

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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Habibollah Latifi to be Hanged on December 26

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Update: December 29, 2010

During the early morning hours of December 26, 2010, the chief warden of Sanandaj prison informed a crowd of several hundred people who had gathered outside the prison gates that Habibollah Latifi's execution had been halted. Later that day, Iranian authorities announced that Latifi's execution would be put on hold pending further judicial review of his case. Several members of his family were allowed to visit Latifi and confirmed that he was alive and well.

Later that day, security forces raided the home of Latifi's family and arrested some relatives, including his father and several of his siblings, according to media reports. While no grounds for their arrests have been reported, it is believed that the authorities targeted the family in part because of their efforts to publicize Latifi's imminent execution.

Human Rights Watch continues to be concerned about Latifi's well-being, and calls on the authorities to ensure his safety while judicial review of his case is pending. Latifi's family members should also be immediately and unconditionally released.

(New York) - The Iranian judiciary should immediately rescind the execution order for a Kurdish student convicted after an unfair trial, Human Rights Watch said today. Several days ago authorities informed Habibollah Latifi's lawyer that Latifi would be hanged at Sanandaj prison in Kurdistan province on the morning of December 26, 2010.

On October 23, 2007, security forces arrested Latifi, a law student at Azad University in the western Iranian province of Ilam, for his alleged activities on behalf of "anti-revolutionary" groups. After local intelligence agents detained and interrogated Latifi for more than four months, authorities transferred him to Sanandaj prison. According to several media reports, Latifi's family and sources close to his family have alleged that intelligence agents subjected Latifi to torture during the investigation phase.

"The circumstances surrounding Latifi's arrest, detention, and conviction strongly suggest that the Iranian authorities have violated his fundamental rights," said Joe Stork, deputy Middle East director at Human Rights Watch. "As in numerous previous security cases, intelligence agents appear to have subjected Latifi to torture and a court sentenced him to death without any convincing evidence against him. The head of Iran's judiciary should immediately rescind the execution order."

At his trial, the government alleged that Latifi was involved in several terrorist acts, including an assassination attempt on the life of a prosecutor and an attack at a police station in Kurdistan province. According to media reports, the court convicted Latifi of involvement in terrorist acts and membership in an armed opposition group based solely on his possession of photos and videos of an acoustic bomb explosion that occurred in the city of Sanandaj prior to his arrest. The First Branch of the Revolutionary Court in Sanandaj found Latifi guilty of *moharebeh*, or "enmity against God," and other security-related crimes, and sentenced him to death in 2008. An appeals court later confirmed that ruling.

Under articles 186 and 190-91 of Iran's penal code, anyone found responsible for taking up arms against the state, or belonging to an organization taking up arms against the government, may be considered guilty of *moharebeh* and sentenced to death. Latifi is one of at least [16 Kurds](#) facing execution on various national security-related charges including *moharebeh*.

Human Rights Watch has documented numerous cases where Iranian security forces have used physical and psychological coercion including torture to secure confessions in security-related cases, and courts have convicted defendants of *moharebeh* in trials where prosecutors failed to provide any convincing evidence establishing the defendant's guilt. In May 2010, after authorities executed five prisoners convicted of *moharebeh*, four of whom were ethnic Kurds, Human Rights Watch criticized the use of torture and ill-treatment and serious violations of due process before and during the trials and [called](#) for a moratorium on all executions.

During the past year, militant groups operating primarily in Kurdish-populated areas and Sistan-Baluchistan province have been implicated in the killing of numerous civilians. In the latest attack in the southeastern city of Chabahar on December 15, a suicide bomber killed at least 39 people who were among mourners during Shia ceremonies leading up to Ashura. In September, a bomb killed at least 12 people in the majority Kurdish town of Mahabad, in northwestern West Azerbaijan province.

"We condemn all attacks by armed groups against civilians," Stork said. "But the Iranian authorities cannot use these crimes to justify torture or ill-treatment and unfair trials."

In 2009, the last year for which figures are available, authorities executed 388 prisoners, more than any other nation except China. Authorities have executed at least nine political dissidents since November 2009, all of them convicted of *moharebeh* for their alleged ties to armed groups.

Human Rights Watch opposes capital punishment in all circumstances because of its cruel and inhumane nature.

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