

**Inputs - Report of the Special Rapporteur on extrajudicial, summary, or arbitrary executions
on the Impact of the Death Penalty to be presented at the 77th session of the General
Assembly**

April 29, 2022



Abdorrahman Boroumand Center for Human Rights in Iran

(ABC) is a non-governmental non-profit organization dedicated to the promotion of human rights and democracy in Iran. Since its foundation in 2001, the Center has been collecting historical and current data on the violation of the right to life in the Islamic Republic of Iran. Taking as a starting point the fundamental equality of all human beings, the Center seeks to ensure that human rights in Iran are promoted and protected without

discrimination, whether it be on the basis of one's gender, race, religion, ethnicity, or national origin. Guided by the belief that unremedied human rights violations are a major obstacle to the establishment of a stable democracy, the Center is committed to the right of all victims of human rights abuses to justice and public recognition.

The Islamic Republic of Iran's use of capital punishment remains one of the world's highest. Iran continues to foresee in law the death penalty for a considerable number of acts which do not meet the threshold of the "most serious crimes" such as drug offences, as well as for acts that should not be considered crimes at all. ABC has identified more than 200 acts for which the death penalty is prescribed.¹ As a result of this overcriminalization, thousands of individuals have been executed since the inception of the Islamic Republic² and a significant number of individuals who face capital punishment (including juvenile offenders), their family members and friends, cellmates, and even prison staff are impacted by its consequences. Following a welcome decline in executions in recent years (from 593 in 2016 to 247 in 2020)³ pursuant to the reform of the Law for Combating Narcotics, executions increased to 317 in 2021, and at least 103 through the first four months of 2022. Many more live under capital verdicts: in July 2017, five to six thousand people were on Iran's death row for drug offenses alone, according to ██████████ spokesman of parliament's Legal and Judicial Committee.⁴

The Islamic Republic of Iran does not systematically publish information regarding its use of the death penalty. Official secrecy and efforts to control information present obstacles to documenting the scope of executions and their impact. Death row inmates and their families may not even be informed of an imminent execution and not allowed a last visitation. Those close to executed individuals may be threatened or otherwise coerced by authorities to not speak with media or human rights organizations. Lawyers representing clients in capital cases, and activists working toward compliance with international human rights law in the use of the death penalty, or its abolition, face threats and prosecution.⁵ ABC's data on capital punishment is drawn from interviews with death row prisoners, family members, and other individuals with direct knowledge of capital punishment cases who were willing to talk, inside and outside the country, as well as reports from official and semi-official media and independent human rights groups.

Pursuant to the Special Rapporteur on extrajudicial, summary, or arbitrary executions call for inputs, this brief presents ABC's data regarding I.) the impact of the death penalty on those sentenced and their loved ones; II.) information and transparency regarding capital sentence implementation; III.) methods of execution; and IV.) treatment of bodies

I. Impact of the Death Penalty

Testimonies collected by ABC suggest a heavy emotional and psychological toll exacted by capital punishment on the loved ones of those put to death. A woman (name withheld to protect anonymity) whose husband was put to death on drug charges in May 2016 reports her young daughter's behavior changed markedly. She was abrasive and angry, with clear fear of abandonment:

And sometimes she asks: "Do you love me Mommy?" and I say that I do and she says: "Don't love me and I won't love you, because God quickly takes those that you love away. I won't have anybody if God takes you from me. My Baba is gone; who do I stay with if you leave me too?"⁶

The daughter ██████████ an ethnic Kurd executed on security-related charges in 2015, suffered depression and dire psychological effects for months, according to her mother:

¹ These include extramarital consensual sexual relations, sexual conduct between consenting adults of the same sex, insulting the prophet of Islam, and a fourth conviction of theft. Broadly defined and vaguely worded offences of *moharebeh* (waging war on God) and *efsad fel-arz* (corruption on earth), which carry the death penalty while not abiding by the principle of legality and legal precision, are also routinely resorted to by authorities.

² ABC has documented and collected reports about at least 26,154 violations of the right to life by the Islamic Republic of Iran since 1979. 22,925 of these are executions; other instances include targeted killings, bombings, shootings of protesters, and deaths in custody.

³ <https://www.iranrights.org/library/document/3832>

⁴ Borna, July 31, 2017, <https://www.borna.news/fa/tiny/news-593663>

⁵ See the witness statement of Atena Daemi, <https://www.iranrights.org/library/document/3179> and ABC's timeline of lawyers under threat, <https://www.iranrights.org/projects/timeline>

⁶ <https://www.iranrights.org/library/document/3264>

I would tell her to study and do her homework when she came home or to get her book out of her bag, and she would cry. She would cry for any reason and for no reason at all. She would get on the kitchen counter and say "I'm going to jump off of here and kill myself... she would vomit everything she ate or drank, even water."⁷

A woman whose brother was put to death on drug charges in January 2015 recounted physical illness, psychological disturbances, and violence against her child more than two years after:

"I became seriously ill after my brother's execution. I was hospitalized three times in a single week. Right now, I cannot sleep or speak if I don't take pills. I'm undergoing psychological treatment. I was the one who suffered the most; I can't even talk to my own kid anymore and I hit her."⁸

Some of those who had the chance to relocate to another country and have access to medical care have told ABC about doctors' diagnosis of persistent trauma decades after the loss of their loved ones. [REDACTED] was young when her father, [REDACTED], was executed on trumped up drug charges in May 1990:⁹

"The psychiatrist's very first diagnosis was that all these symptoms that I have displayed all these years – that I'm nervous, occasionally depressed, etc. – were not symptoms of severe depression. "Your problem is trauma," he said, "because after 30 years, when you see the image of a gallows on TV, you're subconsciously reminded of your father, and generally anything that has to do with execution reminds you of your father."¹⁰

The same was true for an ethnic Kurdish woman whose brother was executed on security charges when she was a teenager and her mother who experienced serious physical problems:

I just cried day and night and couldn't do anything; not even eat properly. [A psychologist told] me the conditions might put pressure on my brain; I was taking pills and seeing a psychotherapist for a year. After she saw [my brother's] body, my mom suffered from shock and her illness kept getting worse. The doctor said she had suffered a great trauma which had compromised her body's immune system, and that it had made its biggest impact on her liver, where a tumor was found later."¹¹

[REDACTED] an ethnic Arab whose son Ali was executed in March 2006 on security charges, describes how lack of accountability, the use of forced confession, official secrecy, and other violations of due process common in Iran's judicial system, intensified the pain of losing a child:

I wish they had only conducted a public trial for him. I wish they had observed due process and allowed him to have an attorney so he could defend himself. I wish we could have gotten him an attorney who could have defended him. I wish they had given him time to truly say the things he wanted to say. He had no attorney, and no one had any news of him, no contact, no calls to the family, no visitation, nothing, nothing ... They did everything themselves: [They tried him], they hanged him, and they buried him, and they do not answer to anyone. This is the biggest pain and the worst stress anyone can endure; I don't think there is anything worse in the world."¹²

Many of those exposed to capital punishment in Iran's judicial system face poverty, and their incarceration and execution deprives their dependents of livelihood. [REDACTED] an immigrant from Afghanistan,

⁷ <https://www.iranrights.org/library/document/3444>

⁸ (name withheld to protect anonymity) <https://www.iranrights.org/library/document/3204>

⁹ <https://www.iranrights.org/memorial/story/80548/gholamreza-mozafar-shahsavariipur>

¹⁰ <https://www.iranrights.org/library/document/3584>

¹¹ <https://www.iranrights.org/library/document/3793>

¹² <https://www.iranrights.org/library/document/2758>

was executed on drug charges in 2011: his [REDACTED] reports economic hardship which forced her to return to Afghanistan. She told the sentencing judge, “You’re not just killing one person [my husband], you’re killing 5 or 6 other people with him; you’re killing my four children, you’re killing me.”¹³ [REDACTED] executed in August 2016 on drug charges, was in the wrong place at the wrong time. He was also his parents’ sole breadwinner.¹⁴ A woman whose husband was given a death sentence for drug charges had been, by the time of a February 2014 interview, driven to the brink of homelessness and relied on Relief Committee aid to support her family. She could not afford her husband’s medication, school transportation for her children, or rent.¹⁵ The cost of legal defense may also harshly burden families of the accused. [REDACTED] convicted of murder and homosexual rape allegedly committed at 15, was executed in August 2017. His father was forced to sell his property and obtain a loan in order to pay for legal fees.¹⁶

In the *qesas* (“lex talionis”) framework of homicide prosecution, the right of execution rests with the family of the slain party rather than the state. Blood money negotiations under the rule of *qesas* may drag on for years, subjecting the convicted person to immense uncertainty as to their own fate. Given the fact that the family of the slain may grant pardon or re-open negotiations at any time, convicted individuals may face imminent sentence implementation on multiple occasions. [REDACTED] convicted of killing another young man in a knife fight at the age of 18, was imprisoned seven years before his release in 2014: in that time, he faced imminent execution twice. He reported suicide attempts in incarceration, and ongoing self-harm, and lost his hair due to stress.¹⁷ [REDACTED] an alleged juvenile offender, was informed of his own imminent execution five times before being put to death in 2009: on three of these occasions, he went to the gallows, where he witnessed 14 hangings. In a final interview, he said: “I have spent four and a half years of my life in jail among a bunch of criminals, since I was 17. I swear to God, the punishment I have suffered is enough to last a lifetime. I pray to God that even [my] worst enemy doesn’t end up in a place like this.”¹⁸ [REDACTED] another alleged juvenile offender, was taken to the gallows four times before his 2018 execution.¹⁹ [REDACTED] yet another alleged juvenile offender sentenced in a *qesas* case, spoke of depression and suicidal ideation in a message from death row in fall 2018.²⁰

Iranian judicial officials defend *qesas* as an essential part of their religious heritage, which better facilitates reconciliation than Western models. In 2016, then-head of the [REDACTED] described its logic as “very potent.”²¹ Accounts from those who have experienced the *qesas* process firsthand call this into question. The Afghanistani mother of [REDACTED] a six-year-old girl brutally murdered in 2016, reported social pressure to insist on execution of [REDACTED] a mentally disturbed boy convicted of killing their daughter, and expressed subsequent regrets:

“After [REDACTED] was executed, we didn’t hear a word from anyone. We thought [REDACTED]’s execution would bring us closure, but the day he was put to death was like the day we found out [REDACTED] had been killed... Things were just that bad, and it’s not brought us even a bit of peace.”²²

Capital punishment also affects prison personnel. Several prison guards told ABC about the depression associated with guarding death row prisoners and witnessing their killing. [REDACTED] who served at Mahabad Prison in several positions from 2006-2017, spoke of the distress resulting from his work,

¹³ <https://www.iranrights.org/library/document/3507>

¹⁴ <https://www.iranrights.org/memorial/story/-7968/ali-reza-madadpur>

¹⁵ Shargh Newspaper, February 4, 2014, <https://www.iranrights.org/library/document/2568>

¹⁶ <https://www.iranrights.org/memorial/story/-8069/ali-reza-tajiki>

¹⁷ “A Young Man Who Faced the Gallows Twice,” Tabnak, July 10, 2014,

<https://www.iranrights.org/library/document/3042>

¹⁸ <https://www.iranrights.org/memorial/story/-7591/behnud-shojai>

¹⁹ <https://www.iranrights.org/memorial/story/-8254/omid-rostami>

²⁰ <https://www.youtube.com/watch?v=G6xumR4ifGc>

²¹ “Larijani: To Hell with Western Displeasure with our Human Rights Record,” ILNA, August 4, 2016,

<https://www.iranrights.org/library/document/3009>

²² Fatimah Ferdows, Khabar Online, February 17, 2018, <https://www.iranrights.org/library/document/3343>

including witnessing condemned individuals becoming incontinent at the moment of hanging. The anguish of witnessing a final visitation he reported, caused his coworker to lose the ability to speak and move.²³

II. Information and Transparency

Iranian authorities have over the years denied many family members and lawyers information regarding imminent executions and last visitation, as required by law. The family of ██████████ executed on security charges in January 2011 at Orumieh Prison, learned of his death through state television.²⁴ The family of ██████████, a Sunni Kurd executed secretly on a security conviction at ██████████ in December 2012, learned of the execution through the local parliament representative.²⁵ ██████████ was put to death at Kermanshah Central Prison in January 2018: authorities did not inform his lawyer of family members beforehand, and the latter learned of his execution through a call from a wardmate.²⁶ In September 2018, authorities executed ██████████²⁷ ██████████²⁸ and ██████████²⁹ three Kurdish prisoners who had been convicted of national security charges after grossly unfair trials: when family members of the Moradis were summoned for what would prove to be the final visitation, they were not informed it would be their last, and found out about the executions through media reporting. Their lawyer was also not informed of their executions beforehand. ██████████ was put to death on charge of leading a drug cartel in January 2020: his wife ██████████ said authorities did not inform her of the execution, denying her and their small children a final visitation.³⁰

Prisons may be subjected to communication blackouts before executions take place. Prior to the aforementioned September 2018 triple execution at Rajaishahr, all phone lines were cut, and traffic to the prison yard and clinic was halted.³¹ In mid-March 2022, at least 11 people - many drug offenders - were secretly executed against the backdrop of a security alert and officials' successful efforts to silence knowledgeable sources.³²

III. Methods of Execution

The vast majority of death sentences are carried out by hanging, though condemned persons may also be subject to firing squad (two since 2010).³³ In one case, ██████████, convicted on drug charges, survived a botched execution and was taken to a hospital ICU sometime prior to 2014. He afterward suffered symptoms of oxygen deprivation to the brain, including amnesia, and failed to recall his own hanging.³⁴

412 executions since 2010 have been conducted in public (approximately 5.7% of the total).³⁵ Crowds, which have included children, have attended such events, which are announced in media in advance. Bodies may be exposed for some time: the body of 17-year old ██████████ convicted of killing a popular athlete, was left hanging for 45 minutes following his 2011 execution.³⁶ Sociologists interviewed by official

²³ <https://www.iranrights.org/fa/library/document/3544>

²⁴ <https://www.iranrights.org/memorial/story/-7619/hossein-khezri>

²⁵ <https://www.iranrights.org/memorial/story/-7373/asghar-rahimi>

²⁶ <https://www.iranrights.org/memorial/story/-8070/bakhtiar-mohammadi>

²⁷ <https://www.iranrights.org/memorial/story/-8169/loqman-moradi>

²⁸ <https://www.iranrights.org/memorial/story/-8170/zanyar-moradi>

²⁹ <https://www.iranrights.org/memorial/story/-8286/ramin-hossein-panahi>

³⁰ <https://www.iranrights.org/library/document/3703>

³¹ Letter of political prisoners at Rajaishahr Prison, September 12, 2018,

<https://www.iranrights.org/library/document/3463>

³² ABC correspondence with source close to person executed at Adelabad Prison, March 15, 2021

³³ <https://www.iranrights.org/library/document/2568>

³⁴ Shargh Newspaper, February 4, 2014, <https://www.iranrights.org/library/document/2568>

³⁵ For trends from 2010-2020, see "How does Iran's judiciary execute?",

<https://www.iranrights.org/library/document/3832>

³⁶ <https://www.iranrights.org/memorial/story/-7932/ali-reza-molla-soltani>

media in Iran have argued that the practice “encourages violent behavior, and reduces a person’s capacity for compassion for another and being protective of a fellow human being.”³⁷ Public executions have dramatically decreased in recent years: ABC has not recorded any such executions in 2021 or 2022.

IV. Treatment of Bodies

Authorities may impose conditions on loved ones, or otherwise pressure them, to control burials and memorial services, especially in cases with a political or security aspect or those involving minorities, to prevent gatherings. Such instances were routine in the 1980s, when dissidents and activists were executed in the thousands.³⁸ Loved ones of victims of protest shootings, too, face such restrictions. After ██████████ was executed in August 2016 on security charges, agents stopped his family’s car on the way back from the cemetery and obtained a pledge from them not to hold any funeral services.³⁹

The case of ██████████ put to death at Shiraz’s Adelabad Prison in September 2020, is emblematic. ██████████, a champion wrestler, was convicted of homicide in a trial fraught with evidentiary and due process failures, over widespread outcry from Iranian and international civil society. The execution was widely regarded as punishment for ██████████’s participation in widespread protests in the winter of 2017-2018. The commander of the Fars Province Police Force and security agents agreed to turn over the body to Afkari’s family if they buried him discreetly in their distant village, held no gatherings, and did not chant protest slogans. ██████████’s body was turned over to his family at the grave site in the dark of night in the presence of a large number of security agents.⁴⁰

Authorities may also conduct burials themselves, without ever surrendering the body. In the case of six Sunni men executed on security and homicide charges in March 2015, only one family member of each was allowed to attend a burial conducted by security forces.⁴¹ In some of these cases, authorities deny loved ones burial site information outright, as in the cases of ██████████⁴², ██████████⁴³, ██████████⁴⁴, ██████████⁴⁵ and ██████████, an Arab activist executed in 2014,⁴⁶ as well as ██████████, an ethnic Kurd executed on security charges in May 2010,⁴⁷ and ██████████, member of a Sufi minority group arrested during a 2018 protest, hastily tried and executed for a fatal bus ramming incident, and buried by authorities hundreds of kilometers from his place of residence, without his family’s knowledge.⁴⁸

³⁷ Fereshteh Zeybeyhan, “Do Public Executions Deter or Spur Violence?,” Islamic Republic News Agency, August 27, 2017, <https://www.iranrights.org/library/document/3283>

³⁸ <https://www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry>

³⁹ <https://www.iranrights.org/memorial/story/-8032/arash-sharifi>

⁴⁰ <https://www.iranrights.org/memorial/story/-8506/navid-farshid-afkari-sangari>

⁴¹ <https://www.iranrights.org/memorial/story/-7621/hamed-ahmadi>, <https://www.iranrights.org/memorial/story/-7623/jamshid-dehqani>, <https://www.iranrights.org/memorial/story/-7624/kamal-molaji>, <https://www.iranrights.org/memorial/story/-7626/sediq-mohammadi>, <https://www.iranrights.org/memorial/story/-7622/jahangir-dehqani>, <https://www.iranrights.org/memorial/story/-7625/hadi-hosseini>

⁴² <https://www.iranrights.org/memorial/story/-7239/ali-afrazi>

⁴³ <https://www.iranrights.org/memorial/story/-8451/abdolqodus-mollazehi>

⁴⁴ <https://www.iranrights.org/memorial/story/-7373/asghar-rahimi>

⁴⁵ <https://www.iranrights.org/memorial/story/-7619/hosseini-khezri>

⁴⁶ <https://www.iranrights.org/memorial/story/71726/hadi-rashedi>

⁴⁷ <https://www.iranrights.org/memorial/story/-5379/farzad-kamangar>

⁴⁸ <https://www.iranrights.org/memorial/story/-8267/mohammadreza-salas-babajani>