and disregard for intent or circumstances, includes both intentional and unintentional killings.

Ta'zir: Punishment for offences at the discretion of the judge. This currently applies to drug-related offences for the purpose of this report.

SEXUAL OFFENCES

INCEST, SEX BETWEEN A NON-MUSLIM MAN AND MUSLIM WOMAN, AND RAPE

According to Article 224 of the IPC: “A death sentence shall be imposed on the male party in cases of incest, fornication with their stepmother, fornication of a non-Muslim man with a Muslim woman and fornication by force or reluctance. The punishment for the female party shall be decided by other provisions concerning fornication.”

ADULTERY

Zina (adultery) between married parties is punishable by stoning. The IPC has retained the punishment of stoning for those charged with adultery (Article 225), but the courts have been provided with the option to impose the death sentence by alternative means upon

32 Islamic Penal Code: <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/>

approval from the Head of Judiciary “*If it is not possible to perform stoning.*”

SAME-SEX RELATIONS

LAVAT

Article 233 of the IPC defines *lavat* (sodomy) and Article 234 sets out its punishments. In male homosexual relations, the law distinguishes between what it describes as the “*active party*” and “*passive party*.” The death penalty is imposed on the “*active party*” if he is married or commits rape, but the “*passive party*” receives the death penalty regardless of their marital status. According to Note 1 of Article 234, a non-Muslim “*active party*” in a sexual act with a Muslim party shall also receive the death penalty.

TAFKHIZ

Tafkhiz (intercrural/thigh sex) is defined in Article 235 and according to Article 236, the punishment for both parties is 100 lashes. However, the Note to the Article stipulates that the “*active party*” shall receive the death penalty if he is non-Muslim and the “*passive party*” is Muslim.

MOSAHEGHEH

Defined in Article 238, in cases of *mosahegheh* (lesbian sex), no distinction is made in punishments set for the “*active*” or “*passive*” parties, their religion, marital status or consent (Article 240). Article 239 sets out the punishment for *mosahegheh* as 100 lashes. However, as it is a *hadd* crime, it is punishable by death on the fourth occasion if “*offenders*” are sentenced and receive the lashing punishments on the first three occasions. This has not been specifically stated in law, but can be inferred from the provisions of Article 136 of the IPC on “Repeat Offences” (see below).

In June 2019, when asked by a journalist why homosexuals are executed based on their sexual orientation, then Iranian Foreign Minister Mohammad Javad Zarif responded: “*Our society has moral principles. And we live according to these principles. These are moral principles concerning the behaviour of people in general. And that means that the law is respected, and the law is obeyed.*” According to some human rights activists, many people have been executed based on charges of homosexuality since the 1979 Islamic revolution.³³

³³ https://bridges.monash.edu/articles/report/State-Sanctioned_Killing_of_Sexual_Minorities_Looking_Beyond_the_Death_Penalty/14069318

OFFENCES AGAINST THE STATE AND RELIGION

MOHAREBEH

Article 279 of the IPC defines *moharebeh* (enmity against God) as: “drawing a weapon on the life, property or honour of the public or causing them terror, in a way that creates an environment of insecurity”. When a person draws a weapon on one or several specific individuals with personal motives but their action does not have a public element, and when a person draws a weapon on the public but does not create an atmosphere of insecurity due to their incompetence, they shall not be considered a *mohareb* (person who commits *moharebeh*).

Article 281 stipulates that “*bandits, robbers and smugglers who resort to arms and disrupt the security of the public and roads, shall be considered mohareb.*”

Article 282 of the IPC sanctions the death penalty in cases of *moharebeh*. However, power is granted to judges to impose the alternative punishments of crucifixion, amputation of the right hand and left foot or domestic exile away from the defendant’s hometown.

Under the previous IPC, which was in force until 2013, the charge of *moharebeh* was frequently used against political dissidents and people with connections to opposition groups abroad, regardless of whether they had personally used violence or not. The current IPC has provided for their punishment under the vague charges of *efsad-fil-arz* and *baghy*.

In the current nationwide protests, two protesters, Mohsen Shekari and Majidreza Rahnavaard, have been executed on charges of *moharebeh* and many more protesters are currently facing the death penalty on the charges.

EFSAD-FIL-ARZ

Article 286 of the IPC defines *efsad-fil-arz* (corruption on earth) as the crime committed by a person “*on an extensive level against the physical integrity of others, the domestic or external security, spreads lies, disrupts the national economic system, undertakes arson and destruction, disseminates poisonous, microbiological and dangerous substances, establishes corruption and prostitution centres or assists in establishing them.*”

However, this article does not provide concrete definitions for the term “*crime*” and the scope of “*extensive*” for its purpose, giving judges more power to interpret the law at their own discretion.

In the current nationwide protests, the charges have been used interchangeably with *moharebeh* against protesters. Two protesters, Mohammad Mehdi Karami and Seyed Mohammad Hosseini, have

been executed and many more are facing the death penalty on the charges.

BAGHY

Article 287 of the IPC defines members of any group that stages armed rebellion against the Islamic Republic of Iran as “*baghy*” (one who carries out *baghy* or armed rebellion), and states that its members shall be sentenced to death on charges of *baghy* if they used weapons.

OTHER RELIGIOUS “OFFENCES”

Article 262 sanctions the death sentence for cursing the Prophet of Islam or any of the other great prophets, and for accusing the infallible imams and the Prophet Mohammad’s daughter, Fatima Zahra, of sodomy or adultery. Apostasy, sorcery, witchcraft and other such issues have not been explicitly specified in the current IPC, although apostasy is specifically referred to in Article 26. Under *sharia* law, the punishment for apostasy is death, which a judge can impose by invoking Article 167 of the Constitution.

QISAS

Qisas means retribution-in-kind for a crime committed. A *qisas* death sentence takes away the offender’s life in retribution for having committed murder. However, the law provides immunity from *qisas* for the following individuals:

- Father and paternal grandfather of the victim (Article 301)
- A man who kills his wife and her lover in the act of adultery (Article 302)
- Muslims, followers of recognised religions, and “*protected persons*” who kill followers of unrecognised religions or “*unprotected persons*” (Article 310)
- Killing a person who has committed a *hadd* offence punishable by death (Article 302)
- Killing a rapist (Article 302)

The law indirectly encourages arbitrary killings by private individuals. Experts believe, for instance, that Articles 301 and 302 might be contributing to the increased number of honour killings in Iran. The law also discriminates against followers of “unrecognised” religions. Article 301 states: “*Qisas shall be established [...] if the victim is sane and has the same religion as the culprit. Note: If the victim is Muslim, the non-Muslim status of the culprit shall not prevent qisas.*” This includes in particular members of the Baha’i faith, which

is not recognised as a religion according to Iranian law. If a Baha’i is murdered, the family does not receive *diyya* (blood money), and the offender is exempted from *qisas*. In 2013, there were two reported Baha’i murder cases. On 23 April 2013, Saeedollah Aqdasi was murdered in his house in Miandoab (Northwestern Iran) and Ataollah Rezvani was shot in Bandar Abbas (Southern Iran) on 24 August 2013; none of these cases have been properly investigated.

REPEAT OFFENCES

Article 136 stipulates that repeat offenders who commit an offence punishable by *hadd*, and who are punished on the first three occasions, shall be sentenced to death on the fourth occasion. This article does not provide a complete list of *hudud* offences and only specifies the death sentence for theft on the fourth occasion in Article 278. Nevertheless, Articles 220-288 have defined *hudud* offences as: incest and adultery, *lavat*, *tafkhez*, *mosahegheh*, pimping, *sabol-nabi*, theft, alcohol consumption, *qadf* (false accusations of sodomy or adultery), *moharebeh*, *efsad-fil-arz* and *baghy*.

JUVENILE OFFENDERS

The 2013 IPC retained the death penalty for juvenile offenders. Although Articles 89–95 suggest corrective measures and alternative punishments for children and juveniles, Article 91 is very clear that the offences punishable by *hudud* or *qisas* are exceptions to this rule. It is important to note that almost all juvenile offenders executed in the past ten years were sentenced to death based on *qisas* and *hudud* laws.

Article 91 states: “*For offences punishable by hadd or qisas, mature persons younger than 18 shall be sentenced to the punishments stipulated in this chapter (Articles 89–95) if they do not understand the nature of the offence committed or its prohibition or if there are doubts about their maturity or development of their reasoning.*”

The Article grants discretion to the judge to decide whether a juvenile offender understood the nature of the offences, whether they were mature at the time of committing the offence and whether they should be sentenced to death. The Note to Article 91 authorises but does not require the court to seek the opinion of the Forensic Medical Organisation or to use any other means to reach a verdict. Moreover, while Article 146 states that immature persons lack criminal responsibility, Article 147 repeats the provisions of the previous law and the Civil Code regarding maturity and the age of criminal

responsibility. Girls are considered mature at the age of 9 lunar years and boys at the age of 15 lunar years. A girl older than 8.7 years and a boy older than 14.6 years can therefore be sentenced to death.

In the framework of the Universal Periodic Review (UPR), Iranian authorities wrote in their reply to the recommendations: *“Conforming to the recent amendments made in the laws of Iran, the maximum punishment for children shall not exceed five years of detention in correctional facilities. The deprivation of life as a punishment shall be proposed but not enforced in case the culprit with the age of criminal responsibility has not perceived the nature of the crime and therefore lacks mental maturity and perfection, based on the expert assessment and judgement of the competent court.”*³⁴

The juvenile offenders executed in 2022 were kept in prison or correctional facilities until they reached the age of 18 before being executed.

THE ANTI-NARCOTICS LAW

Iran’s Anti-Narcotics Law was drafted in 1988, with amendments in 1997, 2011 and 2017. The 1997 and 2011 amendments were aimed at counteracting Iran’s growing drug problem by expanding the scope of the law and introducing harsher sentences. The 2011 Amendment introduced the death penalty for the possession of as little as 30 grams of heroin and included new categories of drugs. Altogether, the Anti-Narcotics Law, including the 1997 and 2011 Amendments, imposed the death penalty for 17 drug-related offences, including: a fourth conviction for offences in several instances; planting opium poppies, coca plants or cannabis seeds with the intent to produce drugs; smuggling more than 5 kilograms of opium or cannabis into Iran; buying, possessing, carrying or hiding more than 5 kilograms of opium and the other aforementioned drugs (punishable upon a third conviction); smuggling into Iran, dealing, producing, distributing and exporting more than 30 grams of heroin, morphine, cocaine or their derivatives.

The 2017 Amendment introduced a mechanism to limit the use of the death penalty and commute the sentences of those on death row to life imprisonment. The Amendment increased the minimum amounts of illegal drugs that would subject convicted producers and distributors to a death sentence, raising the level of synthetic substances, such as heroin, cocaine and amphetamines, from 30 grams to 2 kilograms and that of natural substances, such as opium and

³⁴ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/044/46/PDF/G2004446.pdf?OpenElement>

cannabis, from 5 kilograms to 50 kilograms (Article 45(d)). The punishment for those already sentenced to death or life imprisonment for drug-related offences would be commuted to a maximum of 30 years imprisonment and a fine. It restricted the death penalty for those convicted of carrying (not only using) weapons, acting as the ringleader, providing financial support, or using minors below the age of 18 or the mentally ill in a drug crime, and to those previously sentenced to death, life imprisonment, or imprisonment for more than 15 years for related crimes. A complete analysis of the 2017 Amendments to the Anti-Narcotics Law is available in the *2017 Annual Report on the Death Penalty*.³⁵

The 2017 Amendment created hope that it would eventually lead to a complete halt in drug-related executions. And while it did lead to a decline in male drug executions and a complete drop in female executions until 2021, the outcome was not guaranteed. In 2021, drug executions increased fivefold compared to 2020, with five women executed. In 2022, that number more than doubled to 256 drug-related executions, including three women.

³⁵ <https://iranhr.net/en/reports/19/>

PROCEDURES

The ICCPR, which Iran has ratified, promotes the rule of law and underlines equal legal rights for all individuals regardless of sex, ethnicity, opinion or belief, and bans many forms of discrimination. Article 14 specifically underlines the importance of an impartial judicial system, access to a lawyer and a fair trial, and not compelling individuals to testify against themselves or to confess guilt. The lack of due process is probably the biggest obstacle to significant improvements in the human rights situation and the death penalty in particular. Perhaps the lack of an independent judiciary and inequality before the law are the most important structural reasons for the absence of due process in Iran. The Head of Judiciary is directly selected by the country's highest political authority, the Supreme Leader, and must report to him. The Chief of the Supreme Court and all judges are selected by the Head of Judiciary based on their ideological affiliation and political background, making the judiciary a political wing that is neither impartial nor independent. Citizens are not equal before the law; men have more rights than women, Muslims have more rights than non-Muslims, and *Shia* Muslims have more rights than *Sunni* Muslims. In this section, we will briefly address the typical legal procedures from arrest to death sentence. Due to the arbitrary nature of the judicial system, not all the procedures are necessarily followed in every death penalty case. A broader and deeper discussion on the legal procedures and due process in Iran is beyond the scope of this report and can be found elsewhere.³⁶

FROM ARREST TO PROOF OF GUILT

ACCESS TO LAWYER

Article 35 of the Iranian Constitution grants defendants access to legal representation. The 2013 Code of Criminal Procedure (CCP) and its 2015 amendments address, among others, a suspect's right to access a lawyer in the pre-trial phase.³⁷ Article 48 of the CCP states: *"When a suspect is arrested, they can request the presence of a lawyer. The lawyer, observing the secret nature of the investigation and the negotiations between the parties, should meet with the*

³⁶ <https://fpc.org.uk/publications/ihrdueprocess/>

³⁷ <https://iranhrdc.org/amendments-to-the-islamic-republic-of-irans-code-of-criminal-procedure-part-1/>

suspect. At the end of the meeting, which should not last more than one hour, the lawyer may submit their written notes to be included in the case file."

However, a note added in the final draft limits the suspect's rights to choose a lawyer: *"In cases of crimes against internal or external security, and in cases involving organised crime, where Article 302 of this code is applicable, during the investigation phase, the parties to the dispute are to select their attorneys from a list approved by the Head of Judiciary. The names of the approved attorneys will be announced by the Head of Judiciary."*

The note effectively states that in serious criminal cases and those involving security charges, during the pre-trial investigation phase, defendants may only select lawyers from a list approved by the Head of Judiciary. In June 2018, the judiciary announced a list of 20 lawyers approved to defend citizens with security cases.³⁸

Following objections from lawyers,³⁹ the Iranian Parliament's Judiciary Committee tried to propose a bill to change the law. The proposed bill removes the phrase *"to select their lawyers from a list approved by the Head of Judiciary."* However, it imposes new limitations, including the possibility of limiting the right to access legal counsel for 20 days (which can be extended by order of the judge for an indefinite period) for defendants subject to Article 302 of the CCP. Several lawyers expressed their concern regarding this limitation. Some of these concerns are published in interviews with the Iran Human Rights bi-weekly Farsi law journal, *Hoghogh-e-ma* ("Our Rights").⁴⁰ However, regardless of the charges, none of the people sentenced to death about whom Iran Human Rights has acquired information have had access to a lawyer in the initial (pre-trial) phase after their arrest.

In 2022, all death penalty protesters Iran Human Rights has obtained information about were also deprived of access to their lawyers during legal proceedings until there was public and international pressure on the case. Concurrently, over 50 lawyers were arrested or indicted for carrying out their professional duties.⁴¹ For instance, there is the case of lawyer Ali Sharifzadeh Ardakani, who managed to visit his client, protester Seyed Mohammad Hosseini, in prison. Ardakani was arrested shortly after tweeting about the torture Mohammad was subjected to and coerced into false confessions.⁴²

³⁸ <https://www.rferl.org/a/lowering-the-bar-tehran-white-list-excludes-most-lawyers-from-politically-charged-cases/29276192.html>

³⁹ <https://iranhr.net/media/files/HoghoheMa-No79.pdf>

⁴⁰ <https://iranhr.net/media/files/101.pdf> and <https://iranhr.net/media/files/160.pdf>

⁴¹ Iran Human Rights, Targeted Crackdown on Human Rights Defenders (18 September-30 November 2022) https://iranhr.net/media/files/HRD_2022_Eng_2bMr713.pdf

⁴² <https://iranhr.net/en/articles/5685/>

In a joint statement issued on 1 December 2022, 14 International Bar Associations and International Lawyers' Organisations called on the Islamic Republic to protect, promote and support the independence of the legal profession, the principle of lawyer-client confidentiality, the right to have access to a legal representative and the right to prepare a defence. It further called for the immediate release of the lawyers arrested.⁴³

In January 2023, a resolution adopted in the European Parliament expressed “grave concerns about detainees’ inability to access legal representation during interrogations.”⁴⁴

TORTURE IN DETENTION

Article 38 of the Iranian Constitution bans all forms of torture and forced confessions. However, reports gathered by Iran Human Rights and other human rights organisations throughout the years indicate that torture is widely used against suspects after their arrest and in the pre-trial phase in order to extract a confession⁴⁵. In the nationwide protests following the death in custody of Jina (Mahsa) Amini, Iran Human Rights concluded that physical torture, sexual assault and rape were not merely isolated incidents but were systematically used against protesters to force false self-incriminating confessions.⁴⁶

Furthermore, all death row prisoners Iran Human Rights has been in contact with have testified that they were subjected to torture in order to force confessions for the charges brought against them. This is not limited to those with political or security-related charges. Almost all prisoners who were arrested for drug-related offences have been kept in solitary confinement and subjected to physical torture in the investigation phase following their arrest, while being denied access to a lawyer. In many cases, confessions extracted in detention have been the only evidence available for the judge to base his verdict on. Torture is also used in other criminal cases involving rape or murder where there is not enough evidence against the suspect. Death row prisoners who have received lashing sentences also face torture prior to being executed. In February 2022, Morad Salehbeigi was whipped 74 times before being executed for murder in Zanjan Central Prison.⁴⁷

43 <https://eldh.eu/wp-content/uploads/2022/12/joint-statement-from-lawyers-abroad-on-lawyers-in-iran.pdf>

44 https://www.europarl.europa.eu/doceo/document/TA-9-2023-0016_EN.html

45 Iran Human Rights dedicated an issue of its legal biweekly magazine, Hoghooghe-ma, to the subject of torture.- <https://iranhr.net/media/files/140.pdf>

46 <https://iranhr.net/en/articles/5687/>

47 <https://iranhr.net/en/articles/5121/>

In a resolution adopted on 19 January 2023, the EU Parliament condemned “in the strongest terms the systematic use of torture, including sexual violence as a weapon, in Iranian prisons” and called “for the immediate cessation of all forms of torture and ill-treatment of all detainees.” It called “on the Iranian regime to treat prisoners with the respect due to their inherent dignity and value as human beings” and reiterated “its call on Iran to ratify without delay the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and to act in full accordance with the provisions contained therein.”⁴⁸

In his report to the 52nd Human Rights Council session, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javid Rehman, stated: “Reports of systematic torture and ill-treatment of protesters, including allegations of gender-based and sexual violence and rape and torture of children and young persons, are deeply shocking and perpetrators of these very grave crimes in international law must be identified and held accountable.”⁴⁹

COURTS AND TRIALS

The charges of *moharebeh*, *efsad-fil-arz*, *baghy*, and drug-related offences fall under the jurisdiction of the Revolutionary Courts, while other criminal charges such as murder and rape are tried by the Criminal Courts.

REVOLUTIONARY COURTS

Established in 1979 on the orders of Ayatollah Khomeini to try former officials of the Pahlavi government, Iran’s Revolutionary Courts have continued to operate and are responsible for issuing heavy sentences to human rights defenders, journalists, dissidents and all those criticising the authorities. Additionally, they are responsible for the vast majority of all death sentences issued in the last 43 years.⁵⁰ The Revolutionary Courts are not transparent, and its judges are known for greater abuse of their legal powers than any other judges.⁵¹ Revolutionary Court judges routinely deny lawyers access to individuals who are subjected to extensive interrogations under severe

48 https://www.europarl.europa.eu/doceo/document/TA-9-2023-0016_EN.html

49 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/010/95/PDF/G2301095.pdf?OpenElement>

50 <https://www.theglobepost.com/2018/02/22/iran-revolutionary-courts/>

51 <https://www.theguardian.com/world/2014/jul/31/six-judges-iran-crackdown-journalists-activists>

conditions. Then UN Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran, Ahmed Shaheed, interviewed 133 people facing trial in the country for a 2014 report focused on Iran's judicial system. According to the report:⁵²

- 45% of those interviewed reported that they were not permitted to present a defence
- In 43% of cases, trials lasted only minutes
- 70% of interviewees reported that coerced information or confessions had been used by the judge or made up at least part of the evidence presented by the prosecution
- Some 65% of interviewees reported that the judge displayed signs of bias, such as by reproaching or interrogating defendants and limiting their ability to speak and present a defence.⁵³

A resolution presented at the European Parliament in 2020 set out that Iranian courts regularly fail to ensure fair trials, with the denial of access to legal counsel and of visits by representatives from consulates, the UN or humanitarian organisations. They also allow the use of confessions obtained under torture as evidence, there are no independent mechanisms for ensuring accountability within the judiciary, and serious concerns remain over the politicisation of judges, particularly those presiding over Revolutionary Courts.⁵⁴

In a series of interviews with *Hoghogh-e-ma*,⁵⁵ several prominent Iranian lawyers and jurists in the country questioned the constitutionality of Iran's Revolutionary Courts and called for their dissolution.⁵⁶ The Courts have also faced strong criticism⁵⁷ for the group show-trials of protesters.⁵⁸

All cases regarded as security-related, such as cases involving protesters and political prisoners and those allegedly involved in corruption, armed robbery and drug offences, are processed by the Revolutionary Courts.

In his report to the 52nd Human Rights Council session, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman, stated: “it is alarming that the Islamic revolutionary courts have been relying on forced confessions extracted through torture and other forms of duress in convicting protesters.”⁵⁹

52 <https://undocs.org/A/HRC/25/61>

53 <https://undocs.org/A/HRC/25/61>

54 https://www.europarl.europa.eu/doceo/document/TA-9-2019-0112_EN.pdf

55 <https://iranhr.net/media/files/93.pdf>

56 <https://iranhr.net/fa/journals/57/>

57 <https://iranhr.net/fa/journals/191/>

58 <https://iranhr.net/en/articles/5589/>

59 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/010/95/PDF/G2301095.pdf?OpenElement>

METHODS OF PROVING GUILT

Confessions are the most common way of proving guilt in death penalty cases. As mentioned above, confessions are often extracted under torture. In security-related charges predominantly used against political dissidents, televised confessions are aired even before a final judgement is determined. As well as being tortured to make self-incriminating confessions, defendants are also forced to testify against each other. This has been particularly prevalent in the current cases of protesters on death row. Eyewitness testimony is another way of proving guilt, but the witnesses may only be two men, as a woman's testimony is valued as half of a man's.

Witness testimonies are also used to prove guilt in the absence of a confession. In addition, according to the IPC, when there is no confession or witness testimony in a case, the judge can make a decision based on his exclusive opinion, without any reference to laws and codes.⁶⁰ This is known as *elm-e-qazi* or “knowledge of the judge.”⁶¹ The law requires that rulings based on a judge's “knowledge” derive from evidence, including circumstantial evidence, and not merely personal belief that the defendant is guilty of the crime.⁶² However, there have been cases where *elm-e-qazi* has been arbitrarily applied. For instance, in December 2007, Makwan Moloudzadeh was executed for sodomy charges based on the “knowledge of the judge”.⁶³ In 2022, Judge Amouzad relied on *elm-e-qazi* to sentence protester Manouchehr Mehman Navaz to death on charges of arson with *moharebeh* set as punishment.⁶⁴

Qassameh, or a sworn oath, is another way of proving guilt for a crime (murder or injury) in Islamic jurisprudence (*fiqh*).⁶⁵ Where there is insufficient evidence in cases of *qisas*, but the judge still has doubts either because he believes the victim to be guilty or due to circumstantial evidence, he can declare *los*, insufficient evidence of guilt. In such an event, the victim or victim's next of kin have the right to *qassameh*. *Qassameh* is based on swearing an oath on the Quran by a certain number of the victim's family. In murder cases, 50 male members of the victim's family are required to make a *qassameh*. It is important to note that the people who swear in *qassameh* ceremonies are not required to be and are not usually direct witnesses to the crime.

60 <https://fpc.org.uk/publications/ihrdprocess/>

61 A. Asghari, S.A. Ashgar Mosavi Rokni, “Changes in Personal Knowledge of the Judge with Emphasis on Islamic Punishment Law”, *International Journal of Social Sciences and Education*, Volume 5, Issue 2, 2015 <https://docs.google.com/viewer?url=http%3A%2F%2Fijss.com%2Fsites%2Fdefault%2Ffiles%2Fissues%2F2015%2Fv5i2%2FPaper-22.pdf>

62 New Islamic Penal Code, Article 211

63 <https://iranhr.net/en/articles/57/>

64 <https://iranhr.net/en/articles/5795/>

65 New Islamic Penal Code, Articles 313 and 336.

In 2022, at least one person was executed after being sentenced to *qisas* based on a *qassameh* ceremony. The unnamed man was executed in Rajai Shahr (Gohardasht) Prison in February.⁶⁶

In 2018 and 2021, Iran Human Rights dedicated two issues of its legal magazine, *Hoghogh-e-ma*, to *qassameh*, interviewing lawyers and religious scholars on the issue.⁶⁷ Since then, there has been increasing debate around the issue of *qassameh* inside Iran⁶⁸ and in the Farsi media outside the country.⁶⁹

FORCED TELEVISED CONFESSIONS

Since its inception in 1979, the Islamic Republic has used “televised confessions” as a propaganda tool aimed at creating fear and justifying the heavy sentences handed down to its political opponents and activists. Such confessions are extracted after physical and/or psychological torture, lengthy solitary confinement, threats or promises of reduction in the gravity of sentences. The confessions are often aired after arrest, following public protests against a sentence, or immediately prior to or after the execution as a means of reducing backlash.

The first forced confessions in the Woman-Life-Freedom nationwide protests were aired on 24 September, a week after the start of the protests.⁷⁰ The majority of the confessions were aired after arrest and prior to any legal proceedings. This is a clear violation of the defendants’ right to fair trials and to be presumed innocent until proven guilty.

When protester Majidreza Rahnavaard was paraded before state cameras, he was blindfolded, and his left arm had already been broken under torture. He was also forced to record other forced televised confessions. Majidreza was executed publicly at the scene of his alleged crime on 12 December.⁷¹

The forced confessions of at least 37 other protesters facing death penalty charges and those executed were aired prior to any legal proceedings.

66 <https://iranhr.net/en/articles/5084/>

67 Issue 75, 15 March 2018: https://iranhr.net/media/files/No_75.pdf and Issue 155, 15 September 2021: <https://iranhr.net/media/files/155.pdf>

68 Tabnak, 15 September, 2018

69 <http://www.bbc.com/persian/iran-43185108>

70 <https://t.me/farsna/263416>

71 <https://iranhr.net/en/articles/5634/>



Screenshots from televised confessions. Top row from left: Seyed Mohammad Hosseini, Mohsen Shekari and Majidreza Rahnavaard; Middle row: Milad Armoun, Mohammad Mehdi Karami and Mojahed Kourkour; Bottom row: Majid Kazemi, Saeed Yaghoubi and Saleh Mirhashemi.

Not only are forced confessions used as evidence of guilt, but under threats and coercion, the defendants are often forced to repeat the false accounts in court. Once the defendant has been found guilty, their forced confessions are again used as a propaganda tool to justify their death sentences. This has been the case for sentences that have sparked outrage such as that of the defendants in the Karaj case (Mohammad Mehdi Karami, Seyed Mohammad Hosseini, Hamid Ghareh Hassanlu and Reza Aria) and Majid Kazemi, and Majidreza Rahnavaard).

Forced confessions are also aired post-execution to justify the inhumane punishment of death. This has been the case for all four protesters executed. The forced confessions of Mohsen Shekari were aired

only after he was executed on 8 December. In the video, Mohsen's face was visibly bloodied and bruised. Another visibly injured protester is protest rapper Toomaj Salehi, who was badly beaten during arrest and forced to repent on camera. A clip of his interrogations was also aired. Toomaj is facing death penalty charges in Isfahan. On 19 January 2023, the EU Parliament adopted a resolution in which it strongly condemned "*the Islamic Republic's policy of forcing confessions using torture, intimidation, threats against family members or other forms of duress, and the use of these forced confessions to convict and sentence protesters.*"⁷²

PROCEDURES RELATING TO THE DEATH PENALTY

After being sentenced to death, prisoners remain on death row in prison. It might take years, months and sometimes weeks from receiving the final verdict to the implementation of the death sentence. All death sentences must be approved by the Supreme Court, whose Chief is appointed by the Head of Judiciary. In addition, the Head of Judiciary must *estizan* (authorise) all *qisas* executions prior to implementation.

According to Iranian law, the defendant's lawyer must be informed of the scheduled execution 48 hours prior to its implementation. However, this is not always the case in practice, especially in political and security-related cases. Prisoners are transferred to solitary confinement several days prior to their execution, where their hands are cuffed. The prisoner is normally granted a last visit with their family the day before the scheduled execution. Iran Human Rights has published a short report based on witness interviews about death row conditions and the prisoners' last hours.⁷³ Juvenile offender, Arman Abdolali, who was taken to the gallows seven times prior to his execution on 24 November 2021, also provided an account of the torture of being transferred to solitary confinement in preparation for the execution.⁷⁴ Ebrahim Nasirkhah,⁷⁵ Hojat Asiabani,⁷⁶ Mohsen Safari,⁷⁷ Hadi Moradi,⁷⁸ Mehdi Aghoush⁷⁹ and Mehdi Kamranifar⁸⁰ are just a few of the prisoners transferred for execution on multiple occasions prior to their executions in 2022.

72 https://www.europarl.europa.eu/doceo/document/TA-9-2023-0016_EN.html

73 <https://iranhr.net/en/articles/3512/>

74 <https://iranhr.net/en/articles/4987/>

75 <https://iranhr.net/en/articles/5136/>

76 <https://iranhr.net/en/articles/5264/>

77 <https://iranhr.net/en/articles/5380/>

78 <https://iranhr.net/en/articles/5328/>

79 <https://iranhr.net/en/articles/5477/>

80 <https://iranhr.net/en/articles/5663/>

METHODS OF EXECUTION

The Iranian Penal Code prescribes several execution methods, including by hanging, firing squad, crucifixion, and stoning. Hanging has been the main method of execution and the only method used from 2008 until 2020, when Hedayat Abdullahpour, a Kurdish political prisoner, was executed by firing squad in Oshnavieh Prison.⁸¹ Furthermore, a directive issued by the Head of Judiciary in June 2019 gives a detailed description of how death sentences by hanging, stoning and crucifixion should be implemented.⁸²

The majority of executions are carried out within prisons. In some facilities, there are dedicated rooms for executions, while in others, they take place in the prison yard.

In murder cases where the defendant is sentenced to *qisas*, the plaintiff (the victim's family or next of kin) must be present at the scene of the execution. Since Iranian law considers *qisas* to be the right of the victim's family, they are encouraged to carry out the actual execution themselves. Iran Human Rights has received several reports where the victim's family members have physically carried out the execution. In 2021, two women's executions were carried out by their own children.⁸³ In 2022, Mehran Jafari was hanged by his wife and brother-in-law in Rajai Shahr Prison.⁸⁴ According to law, in death sentences, the presiding judge in the case, and in *qisas* cases, the judge as well as the plaintiff (the victim's family) are required to be present at the execution.

Cranes are used in public executions. The prisoners are either pulled up or the object they are standing on is removed from beneath their feet. In this case, the prisoners die of suffocation and strangulation, and it often takes several minutes until death occurs. As mentioned below, the Human Rights Committee observed that public executions are contrary to the provisions of the ICCPR and that failure to respect Article 7 would inevitably render the execution arbitrary in nature and thus also in violation of Article 6 of the ICCPR.

The number of public executions dropped dramatically due to enforced restrictions after the onset of the COVID-19 pandemic, with no public executions recorded in 2021. After two years, the first public execution was carried out in Shiraz on 23 July 2022.⁸⁵ At least six other prisoners have been sentenced to public executions since.⁸⁶

81 <https://iranhr.net/en/articles/4294/>

82 <https://rc.majlis.ir/fa/law/show/1152670>

83 <https://iranhr.net/en/articles/5127/>

84 <https://iranhr.net/en/articles/5113/>

85 <https://iranhr.net/fa/articles/5366/>

86 <https://iranhr.net/en/articles/5213/>

No implemented stoning punishments have been reported since 2010. This is mainly due to the increasing international pressure in the decade prior, reaching its peak following the campaign to save Sakineh Ashtiani in 2010.⁸⁷

EXECUTIONS IN PRACTICE

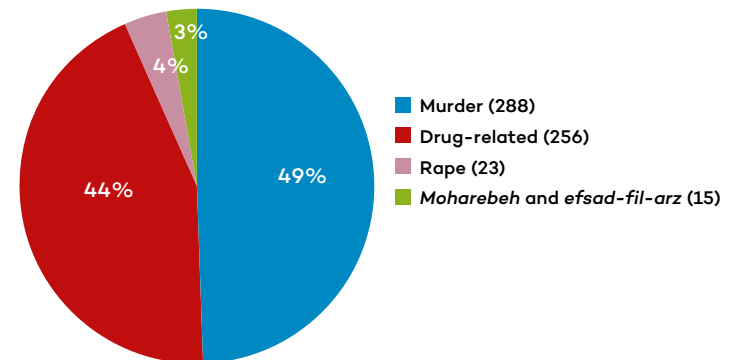
This section will provide an overview and analysis of the use of the death penalty in 2022, including its distribution according to charges, courts, geography and implementation. It will provide a sample of the 2022 execution cases for each charge.

CHARGES

While multiple offences are punishable by death, the charges leading to the most executions in recent years have been murder, drug-related offences, *moharebeh*, *efsad-fil-arz*, *baghy* and rape or sexual assault.

It is essential to note the systematic denial of legal due process, unfair trials, use of torture and duress, forced confessions and lack of a transparent and independent judiciary in Iran. Therefore, the charges in each case are the official account and charges reported by Iranian authorities, and have not been confirmed by independent sources.

EXECUTIONS IN 2021 BASED ON CHARGES



The chart above shows the distribution of charges for executions in 2022. For the sixth year in a row, murder charges accounted for the majority of executions, though the gap with drug-related charges has narrowed, with a difference of only 32 executions.

Murder (49%) and drug-related (44%) charges accounted for 93% of all executions in 2022. This is the same as in 2021, where murder

⁸⁷ <https://www.theguardian.com/world/sakineh-mohammadi-ashtiani>

charges accounted for 55% and drug-related charges accounted for 38% of all executions. The security charges of *moharebeh* and *efsad-fil-arz* accounted for 3% of all executions, and 4% were for rape and sexual assault.

Of the charges leading to execution in 2022, murder and rape/sexual assault were heard before the Criminal Courts, while drug-related and the security charges of *moharebeh* and *efsad-fil-arz* fell within the Revolutionary Courts' jurisdiction.

In the following section, we will provide a more detailed description of the executions based on the charges and a selection of cases.

EXECUTIONS FOR *MOHAREBEH*, *EF SAD-FIL-ARZ* AND *BAGHY* IN 2022

Due to their vague definitions, the charges of *moharebeh* (enmity against God), *efsad-fil-arz* (corruption on earth) and *baghy* (armed rebellion) are used for a wide range of offences. Additionally, as they are within the Revolutionary Courts' jurisdiction, there is considerable subjectivity in the judgements made in the cases.

Efsad-fil-arz has been used by Revolutionary Court judges, particularly in cases where a death sentence would otherwise be difficult to justify based on other charges and irrefutable evidence. The death penalty cases in 2022 will paint a clearer picture of the charges' application in practice.

In 2022, at least 15 people were executed for *moharebeh* and *efsad-fil-arz* compared to 13 in 2021, 15 in 2020 and 9 in 2019.

FACTS ABOUT THE *MOHAREBEH*, *EF SAD-FIL-ARZ* AND *BAGHY* EXECUTIONS IN 2021

- 15 people were executed on charges of *moharebeh* and *efsad-fil-arz*
- 14 executions were announced by official sources
- 2 protesters and a Kurdish political prisoner were amongst those executed
- 4 people convicted of armed robbery were executed
- 4 people were executed for collaboration with Israel
- An Afghan national was among those executed

EXECUTED ON CHARGES OF *MOHAREBEH*, *EF SAD-FIL-ARZ* AND *BAGHY*

ABDOL LATIF MORADI: AFGHAN NATIONAL EXECUTED 77 DAYS AFTER ARREST



Abdol Latif Moradi was an Afghan national arrested in Mashhad on 5 April and charged with "*moharebeh* through drawing a weapon on people with the intention of inciting and creating terror that caused insecurity in the Imam Reza (Shiite Muslim's 8th Imam) shrine and even outside it." He was sentenced to death by Branch One of the Mashhad Revolutionary Court, and the sentence was upheld by Branch 9 of the Supreme Court. Abdol Latif was executed "in the presence of a group of citizens" in Mashhad Central Prison on June 20.⁸⁸

FIRUZ MOUSALU: KURDISH POLITICAL PRISONER SECRETLY EXECUTED WHILE AWAITING APPEAL



Firuz Mousalu was a Kurdish political prisoner arrested in July 2019 after his family trusted the IRGC's word that he would be safe if he returned from the Kurdistan Region in Iraq. He was transferred from the IRGC Intelligence Sardasht branch to the Urmia branch where he spent eight months,

facing "torture and interrogations". In March, Branch 2 of the Urmia Revolutionary Court sentenced him to death for charges of "*moharebeh* and *baghy* through membership in the Kurdistan Workers' Party (PKK)." While awaiting his appeal, Firuz was transferred to an unknown location on 18 June and secretly executed on 20 June. Official media reported his execution without naming him, claiming he had murdered two border agents.⁸⁹

⁸⁸ <https://iranhr.net/en/articles/5299/>

⁸⁹ <https://iranhr.net/en/articles/5305/>

FARZAD GARAVAND AND MOHAMMAD HATAMI



Mohammad Hatami, 28 and Farzad Garavand, 27, were arrested with several other suspects ten months prior to their execution for charges of armed robbery. Mohammad was a shepherd from a small village. A father of young children, he had been promised money in exchange for accompanying the others on the job without knowledge of the nature of the crime. No gold was stolen and nobody was harmed in the robbery of the gold shop.⁹⁰ Nevertheless, they were executed on 13 July in Karaj Penitentiary.⁹¹

EXECUTIONS RELATED TO PROTESTS IN 2022

While the Islamic Republic has a bloody history of executing protesters, the execution of protesters in recent years began in 2020 after a series of nationwide protests in 2016–2019. Protesters Mostafa Salehi and Navid Afkari were both sentenced to death for fabricated charges of *moharebeh* and murder but were executed for the latter to remove responsibility from the authorities.⁹² Following mass public backlash and international pressure, other protesters on death row were released; of the 2016–2019 protesters, Abbas and Mohsen Deris are still at risk (see Annex 3).

At least 537 protesters including 48 women and 68 children have been killed and thousands arrested since the start of the current nationwide protests sparked by the state killing of Jina (Mahsa) Amini on 16 September 2022.⁹³ Forced confessions of protesters started airing a week after the protests began and have continued since.⁹⁴ While Iranian authorities called for a hard approach to punishing protesters from the outset, on 6 November, a statement signed by 227 of 290 MPs was read in the Islamic Consultative Assembly (Parliament) which called on the Judiciary to issue and carry out the death penalty for protesters. The next day, Gholamhossein Mohseni-Ejei, the Head of Judiciary, asked judges to issue sentences more swiftly.⁹⁵ On

90 <https://iranhr.net/en/articles/5334/>

91 <https://iranhr.net/en/articles/5344/>

92 2020 Annual Report on the Death Penalty in Iran, page 41: https://iranhr.net/media/files/Rapport_iran_2021-gb-290321-BD.pdf

93 <https://iranhr.net/en/articles/5795/>

94 <https://t.me/farsna/263416>

95 <https://iranhr.net/en/articles/5578/>

30 October, the first death penalty trial of a protester (Manouchehr Mehman Navaz) was announced by the Judiciary's Mizan news agency.⁹⁶ However, information and news on protester death penalty cases were opaque and intentionally marred with disinformation to cause confusion and conflict which continues to this day. Families have also been threatened to stay quiet with false promises of lesser sentences and release in exchange.

In cases where information is available, all protesters facing death penalty charges, sentences or execution have been tortured to force self-incriminating confessions which have been used as evidence of their charges. In some cases, defendants have been forced to stage the state's accounts of events on camera, and the recordings are also used as evidence against them. Furthermore, per the Note to Article 48 of the CCP, protesters were not only denied access to their lawyers in the initial interrogation phase, but were also systematically denied access to their lawyers in the trial and appeal stages of their legal proceedings. The court-appointed lawyers, whose services are also often beyond the families' means, do not provide adequate legal representation and protesters are denied all due process and fair trial rights at show trials that lack any legitimacy. Of the over 100 protester death penalty cases in 2022, the majority were reported by families and human rights defenders at their own risk.⁹⁷ It is important to acknowledge the expansive campaign by Iranians and the international community to stop protester executions; in its absence, the number of executions would most likely have been much higher.

A resolution adopted by the EU Parliament on 19 January 2023 condemned "in the strongest terms the death sentences against and executions of peaceful protesters in Iran" and demanded an immediate and unconditional halt to "any plans to carry out executions and refrain from seeking further death sentences."⁹⁸

In his report to the 52nd Human Rights Council session, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman, stated: "*The Special Rapporteur is alarmed at the execution of two protesters and the reported sentencing to death of several others after sham trials, violating the right to a fair trial and denying the right to due process. He reiterates that all death sentences and consequent executions constitute arbitrary deprivation of life.*"⁹⁹

96 <https://www.mizan.news/4494511/برگزرای-دادگاهمفردی-که-اقدام-به-آتش-زدن-م->

97 <https://iranhr.net/en/articles/5669/>

98 https://www.europarl.europa.eu/doceo/document/TA-9-2023-0016_EN.html

99 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/010/95/PDF/G2301095.pdf?OpenElement>

PROTESTERS EXECUTED IN 2022

MOHSEN SHEKARI: 75 DAYS FROM ARREST TO EXECUTION



Arrested at a protest in Tehran's Sattar Khan Street on 25 September, Mohsen Shekari, 23, was sentenced to death for charges of “*moharebeh* through pulling a weapon with the intention of killing and creating terror and depriving the public of freedom and security, causing intentional injury with a cold weapon to a basij officer on duty, blocking Sattar Khan Street in Tehran and disrupting national order and security.” He

was executed on 8 December.¹⁰⁰ Videos of his forced confessions, where he appeared with a bruised and bloodied face, were aired later to justify his execution.

MAJIDREZA RAHNAVAR: 23 DAYS FROM ARREST TO EXECUTION



Majidreza Rahnavard was a 23-year-old protester arrested in Mashhad on 19 November and tortured from the outset. His arm was broken when he was paraded before State media and his torture-tainted confessions aired on television. He was sentenced to death for charges of *moharebeh* (enmity against God) through killing 2 and injuring 4 with a cold weapon (knife) by the Mashhad Revolutionary Court, presided

over by Judge Mansouri. It is not clear when the sentence was upheld by the Supreme Court. He was publicly executed at the scene of the alleged crime just 23 days after arrest on 12 December.¹⁰¹

¹⁰⁰ <https://iranhr.net/en/articles/5624/>

¹⁰¹ <https://iranhr.net/en/articles/5634/>

EXECUTIONS FOR RAPE AND SEXUAL ASSAULT IN 2022

Rape and sexual assault are among the charges which, according to the IPC, are punishable by the death penalty. In 2022, at least 23 people were executed for rape charges compared to 10 in 2021 and 12 in 2020. As with other charges, there are reports of torture and forced confessions being used against defendants. Due to the lack of transparency and social taboos, only official information is usually available for such cases.

FACTS ABOUT THE RAPE EXECUTIONS IN 2022

- At least 23 people were executed on rape charges
- 7 executions were announced by official sources and 16 were unannounced
- Executions were carried out in seven provinces

EXECUTED FOR RAPE CHARGES

ALI KEYKHAH was 18 years old when he was arrested for rape charges along with five other men in Gorgan. According to informed sources, Ali was innocent, and his only crime had been to take food to the others. Regardless, he was sentenced to death by the Criminal Court, spending three years on death row. He was executed in Gorgan Prison on 6 June 2022 along with the other five men.¹⁰²

EXECUTIONS FOR DRUG-RELATED CHARGES IN 2022

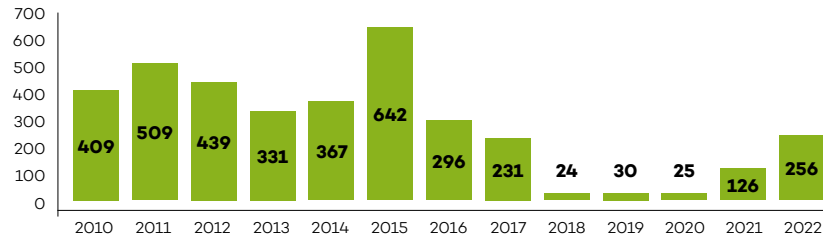
According to reports gathered by Iran Human Rights, at least 256 people were executed for drug-related offences in 2022.

FACTS ABOUT THE DRUG-RELATED EXECUTIONS IN 2022

- At least 256 people were executed (about 10 times the average of drug-related executions in 2018–2020)
- Only 3 drug-related executions were announced by official sources
- Executions took place in 21 different provinces
- Ethnic minorities, particularly the Baluch, are overrepresented, with 121 executions (47%), a slight rise compared to 43% in 2021
- 3 women were executed for drug-related offences

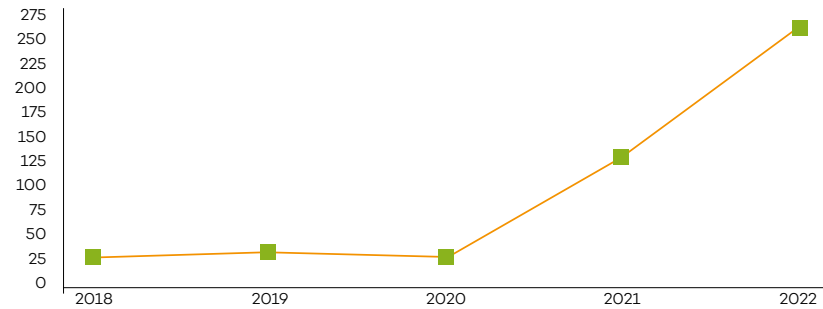
¹⁰² <https://iranhr.net/en/articles/5276/>

DRUG-RELATED EXECUTIONS 2010-2022



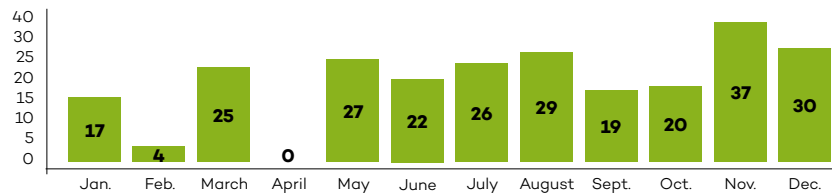
According to Iran Human Rights reports, an annual average of at least 403 people were executed for drug-related offences between 2010 and 2017. The diagram above shows the reduction in the number of drug-related executions observed in the three years following the enforcement of the Amendment to the Anti-Narcotics Law at the end of 2017. The numbers in 2022 are more than double the numbers in 2021 and 10 times higher than in 2020.

DRUG-RELATED EXECUTIONS 2018-2022



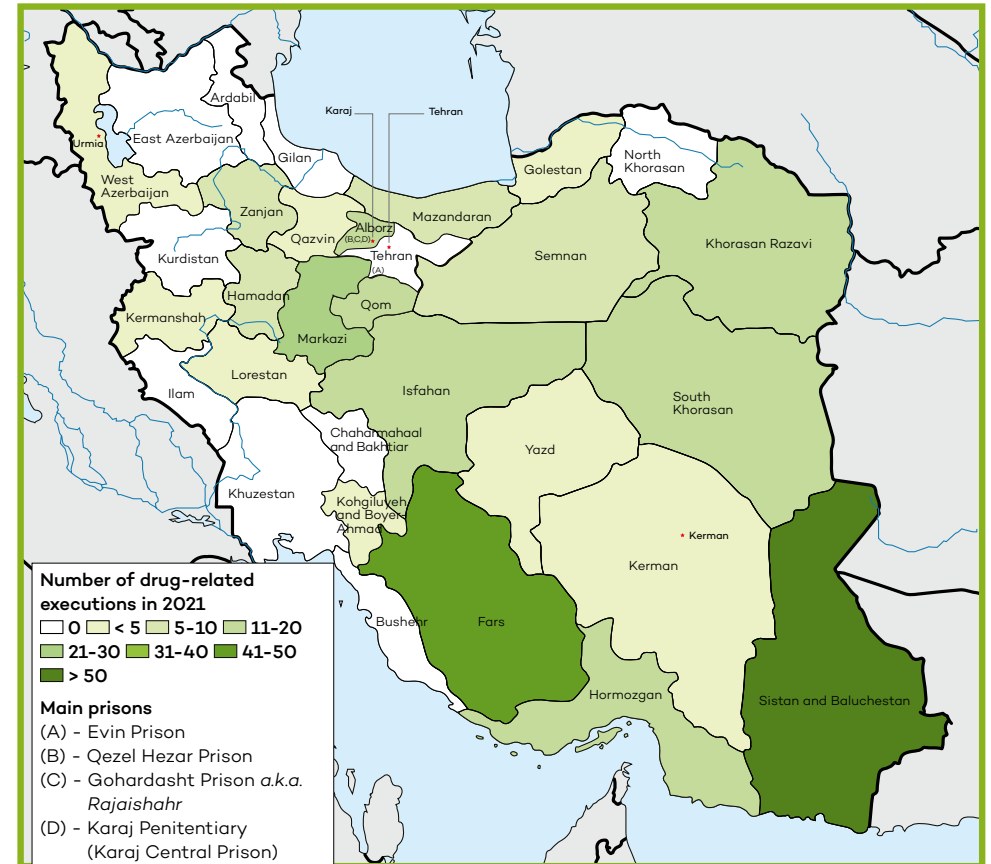
Drug-related executions increased fivefold in 2021, and 10-folds in 2022 compared to the average of 2018-2020.

MONTHLY BREAKDOWN OFR DRUG-RELATED EXECUTIONS 2022

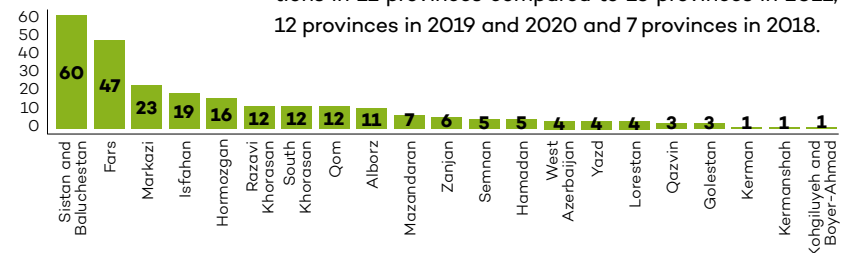


Executions for drug-related offences were carried out over all months except April (the Muslim month of Ramadan). The peak was in November, a month into the nationwide protests.

GEOGRAPHIC DISTRIBUTION OF DRUG-RELATED EXECUTIONS IN 2022



In 2022, Iran Human Rights reported drug-related executions in 21 provinces compared to 15 provinces in 2021, 12 provinces in 2019 and 2020 and 7 provinces in 2018.



In 2022, drug-related executions were carried out across 21 difference provinces, an increase from 15 in 2021. The highest number of executions were carried out in Sistan and Baluchestan province.

EXECUTED FOR DRUG-RELATED CHARGES

Along with security charges, drug-related charges fall under the jurisdiction of the Revolutionary Courts which, as aforementioned, systematically deny defendants their right to due process and a fair trial. Of the 256 drug-related executions recorded by Iran Human Rights, Baluch minorities were overrepresented, with 47.3% (121) in 2022.

GHOBAD NAROUI: BALUCH FATHER WHO “DIED STANDING”



Ghobad Narouyi was a Baluch father from the Nasr Abad village in Zabol. Arrested and sentenced to death for drug-related charges, he spent three years on death row before being executed in Birjand Prison on 17 May.¹⁰³ Following his execution, Baluch activists reported that he had written on his foot: “my destiny was to die standing.”

MEHDI SARHADI: FALSELY PROMISED PARDON FOR MEMORISING QURAN



Mehdi Sarhadi was a 36-year-old Baluch man who spent four years on death row. Transferred back and forth from the gallows several times, Mehdi was promised a pardon by prison authorities if he memorised a *joz* (around 20 pages) from the Quran. He was memorising his second *joz* when he was executed in Isfahan Central Prison on 29 May.¹⁰⁴

ALLAH NAZAR ESMAILZEHI: TORTURED TO FORCE CONFESSION



Allah Nazar Esmailzahi was a 33-year-old Baluch man arrested by Semnan traffic police in January 2019. He was not in possession of any drugs when arrested and the drugs later attributed to him were discovered the next day. He was tortured into accepting the charges and executed in Damghan Prison on 31 May.¹⁰⁵

¹⁰³ <https://iranhr.net/en/articles/5216/>

¹⁰⁴ <https://iranhr.net/en/articles/5255/>

¹⁰⁵ <https://iranhr.net/en/articles/5246/>

NEMATOLLAH BARAHOUI: KILLED FOR RESISTING UNANNOUNCED EXECUTION



Nematollah Barahouyi was a Baluch father of three daughters. He had spent two years on death row when on 6 November, he was woken up and told he was being taken for execution without any prior notice. He was killed by prison guards when he resisted. However, his lifeless body was hanged in Zahedan Central Prison to declare his cause of death as execution and avoid judicial consequences.¹⁰⁶

DRAMATIC INCREASE IN DRUG-RELATED EXECUTIONS FIVE YEARS AFTER THE REFORM TO THE ANTI-NARCOTICS LAW: THE UNODC AND INTERNATIONAL COMMUNITY MUST REACT

The last Amendment to Iran’s Anti-Narcotics Law came into force on 14 November 2017, leading to a significant drop in the number of drug-related executions from an annual average of 403 executions to an average of 26 executions in the following three years. However, this trend was reversed in 2021 when 126 drug-related executions were recorded by Iran Human Rights. With 256 executions the number of drug-related executions in 2022 were ten times higher with than in 2020.

Iranian authorities introduced the 2017 Amendment to the Anti-Narcotics Law mainly in response to international pressure. Crucially, European states funding the United Nations Office on Drugs and Crime (UNODC) projects to combat illegal drugs in Iran were unwilling to fund any further projects due to the high number of drug-related executions. In the 2021 Annual Report on the Death Penalty, Iran Human Rights and ECPM expressed grave concerns about the alarming increase in the number of drug-related executions and called on the international community to react.¹⁰⁷ However, no significant reactions were observed, and the UNODC, which is collaborating with the Islamic Republic in combating drug trafficking, has not once addressed the dramatic increase in drug-related executions since 2020.

The authorities’ need to instil fear in society in order to prevent further dissent is the most likely reason for the sharp increase in the number of drug-related executions. Drug offenders are predominantly from the most marginalised groups in society and the international community’s silence makes the political cost of their execution very low. The 2017 Amendment’s major shortcoming is its failure to address due process and fair trial issues, providing a loophole for authorities to carry out drug-related executions when they desire. All drug-related offences are processed by the Revolutionary Courts.

¹⁰⁶ <https://iranhr.net/en/articles/5577/>

¹⁰⁷ Iran Human Rights | Article: Annual Report on the Death Penalty - 2021 | (iranhr.net)

Reports collected by Iran Human Rights demonstrate that those arrested for drug-related offences are systematically subjected to torture in the weeks following their arrest. They often do not have access to a lawyer while in detention, and by the time a lawyer gains access to their case, they have already “confessed” to the crime.¹⁰⁸ Revolutionary Court trials are also typically very short, with lawyers often not even given a chance to present a defence for their clients.

EXECUTIONS FOR MURDER CHARGES: *QISAS*

As murder is specifically punished under *qisas* laws, the IPC does not explicitly state that convicted murderers are subject to the death penalty but rather to *qisas*, or “retribution-in-kind”. The law effectively puts the responsibility for executions for murder in the hands of the victim’s family or next of kin. *Qisas* death sentences are also imposed for juvenile offenders as, according to *Sharia*, the age of criminal responsibility for girls is 9 and for boys 15 lunar years. Furthermore, the death penalty is generally subject to discriminatory application based on gender, ethnicity and religion.^{109, 110}

In addition to the inequality of citizens before the law, there are countless reports of violations of due process in *qisas* cases. Examples include the use of torture to extract confessions, summary trials without sufficient time to conduct independent investigation of the evidence, and ineffective counsel.

In 2022, murder charges were the most common charge and *qisas* executions accounted for the most common execution category.

FACTS ABOUT *QISAS* EXECUTIONS IN 2022

- 288 executions were carried out for murder charges based on *qisas* laws (against 183 in 2021 and 211 in 2020)
- This is the highest number of annual *qisas* executions since 2010
- 46 *qisas* executions were announced by official sources (16%)
- 66 *qisas* executions were carried out in one prison (Rajai Shahr Prison)
- 3 juvenile offenders were executed (under 18 years of age at the time of offence)
- 13 of those executed for murder charges were women (none were announced by the authorities)

108 <https://www.hrw.org/news/2015/12/16/iran-bid-end-drug-offence-executions>
 109 IHR and ECPM, *Annual Report on the Death Penalty in Iran - 2013*, p. 11 <https://www.ecpm.org/wp-content/uploads/RAPPORT-IRAN-2013-Eng.pdf>
 110 See pages 81 to 85 of this report.

EXECUTED FOR MURDER CHARGES IN 2022

The 288 *qisas* executions in 2022 include a variety of cases, the majority of which involve defendants being denied their rights to due process and a fair trial. For further details on the execution of juveniles and women, see “Execution Categories” on page 76.

BEHZAD TAHMTAN: HIS EXECUTION EXPOSED A PRIOR WRONGFUL EXECUTION



and Yousef Tahmtan were executed on 7 February.¹¹²

When cousins Behzad and Yousef Tahmtan were arrested, another prisoner called Babak Rezaei¹¹¹ had already been mistakenly executed for murders committed by Behzad. The cousins were sentenced to *qisas* for murder and *moharebeh* through armed robbery. Babak Rezaei’s wrongful execution was not exposed until Behzad

GOLMOHAMMAD (SURNAME UNKNOWN): *QISAS* REQUESTED BY JUDICIARY

Golmohammad was an Afghan national who was arrested for murder in April 2013. According to the police report, he had stabbed the victim, a friend of his, after discovering the man was sexually abusing Golmohammad’s young daughter. In the investigative phase of Golmohammad’s case, authorities were unable to find the victim’s family, leaving him in limbo until the Deputy Head of Judiciary requested *qisas* for him. He was sentenced to *qisas* six years after his arrest by Branch One of the Alborz Criminal Court and executed on 2 April in Karaj Penitentiary. He was the only person executed during Ramadan.¹¹³

IMAN SABZIKAR: FIRST PUBLIC EXECUTION IN 2 YEARS



amongst others, the victim’s young son. On 2 February, he was sentenced to death for *qisas*. The sentence was upheld by Branch 9 of the Supreme Court on 12 July. Upon hearing news of the sentence,

Iman Sabzikar (Jonaghi) was a 28-year-old construction worker who was arrested for the murder of a policeman along with his brother Amin. His lawyer says he was denied access to his client. Severely tortured with broken limbs, jaw and teeth, Iman was taken to the scene of the crime and publicly tortured and humiliated by,

111 <https://iranhr.net/en/articles/3322/>
 112 <https://iranhr.net/en/articles/5093/>
 113 <https://iranhr.net/en/articles/5161/>

his brother Amin committed suicide while in custody. Just six months after his arrest, Iman was publicly executed on 23 July.¹¹⁴

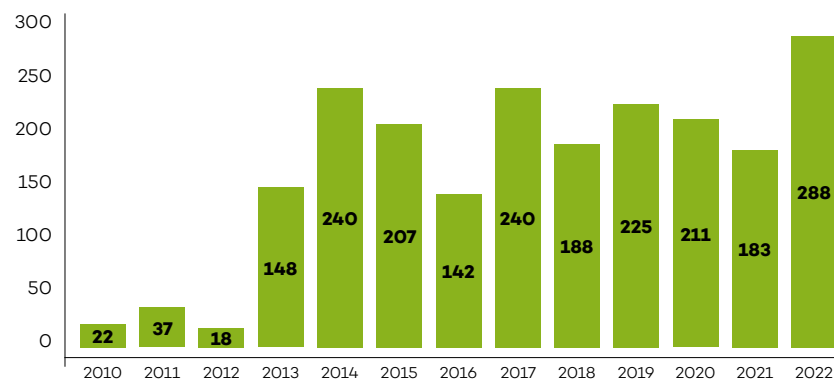
SARAJOLHAGH SEDIGHI: PAKISTANI SUNNI CLERIC



Sarajolhagh Sedighi was a 45-year-old Pakistani Sunni cleric from the Baluch region of Pakistan who was arrested in 2017. He was sentenced to *qisas* for “participation in murder.” Sarajolhagh was transferred from Pirbano Prison to Shiraz Central for his execution, which took place on 24 July. His body was transferred back to Pakistan.¹¹⁵

QISAS EXECUTIONS SINCE 2010

According to data gathered by Iran Human Rights, at least 2,149 *qisas* executions were carried out between 2010 and 2022. The diagram below shows the trend of *qisas* executions during this period.



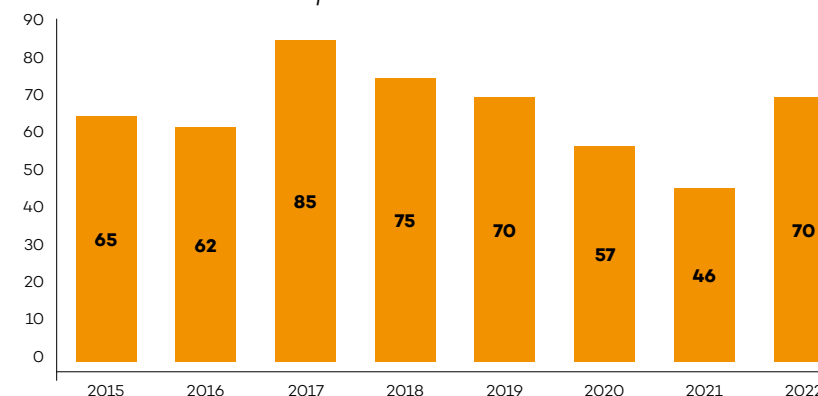
The number of *qisas* executions, which was relatively low between 2010 and 2012, increased dramatically in 2013 and has remained at a high level since. This coincides with growing international criticism of Iran’s drug-related executions. In 2022, at least 288 people were subjected to *qisas* executions.

114 <https://iranhr.net/en/articles/5366/>

115 <https://iranhr.net/en/articles/5378/>

RAJAI SHAHR PRISON: THE QISAS CAPITAL

The detailed geographical distribution of *qisas* executions will be provided under the “Forgiveness Movement” section of this report. However, reports over the last seven years demonstrate that each year, a significant portion of all *qisas* executions have been carried out in one single prison in the Alborz/Tehran area. In addition, Rajai Shahr Prison (previously known as Gohardasht Prison) has been the site of the execution of many political prisoners, particularly those belonging to banned Kurdish political parties. In 2022, at least 66 *qisas* sentences were carried out in Rajai Shahr prison, which accounts for 23% of all *qisas* executions in Iran.



The diagram above shows the number of implemented *qisas* death sentences in Alborz/Tehran prisons since 2015. 66 out of 70 *qisas* executions in Alborz province took place in Rajai Shahr Prison.

BLOOD MONEY (DIYA) OR FORGIVENESS INSTEAD OF DEATH PENALTY IN QISAS CASES

According to the IPC, murder is punished by *qisas*, where the victim’s next of kin can demand a retribution death sentence. But they can also demand *diya* (blood money) instead of retribution or can simply grant forgiveness. The Head of Judiciary sets an annual indicative amount for *diya* based on inflation and other considerations, but the victim’s family can choose their own amount. They can demand a lower or higher amount than the judiciary’s indicative number but crucially, no upper limit is set. This year’s *diya*, which was determined March 2023, was set at 900 million tomans (€18,000) for a Muslim man and 450 million (€9,000) tomans for a Muslim woman¹¹⁶.

116 <https://www.irna.ir/amp/85058599/>

The amount set by families is usually higher than the indicative amount and even the indicative amount is higher than most families can afford. These are just two of the people who were executed because they could not afford *diya*:

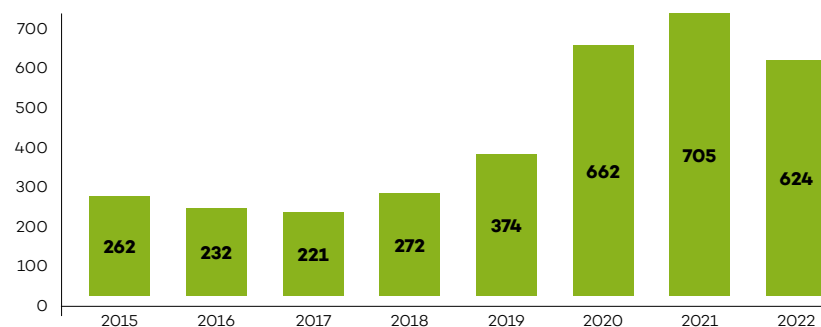


Mohammad Bameri (pictured here), a Baluch man sentenced to *qisas*, was executed in Iranshahr Prison on 14 May 2022 after failing to pay the 1 billion tomans (€33,000) *diya* demanded by the victims' family.¹¹⁷

Mehrab Salehi was executed on 15 May 2022 in Yazd Central Prison after failing to pay the 1.5 billion tomans (€50,000) *diya* demanded by the victim's family.¹¹⁸

Iran Human Rights has collected forgiveness reports since 2015. According to the reports gathered over the past eight years, the families of murder victims who chose forgiveness or *diya* outnumber those who chose the death penalty. For the sake of simplicity, we will use the term "forgiveness" in the following section, regardless of whether there was a demand for *diya* or not.

FORGIVENESS 2015-2022



As for the execution numbers, not all forgiveness cases are reported by the Iranian media. Based on reports by the Iranian media and, to a lesser extent, through its own network within Iran, Iran Human Rights has identified 624 forgiveness cases in 2022, compared to 705 cases in 2021, 662 cases in 2020, 374 in 2019 and 272 in 2018.

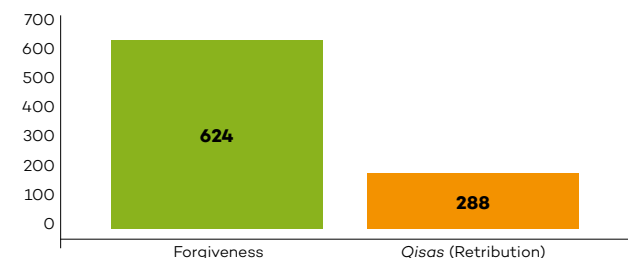
As in the previous five years, the forgiveness cases outnumbered those of implemented *qisas* executions in 2022. The actual numbers for both forgiveness and *qisas* death sentences are believed to be

117 <https://iranhr.net/en/articles/5207/>

118 <https://iranhr.net/en/articles/5211/>

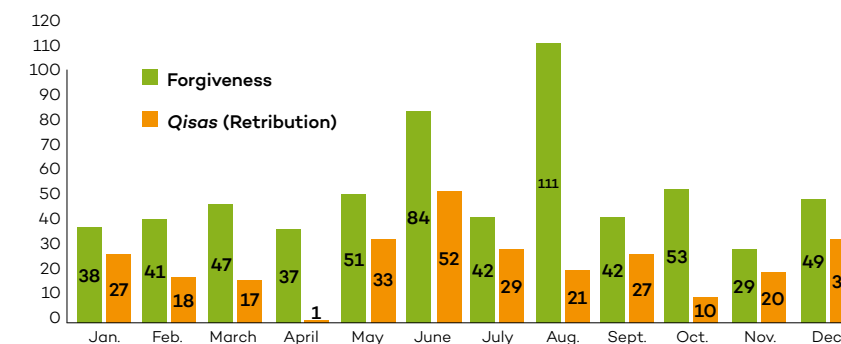
higher. Reports indicate that the number of forgiveness cases might be several times higher than the numbers presented in this report.

The increasing trend of forgiveness in Iran correlates with a survey conducted by Iran Human Rights and World Coalition Against the Death Penalty (WCADP) in September 2020, which found that the majority of people prefer alternative punishments to the *qisas* death penalty for murder victims.¹¹⁹ Iranian authorities assert that *qisas* is the right of the plaintiff (the victim's family/next of kin) and that most *qisas* executions take place upon the plaintiff's request. However, when questioned about their preferred punishment if an immediate family member was murdered, only 21.5% of respondents chose *qisas*, while more than 50% preferred alternative punishments such as imprisonment.



A comparison of the number of implemented *qisas* death sentences and forgiveness cases in 2022.

QISAS (RETRIBUTION) AND FORGIVENESS: MONTHLY BREAKDOWN

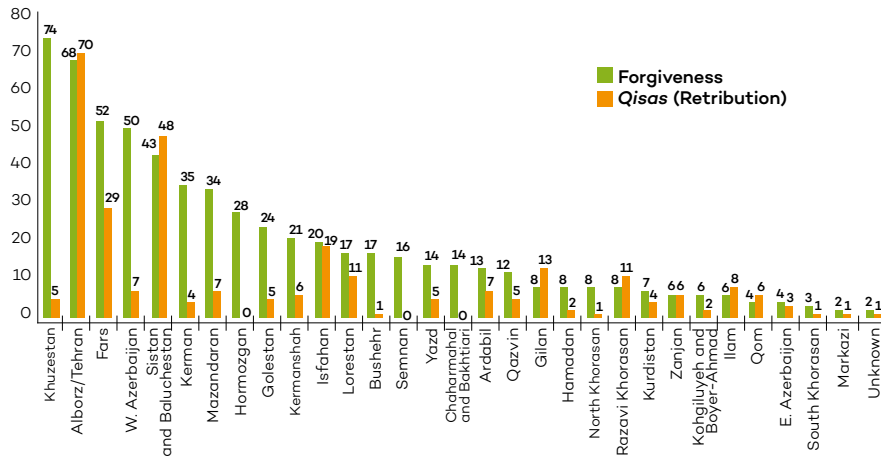


The diagram above shows the monthly breakdown of implemented *qisas* death sentences compared to forgiveness cases. Forgiveness cases outnumber those of *qisas* executions throughout the year.

119 <https://iranhr.net/en/articles/4458/>

QISAS AND FORGIVENESS: GEOGRAPHIC DISTRIBUTION

In 2022, Iran Human Rights recorded forgiveness cases in all 31 provinces in Iran. In comparison, *qisas* death sentences were reported in 28 of the provinces. In 20 provinces, the number of forgiveness cases were higher than *qisas* executions.

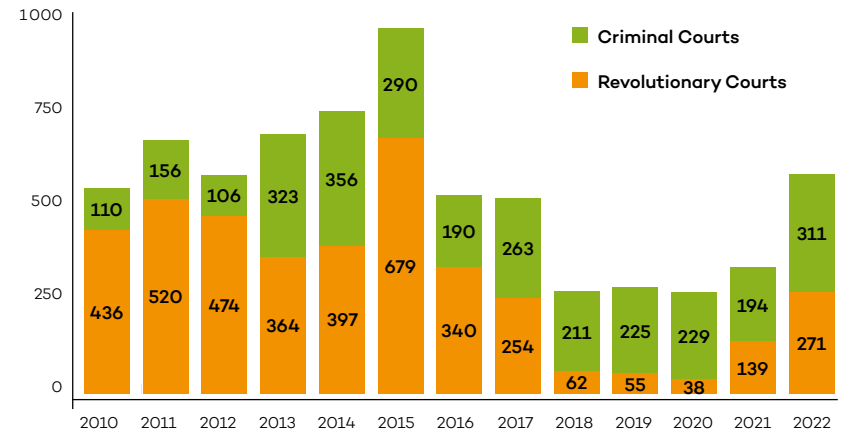


The number of *qisas* executions were higher than forgiveness in only six provinces, while the forgiveness numbers were higher than *qisas* executions in the rest of the provinces, except one where they were equal. The number of forgiveness cases in Khuzestan was more than 14 times higher than the number of *qisas*.

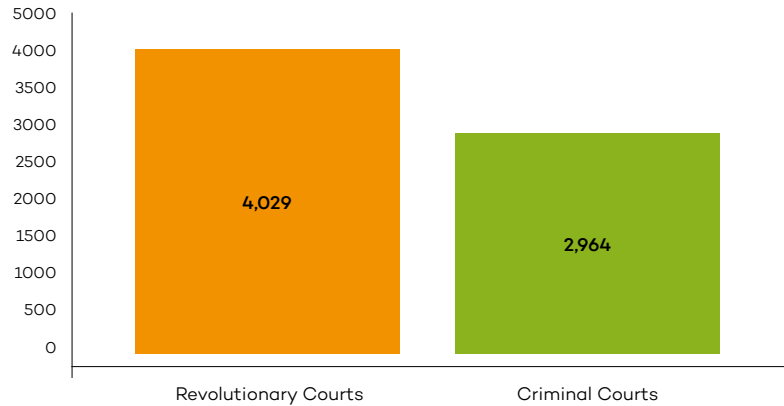
SHARE OF THE REVOLUTIONARY AND CRIMINAL COURTS IN 2022 EXECUTIONS

As mentioned in the previous section, rape and murder (*qisas*) cases fall within the jurisdiction of the Criminal Courts, while cases of *moharebeh*, *efsad-fil-arz* and *baghy* charges, as well as the drug-related charges, fall under the jurisdiction of the Revolutionary Courts.

After the enforcement of the 2017 amendments to the Anti-Narcotics law, the number of implemented death sentences issued by the Revolutionary Courts saw a significant decrease. However, in 2021 these numbers increased due to the rise in drug-related executions and have continued to rise in 2022. The following diagrams show the share of the Revolutionary Courts and the Criminal Courts in the executions implemented over the last 13 years.



The above diagram shows the annual number of executions issued by the Revolutionary and Criminal Courts over the past 13 years. At least 271 of the 582 executions in 2022 (42%) were based on death sentences issued by the Revolutionary Courts. This is slightly higher than in 2021, when they represented 46.56% (139) of the executions.



The diagram above is based on Iran Human Rights reports since 2010 and shows that 4,029 of the 6,993 executions (58%) in the last 13 years were based on death sentences issued by the Revolutionary Courts.

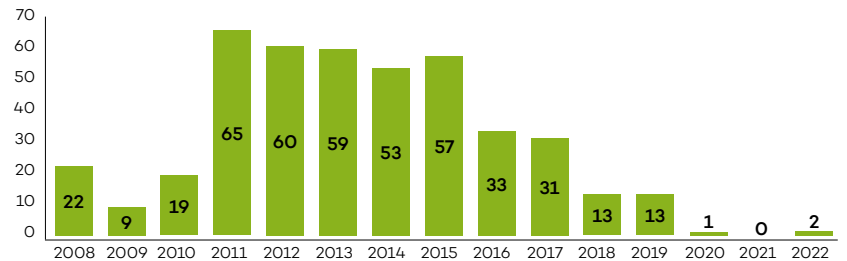
Although the Revolutionary Courts are primarily known for the summary execution of the political opposition during the first decade of establishment of the Islamic Republic in the 1980s,¹²⁰ data collected by Iran Human Rights shows that they have also been responsible for the majority of the death sentences leading to executions in the ensuing decades.

120 Inside Iran's Revolutionary Courts, BBC News, 2015, <http://www.bbc.com/news/magazine-34550377>

PUBLIC EXECUTIONS

For over four decades, Iran has been one of the few countries to carry out executions publicly. Public executions have been repeatedly criticised by the international community and domestic civil society in Iran. Both the UN Secretary General and the Special Rapporteur on the Human Rights Situation in the Islamic Republic of Iran have expressed concern about the continued practice of public executions. Criticism against the Islamic Republic's practice of public executions has also been emphasised in the reports of the Special Rapporteur.¹²¹ Nevertheless, during Iran's second Universal Periodic Report (UPR),¹²² the government rejected recommendations aimed at ending public executions.¹²³

Following massive media attention and international pressure in 2007–2008, then Head of Judiciary, Mahmoud Shahroudi issued an order to limit the use of public executions. Consequently, the number of public executions in 2008–2010 were relatively lower than in the previous years. However, following the post-election protests of 2009, the number of public executions increased dramatically after 2010, reaching an annual average of 50 to 60 between 2011 and 2015. When international focus increased yet again, the number of public executions decreased to 33 in 2016, 31 in 2017 and then 13 in 2018 and 2019. Public executions dropped significantly during the COVID-19 pandemic, with one execution reported in 2020 and none in 2021.



The diagram above shows public executions since 2008. The number of public executions in 2020 was significantly lower due to COVID-19 pandemic restrictions, and no public executions were recorded in 2021.

121 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/010/95/PDF/G2301095.pdf?OpenElement>

122 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/107/16/PDF/G1510716.pdf?OpenElement>

123 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/040/69/PDF/G1504069.pdf?OpenElement>

FIRST PUBLIC EXECUTION IN TWO YEARS

2021 was the first year in over a decade during which no public executions were carried out by the Islamic Republic. This followed 2020 when only one execution was recorded, which was the lowest number since 2016, when Iran Human Rights started its systematic monitoring of executions in Iran. We have no indication that the decline in the number of public executions were the result of policy change, but rather a consequence of the COVID-19 pandemic restrictions.

On 28 March, Hamshahri Online reported that two men identified as 38-year-old **Mohammad Ghaedi** and 25-year-old **Sadegh Mahmoudi**, had been sentenced to public execution at the location of the murder of an officer by a preliminary court in Isfahan province. The alleged murder was reported to have taken place in November 2021.¹²⁴

On 10 April, IRIB news reported that an unnamed man had been sentenced to public execution for the murder of another officer in Lorestan. The alleged murder is said to have taken place in December 2021.¹²⁵

Dariush Rahimi was the fourth man to be sentenced to public execution for the murder of a policeman on 18 May. Khorasan newspaper reported that Branch 5 of Khorasan Razavi's First Tier Criminal Court had issued the verdict.¹²⁶

On 18 March, Afghan-nationals **Mohammad Ramez Rashidi** and Naeim Hashem Ghotali were sentenced to public execution for charges of *efsad-fil-arz* and *baghy* by Branch One of the Fars Revolutionary Court.¹²⁷



On 12 July, the Supreme Court upheld the public execution of **Iman Sabzikar** for the murder of another policeman.¹²⁸ You can read more about his case on page 59. The 28-year-old construction worker was publicly executed at the location of the alleged murder in Shiraz on 23 July,

124 <https://iranhr.net/en/articles/5151/>

125 <https://iranhr.net/en/articles/5159/>

126 <https://iranhr.net/en/articles/5213/>

127 <https://www.mizanonline.ir/fa/news/4704150/>-دو-تن-از-عاملین-حادثه-ترور-یستی-حرم-مطهر-شاهچراغ-ع-
به-اعدام-محکوم-شدند

128 <https://iranhr.net/en/articles/5339/>

making it the first public execution in two years. The photo of his lifeless body was shared by official media outlets.



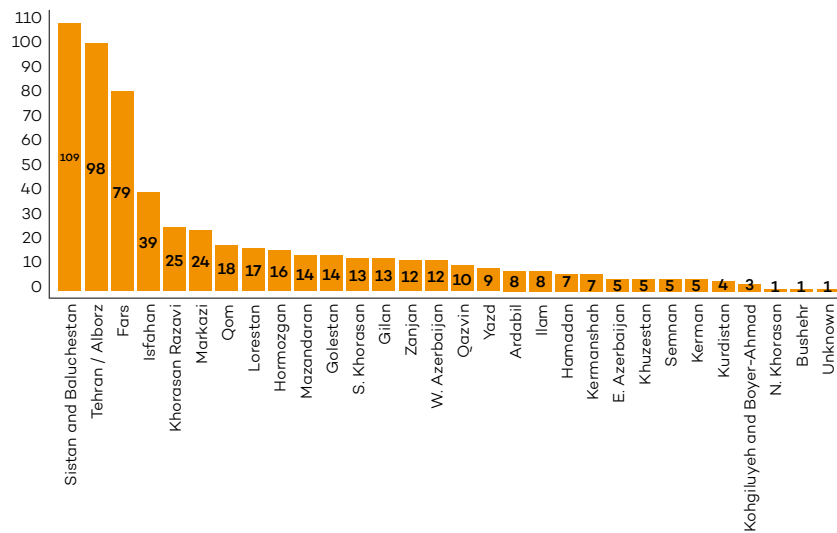
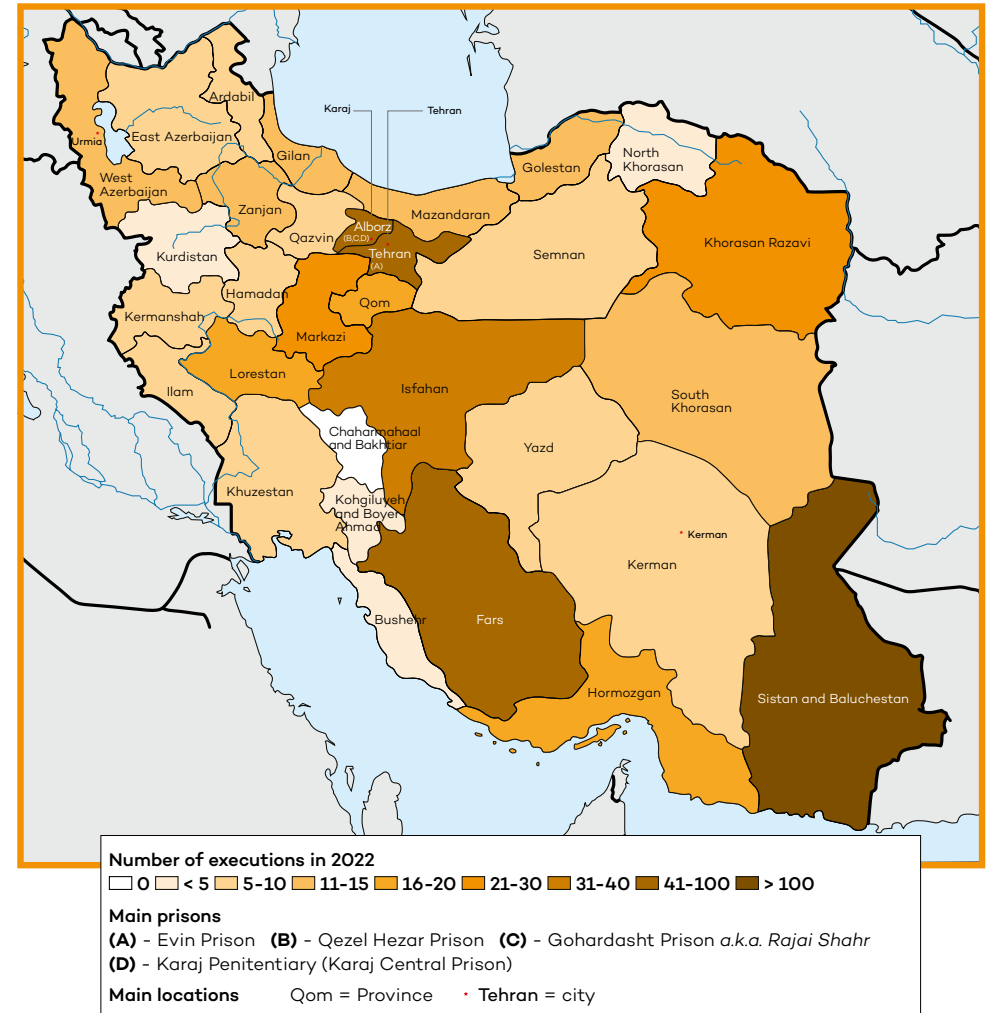
On 12 December, protester **Majidreza Rahnavard** was publicly hanged at the location of his alleged crime in Mashhad.¹²⁹

129 <https://iranhr.net/en/articles/5634/>

GEOGRAPHIC DISTRIBUTION OF EXECUTIONS

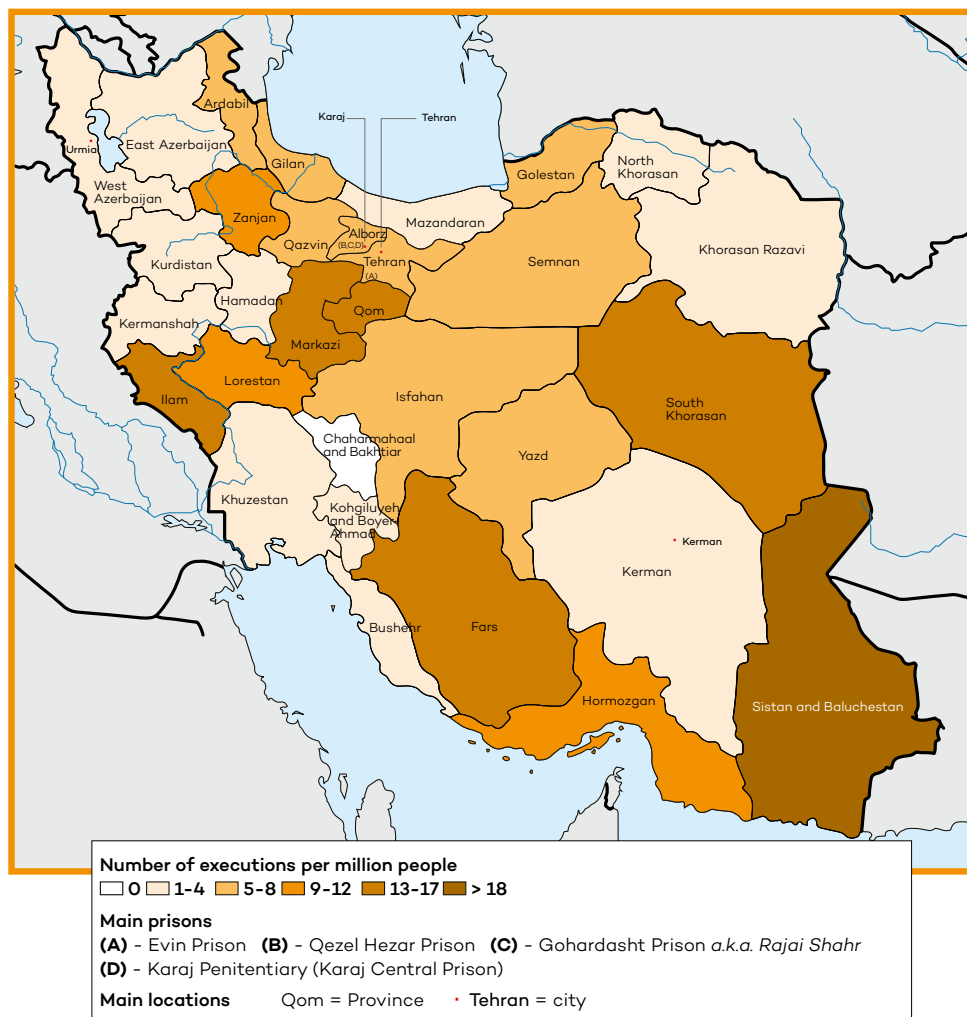
Executions were carried out in 30 Iranian provinces in 2022. The following were carried out in 29 Iranian provinces in 2022. The following maps show the geographic distribution of the executions. Map 2 lays out the total number of executions while Map 3 shows the number of executions per capita for each province. In 2022, Sistan and Baluchestan province had the highest number of executions, followed by South Khorasan and Markazi provinces. As aforementioned, 83.5% of the executions included in the 2022 report were either carried out secretly or not announced by official Iranian sources. In the following sections, we will provide more details about unannounced and secret executions.

MAP 2: GEOGRAPHIC DISTRIBUTION OF ALL EXECUTIONS BY NUMBER



Executions were carried out in 30 of the 31 provinces in Iran. The only province to not have carried out any executions in 2022 was Chaharmahal and Bakhtiari province.

MAP 3: NUMBER OF EXECUTIONS PER CAPITA



In 2022, Iran carried out seven executions per million people.¹³⁰ Sistan and Baluchestan province had the highest execution rate, with 39 executions per million inhabitants, followed by South Khorasan and Markazi, with 17 executions per million inhabitants each. Numbers for all provinces are provided in Annex 1 of this report.

¹³⁰ Population based on amar.org.ir.

SECRET AND UNANNOUNCED EXECUTIONS

Approximately 88% of all executions included in the 2022 report (511 executions) were not announced by the authorities. Some of the executions were carried out secretly, without the family or the lawyer being informed, and some have simply not been announced by the official media. The actual numbers are believed to be much higher. Officially announced executions have been decreasing in line with the increase in drug-related executions. Only 12% of executions were officially reported, compared to 16.5% in 2021 and an average of 33% in 2018–2020.

FACTS ABOUT SECRET AND UNANNOUNCED EXECUTIONS IN 2022

- At least 511 executions (88%) were not announced by official Iranian sources
- Only 3 of the 256 drug-related executions were announced by official sources
- Drug offences accounted for 49,5% of unannounced executions
- Murder charges accounted for 47% of unannounced executions
- Sistan and Baluchestan province had the highest number of unannounced executions
- At least 15 people were secretly executed, without their families and lawyers being notified
- Of the 15 people secretly executed, 13 were Baluch and one was Kurdish

DOCUMENTATION OF UNANNOUNCED EXECUTIONS

Only unofficial reports with a sufficient amount of information have been included in this report. Iran Human Rights' network inside the country receives information about many executions which are not announced by domestic media or officials. Confirming these reports is a challenging task as the media is either directly controlled or under strong scrutiny by the authorities. Reporting human rights violations to human rights organisations is also regarded as a crime and those involved face criminal prosecution. Despite this, every year Iran Human Rights manages to confirm several hundred cases of executions that are not announced by the authorities. In many of these cases, information on executions is verified by two or more independent sources. In some cases, Iran Human Rights receives photographs that can document the execution. In many cases, photographs with information about the executed person are sent to Iran Human Rights.



Photographs of some of the people whose executions were not announced by official sources, but documented by Iran Human Rights.

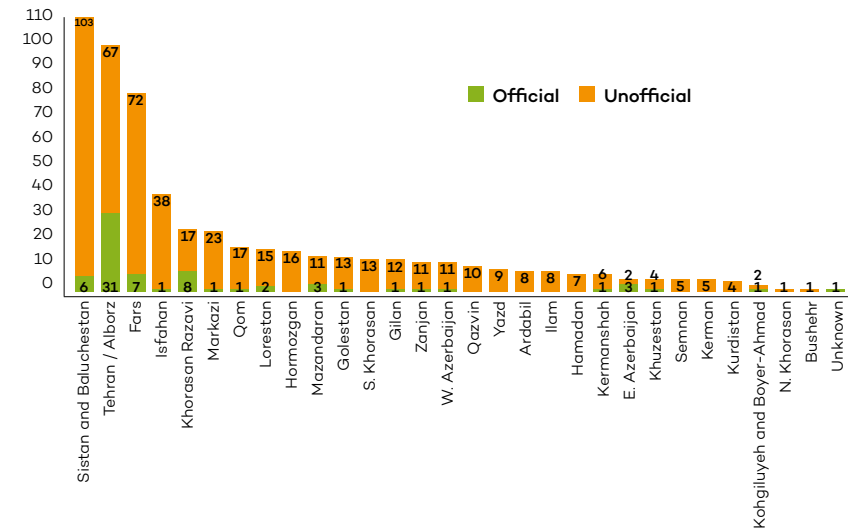
Death or funeral notices are also used as documentation to support reports of unannounced executions received by Iran Human Rights. 48 executions reported to Iran Human Rights were not included in the 2022 figures due to lack of sufficient documentation or confirmation by two independent sources.



Death notices showing some of the people whose executions were not announced by official sources but were documented by Iran Human Rights.

GEOGRAPHIC DISTRIBUTION OF ANNOUNCED AND UNANNOUNCED/ SECRET EXECUTIONS

In 2022, the highest number of unannounced executions took place in Zahedan Central Prison in Sistan and Baluchestan province and Shiraz Central Prison in Fars province.¹³¹



The diagram above shows the geographical distribution of the official (green) and unofficial/unannounced (orange) executions in Iran. The prisons in the provinces of Sistan and Baluchestan (southeast), Tehran and Alborz (capital) and Fars (central) had the highest number of recorded executions. This was followed by Isfahan, Khorasan Razavi and Markazi.

131. Further details are provided in the following section.

EXECUTION CATEGORIES

JUVENILE OFFENDERS

JUVENILE EXECUTIONS: TRENDS AND LEGISLATIVE REFORMS

One of the last remaining countries to sentence juvenile offenders to death, Iran executes more juvenile offenders than any other country in the world. In violation of the International Convention on the Rights of the Child (CRC), which Iran has ratified, Iranian authorities executed at least three juvenile offenders in 2022. According to Iran Human Rights' reports, at least 68 juvenile offenders were executed between 2010 and 2022 in Iran.¹³² According to UN experts, there are currently at least 85 juveniles on death row in Iranian prisons.¹³³ However, the actual number is likely to be significantly higher as there is no information about juvenile offenders in many Iranian prisons.

The international pressure on Iran on this matter increased between 2000 and 2010. As a consequence of the criticism from the international community and domestic civil society, Iran made changes to the 2013 IPC. However, these changes regarding juvenile offenders have not led to a decrease in the number of juvenile executions. The 2013 IPC explicitly defines the "age of criminal responsibility" for children as the age of maturity under *Sharia* law, meaning that girls over 9 lunar years of age and boys over 15 lunar years of age are eligible for execution if convicted of "crimes against God" (such as apostasy) or "retribution crimes" (such as murder). Article 91 of the IPC states that juvenile offenders under the age of 18 who commit *hudud* or *qisas* offences may not be sentenced to death if there are doubts about their maturity or development of their reasoning.¹³⁴ The article thus allows judges to assess a juvenile offender's mental maturity at the time of the offence and, potentially, to impose an alternative punishment to the death penalty on the basis of the outcome. In 2014, Iran's Supreme Court confirmed that all juvenile offenders on death row could apply for retrial.

However, Article 91 is vaguely worded and inconsistently and arbitrarily applied. Between 2016 and 2022, Iran Human Rights identified 21 cases where the death sentences of juvenile offenders were commuted based on Article 91. No Article 91 commuted sentences were reported or recorded in 2022. In the same period, according to Iran

Human Rights' reports, at least 29 juvenile offenders were executed, and several remain at risk of execution. It seems that Article 91 has not led to a decrease in the number of juvenile executions. The Iranian authorities must change the law, unconditionally removing all death sentences for all offences committed by children under 18 years of age. According to the report of the UN Secretary-General on the human rights situation in the Islamic Republic of Iran, published in August 2021 at the 76th session of the UN General Assembly: "While article 91 of the Penal Code gives judges the discretion to exempt children from the death penalty, the continued imposition of death sentences for child offenders shows that that article has failed to have a significant impact." He further stated: "the application of the death penalty on child offenders calls for a revision of the Penal Code to prohibit the imposition of the death penalty on individuals who were under 18 years of age at the time of the alleged crime, as well as the abolition of the death penalty."¹³⁵

In his October 2022 report to the 77th session of the UN General Assembly, the UN Secretary-General called on Iran's government to "prohibit the execution of child offenders in all circumstances and to commute their sentences."¹³⁶

International human rights mechanisms have also repeatedly called on Iran to put an end to the execution of juvenile offenders. When Michelle Bachelet, the United Nations High Commissioner for Human Rights, criticised the Islamic Republic's use of the death penalty in June 2021, stating that "over 80 child offenders are on death row," it was dismissed by Islamic Republic officials. The Deputy for International Affairs at Iran's High Council for Human Rights told AFP that the Islamic Republic only does that "three to four times a year" and that such uses of the death penalty "are not a symbol of violations of human rights."¹³⁷ He also called the criticism "unfair."¹³⁸

Stating that 85 juvenile offenders were on death row in Iran, a resolution passed in the European Parliament in February 2022 called on Iran to "urgently amend Article 91 of the Islamic Penal Code of Iran to explicitly prohibit the use of the death penalty for crimes committed by persons below 18 years of age, in all circumstances and without any discretion for judges to impose the death penalty or life imprisonment without the possibility of release."¹³⁹

135 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/216/25/PDF/N2121625.pdf?OpenElement>

136 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/632/51/PDF/N2263251.pdf?OpenElement>

137 <https://www.france24.com/en/live-news/20210630-iran-says-executing-child-offenders-not-a-rights-violation>

138 <https://iranhr.net/en/articles/4786/>

139 https://www.europarl.europa.eu/doceo/document/TA-9-2022-0050_EN.html

132 Iran Human Rights Execution Counter: <https://iranhr.net/en/>

133 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27861&LangID=E>

134 <https://undocs.org/A/68/377>. See also Iran Penal Code (2013), Art. 91

In his 2022 annual report, Javaid Rehman, the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, called on the Islamic Republic to “urgently amend legislation to prohibit the execution of persons who committed a crime while under the age of 18 years, and urgently amend legislation to commute all death sentences for child offenders on death row.”¹⁴⁰

FACTS ABOUT JUVENILE EXECUTIONS IN 2022

- At least 3 juvenile offenders were executed
- All were boys charged with murder and sentenced to *qisas*
- 2 of the juvenile offenders executed had committed murder in self-defence
- Reports on the execution of 3 other juvenile offenders were not included in the statistics due to lack of sufficient documentation

JUVENILE OFFENDERS EXECUTED IN 2022

MOHAMMAD HOSSEIN ALIZADEH: UNINTENTIONAL MURDER AGAINST GROUP ATTACK



Mohammad Hossein Alizadeh was an Afghan national and 17 years old at the time of arrest. He had unintentionally committed murder when he went to defend his cousin against a street group attack in 2016. He was arrested and sentenced to *qisas* for murder. He was 24 when he was executed in Qom Central Prison on 10 August.¹⁴¹

OMID ALIZEHI: COURT RULED MURDER TO HAVE BEEN UNINTENTIONAL



Omid Alizehi, a 17-year old Baluch child, born on 22 July 2000, was arrested in December 2017 / January 2018 (Dey 1396) for an alleged murder committed during a street fight. According to a close family source, Omid was held in a juvenile correctional centre for two years before being transferred to the juvenile ward of Zahedan Central

Prison. He was acquitted of murder, with the murder caused in a street fight ruled to have been unintentional. However, Omid’s family were

140 <https://undocs.org/A/HRC/49/75>

141 <https://iranhr.net/en/articles/5401/>

unable to afford a lawyer to pursue his case. According to sources, the victim’s family had the money to spend on changing his sentence. He was executed along with four other Baluch prisoners in Zahedan Central Prison on 20 August.¹⁴²

YOUSEF MIRZAVAND: TOOK THE BLAME FOR THE REAL CULPRIT



Yousef Mirzavand was 16 when he was arrested for charges of “initiating an armed robbery, carrying hunting weapons without a licence, committing intentional assault with a weapon, murder, being accessory to murder and conspiracy to escape trial” and sentenced to death. According to his family, Yousef had taken the blame for

the person who had committed the murder. He was 22 years old when he was executed in Dezful Prison on 26 December.¹⁴³

TABLE 1: LIST OF JUVENILE OFFENDERS EXECUTED IN 2022

	DATE	NAME	AGE	CHARGE	LOCATION	SOURCE	UN/OFFICIAL
1	10 August 2022	Mohammad Hossein Alizadeh	17	Murder	Qom Central Prison, Qom	Iran Human Rights	Unofficial
2	20 August 2022	Omid Alizehi	17	Murder	Zahedan Central Prison, Sistan and Baluchestan	Hal Vash	Unofficial
3	26 December 2022	Yousef Mirzavand	16	Murder	Dezful Prison, Khuzestan	Iran Human Rights	Unofficial

* Age at the time of committing the alleged offence

TABLE 2: LIST OF POSSIBLE JUVENILE OFFENDERS EXECUTED IN 2022

	DATE	NAME	CHARGE	LOCATION	SOURCE	UN/OFFICIAL
1	14 May 2022	Farshad Gomshadzehi	Murder	Zahedan Central Prison, Sistan and Baluchestan	Iran Human Rights	Unofficial
2	7 June 2022	Ghadir Naseri	Murder	Khuzestan, Ahvaz	HRANA	Unofficial
3	20 August 2022	Mehrab Salehi	Murder	Yazd, Yazd	Iran Human Rights	Unofficial

142 <https://iranhr.net/en/articles/5421/>

143 <https://iranhr.net/en/articles/5677/>

MENTAL DISORDERS

Article 149 of Chapter Two of the 2013 IPC which relates to the lack of criminal responsibility states: “If the perpetrator has a mental disorder at the time of committing the crime in such a way that they lack willpower or judgement, they are considered insane and are not criminally responsible.”

While obtaining documentary evidence of medical diagnosis is difficult due to a lack of transparency, Iran Human Rights has reported many cases of people suffering from mental disorders being executed throughout the years.

In carrying out such executions, the Islamic Republic of Iran is breaching both its own laws and its international obligations. A resolution adopted by the Office of the United Nations High Commissioner for Human Rights urged States “not to impose the death penalty on a person suffering from any form of mental disorder or to execute any such person.”¹⁴⁴

MOHSEN SAFARI: EXECUTED AGAINST FORENSIC MEDICAL ORGANISATION ADVICE



Mohsen Safari was a father arrested for drug offences in May 2019 and sentenced to death. The Forensic Medical Organisation confirmed he was suffering from bipolar mental disorder and other medical disorders, and his execution was stopped on that basis on two previous occasions in April and May. Against medical advice, he was executed in Isfahan Central Prison on 13 July.¹⁴⁵

MORTEZA FALAH DELAVAR: DENIED ARMY EXEMPTION DESPITE SCHIZOPHRENIA



Morteza Falah Delavar suffered from schizophrenia which was left untreated by his family until his symptoms became severe. He was under treatment when he was conscripted into the army. Yet, while doctors at the Navy Hospital agreed his case was serious, they went against the army’s advice and referred him to a mental health hospital. He was refused admission.

¹⁴⁴ UN. Office of the High Commissioner for Human Rights, The Question of the Death Penalty, E/CN.4/RES/2003/67, 25 Apr., 2003.

¹⁴⁵ <https://iranhr.net/en/articles/5380/>

It was during that period that Morteza stabbed the lieutenant in charge of conscripts and was sentenced to *qisas*. His family were also pressured to stay silent in order to cover up the Forensic Medical Organisation’s mistakes. Morteza was 28 years old when he was executed in Rasht Central Prison on 28 July.¹⁴⁶

WOMEN

Iran is the world’s top executioner of women, with at least 16 executed in 2022. According to Amnesty International, 24 women were executed around the world in 2022. As aforementioned, there was a complete drop in the execution of women on drug-related charges after the 2017 Amendment to the Anti-Narcotics Laws. However, in 2021 five women were executed on the charges, consistent with the rise in overall drug-related executions. At least three were executed in 2022.

On World Day Against the Death Penalty in 2021, Iran Human Rights published a 12-year-analysis of “Women and the Death Penalty in Iran”, which provides broader social and legal context and background.¹⁴⁷ It is worth noting that women do not have the right to divorce, which is reflected in the number of domestic violence cases.

FACTS ABOUT WOMEN EXECUTED IN 2022

- At least 16 women were executed in 2022
- 13 were sentenced to *qisas* for murder and 3 were executed for drug-related charges
- The identities of 7 of the women are unknown
- 3 of the women were Baluch and one was an Afghan national
- 5 women were executed for the murder of their husbands
- At least one woman was a child bride and one was in a forced marriage
- One woman had committed murder in self-defence against rape by her landlord
- Three of the women were executed in different prisons on the same day
- None of the executions were announced by official sources
- At least 188 women were executed between 2010 and 2022

¹⁴⁶ <https://iranhr.net/en/articles/5395/>

¹⁴⁷ https://iranhr.net/media/files/Women_and_the_Death_Penalty_2021.pdf

SOHEILA ABEDI: CHILD BRIDE AND VICTIM OF DOMESTIC VIOLENCE



Soheila Abedi was a child bride when she was married off at 15 years of age. Ten years later, she murdered her husband due to “family disputes”, a cultural code for domestic violence, according to court documents. She was sentenced to *qisas* in January 2015 and executed on 27 July in Sanandaj Central Prison.¹⁴⁸

TABLE 3: LIST OF WOMEN EXECUTED IN 2022

	DATE	NAME	AGE*	CHARGE	PLACE	SOURCE	COMMENT
1	5 February 2022	Khatoun Hamidi	23	Murder	Qazvin Central Prison, Qazvin	Iran Human Rights	Unofficial
2	14 March 2022	Unidentified	Unknown	Murder	Shiraz Central Prison, Fars	Iran Human Rights	Unofficial
3	7 May 2022	Unidentified	Unknown	Drug-related	Zahedan Central Prison, Sistan and Baluchestan	Hal Vash	Unofficial
4	22 May 2022	Ms Hayati	Unknown	Murder	Shiraz Central Prison, Fars	IHRNGO	Unofficial
5	25 May 2022	Ladan Mulasaeedi	Unknown	Murder	Qarchak Prison, Karaj	HRANA	Unofficial
6	6 June 2022	Ms Gorgij	Unknown	Drug-related	Zahedan Central Prison, Sistan and Baluchestan	IHRNGO	Unofficial
7	21 July 2022	Robab Danayi	Unknown	Murder	Yazd Central Prison, Yazd	Iran Human Rights	Unofficial
8	27 July 2022	Soheila Abedi	32	Murder	Sanandaj Central Prison, Kurdistan	Iran Human Rights	Unofficial
9	27 July 2022	Senobar Jalali	Unknown	Murder	Tehran/Alborz	Iran Human Rights	Unofficial
10	27 July 2022	Faranak Beheshti	Unknown	Murder	Urmia Central Prison, West Azerbaijan	Iran Human Rights	Unofficial

148 <https://iranhr.net/en/articles/5376/>

11	21 August 2022	Unknown	Unknown	Murder	Shiraz Central Prison, Fars	Iran Human Rights	Unofficial
12	10 September 2022	Unknown	Unknown	Murder	Zahedan Central Prison, Sistan and Baluchestan	Hal Vash	Unofficial
13	27 October 2022	Unknown	Unknown	Murder	Boroujerd Prison	Iran Human Rights	Unofficial
14	3 December 2022	Moloud Molazadeh	Unknown	Murder	Isfahan Central Prison, Isfahan	Iran Human Rights	Unofficial
15	8 December 2022	Unknown	Unknown	Drug-related	Semnan Prison, Semnan	BCIran	Unofficial
16	8 December 2022	Unknown	Unknown	Drug-related	Semnan Prison, Semnan	BCIran	Unofficial

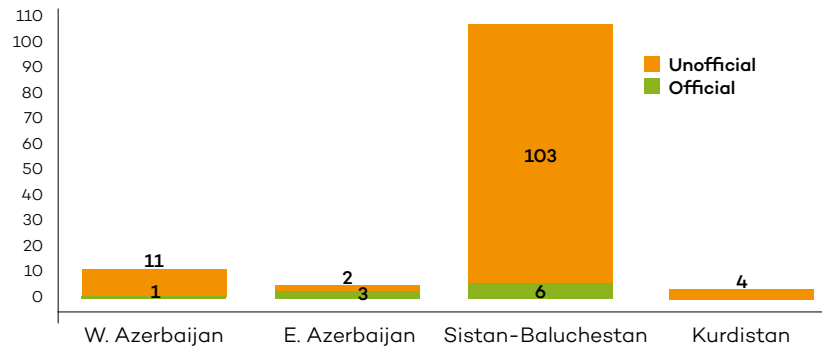
* Age at the time of execution

ETHNIC MINORITIES

As this report and previous annual reports demonstrate, ethnic minorities in Iran are overrepresented in death penalty statistics. Furthermore, with 39 executions per million inhabitants, Sistan and Baluchestan province had the highest number of executions per capita in 2022. According to the present report, in 2022 130 people were executed in the four ethnic provinces of W. Azerbaijan, E. Azerbaijan, Sistan and Baluchestan, and Kurdistan. This is more than double the numbers in 2021 (62) and in 2020 (60).

However, because the execution of ethnic minorities is not implemented exclusively in their home provinces, it is difficult to determine the exact number of executions of each ethnic minority group. On the other hand, information about those executed does not always include their ethnicity. The execution of Baluch prisoners is in many cases carried out in prisons outside the Sistan and Baluchestan province.

The secrecy of the executions in these four ethnic provinces is worth noting. Of the executions confirmed by Iran Human Rights in those regions, only ten (8%) were announced by authorities, compared to 12% in the whole country. Roughly 92% of the executions in the four provinces (and 88% throughout Iran) in 2022 were carried out without even a report published in media outlets inside Iran (see diagram).



In 2022, more than 92% of the executions reported by Iran Human Rights in East and West Azerbaijan, Kurdistan and Sistan and Baluchestan were not announced by the authorities. This is significantly higher than the 88% of unannounced executions for the entire country.

It is therefore safe to say that an unprecedented level of secrecy in executions is taking place in the Iranian ethnic regions. Moreover, the absolute majority of those executed for their political affiliation belong to ethnic minority groups, and in particular to the Kurdish minority. An overview of Iran Human Rights reports between 2010 and 2022 shows that among the 138 people who were executed for affiliation to banned political and militant groups, there were 71 Kurds (51%), 38 Baluch (28%) and 21 Arabs (15%). Furthermore, most of those executed were Sunni Muslims.

There are several possible reasons for the overrepresentation of ethnic groups in execution figures. The authorities may use more violence to create fear due to higher opposition amongst the populations in those region. During the nationwide protests following Jina (Mahsa) Amini's murder in custody, Kurdish regions and Sistan and Baluchestan province were the areas with the longest lasting protests, and almost half of all protesters killed on the streets were from Sistan and Baluchestan province, Kurdistan and Kurdish towns in other provinces. The authorities used propaganda labelling its critics in the ethnic minority regions as separatists. In addition, the presence of armed groups in those regions make it easier for authorities to justify death sentences under the pretext of fighting terrorism and separatist groups. All this has led to less domestic and international sensitivity to the execution of people from ethnic regions, and thus, to a lower political cost for the atrocities. Finally, with these regions already suffering from poor socio-economic conditions, local judicial offices also act even more lawlessly and arbitrarily.

EXECUTION OF BALUCH MINORITIES

With 109 executions, Sistan and Baluchestan province had the highest number of total executions. With 39 executions per million inhabitants, it was the province with the highest number of executions per capita in 2022. Although there are no official figures for the population of Baluch minorities in Iran, different sources estimate the number to be between 1.5¹⁴⁹ and 4.8 million¹⁵⁰, accounting for 2 to 6% of Iran's total population. Research and monitoring by Iran Human Rights show that in 2022, at least 174 Baluch prisoners were executed, accounting for 30% of all executions in Iran. This is an increase from 21% (70) in 2021. Sixty-six of the 174 executions took place in prisons outside Sistan and Baluchestan province. The gross overrepresentation of Baluch prisoners in the execution figures in Iran has led to reactions by rights groups and the international community.¹⁵¹

FACTS ABOUT BALUCH EXECUTIONS IN 2022

- At least 174 Baluch minorities were executed, accounting for 30% of the total executions in 2022
- 121 were executed for drug-related offences, accounting for 47.3% of all drug-related executions
- 52 were executed on murder charges (qisas)
- 3 of those executed were Baluch women
- Only 4 of the executions were officially reported
- 13 executions were secretly carried out
- Executions took place in 22 different prisons compared to 10 in 2021

FOREIGN CITIZENS

Afghans constitute the largest group of non-Iranian execution and death row cases in Iranian prisons. In 2021, no execution of Afghan nationals was recorded until September, when five men were executed in the space of 35 days. On 10 October 2021, Iran Human Rights expressed its concern that the Taliban takeover in August had facilitated the execution of Afghan nationals.¹⁵² That number has more than tripled, with 16 Afghan nationals including a juvenile offender and a woman executed in 2022.

149 <https://iranprimer.usip.org/blog/2013/sep/03/iran-minorities-2-ethnic-diversity>

150 <https://unpo.org/members/7922>

151 UN Experts Alarmed Over Execution of Baluch Minority Prisoners: <https://news.un.org/en/story/2021/02/1083772>

152 <https://iranhr.net/en/articles/4917/>

Seven were executed for murder charges: a man only identified as **Zobeid**¹⁵³ on March 16, a man only identified as **Golmohammad**¹⁵⁴ on April 11, juvenile offender **Mohammad Hossein Alizadeh**¹⁵⁵ on August 10, **Jilan Nourzei**¹⁵⁶ on June 23, **Senobar Jalali**¹⁵⁷ on July 27, an unidentified man¹⁵⁸ December 20, **Davoud Rahmatali**¹⁵⁹ on December 28. Eight were executed for drug-related charges: **Eshagh Mohammadamin**¹⁶⁰ on January 20, **Khodanazar Kakar**¹⁶¹ on January 20, **Najaf Anjom-Rooz**¹⁶² on March 13, **Fahim Valiollah Dini**¹⁶³ on June 12, **Khalghollah Fahimzadeh**¹⁶⁴ on September 6, **Jomeh Barakzei**¹⁶⁵ on July 26, **Mojtaba Khademejad**¹⁶⁶ on August 28 and **Yar Mohammad Eshaghzei**¹⁶⁷ on September 7.

Abdol Latif Moradi was executed for charges of *moharebeh* on 20 June.¹⁶⁸

Only two of the executions listed above were officially announced by authorities.

Afghan-nationals **Mohammad Ramez Rashidi** and **Naeim Hashem Ghotali** were sentenced to death on charges of *efsad-fil-arz*, *moharebeh* and action against national security in relation to the terrorist attack on Shahcheragh mosque on 26 October.¹⁶⁹ Mohammad's forced confessions were televised prior to any legal proceedings taking place. No evidence of either man's involvement has been presented by the authorities.

There is no public information available about the number of Afghan nationals on death row in Iranian prisons, but the numbers are believed to be high, particularly in prisons in the eastern part of the country. It is worth noting that Afghan executions are not normally announced by authorities and that Afghan nationals do not have a family network or lawyers who can spread awareness about their situation. As such, the actual number of executions of Afghan nationals may be higher than those we have been able to verify.

153 <https://iranhr.net/en/articles/5144/>

154 <https://iranhr.net/en/articles/5161/>

155 <https://iranhr.net/en/articles/5451/>

156 <https://iranhr.net/en/articles/5314/>

157 <https://iranhr.net/en/articles/5385/>

158 <https://iranhr.net/en/articles/5663/>

159 <https://iranhr.net/en/articles/5671/>

160 <https://iranhr.net/en/articles/5067/>

161 <https://iranhr.net/en/articles/5070/>

162 <https://iranhr.net/en/articles/5147/>

163 <https://iranhr.net/en/articles/5282/>

164 <https://iranhr.net/en/articles/5465/>

165 <https://iranhr.net/en/articles/5379/>

166 <https://iranhr.net/en/articles/5443/>

167 <https://iranhr.net/en/articles/5470/>

168 <https://iranhr.net/en/articles/5299/>

169 <https://www.mizanonline.ir/fa/news/4704150/> دو-تن-از-عالمين-حادثه-مترور-بيستی-حرم-مطهر-شاهچراغ-ع-ا/4704150

به-اعدام-محکوم-شدند

On 24 July, **Sarajolhagh Sedighi**, a Sunni cleric from the Baluch region of Pakistan, was executed for murder charges in Shiraz Central Prison.¹⁷⁰ He is the only recorded Pakistani national executed in 2022.

DUAL CITIZENS

Iran does not recognise dual nationality and thus denies consular access to dual citizens. It also uses imprisoned dual nationals and foreign nationals as bargaining chips in political and economic discussions with the West. In April 2019, then Iran Foreign Minister, Mohammad Javad Zarif declared that he had the authority to exchange Iranian-Americans imprisoned in Iran with the US, an admission that these prisoners are being used as political hostages.¹⁷¹ There are currently three dual citizens at risk in Iran, Ahmadreza Djilali,¹⁷² Habib Asyoud¹⁷³ and Jamshid Sharmahd.¹⁷⁴

Three dissidents were kidnapped from neighbouring countries with assistance from an international drug-cartel and transferred to Iran, Ruhollah Zam from Iraq in October 2019, Jamshid Sharmahd from the UAE in July 2020 and Habib Asyoud from Turkey in October 2020. Ruhollah Zam was executed on 12 December 2020.¹⁷⁵



Habib Asyoud, a Swedish-Iranian Arab dissident was subjected to torture following his abduction and his forced confessions aired on national television a month later. He was tried by Branch 26 of the Tehran Revolutionary Court in an unfair trial that saw him deprived of basic due process rights. Habib was sentenced to death on charges

of *efsad-fil-arz* on 6 December 2022 and his sentence was upheld by the Supreme Court on 12 March 2023.¹⁷⁶ He is at grave risk of execution.

170 <https://iranhr.net/en/articles/5378/>

171 <https://www.nytimes.com/2019/04/24/world/middleeast/iran-zarif-prisoner-exchange.html>

172 <https://iranhr.net/en/articles/5217/>

173 <https://iranhr.net/en/articles/5773/>

174 <https://iranhr.net/en/articles/5738/>

175 <https://iranhr.net/en/articles/4527/>

176 <https://iranhr.net/en/articles/5773/>



Jamshid Sharmahd, a German-Iranian dissident residing in the United States, was held in pre-trial detention for over a year and a half before his trial began in February 2022. Presided by Judge Salavati, Branch 15 of the Tehran Revolutionary Court sentenced him to death on charges of “*efsad-fil-arz by planning and directing terrorist acts*” on 21 February 2023. Jamshid has been held in solitary confinement since his arrest and denied legal representation, due process and the right to a fair trial.¹⁷⁷



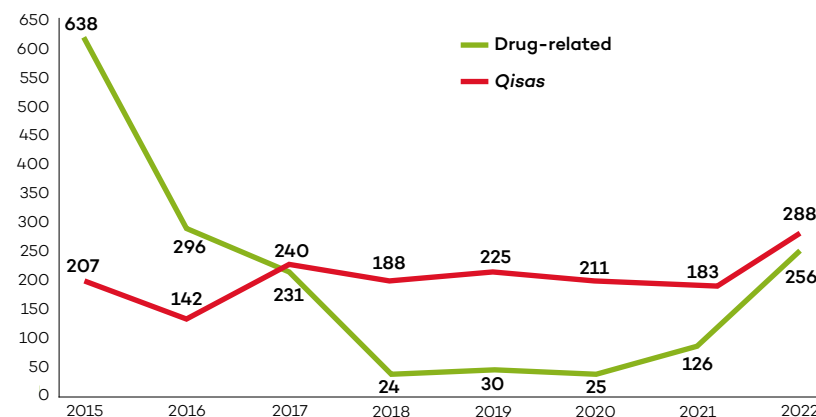
Ahmadsreza Djalali, a Swedish-Iranian scientist arrested while on an academic visit in Iran. He was sentenced to “*efsad-fil-arz (corruption on earth) through espionage for Israel*” after a grossly unfair trial at Branch 15 of the Tehran Revolutionary Court presided over by Judge Salavati in November 2017. His sentence was upheld a month later. He has been sent back and forth to the gallows on multiple occasions in exchange attempts by Islamic Republic authorities.¹⁷⁸

177 <https://iranhr.net/en/articles/5738/>
178 <https://iranhr.net/en/articles/5217/>

WAYS TO RESTRICT THE USE OF THE DEATH PENALTY IN IRAN

SUSTAINED DOMESTIC CAMPAIGNING AND INTERNATIONAL PRESSURE

The 2017 Amendments to the Anti-Narcotics Law, which was brought about by international pressure on the Islamic Republic to decrease drug-related executions, led to the most significant reduction in the number of implemented death sentences in the Islamic Republic’s history. From an average of about 350 annual executions between 2010-2017, the numbers dropped to less than 30 drug-related executions per year. At the time of the 2017 Amendment, Iran Human Rights warned that the amendment would not lead to sustained reduction in the use of the death penalty as it did not address the issue of lack of due process and unfair trials. As feared, the impact of the Amendment only lasted for three years. In 2021, the number of drug-related executions showed a fivefold increase, and in 2022, a 10-fold increase compared to the previous three years. This trend is likely to continue as this hike has not been met with appropriate international condemnations.



While the number of drug-related executions decreased significantly after the peak in 2015, the number of qisas executions had small fluctuations in both directions. In 2022, the number of qisas executions were higher than the previous five years and drug-related executions were more than double 2021 and ten times more than the previous three years.

Between 2018–2020, when the number of drug-related executions were relatively low, *qisas* executions (death penalty as retribution in kind) accounted for the majority of all executions. These two charges together have accounted for more than 80% of all executions in the last 10 years. Reducing the use of the death penalty in Iran is therefore dependent on a change in *qisas* laws and practices, in addition to an abolition of the death penalty for drug offences.

Experience over the past two decades has shown that the international community and Iranian civil society are the main driving forces behind any reform aimed at limiting the use of the death penalty in Iran. Halting the implementation of stoning punishments, which were carried out for adultery, and reducing the use of the death penalty for drug-related offences from 2018 to 2020 are two significant steps taken by the Iranian authorities to restrict the death penalty's scope. Both changes occurred as a result of simultaneous domestic campaigns and international pressure. The EU made the ban on stoning a condition for improved economic relations with Iran.¹⁷⁹ While the reduction in the number of drug-related executions was the result of a change of law and anticipated to be long-lasting, the recent rise in drug-related executions has demonstrated that the 2017 Amendment was not sustainable in restricting the use of the death penalty. Death sentences for drug offences can be issued by authorities through the Revolutionary Courts as long as capital punishment is sanctioned for drug offences and the right to due process and fair trial are not guaranteed.

Likewise, the halt in implementing stoning punishments should be regarded as temporary as it too is still written in law. A directive from the Head of Judiciary on the implementation of punishments published in June 2019, describes in detail how stoning sentences should be carried out. Stoning punishments can therefore be implemented again if international human rights mechanisms reduce scrutiny on the human rights situation in Iran.

Thus, sustained international pressure and domestic campaigns must call for a total abolition of these sentences in the law. A more detailed description of the events leading to changes in law and practice in the case of drug-related executions and stoning punishments can be found in the 2018 Annual Report on the Death Penalty.¹⁸⁰

179 http://news.bbc.co.uk/2/hi/middle_east/2726009.stm

180 <https://iranhr.net/en/reports/21/>

CATEGORIES OF THE DEATH PENALTY WITH THE POSSIBILITY OF IMPROVEMENT

JUVENILE EXECUTIONS

Iran has amassed the highest number of juvenile executions in the last 20 years. According to reports by Iran Human Rights and Amnesty International, between 1999 and 2021, Iranian authorities have implemented 100 (75%) of at least 131 juvenile executions worldwide. Iran has also been the only country to carry out the execution of juvenile offenders every single year for the last 10 years. Both Iranian civil society and the international community are highly sensitive on this issue. Due to sustained international pressure between 2007 and 2013, Iranian authorities introduced some changes in the Penal Code regarding the death penalty for juvenile offenders. However, these changes did not lead to a decrease in the number of executions. Stronger, co-ordinated pressure by the international community can lead to the end of child executions in Iran. Islamic Republic authorities refer to Islamic jurisprudence, which states that the age of “maturity” and thus the age of criminal responsibility is 9 lunar years for girls and 15 lunar years for boys. This is while 18 is already used as the age for a person to be considered to have reached “maturity” in other circumstances. For instance, passports are issued to citizens above 18 upon presentation of their birth certificate and national ID card. But children below 18 and unmarried women above 18 must obtain the permission of their father or closest male relative, and married women must present their husband's permission in order to be issued with a passport. Changing the age of criminal responsibility to 18 would therefore not represent a complex deviation from Islamic law.

PUBLIC EXECUTIONS

Iran is one of the very few countries still carrying out public executions. The issue has been raised repeatedly by the international community. There has also been debate amongst Iranian civil society and even in the Iranian Parliament on the topic.¹⁸¹ Several senior Iranian

181 <https://www.radiofarda.com/a/iran-execution-whipping-law/29314017.html>

clerics (ayatollahs) have even stated that implementing punishments in public is not a religious necessity and should not be carried out if the negative side effects outweigh the benefits.¹⁸² One of the biggest negative side-effects is international condemnations. Although the government (led by the president) does not have the authority to issue and implement death sentences according to the Iranian Constitution, public executions seem to be the exception to this rule. At the local level, the governor representing the government, has the power to decide whether an execution should be carried out in public or not.¹⁸³ As the government is the counterpart of Iran's dialogue partners, it is easier to exert pressure on them in order to stop the practice of public executions. Hence, stopping the practice of public executions demands focused and sustained pressure from the international community. Moreover, the pause in the implementation of public executions, caused by COVID-19 restrictions, has lowered the public's tolerance of public executions. The authorities are gradually resuming public executions with two in 2022 and several in preparation. International pressure, especially from countries with closer diplomatic dialogue with the Islamic Republic can raise the political cost of public executions. In 2022, the Islamic Republic carried out the first public execution since June 2020. This followed public execution sentences against four other men who still remain at risk of execution (see page 68). The second public execution was that of protester Majidreza Rahnavard in December.

QISAS

Unlike public executions, *qisas* for murder is specified by *Sharia* law and as long as the Penal Code is based on *Sharia*, Iranian authorities consider its removal a red line that cannot be crossed. They claim *qisas* to be a private right which they cannot deny or control. According to the IPC, murder is punishable by *qisas*, allowing the victim's family to demand death as retribution. However, they can also demand blood money (*diya*) instead or can simply grant forgiveness. Although opposing *qisas* is considered a serious crime according to Iranian law, promoting forgiveness is regarded as a good deed according to Islam. This offers several possibilities in reducing the number of *qisas* executions which is still the highest execution category. Brief descriptions of actions which are believed to contribute to reducing the number of such executions are presented below.

182 <https://www.tabnak.ir/fa/news/380428/فتاوی-برخی-مراجع-درباره-اجرای-حدود-در-مآل-عام>

183 https://www.parliran.ir/majles/fa/Content/_/5004/قانون-راجع-به-وظایف-و-اختیارات-استانداران

- **Distinction between murder and manslaughter:** Those charged with the umbrella term of “intentional murder” are sentenced to *qisas* regardless of intent (*mens rea*) or circumstances due to a lack of grading in law. Many are executed each year for murders committed unintentionally or in self-defence. Taking these into account would reduce the number of executions.
- **Long prison terms for murder convicts forgiven by the plaintiff:** One of the arguments used by those defending *qisas* death sentences is that once forgiven (by paying *diya* for instance), someone who has committed a serious crime and who can be dangerous will be released in society after a short prison term. This notion makes the plaintiff hesitate in choosing *diya* or forgiveness instead of *qisas*. This issue can be solved by the introduction of a compulsory minimum prison terms for all murder convicts who have been forgiven by the plaintiff. The prison term should be long enough so that the plaintiff feels a sense of justice that the convict is being punished.
- **One rate for *diya* and state support to cover it if necessary:** The minimum rate of *diya* is set by the authorities. However, there are no caps on *diya* amounts. So, the victim's family can demand a sum which is many folds higher than the minimum rate. Besides adding to the discriminatory nature of *qisas* (the poor are executed while the rich can afford to pay their way out), it also makes it difficult for the state to at least partially subsidise the *diya*.
- **Promoting forgiveness through civil society:** In the past few years, an increasing number of civil society groups have been working to promote forgiveness instead of *qisas*. Disturbingly, the Imam Ali Popular Student Relief Society (IAPSRS) which has been at the forefront of the forgiveness movement,¹⁸⁴ particularly for juvenile offenders, was disbanded as a result of a motion by the Ministry of Interior. Both the Iranian authorities and the international community must support, not hinder, efforts and groups advocating for forgiveness instead of *qisas*.

184 <https://iranhr.net/en/articles/4663/>

MOVEMENTS PROMOTING ABOLITION AND MOBILISING CIVIL SOCIETY INSIDE IRAN

Over the last two years, there was a growing trend of Iranians expressing their opposition to the death penalty with campaigns like the 2020 #دینکندم_ادعا (“don’t execute”), which successfully saved the lives of seven protesters on death row. This trend continued in 2021 and 2022. On 6 September, prior to the start of the nationwide protests, families of drug-related death row prisoners protested outside the Judiciary building and parliament for two weeks. The protests were violently crushed with protesters arrested and only ended with the start of the nationwide protests.¹⁸⁵The protests resumed in February 2023.



Families of drug-related death row prisoners holding signs with “no to executions” in September 2022

Soon after the start of the Jina (Mahsa) Amini nationwide protests, Islamic Republic authorities began announcing the death penalty trials of protesters.¹⁸⁶ This was met with the most widespread anti-death penalty campaign in the last 44 years. The hashtags #StopExecutionsInIran and several others were soon trending online and anti-death penalty signs and graffiti began appearing across Iran. Iranians across the world not only united in voicing their opposition but soon gained the support of the international community. Members of Parliaments across the world volunteered to be “political

¹⁸⁵ <https://iranhr.net/en/articles/5476/>
¹⁸⁶ <https://iranhr.net/en/articles/5580/>

sponsors” for protesters, regularly following up their cases with their own governments and Islamic Republic authorities. In Iran, chants of “this is the last message, there’ll be an uprising if you execute” and other anti-death penalty slogans were heard at protests on and off university campuses. The campaign has continued with the international pressure it enforced, saving the lives of many protesters from death row.



(Left) A young girl was videoed writing “this is the last message, there’ll be an uprising if you execute” on a wall in Tehran in November.



(Right) Anti-death penalty slogans in a classroom in Iran.



Following the execution of protesters Mohsen Shekari and Majidreza Rahnavard in December, nooses were used on campuses and on the streets to protest their execution. On 19 December, after scoring a goal, Sanat Naft Abadan F.C. player Meysam Tohidast mimed a hanging gesture as a protest. He was subsequently summoned by the disciplinary committee.¹⁸⁷

¹⁸⁷ <https://www.iranintl.com/202212208190>

FORGIVENESS MOVEMENT

As mentioned under the section on *qisas* executions, according to the IPC, murder is punished by *qisas*, where the family of the victim can demand a retribution death sentence. But they can also demand blood money (*diya*) instead of a death sentence or can simply grant forgiveness.

This opens an opportunity for citizens to counter the death penalty by promoting forgiveness without being subjected to persecution by the authorities. In the past five years, the movement for forgiveness has grown significantly. Ordinary citizens, celebrities, civil society groups such as the Imam Ali Popular Student Relief Society (IAPSRS), and other local and national campaigns have been active in promoting forgiveness instead of the death penalty. Not happy about the popularity of the forgiveness movement, in 2021, the authorities dissolved the IAPSRS, the only popular NGO promoting forgiveness. However, the forgiveness movement continues to grow with forgiveness cases consistently outnumbering *qisas* cases.

REPRESSION OF ABOLITIONIST ACTIVISTS

The crackdown on abolitionist civil society continued in 2022 through increased pressure and new trumped-up charges for activists and civil society. These are just three of the many abolitionist activists targeted in 2022.

NARGES MOHAMMADI



After spending five and half years behind bars, Narges Mohammadi, prominent human rights defender and member of the anti-death penalty campaign LEGAM was released from prison on 8 October 2020.¹⁸⁸ She was rearrested on 16 November 2022¹⁸⁹ and informed that her sentence was being

enforced while in solitary confinement where she spent 64 days.¹⁹⁰ On 24 January 2022, her husband tweeted that Narges had been sentenced to eight years imprisonment and 70 lashes in a trial that only lasted for five minutes.¹⁹¹ Narges was furloughed to undergo an angioplasty procedure in February 2022. She is currently held at Evin Prison and continues to speak out against the death penalty and other human rights violations via messages through her family.

FARHAD GHAHREMANI



Farhad Ghahremani, 32, was arrested at the anti-death penalty protest outside the Judiciary building in Tehran on 11 September 2022. Farhad's father, Mohammad Taghi Ghahremani was executed in 2011 and at the protest, he had given an impassioned speech. "I've felt this pain myself, I don't want

188 <https://iranhr.net/en/articles/4459/>

189 <https://iranhr.net/en/articles/4973/>

190 <https://iranhr.net/en/articles/4975/>

191 <https://iranhr.net/en/articles/5071/>

my compatriots to be executed, they shouldn't be executed!" He was detained in Evin Prison and injured during the attack at the prison 15 October¹⁹² and according to human rights defender, Soheil Arabi, he was transferred to the Greater Tehran Penitentiary shortly after without receiving any medical treatment for his injuries. He was tried via video conference and without a lawyer on 28 November. His charges include "assembly and collusion against national security" and "disrupting public order and peace." He was sentenced to six months imprisonment and 25 lashes and released after serving his sentence on 26 February 2023.

SOHEIL ARABI



Soheil Arabi is a human rights defender who spent four years on death row after he was convicted of *sabot-nabi* (insulting the prophet) through his posts on Facebook. His sentence was later commuted to seven and a half years imprisonment which he served without a day's furlough.

While behind bars, he was sentenced to a further two years for "propaganda against the system" for reporting about human rights violations and "disturbing public opinion" for protesting against the crackdown of the November 2019 nationwide protests. Released on 21 November 2021, he became an even louder voice against the death penalty, reporting on unknown prisoners. He was detained for a week in October and re-arrested on 2 January due to his activism for Kurdish and Baluch protesters. He was released on 18 March after his father passed away from a stroke due to pressure.

¹⁹² <https://iranhr.net/en/articles/5519/>

RECOMMENDATIONS

Iran Human Rights (IHRNGO) and ECPM (Together Against the Death Penalty) call on:

The international community to:

- Prioritise human rights violations and Iran's treaty obligations in any future talks and negotiations with Iran.
- Support the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, and cooperate with the mandate of the UN Fact-Finding Mission in Iran (FFMI) on holding those responsible accountable for grave human rights violations in Iran.
- Encourage Iran to ratify the International Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol to ICCPR (OP2), and to seriously consider abstaining or voting in favour of the UNGA Resolution calling for a universal moratorium on the use of the death penalty in 2024.
- Strongly encourage Iran to respect its international obligations, including the ICCPR and the International Convention on the Rights of the Child (CRC) by putting a permanent end to public executions, abolishing the death penalty for offences that do not qualify as "*the most serious crimes*", removing mandatory death sentences from the Penal Code, putting an end to sentences and executions of persons who were under the age of 18 at the time of the alleged crime for which they were sentenced, and ensuring due process.
- Call on Iran to establish a moratorium on the use of the death penalty and to move towards the abolition of the death penalty.
- Advocate for major reforms within the country's judicial system, which does not currently meet minimum international standards, including ending the practice of forced confessions, torture and the existence of the Revolutionary Courts.
- Determine bilateral and international funding and cooperation, in particular of the UN Office on Drug and Crime, for the achievement of clear results in terms of compliance with human rights standards and ensure that any investment, funding, trade and cooperation programme in Iran is not used to participate in, facilitate or support the commission of executions, or any other violation of human rights law.

- Call for the protection, cessation of harassment and immediate release of all human rights defenders and anti-death penalty activists, including Narges Mohammadi, Atena Daemi and Nasrin Sotoudeh, all of whom have endured long prison terms for peaceful activities against the death penalty.

The Iranian authorities to:

- Ratify the International Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Cooperate fully with the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran and the UN Fact Finding Mission (FFMI) established by the Human Rights Council (HRC), permit access to visit the country, and provide all information necessary to allow the fulfilment of the mandates.
- Provide access to the Special Rapporteur on extrajudicial, summary and arbitrary executions, to the Special Rapporteur on torture, to the Special Rapporteur on the independence of judges and lawyers and to other Special Rapporteurs who have requested a visit to the country, in line with Iran's standing invitation to all Special Procedures extended on 24 July 2002.
- Respond positively to individual communications by international human rights mechanisms.
- Ensure access by the United Nations Office on Drugs and Crime (UNODC), which has been cooperating with the Iranian authorities on fighting drugs, and allow UNODC to participate in monitoring and evaluating the process.
- Implement structural fundamental reforms to ensure complete independence of the judiciary.
- Dismantle the Revolutionary Courts, and ensure the right to a lawyer, due process and fair trials according to international law.
- Implement and fully respect the provisions of its international human rights obligations.
- Impose a moratorium on the use of the death penalty in order to work progressively towards abolition.
- Demonstrate complete transparency regarding the implemented death sentences and number of executions, including by publishing (or communicating to the UN) the list of all prisoners on death row, including juvenile offenders and women.
- Cease the criminalisation of human rights advocacy on the issue of the death penalty and allow and facilitate a public and open debate about the question of the death penalty in Iran.
- Release all political prisoners, including imprisoned human rights defenders, lawyers and anti-death penalty activists.

ANNEXES

ANNEX 1: EXECUTIONS PER CAPITA IN EACH PROVINCE

Province	Executions per million inhabitants
Sistan and Baluchestan	39
S. Khorasan	17
Markazi	17
Fars	16
Ilam	14
Qom	14
Zanjan	11
Lorestan	10
Hormozgan	9
Yazd	8
Qazvin	8
Isfahan	8
Semnan	7
Golestan	7
Alborz/Tehran	6
Ardabil	6
Gilan	5
W. Azerbaijan	4
Kermanshah	4
Khorasan Razavi	4
Mazandaran	4
Kohgiluyeh and Boyer-Ahmad	4
Hamadan	4
Kurdistan	2
Kerman	2
E. Azerbaijan	1
Bushehr	1
N. Khorasan	1
Khuzestan	1

ANNEX 2: LIST OF RESOLUTIONS AND REPORTS ADOPTED BY THE UNITED NATIONS AND EUROPEAN PARLIAMENT, MENTIONING THE DEATH PENALTY IN IRAN

OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS			
Office of the High Commissioner, News & Statements, Latest News → Iran: UN experts condemn execution of protestor, raise alarm about detained artists	United Nations, Office of the High Commissioner for Human Rights, <i>Iran: UN experts condemn execution of protestor, raise alarm about detained artists</i> , 8 December 2022	United Nations Organisation	8 December 2022
Office of the High Commissioner, Statement of the High Commissioner → The deteriorating human rights situation in the Islamic Republic of Iran	United Nations, Human Rights Council, <i>High Commissioner to Human Rights Council's Special Session: Iran Must Stop Violence against Peaceful Protesters, Release All those Arrested, and Impose a Moratorium on the Death Penalty</i> , 24 November 2022	United Nations Organisation	24 November 2022
Office of the High Commissioner, News & Statements, Latest News → Iran: Critical situation	<i>Iran: Critical situation</i> , 22 November 2022	United Nations Organisation	22 November 2022
Office of the High Commissioner, News & Statements, Latest News → Iran: Call for immediate release of peaceful protesters	<i>Iran: Call for immediate release of peaceful protesters</i> , 15 November 2022	United Nations Organisation	15 November 2022
Office of the High Commissioner, News & Statements, Latest News → Iran: Stop sentencing peaceful protesters to death, say UN experts	<i>Iran: Stop sentencing peaceful protesters to death, say UN experts</i> , 11 November 2022	United Nations Organisation	11 November 2022
Office of the High Commissioner, News & Statements, Latest News → Iran: UN experts demand stay of execution for two women, including LGBT activist	<i>Iran: UN experts demand stay of execution for two women, including LGBT activist</i> , 28 September 2022	United Nations Organisation	28 September 2022
Office of the High Commissioner, News & Statements, Latest News → Imminent execution in Iran	<i>Imminent execution in Iran</i> , 17 May 2022	United Nations Organisation	17 May 2022
Office of the High Commissioner, Statements → Global Update: Bachelet urges inclusion to combat "sharply escalating misery and fear"	<i>Global Update: Bachelet urges inclusion to combat "sharply escalating misery and fear"</i> , 7 March 2022	United Nations Organisation	7 March 2022
SPECIAL RAPPORTEUR ON THE HUMAN RIGHTS SITUATION IN THE ISLAMIC REPUBLIC OF IRAN			
A/77/181	United Nations, Human Rights Council, A/77/181: <i>Situation of human rights in the Islamic Republic of Iran - Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman</i> , 18 June 2022	United Nations Organisation	18 June 2022
A/HRC/49/75	United Nations, Human Rights Council, A/HRC/49/75: <i>Situation of human rights in the Islamic Republic of Iran - Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman</i> , 13 January 2022	United Nations Organisation	13 January 2022

HUMAN RIGHTS COUNCIL			
A/HRC/RES/S-35/1	United Nations, Human Rights Council, 35 th Special Session, A/HRC/RES/S-35/1: Deteriorating situation of human rights in the Islamic Republic of Iran, especially with respect to women and children, 24 November 2022	United Nations Organisation	24 November 2022
→ Human Rights Council discusses the Human Rights situation in the Democratic People's Republic of Korea, Myanmar and Iran	United Nations, Human Rights Council, Human Rights Council discusses the Human Rights situation in the Democratic People's Republic of Korea, Myanmar and Iran, 1 April 2022	United Nations Organisation	1 April 2022
SECRETARY-GENERAL OF THE UNITED NATIONS			
A/77/525	United Nations, General Assembly, A/77/525: Situation of human rights in the Islamic Republic of Iran – Report of the Secretary General, 14 October 2022	United Nations Organisation	14 October 2022
A/HRC/50/19	United Nations, General Assembly, A/HRC/50/19: Situation of human rights in the Islamic Republic of Iran – Report of the Secretary-General, 31 August 2022	United Nations Organisation	31 August 2022
EUROPEAN PARLIAMENT			
P9_TA(2022)0352	European Parliament resolution RC-B9-0434/2022, The death of Mahsa Amini and the repression of women's right protesters in Iran, 6 October 2022	European Parliament	6 October 2022

ANNEX 3: LIST OF PRISONERS SENTENCED TO DEATH AT PRELIMINARY TRIALS AND AT RISK OF EXECUTION

PROTESTERS



Name: Abbas Deris¹⁹³

Age: 49

City: Mahshahr

Protests: November 2019

Charges: Moharebeh and murder

Status: Sentenced to death for charges of *moharebeh*, awaiting trial for charges of murder along with his brother Mohsen¹⁹⁴



Name: Mohammad Ghobadlu

Age: 22

City: Tehran

Protests: Jina Amini 2022

Charges: *Efsad-fil-arz* and murder

Status: Sentenced to death for charges of *efsad-fil-arz*, awaiting awaiting appeal in murder case



Name: Saman Seydi AKA Saman Yasin

Age: 24

City: Tehran

Protests: Jina Amini 2022

Charges: *Moharebeh*

Status: Awaiting retrial following appeal



Name: Mohammad Boroughani

Age: 19

City: Tehran

Protests: Jina Amini 2022

Charges: *Moharebeh*

Status: Awaiting retrial following appeal



Name: Mahan Sadrat-Madani

Age: 22

City: Tehran

Protests: Jina Amini 2022

Charges: *Moharebeh*

Status: Awaiting retrial following appeal

¹⁹³ <https://iranhr.net/en/articles/5002/>

¹⁹⁴ <https://iranhr.net/en/articles/5533/>



Name: Manouchehr Mehman Navaz
Age: 45
City: Karaj
Protests: Jina Amini 2022
Charges: Arson with *moharebeh* set as punishment
Status: Sentenced to death



Name: Mansour Dehmardeh
Age: 22
City: Zahedan
Protests: Jina Amini 2022
Charges: *Efsad-fil-arz*
Status: Sentenced to death



Name: Shoeib Mirbaluchzehi-Rigi
Age: 18
City: Zahedan
Protests: Jina Amini 2022
Charges: *Efsad-fil-arz*
Status: Sentenced to death



Name: Ebrahim Narouyi
Age: 25
City: Zahedan
Protests: Jina Amini 2022
Charges: Arson
Status: Sentenced to death



Name: Kambiz Kharout
Age: 21
City: Zahedan
Protests: Jina Amini 2022
Charges: *Efsad-fil-arz* and *moharebeh*
Status: Sentenced to death



Name: Nezamedin Hoot
Age: 20
City: Chabahar
Protests: Jina Amini 2022
Charges: *Moharebeh*
Status: Sentenced to death



Name: Mansour Hoot
Age: 25
City: Chabahar
Protests: Jina Amini 2022
Charges: *Moharebeh*
Status: Sentenced to death



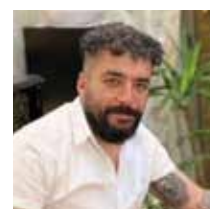
Name: Mehdi Mohammadifard
Age: 18
City: Noshahr
Protests: Jina Amini 2022
Charges: *Moharebeh* and *efsad-fil-arz*
Status: Sentenced to two death sentences



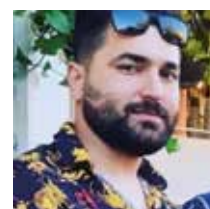
Name: Arshia Takdastan
Age: 18
City: Noshahr
Protests: Jina Amini 2022
Charges: *Moharebeh* and *efsad-fil-arz*
Status: Sentenced to two death sentences, currently awaiting for trial



Name: Saeed Yaghoubi
Age: 30
City: Isfahan
Protests: Jina Amini 2022
Charges: *Moharebeh*
Status: Sentenced to death



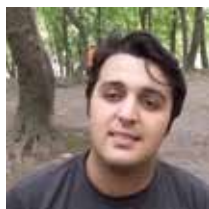
Name: Saleh Mirhashemi
Age: 36
City: Isfahan
Protests: Jina Amini 2022
Charges: *Moharebeh*
Status: Sentenced to death



Name: Majid Kazemi
Age: 30
City: Isfahan
Protests: Jina Amini 2022
Charges: *Moharebeh*
Status: Sentenced to death



Name: Hamid Ghareh-Hassanlu
Age: 53
City: Karaj
Protests: Jina Amini 2022
Charges: *Efsad-fil-arz*
Status: Awaiting retrial following appeal



Name: Javad Rouhi
Age: 35
City: Noshahr
Protests: Jina Amini 2022
Charges: *Moharebeh*, *efsad-fil-arz*, apostasy and insulting the sanctities of Islam
Status: Sentenced to three death sentences



Name: Hossein Mohammadi
Age: 26
City: Karaj
Protests: Jina Amini 2022
Charges: *Efsad-fil-arz*
Status: Awaiting retrial following appeal



Name: Reza Aria
Age: 43
City: Karaj
Protests: Jina Amini 2022
Charges: *Efsad-fil-arz*
Status: Awaiting retrial following appeal



Name: Mehdi Bahman
Age: unknown
City: Tehran
Protests: Jina Amini 2022
Charges: *Efsad-fil-arz*
Status: Sentenced to death



Name: Mojahed Kourkour (Abbas)¹⁹⁵
Age: unknown
City: Ahvaz
Protests: Jina Amini 2022
Charges: *Efsad-fil-arz*, *baghy*, *moharebeh* and murder
Status: Sentenced to death for security charges, indicted by Criminal Court for murder

195 <https://iranhr.net/en/articles/5807/>

DUAL NATIONALS AT RISK



Name: Ahmadreza Djalali¹⁹⁶
Age: 51
City: Tehran
Nationality: Swedish-Iranian
Charges: *Efsad-fil-arz*
Status: Death sentence upheld



Name: Jamshid Shadmahd
Age: 68
City: Tehran
Nationality: German-Iranian
Charges: *Efsad-fil-arz*
Status: Sentenced to death¹⁹⁷



Name: Habib Asyoud (Chaab)
Age: 50
City: Tehran
Nationality: Swedish-Iranian
Charges: *Efsad-fil-arz*
Status: Death sentence upheld¹⁹⁸

POLITICAL PRISONERS¹⁹⁹



Name: Ali Mojadam (Arab)
Age: 41
City: Ahvaz
Charges: *Baghy* (armed rebellion) in relation to Habib Asyoud case
Status: Sentenced to death



Name: Mohammadreza Moghadam (Arab)
Age: 31
City: Ahvaz
Charges: *Baghy* (armed rebellion) in relation to Habib Asyoud case
Status: Sentenced to death

196 <https://iranhr.net/en/articles/4654/>

197 <https://iranhr.net/en/articles/5738/>

198 <https://iranhr.net/en/articles/5773/>

199 <https://iranhr.net/en/articles/5796/>



Name: Moein Khanfari (Arab)
Age: 30
City: Ahvaz
Charges: *Baghy* (armed rebellion) in relation to Habib Asyoud case
Status: Sentenced to death



Name: Habib Deris (Arab)
Age: 39
City: Ahvaz
Charges: *Baghy* (armed rebellion) in relation to Habib Asyoud case
Status: Sentenced to death



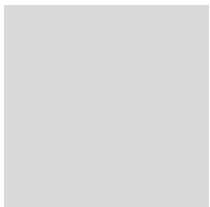
Name: Adnan Ghabishavi (Arab)
Age: 27
City: Ahvaz
Charges: *Baghy* (armed rebellion) in relation to Habib Asyoud case
Status: Sentenced to death



Name: Salem Mousavi (Arab)
Age: 38
City: Ahvaz
Charges: *Baghy* (armed rebellion) in relation to Habib Asyoud case
Status: Sentenced to death



Name: Mohammad Ramez Rashidi (Afghan)
Age: unknown
City: Shiraz
Protests: Jina Amini 2022
Charges: *Efsad-fil-arz*, *baghy* and action against national security
Status: Sentenced to public execution



Name: Naeim Hashem Ghotali (Afghan)
Age: unknown
City: Shiraz
Protests: Jina Amini 2022
Charges: *Efsad-fil-arz*, *baghy* and action against national security
Status: Sentenced to public execution



Iran Human Rights (IHRNGO) is a non-profit, politically independent organisation with members and supporters inside and outside Iran. The organisation started its work in 2005 and is registered as an international non-governmental organisation based in Oslo, Norway.

Abolition of the death penalty in Iran as a step towards the universal abolition of the death penalty is the main goal of Iran Human Rights.

IHRNGO has a broad network among the abolitionist movement inside and outside Iran:

Besides supporters and collaborators among the civil society activists in the central parts of Iran, Iran Human Rights also has a wide network in the ethnic regions which are often not the focus of the mainstream media. In addition, Iran Human Rights has a network of reporters within many Iranian prisons, and among Iranian lawyers and the families of death row prisoners. This enables Iran Human Rights to be the primary source of many execution reports in different Iranian prisons, and reliable reports on the atrocities committed by the Islamic Republic in the nationwide protests. Iran Human Rights has been a member of the World Coalition Against the Death Penalty (WCADP) since 2009 and a member of its Steering Committee since 2011. Iran Human Rights is also a member of Impact Iran, a coalition of more than 13 Iranian human rights NGOs. Iran Human Rights' close collaboration with abolitionist networks inside and outside Iran makes it a unique actor in the struggle against the death penalty in the country with the highest number of executions per capita.

IHRNGO's core activities include:

Fighting for abolition of the death penalty through monitoring, reporting, empowerment of the abolitionist Iranian civil society and international advocacy.

Promoting due process and rule of law through raising the legal debate in Iran and encouraging legal reforms. Iran Human Rights publishes a bi-weekly legal journal with contributions from Iranian lawyers, jurists, law students and religious scholars.

Defending human rights defenders by creating safer working conditions, giving voice to the imprisoned human rights defenders and supporting human rights defenders in danger.

IHRNGO's work in the past 17 years has contributed to:

Creating awareness about the situation of the death penalty in Iran: Through careful research, monitoring and continuous reporting, IHRNGO has given a more realistic picture of the death penalty trends in Iran. IHRNGO is regarded as a credible source of information and its annual reports are points of reference for the international community²⁰⁰, the media,^{201 202} and civil society.

Limiting the use of the death penalty in Iran through international campaigns and advocacy: IHRNGO activities have contributed to saving the lives of several death row prisoners through focused domestic and international campaigns.

Raising the national debate on the death penalty, and empowering and educating the abolitionist movement inside Iran: Iran Human Rights was the first NGO focusing on all death penalty cases in a sustainable manner. By publishing news, reports and interviews, and since 2015 through its one-hour weekly TV program²⁰³, Iran Human Rights has contributed significantly to educating abolitionists and raising the national debate on the death penalty in Iran.

200 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/518/83/PDF/N1451883.pdf?OpenElement>

201 <http://europe.newsweek.com/state-executions-rise-two-day-iran-313562?rm=eu>

202 <http://www.dw.com/en/irans-death-penalty-stays-off-global-agenda/a-17705731>

203 <https://iranhr.net/fa/multimedia/#/all/all/1>



ECPM (Together Against the Death Penalty) is an organisation working for a particular cause: universal abolition of the death penalty under all circumstances.

PROXIMITY TO PRISONERS SENTENCED TO DEATH

ECPM carries out and publishes judicial investigations into death row (Morocco, Tunisia, United States, Democratic Republic of the Congo, Cameroon, Mauritania, Indonesia, Malaysia and Lebanon). Our publication *Investigation into Death Row in the DRC* received the French Republic's top Human Rights Prize.

ECPM supports the victims of the death penalty, prisoners and their families such as Serge Atlaoui and Hank Skinner.

ECPM supports correspondence with prisoners sentenced to death.

ADVOCACY WITH THE HIGHEST AUTHORITIES

ECPM is the first NGO devoted to the fight against the death penalty to have obtained Economic and Social Council (ECOSOC) status, which guarantees it a presence and an advocacy opportunity at the very heart of the UN system. Working with the different Special Mandates (Iran, extrajudiciary killings, Human Rights Defenders, Torture, Poverty, etc.), **ECPM** initiated the creation of the World Coalition Against the Death Penalty in 2002, which today has more than 150 members – NGOs, bar associations, local authorities, unions – throughout the world. Along with the World Coalition, **ECPM** leads advocacy and public mobilisation campaigns with policy makers (European Union, African Commission on Human and Peoples' Rights, governments, etc.).

ECPM co-organised the ABAN Tribunal on Iran's atrocities in November 2019.

UNITING ABOLITIONISTS FROM ACROSS THE WORLD

ECPM is the founder and organiser of the World Congresses Against the Death Penalty. These events bring together more than 1,300 people representing the world abolitionist movement. Ministers, parliamentarians, diplomats, activists, civil society organisations, researchers and journalists come together every three years to strengthen their ties and develop strategies for the future.

EDUCATION AND AWARENESS ON ABOLITION

ECPM works in schools to encourage young people to support the issue through drawing competitions, introductions to journalism and free class visits – with the participation of specialists, individuals previously sentenced to death or the families of prisoners sentenced to death. More than 10,000 middle and high school pupils have been involved since October 2009.

ECPM raises awareness among the public on the situation of minorities and vulnerable groups by participating in international solidarity events such as Cities for Life, the World Day Against the Death Penalty, World Human Rights Day, etc.

STRENGTHENING THE CAPACITIES OF LOCAL ACTORS AND TAKING ACTION WITH THEM

ECPM fights against the isolation of activists wherever the death penalty remains by supporting the formation of national and regional coalitions against the death penalty (Morocco, Tunisia, Central Africa, Asia, etc.), as well as the creation of networks of abolitionist parliamentarians and lawyers.

ECPM encourages efficiency among its local partners by organising training sessions and advocating at all political levels for their work to be supported.

ANNUAL REPORT ON THE DEATH PENALTY IN IRAN 2022

In 2022, an alarming surge in recorded executions in Iran saw the highest toll since 2015. Executions increased by 75% compared to 2021, and essential reforms to the Anti-Narcotics Law adopted in 2017 have been severely reversed in practice. Ethnic minorities were grossly overrepresented in execution numbers, and at least three juvenile offenders and 16 women were amongst those executed. Following the start of the nationwide protests sparked by the police killing of Jina (Mahsa) Amini, protesters were prosecuted in show trials at the Revolutionary Courts following systematic torture to force confessions. Proceedings were characterised by denial of access to lawyers, lack of due process and violations of the right to a fair trial and have so far led to the execution of four protesters. With this report, we call on the international community to increase efforts to support the demands of the Iranian people for respect of their fundamental human rights and the abolition of the death penalty.



© IHR, ECPM, 2023
ISBN: 978-2-491354-22-0
ISSN: 2966-8093



Iran Human Rights (IHRNGO) and ECPM have been working together since 2011 for the international release and circulation of the Annual Report on the Death Penalty in Iran. IHRNGO and ECPM see the death penalty as a benchmark for the human rights situation in the Islamic Republic of Iran.



Mahmoud Amiry-Moghaddam
Director
Iran Human Rights
P.O.Box 2635 Solli
0204 Oslo, Norway
mail@iranhr.net

www.iranhr.net



Raphaël Chenuil-Hazan
Executive Director
ECPM
62 bis avenue Parmentier
75011 Paris, France
rchenuil@ecpm.org

www.ecpm.org