



High Council for Human  
Rights of the  
Islamic Republic of Iran

# **Mohammad Mehdi Karami & Seyyed Mohammad Hosseini: A Report on Death Penalties & Execution of Verdicts**

**The High Council for Human Rights of the Islamic Republic of Iran**

**(14 January 2023)**

# *In the Name of GOD*

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## **A Report on Death Penalties & Execution of Verdicts**

### **Description of Criminal Acts**

On Thursday, 3 November 2022, during the riots and insecurity on the Karaj-Qazvin freeway near the Behesht-e Sakineh cemetery, several rioters around the said burial ground and the city of Kamalshahr in Karaj Province, sparked unrest and threw stones, dumped wood and construction debris on the autobahn in question under the pretext of participating in the 40th Day after the death<sup>1</sup> of one of the victims of the riots, and closed the expressway, impeded the passage of cars, destroyed public and private property and assaulted officers. Born on 9 February 1995, unarmed Seyyed Ruhollah Ajamian, who was helping to clear the blockage along with a number of people stuck in the traffic jam due to the blockade, was attacked and brutally martyred by the rioters merely because he was wearing a Basij uniform.

Following this bitter and unfortunate incident, a judicial case was immediately filed in the Karaj Criminal and Special Crimes Prosecutor's Office, with the relevant investigator issuing the necessary judicial orders to identify and arrest the defendants. Two days after the incident, a number of thugs, including Mohammad Mehdi Karami and Seyyed Mohammad Hosseini, who had played a role in martyring the foregoing Basij member with knives, machetes, brass knuckles, and stones, were identified and arrested.

Nine days after such a crime, on 12 November 2022, a bill of indictment was issued for the abovenamed defendants on charges of "a) corruption on the Earth through committing numerous crimes against the security of the State, b) attacking individuals and committing crimes against physical integrity thereof, which caused a severe disturbance in public order and insecurity in the Country and led to the martyrdom of a Basij member, the guardian of the security, Seyyed Ruhollah Ajamian, and c) assembly and collusion with the purpose of committing crimes against the security of the State."

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<sup>1</sup> It is a traditional memorial service, family gathering, ceremony and ritual in memory of the departed on the 40th day after his or her death.

## **Mohammad Mehdi Karami**

“It was the night of 2 November [2022] when one of my friends texted me and said that tomorrow, 3 November [2022], is the 40th Day of the death of Hadith Najafi, and we are preparing to attend the memorial service. So I also planned to participate in the ceremony. On 3 November [2022], it was around 11:00 when I reached the highway traffic. I got out of the car, chanted slogans with the people at the scene, and pelted the officers with stones. Then, I went to the underpass and saw that a group of people had gathered there.”, said the defendant in his confessions about how he participated in the riots.

During the court hearings, the defendant has explicitly explained and confessed to his role. “I saw the Basij member lying on the ground and two or three people standing over him, hitting him on the head and face with stones and sticks. Everyone would throw one or two punches at him and run away. I put my hand on his right shoulder, turned him around, and hit him with a stone. After I hit [his head] with a rock, I punched him three times. Then, I saw the martyr lying on the ground, and someone was jumping on his right side and rib. When the martyr became almost alone and people went away, I went to him and gave him one kick on the middle of his legs and two on his knees. In the meantime, a person went to the martyr and stabbed his abdomen and flank three up to four times. After that person hit him with the knife and got up on his stomach, I grabbed his legs and dragged him towards the front of the dump lorry. At this moment, his shoes came off, with which I hit his face twice. Then, I hit his head and neck with my left foot. I also hit him two or three times with [one of his] shoes.”

## **Seyyed Mohammad Hosseini**

The said defendant is the one who had stabbed the martyr. In the court sessions, Seyyed Mohammad Hosseini has openly confessed to his criminal actions when martyring Ajamian: “I was among the last persons who went to the top of martyr Ajamian’s head. They were insulting and kicking the martyr. I shoved my knife twice into the body of martyr Ajamian two times for the depth of two knuckles. For the third time, I thrust the knife through his body a little more.”

Regarding the defendant’s criminal actions committed on the day of the incident, be advised that the other defendants have also openly identified him as the one who stabbed the martyr. Moreover, the pictures and videos obtained from the incident’s

day show that the aforementioned defendant was actively present when the Tehran-Karaj highway was blocked and during Ajamian's martyrdom. Footage of him holding a stone in his hand has also been published.



### **Judicial Proceedings & Full Observance of Right to a Fair Trial**

Regarding the judicial cases opened against the aforesaid defendants, the preliminary investigations were conducted by the on-duty judge; and, based upon preliminary judicial measures, they confessed to having committed the crimes attributed thereto. The judicial cases were sent to the competent court following the issuance of a writ of culpability and a bill of indictment by the Prosecutor's Office. Because many accusations were attributed to the defendants, the judicial cases were sent to a specialized tribunal, the Karaj Province Revolution Court, where they were heard in several hearing sessions. On the strength of the evidence, documents and

express confessions made by the two defendants, they were sentenced to the death penalty on the charges of corruption on the Earth through committing crimes against the security of the State, attacking the security guards, and committing crimes against the physical integrity of people, which caused a severe disturbance in public order and insecurity in the Country, and led to the martyrdom of Seyyed Ruhollah Ajamian. The convicts filed for a trial *de novo*, after which the judicial cases were sent to the Supreme Court. However, following careful re-examination of the cases, the judgment was upheld and signed off on for execution. Therefore, all the principles of a fair trial, including jurisdictional issues, the presence of the defendants in the hearing sessions, the right of defense, the right to counsel, the right to consider the reasons and discover the truth as well as the right to appeal, have been carefully considered and respected.

### **Right to Counsel**

The defendant Mohammad Mehdi Karami has enjoyed the right to have a lawyer since the very beginning of the judicial proceedings. However, he did not introduce a lawyer to the court from the time of his arrest until the verdict was issued. Therefore, as per the regulations, a court-appointed lawyer was appointed for him. After the verdict was issued and when the case was being re-examined in the Supreme Court, an attorney-at-law directly went to the Supreme Court and announced his willingness to represent the aforesaid defendant. According to the law, a power of attorney is a contract and a two-way agreement. The lawyer had unilaterally requested to represent the foregoing defendant and did not submit a request from the convict proving the willingness thereof to be represented. According to the court's announcement, the defendant also did not submit a request to the court to be represented by the lawyer in question or any other barristers. This is while the defendant Seyyed Mohammad Hosseini had introduced and appointed a lawyer during the re-examination of the case in the Supreme Court.

### **Family Contact & Visitation**

According to the case's merits per the regulations, such as the Executive By-law of the State Prisons Organization, Mohammad Mehdi Karami made numerous phone calls and met with his family in person, including his father, mother, and brother. The last time he had a face-to-face meeting with his parents and brother was the week before the execution of the sentence.

Seyyed Mohammad Hosseini also enjoyed the opportunity to call and meet in person. However, due to the death of his parents and according to his declaration that he had no relationship with other family members, the convict did not request to meet with any person or persons, nor did anyone request or refer to the prison to meet him.

### **Denying Allegations of Hunger Strike by Mohammad Mehdi Karami**

Be advised that the inquiries and existing documents render as baseless and untrue the claims made by certain media outlets suggesting that Mohammad Mehdi Karami went on a hunger strike.

### **Debunking Allegations of Torture of Seyyed Mohammad Hosseini**

In line with the emphasis of the Chief of the Judiciary that should a defendant make a claim, it shall be dealt with, be advised that following the allegations made by the defendant's lawyer suggesting the torture of his client, the matter was referred to the Alborz Province General and Revolution Prosecutor. Then, a case was filed in one of the investigation branches of the Karaj Province Prosecutor's Office, and the lawyer was invited to present evidence and explanations regarding his claims. However, nothing was delivered, unfortunately. Furthermore, the necessary examinations were conducted when the defendant was transferred to prison, and no signs of beating were observed. The foregoing convict was not harmed or beaten inside the prison either, nor did he himself make a claim in this regard.

### **Process of Execution of Verdict**

The judgments pronounced against the foregoing convicts were executed in prison on 8 November 2022 after the exhaustion of all formalities and in compliance with Sharia and legal standards.

### **Most Serious Crimes Defined by International Standards**

With regards to the right to life, Paragraph 2 of Article 6 of the International Covenant on Civil and Political Rights stipulates: "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 judgment rendered by a competent court.”

Therefore, on the strength of the aforementioned Covenant, the death penalty has not been declared absolutely prohibited, and it is permissible provided that the following conditions are met:

- The death penalty shall be limited to the “most serious crimes”;
- The conviction and punishment for the most serious crimes shall be in accordance with the law in force at the time of the commission of the crime;
- The laws shall not be contrary to the provisions of the aforesaid Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide; and
- The final judgment on the execution of the death penalty shall be rendered by a competent court.

Concerning the compliance of these aforementioned conditions with the judicial cases in question, be advised that as per the explanations provided hereinabove, the crimes committed by Mohammad Mehdi Karami and Seyyed Mohammad Hosseini had endangered the lives of several people and jeopardized public order and security. Few international lawyers and experts would disagree with the fact that such crimes are among the examples of “the most serious crimes”. The second condition referred to in Paragraph 2 of Article 6 of the said Covenant regarding the application of punishment in accordance with the law in force at the time of the commission of the crime has been fully observed in this case. The death penalties were issued on the strength of the provisions of the Islamic Penal Code. On the other hand, the fourth condition regarding the issuance of the judgment by a competent court, as explained hereinabove, has been strictly observed in the judicial cases in question.

Therefore, based upon the explanations provided hereinabove, it can be concluded that the verdicts issued against Mohammad Mehdi Karami and Seyyed Mohammad Hosseini and the execution of the punishments meted out thereto are in full compliance with the laws and regulations of the Islamic Republic of Iran as well as the Country’s international obligations, including the International Covenant on Civil and Political Rights.



