

**Special Rapporteur on extrajudicial, summary or arbitrary executions
A/HRC/20/22/Add.4 para 38**

Full recommendation:

The Special Rapporteur deeply regrets that the Government of the Islamic Republic of Iran has not responded to any of the seven communications sent during the reporting period. In the absence of a response and clarification on the cases addressed therein and given the irreversible nature of capital punishment, the Special Rapporteur urges the Government to take all necessary measures to prevent the execution of the subjects of these communications.

Assessment

This assessment refers to the 7 communications enumerated on page 31 of the Special Rapporteur's report. It asks the government to stay the execution of the individuals mentioned in the communications. As such, this assessment will assess each individual case.

A. The Government of the Islamic Republic of Iran failed to reply to communications regarding the alleged risk of execution of members of the Kurdish community, specifically Mr. Latifi.

Habibollah Latifi was arrested on 22 October 2007 and subjected to three months in solitary confinement and torture. Mr. Latifi was subsequently sentenced to death by the Islamic Revolutionary Court in Sanandaj on charges of waging war against God and corruption on earth by Judge Hasan Babaei.¹ Following urgent appeals² his execution was postponed when his case went public and 300 people gathered outside Sanandaj prison on 25 December 2010, the night before his execution was due to take place.³ On 27 December 2010, Iran Human Rights reported that eight members of his family, including his parents and siblings, had been arrested in Sanandaj.⁴ According to reports by Human Rights Activists News Agency (HRANA), Habibollah Latifi's execution was suspended in September 2015. As of 2016, Mr. Latifi remained in prison with no furlough or family visits.⁵

B. The Government of the Islamic Republic of Iran failed to reply to communications regarding the alleged death sentence on charges of apostasy.

¹ HRANA: <https://www.en-hrana.org/9th-year-death-row-habibollah-latifi>

² <https://iranhr.net/en/articles/639/>

³ <https://iranhr.net/en/articles/641/>

⁴ <https://iranhr.net/en/articles/642/>

⁵ Ibid.

The communication uses codenames when addressing the individuals in question, thus making it impossible to ascertain the current status of their cases.⁶

C. The Government of the Islamic Republic of Iran failed to reply to communications regarding the alleged imminent execution of Mr. Ali Reza Mollasoltani, a minor, and the public lashings of Mr. Alireza Nouri and Mr. Ali Soleimani.

Mr. Ali Reza Mollasoltani, who was 17 years old at the time of his offense, and two of his friends, Mr. Alireza Nouri and Mr. Ali Soleimani, were engaged in a verbal argument with the passengers of another car while driving.⁷ The argument turned into a physical altercation and Ruhollah Dadashi, an Iranian power lifter, was gravely injured and killed. According to the Karaj Police Chief, Mr. Mollasoltani was arrested on 19 July 2011. The Alborz Province Criminal Court Branch One sentenced Mr. Mollasoltani to death. The sentence was upheld by the Supreme Court and confirmed by the Head of the Judiciary. Mr. Alireza Nouri and Mr. Ali Soleimani were sentenced to 80 lashes each. Mr. Mollasoltani was executed on 12 September 2011 in Karaj.

D. The Government of the Islamic Republic of Iran failed to reply to two communications regarding the alleged imminent execution of members of the Kurdish community in violation of procedural safeguards.

The cases of Zanyar Moradi and Loghman Moradi were the subject of two of the communications included in the Special Rapporteur's report (JUA 15/11/2011 Case No. IRN 18/2011 and JUA 29/02/2012 Case No. IRN 4/2012).

Zanyar Moradi and Loghman Moradi, both ethnically Kurds, were arrested in August 2009 for allegedly murdering the child of an Imam in Marivan, a Kurdistan province.⁸ The men were detained and reportedly beaten and tortured for 9 months without formal charges. On 22 December 2010, Loghman and Zanyar Moradi were sentenced to public execution by Branch 15 of the Tehran Revolutionary Court, presided over by Judge Salavati, on charges of "Moharebeh through action against national security, being a member of the Komalah party, assassinating the son of Marivan's Imam of Friday Prayer, spying for Britain and disturbing security at the time of the presence of the Supreme Leader in Marivan".⁹ According to Ahmed Shaheed, the UN Special Rapporteur for Human Rights in Iran's March 2012 report, they were "compelled to confess to allegations of murder after being severely beaten and threatened with rape" and that there was "no evidence or witnesses brought against these men, and that they did not have reasonable access

⁶ OHCHR: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=16224>

⁷ Abdorrahman Boroumand Center: <https://www.iranrights.org/memorial/story/-7932/ali-reza-molla-soltani>

⁸ Radio Farda: <https://en.radiofarda.com/a/iran-execution-kurdish-activists/29478904.html>

⁹ <https://iranhr.net/en/articles/3472>

to legal counsel”,¹⁰. Despite urgent calls by UN human rights experts to halt their executions¹¹ Lohman and Zanyar Moradi were sentenced to death by hanging in December 2010, and were executed in Rajai Shahr Prison on September 9th 2018, alongside a third Kurdish prisoner.¹²

E. The Government of the Islamic Republic of Iran failed to reply to communications regarding the alleged torture, prolonged solitary confinement and imminent execution of individuals for offences not regarded as “most serious” and in violation of procedural safeguards.

Saeed Malekpour, an Iranian national with a permanent residency in Canada, was arrested in Iran in 2008 and sentenced to death in 2010 on charges of “spreading corruption on earth” due to a web program he created.¹³ His death sentence was commuted to life in prison in 2012 and in 2019 it was reported that he had escaped to Canada through an undisclosed third country.¹⁴ Ahmad Reza Hashempour was arrested on charges of "Insulting Islam" and "Writing pornographic material in Farsi websites" and sentenced to death in 2008.¹⁵ In 2012, it was reported that his execution sentence was upheld in the Supreme Court. In 2013, his attorney, Mahmoud Alizadeh Tabatabai, announced that his sentence of execution had been halted and revised to life in prison. The current status of his case is unclear.

Vahid Asghari, an Iranian journalist arrested in 2008 for his work, was sentenced to death in 2012 on charges of *Moharebeh* (enmity against god).¹⁶ Though he was sentenced to 18 years in prison in 2014, he was later released in 2016 under unknown circumstances.

Mehdi Alizadeh Fakhrabad, a blogger, was arrested in 2008 during a campaign against Internet pornography. He was then detained for nine months before posting bail.¹⁷ In 2011, he was arrested again and was found guilty of waging war against the state. He was subsequently sentenced to death.¹⁸ In 2013, his sentence was reduced to eight years in prison, banned from social activities for seven years and fined 100 million rials (\$3,338) for "propagating against the state and insulting sacred beliefs."¹⁹ According to United For Iran, Fakhrabad has served his sentence and has been released as of March 2021.²⁰

¹⁰ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 6 March 2012: <https://www.shaheedoniran.org/wp-content/uploads/2014/01/G1211412.pdf>

¹¹ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23512&LangID=E>

¹² <https://iranhr.net/en/articles/3476>

¹³ <https://www.amnesty.org/en/documents/mde13/4932/2016/en/>

¹⁴ CBC: <https://www.cbc.ca/news/canada/british-columbia/canadian-resident-escapes-iran-after-11-years-of-detention-1.5235747>

¹⁵ Iran Prison Atlas, United for Iran: <https://ipa.united4iran.org/en/prisoner/2006/>

¹⁶ Iran Prison Atlas, United for Iran: <https://ipa.united4iran.org/en/prisoner/1047/>

¹⁷ Iran Prison Atlas, United for Iran: <https://ipa.united4iran.org/en/prisoner/1077/>

¹⁸ Ibid

¹⁹ Ibid

²⁰ Iran Prison Atlas, United For Iran <https://ipa.united4iran.org/en/prisoner/1077/>

F. The Government of the Islamic Republic of Iran failed to reply to communications regarding the alleged torture and subsequent deaths of ethnic Arab activists.

In 2012, Nasser Derafshan Alboshokeh and Mohammad al-Kaabi, both Arabs, were detained by Iranian authorities during a security sweep in Hamidiyeh, Shush, and Ahvaz. Both men died in custody.²¹

As some of the subjects of the communications mentioned in this recommendation have either been released or had their death sentence commuted, this recommendation has been partially implemented.

Recommendation Status:

This recommendation has been **PARTIALLY** implemented.

²¹ Human Rights Watch: <https://www.hrw.org/news/2012/02/07/iran-arrest-sweeps-target-arab-minority>