

DR. CAROLINE LUCAS

Green Party
for the South East of England

Embassy of the Islamic Republic of Iran
16 Princes Gate
London SW7 1PT

6th December 2007

Dear Ambassador,

I am writing to you regarding the imminent execution of 21-year old Makwan Moloudzadeh, who has been found guilty under Iranian Law of the offence of sodomy committed when he was a minor. An appeal was made but was rejected by the Iranian Supreme Court and it is likely that he faces execution within a matter of days.

The execution of child offenders is clearly prohibited by International Law, as well as by the Iranian legal system. Article 6(5) of the International Covenant on Civil and Political Rights (ICCPR) which Iran ratified in 1975, states that a "sentence of death shall not be imposed for crimes committed by persons below eighteen years of age." Moreover, Articles 49 and 111 of the Islamic Penal Code clearly state that crimes committed by minors are not punishable by death. The 1991 Amendment of Article 1210(1) of the Iranian Civil Code declares that the Islamic "age of discretion" is 15 years for boys. Article 111 of the Islamic Penal Code states that "sodomy is only punishable by death if both parties are adults." The alleged sodomy took place when the defendant was 13, so Mr. Moloudzadeh should be protected by this code.

Furthermore, the three witnesses in the case retracted their earlier statements when they appeared before the Judge, telling the court that the allegations were false and that their witness statements had been acquired under coercion. Mr. Moloudzadeh pleaded *not guilty* and told the court that his confession was also made under coercion. However, the judge refused to accept the witnesses' retractions. I am concerned that unlawful techniques and procedures were used to gather evidence for this case, and no medical evidence was presented to verify the allegations. The case was handled by the District Attorney's office, even though Iranian law states "crimes committed by minors should be handled exclusively by the Criminal Courts" (Section 3 of Article 3 of the Legal Amendment of the Laws Governing Public and Revolutionary Courts).

I urge you to use your authority to call for the postponement or cancellation of the execution, and request an urgent re-examination of the case. In the last 15 years Iran has not executed anyone who was this age at the time of an alleged offence and I would urge the authorities not to jeopardise this record. Mr. Moloudzadeh is in danger of being the victim of a public hanging at any time, probably within a matter of days. I therefore plead with you to act quickly and use your authority to save the life of this innocent young man.

I look forward to hearing back from you.

Yours sincerely,



Caroline Lucas - Green Party MEP for South East England.

cc Commissioner Ferrero Waldner, External Relations, European Commission.