

# Further Information on the Execution of Shahla (Khadijeh) Jahed after Unfair Trial

by

Project on **Extra-Legal Executions in Iran (ELEI)**

This update was issued following Shahla Jahed's abrupt execution on 1 December 2010 in Tehran's Evin prison. The main facts relating to Shahla Jahed's arrest, detention and trial can be viewed in ELEI's Urgent Appeal Request of 23 January 2008.

---

## Table of Contents:

1. Judiciary Head Shahrudi's third annulment and order for new trial.....	1
2. Initial judgment rubber-stamped after summary trial .....	1
3. Another long wait for Judiciary Head's decision.....	3
4. New Judiciary Head Larijani's confirmation .....	4
5. Defected police detective's revelations.....	4
6. The authorities' concealment of execution date.....	5
7. Execution .....	6
8. Graph: Shahla Jahed's criminal proceedings .....	8

## Summary

On 24 October 2002, Ms. Shahla Jahed was arrested arbitrarily for killing Mrs. Laleh Saharkhizan, the wife of the well-known footballer Nasser Mohammadkhani. She was arrested merely on the basis of the revelation that she and Mr. Mohammadkhani had been having a secret, but under Iran's laws legal, 'temporary marriage' affair for four years prior to the murder. In summer 2004, the judge who arrested and charged Ms. Jahed arbitrarily also convicted her wrongfully of 'intentional homicide' and sentenced her to the mandatory *qisas-e-nafs* death penalty. Ms. Jahed's conviction was based on a manifestly false confession extracted from her under torture after eleven months of arbitrary incommunicado detention. Her trial was marked by numerous other violations of internationally recognized fair trial safeguards. While the former Judiciary Head Ayatollah Shahrudi (1999-2009) annulled Ms. Jahed's conviction repeatedly in 2006, 2007 and 2008, the Supreme Court kept upholding her conviction and in 2009 another lower court also rubber-stamped the conviction in a so-called new trial. Following the 2009 replacement of Judiciary Head Shahrudi, Ms. Jahed's conviction was finally confirmed in November 2010 by the new Judiciary Head Ayatollah Sadeq Amoli Larijani. She was executed abruptly on 1 December 2010 in Tehran's Evin prison.



Cooper Station, P.O.Box 316, New York, NY 10276-0316, USA  
t: 212 260 7460 f: 267 295 7391 e: [elei@irainc.org](mailto:elei@irainc.org) u: [www.irainc.org/elei](http://www.irainc.org/elei)

The Project on **Extra-Legal Executions in Iran (ELEI)** was established by the Iranian Refugees' Alliance Inc, a non-governmental organization working from the US since 1995, to collect and analyze data on capital crimes, judicial proceedings in capital cases, and judicial executions in Iran that violate binding international legal standards on capital punishment.

### ***1. Judiciary Head Shahroudi's third annulment and order for new trial***

On 12 February 2008 [23.11.86], Judiciary Head Ayatollah Seyyed Mahmoud Hashemi Shahroudi annulled Ms. Jahed's intentional murder conviction and mandatory *qisas-e-nafs* sentence for the third time. On previous occasions he referred the case to the Supreme Court for another review but on this occasion he referred the case back to the lower General Courts for retrial.<sup>1</sup>

On 24 June 2008 [04.04.87], it was reported that the case had been assigned to Judge Ruhollah Hosseinpour of Chamber 1147 of the Ba'asat Judicial Complex (a criminal division of the General Court) who referred the case back to the Supreme Court for a ruling. Ms. Jahed's case was subsequently sent to Chamber 20 of the Supreme Court.<sup>2</sup>

On 12 July 2008 [22.04.88], it was reported that Chamber 20 of the Supreme Court had overturned the murder conviction by the initial lower court, Chamber 1157, and its *qisas* sentence, and had referred the case back to Chamber 1147 for a new trial.<sup>3</sup>

### ***2. Initial judgment rubber-stamped after second summary trial***

On 3 November 2008 [13.08.87], it was reported that Judge Ruhollah Hosseinpour had asked the Judiciary Head's office for a letter explaining the grounds for annulling Ms. Jahed's murder conviction. He received a 14-page letter which referred to some of the errors which had already been pointed out by Ms. Jahed's lawyer or by Judge Elahizadeh and reported in the press (see Urgent Action Request of 23 January 2008, pp. 26-7), but also referred to another discrepancy error relating to the victim's clothing. When Ms. Saharkhizan's body was found, her clothing was not ripped and had no bloodstains, despite the fact that she had been stabbed more than thirty times. This, the press said, indicated that her clothing had been changed after she was murdered. Like Ms. Jahed's lawyer, the letter called for an investigation of the physical evidence and witnesses.<sup>4</sup>

---

<sup>1</sup> *Etemaad* newspaper, 13 February 2008 [24.11.1386], *Naqz-e hokm-e idam-e Shahla Jahed* ("Shahla Jahed's death sentence annulled").

<sup>2</sup> *Etemaad* newspaper, 24 June 2008 [04.04.1387], *Mo'zeye rayis divan-e aliye keshvar darbareye parvande Shahla Jahed* ("Supreme Court Head's position on Shahla Jahed's case").

<sup>3</sup> IRAN newspaper, 12 July 2008 [22.04.1388], *Shahla dobareh mohakemeh mishavad* ("New trial for Shahla").

<sup>4</sup> *Etemaad* newspaper, 3 November 2008 [13.08.1387], *Rayis goveye qaza'ieh iradhaye parvande Shahla ra elam kard* [Judiciary Head reported errors in Shahla's case"].

It was reported that after two hearings held by Judge Hosseinpour behind closed doors on 22 and 23 February 2009, he had categorically refused to conduct any investigation into the matter or to call any witnesses.<sup>5</sup>

On 16 March 2009, it was reported that Judge Hosseinpour's ruling had pronounced that a new trial was unwarranted, and merely rubber-stamped the initial guilty verdict. Ms. Jahed's lawyer reportedly objected to this, emphasizing that the lower court had been charged with the duty to try her client's case anew and not to determine whether or not a new trial was warranted.<sup>6</sup> Judge Hosseinpour's verdict reportedly concluded as follows:<sup>7</sup>

“The investigations requested by the Judiciary Head's deputy [in his November 2008 letter] would not yield any results now that six years have lapsed from the time of murder and the burial of the body. In view of the contents of the file, the judicial proceedings in the case, the previous investigations and examinations, the rejection of the defendant's claim that she had confessed under physical and mental pressure, and the lack of any serious defense by the defendant's lawyers which might prove Ms. Shahla's innocence, this court finds the first court's ruling completely legal and consistent with Shari'a, and sees no clear contravention of law or Shari'a in that ruling. Therefore, subsequent to Article 18 of the 2007 Revised Law on the General and Revolutionary Courts and Article 9 of the Implementation Code, this court rejects the request for a new trial and pronounces this verdict as final.”

On 11 April 2009, it was reported that despite the reference to finality in the judgment, Ms. Jahed's lawyers had submitted an appeal to the Supreme Court.<sup>8</sup>

Judge Fakhredin Jafarzadeh, the judge of the lower court which first sentenced Ms. Jahed to death (Chamber 1157), was later quoted as saying that sometime in May 2009, Chamber 34 of

---

<sup>5</sup> ISCA news agency, 22 February 2009 [4.12.1387], *Mohakemeh Shahla posht-e darhaye basteh* (“Shahla tried behind closed doors”); *Etemaad-Meli* newspaper, 23 February 2009 [5.12.1387], *Parvandehe Shahla dar istgah-e akhar* (“Shahla's case at final stage”).

<sup>6</sup> *Etemaad* newspaper, 16 March 2009 [26.12.1387], *Shahla bare digar be qisas mahkum shod* (“Shahla again sentenced to qisas”).

<sup>7</sup> *Khorasan* newspaper, 5 April 2009 [16.01.1388], *Shahla Jahed: hokm-e idam man qat'ee ast, vakil: be ray dadgah eteraz mikonam* (“Shahla Jahed says the verdict is final, but lawyer says he will object”).

<sup>8</sup> *Sarmayeh* newspaper, 11 April 2009 [22.01.1388], *Vakil-e Shahla be hokm-e qisas eteraz kard* (Shahla's lawyer objected to the qisas sentence”).

the Supreme Court had confirmed ‘Chamber 1147’s *qisas* sentence for Ms. Jahed’.<sup>9</sup> However, a statement by Tehran’s Revolutionary and General Prosecution office issued on the day of Ms. Jahed’s execution on 1 December 2010 said that Chamber 20 of the Supreme Court had confirmed ‘Chamber 1147’s denial of a new trial’ on 21 May 2009 [30.02.1388].<sup>10</sup> Previously, Chamber 20 of the Supreme Court’s was identified as the higher tribunal who had in July 2008 overturned the first court’s conviction and *qisas* sentence and hence referred the case to Chamber 1147 for retrial. The Prosecution Office’s conflation of Supreme Court Chamber numbers apparently intended at concealing the conflicting rulings of the highest judicial tribunal when dealing with the same case.

### **3. Another long wait for the Judiciary Head’s decision**

On 1 July 2009, although the Judiciary Head had not yet issued his consent for implementation of the *qisas* sentence, it was reported that Fakhredin Jafarzadeh, the judge of the lower court which first sentenced Ms. Jahed to death (Chamber 1157) who had since become Deputy Head of Tehran’s Prosecutor’s Office, had taken the unusual step of arranging a meeting with the family of the victim in order to negotiate Ms. Jahed’s *qisas* death sentence. It was reported that the meeting was fruitless and that the victim’s family had unanimously insisted on implementing Ms. Jahed’s death sentence.<sup>11</sup>

On 4 August 2009 it was reported that Mr. Jafarzadeh had again arranged a meeting in which a number of celebrities—actresses and film directors—tried to convince the victim’s family to forgo Ms. Jahed’s *qisas* death sentence. This meeting was also reportedly unsuccessful.<sup>12</sup>

On 17 August 2009 Judiciary Head Ayatollah Seyyed Mahmoud Hashemi Shahroudi was replaced by Ayatollah Sadeq Amoli Larijani. The duty of confirming *qisas* death sentences was conferred to him by the Supreme Leader officially on 26 August 2009.<sup>13</sup>

---

<sup>9</sup> *Khabar Online*, 1 August 2009 [10.05.1388], *Shahla cheshm be talash-e honarmandan baraye bakhshis* (“Shahla looks forward with hope to reconciliation efforts by artists”).

<sup>10</sup> ISNA news agency, 1 December 2010 [10.09.1389], *Gozarash-e kamel-e ISNA az ijraye qisas-e Shahla Jahed* (“ISNA’s full report of the execution of Shahla Jahed’s *qisas* sentence”).

<sup>11</sup> *Sarmayeh* newspaper, 1 July 2009 [10.04.1388], *Oliya’e dam-e hamsar-e Nasser Mohammadkhani: Shahla bayad qisas shavad* (“Heirs of Nasser Mohammadkhani’s spouse: Shahla must be put to death”).

<sup>12</sup> *Etemaad* newspaper, 2 August 2009 [11.05.1388], *Talash-e honarmandan baraye nejat-e Shahla* (“Artists toil to save Shahla’s life”).

<sup>13</sup> Directive 100/29419/9000 - 5/6/1388 issued by Sadeq Larijani on 26 August 2009.

#### 4. *New Judiciary Head Larijani's confirmation*

On 25 September 2010 it was reported that Ms. Jahed herself had written to the new Judiciary Head stating that she could tolerate prison no longer and requested a final decision on her fate.<sup>14</sup>

On 7 November 2010, it was reported that the new Judiciary Head Ayatollah Larijani had confirmed Ms. Jahed's *qisas* sentence and that Ms. Jahed's file had been sent to the Prosecution Office's Division for Enforcement of Sentences.<sup>15</sup>

#### 5. *Police detective's revelations*

On 28 November 2010, Major Babak Hassani Abharyian, who had defected from Iran with his family about four months previously and who claimed to have been one of the detectives in the initial investigation of Laleh Saharkhizan's murder, publicly declared that Ms. Jahed was innocent.

In an interview with JARAS, Abharyian said that he had been removed from the case after working on it for about a month and a half, when his findings had pointed to a 'security related' motive (*harekat-e amniyati*) for the murder. He also revealed that plain-clothes officers operating under direct orders from the deputy director of the Detective Bureau destroyed physical evidence by hastily cleaning the crime scene. He added that items of evidence, such as the cigarette butts that were found later on from the scene of the crime, had not been collected in the initial investigation. Major Abharyian also mentioned that there had been irregularities in selecting the investigation team after his removal from the case. 'The officers used were from outside the Bureau, that is, they were from the Security Division (*herasat*) of the Department of Water, something very unusual, on the basis of my twenty years of service.'<sup>16</sup>

---

<sup>14</sup> *Vatan-e Emrooz* newspaper, 25 September 2010 [03.07.1389], *Nameh-ee az kaboos-haye shabaneh zindan-e Shahla* ("A letter from Shahla's prison nightmares").

<sup>15</sup> *Vatan-e Emrooz* newspaper, 7 November 2010 [16.08.1389], *Shahla idam mishavad* ("Shahla will be executed").

<sup>16</sup> *Jonbesh-e Rah-e Sabz* (JARAS), 28 November 2010 [07.09.1389], *Nagoftehayeh az parvande Shahla Jahed az zaban-e yek az avalin afsaran parvande* ("One of the first detectives reveals hidden details of Shahla Jahed's case"), <[www.rahesabz.net/story/28094/](http://www.rahesabz.net/story/28094/)>.

## 6. *The authorities' concealment of execution date*

On 16 November 2010 a reporter for *Vatan-e Emrooz* newspaper revealed that the execution date had been set for 1 December 2010,<sup>17</sup> but on 22 November, Ayatollah Mohseni Ejehi, Judiciary spokesperson, announced that Ms. Jahed's date of execution was 'still undetermined'.<sup>18</sup>

On 29 November 2010, Judge Esmatollah Jaberi, Head of the Division for Enforcement of Sentences, again publicly confirmed that Ms. Jahed's date of execution was still undetermined. On the same day, Ms. Jahed's lawyer, Abdolsamad Khoramshahi, told reporters that the Division had also confirmed to him that his client was not going to be executed on 1 December 2010. Khoramshahi added that efforts to negotiate a reprieve from the victim's family were still going on.<sup>19</sup>

At noon of 30 November 2010, however, Ms. Jahed's lawyer anxiously retracted the previous day's information and said that the Division of Enforcement of Sentences assurance that 'his client's date of execution was not going to be soon' was not true. He added that he had been asked that morning to go to the Division, where he had been given a copy of his client's execution warrant stating that she was going to be executed at 5:00 am of 1 December 2010.<sup>20</sup>

A reporter from IRAN newspaper said that Ms. Jahed had telephoned him at 11:00 am on 30 November 2010 saying that she had just heard that she was going to be hanged the next morning and asked whether he had heard this too. Jahed reportedly added that her mother, sister and two brothers had apparently not been informed of the impending execution when they had visited her earlier that morning.<sup>21</sup>

A week after Ms. Jahed's execution, on 9 December 2010, Judge Esmatollah Jaberi, the Head of the Division for Enforcement of Sentences was asked, in connection with Ms. Jahed's abrupt

---

<sup>17</sup> *Vatan-e Emrooz* newspaper, 16 November 2010 [25.08.1389], *Nafa-shaye akhar-e Shahla, sahangah 10 Azar mah* ("Shahla's last breaths, dawn of 1 December").

<sup>18</sup> ISNA news agency, 22 November 2010 [01.09.1389], *Sokhanguye goveye qaza'ieh dar chaharomin neshast khabari* (Judiciary's spokesperson at his fourth press conference").

<sup>19</sup> Iran newspaper, 29 November 2010 [08.09.1389], *Akharin vaziyat-e Shahla* ("Last update on Shahla's status").

<sup>20</sup> ISNA news agency, 30 November 2010 [09.09.1389], *Abdolsamad Khoramshahi khabar dad: Bamdad farad Shahla Jahed dar Evin qisas mishavad* (Abdolsamad Khoramshahi: Shahla Jahed facing *qisas* tomorrow morning in Evin").

<sup>21</sup> Iran newspaper, 30 November 2010 [09.09.1389], *Shahla pas az 8 sal emrooz paye chubeh dar* ("Shahla at the gallows after eight years").

execution, how long it was appropriate to pursue efforts to obtain a reprieve from the victim's family. He responded: 'In ordinary cases when the file is submitted to the Division of Enforcement of Sentences as the final stage, we spend three or four months trying to get a reprieve from the victim's family'. Jaberi then added: 'But Shahla Jahed's case was a special situation, in the sense that the accused [sic] had too much confidence in the power of public opinion and the media'.<sup>22</sup> Jaberi's comment suggest that because Shahla Jahed's case had become a *cause celebre* had the Division for Enforcement of Sentences had spent less time on seeking a reprieve than it might have done on a prisoner in another capital case.

## 7. Execution

Ms. Jahed was hanged at 5:45 am inside Tehran's Evin prison compound as her family and supporters stood outside the compound. She was hanged in presence of the victim's family, her former lover, Nasser Mohammadkhani, who was there in the capacity as the representative of one of the heirs of the victim, i.e his minor son, a representative from the Judiciary Head's Office, the Head of the Division for Enforcement of Judges, and her lawyer. According to some reports, the man who kicked the platform from under Ms. Jahed was one of the two sons of the victim, though other reports stated that it was the victim's younger brother.<sup>23</sup> Her lawyer said that prior to her execution, Ms. Jahed was very emotional, weeping unceasingly. He added: "She was so unwell that she did not even recognize me. She pleaded with the victim's mother to spare her, insisting that she was innocent". The representative from the Judiciary Head's office was quoted as saying that he was present at the execution in this case 'on an exceptional basis'.<sup>24</sup> It was reported that the representative of the Judiciary Head asked Ms. Jahed to make any final revelations, stating: 'You have previously claimed that there are unspoken matters which you intended to reveal at the time of execution. I am here to hear them. This is your last chance', but

---

<sup>22</sup> *Javan* newspaper, 9 December 2010 [18.09.1389], *Shahla az yad miravad, akhlaq bayad salem bemanad* ("Shahla will be forgotten, moral values should stay intact"), <[www.javanonline.ir/PDF/NewsPaper/3289/07.pdf](http://www.javanonline.ir/PDF/NewsPaper/3289/07.pdf)>.

<sup>23</sup> *Khabar-Online*, 1 Decemebr 2010 [10.09.1389], *Shahla be hengam-e idam be Nasser Mohamamdkhani negah ham nakard* ("Shahla did not lay her eyes on Nasser Mohammadkhani as she was hanged"), <[www.khabaronline.ir/news-112574.aspx](http://www.khabaronline.ir/news-112574.aspx)>; *Sharq* newspaper, *Khodahafez Shahla* ("Farewell to Shahla"), <[www.sharghnewspaper.ir/Released/89-09-11/p06.pdf](http://www.sharghnewspaper.ir/Released/89-09-11/p06.pdf)>.

<sup>24</sup> *Tehran-Emrooz* newspaper, 2 December 2010 [11.09.1389], *Shahla Jahed dar Zendan-e Evin be dar avikhteh shod* ("Shahla Jahed hanged in Evin prison").

that Ms. Jahed had denied having any such untold secrets. Her lawyer, however, told the press that her client ‘took an important secret to her grave.’<sup>25</sup>

---

<sup>25</sup> IRAN newspaper, 2 December 2010 [11.09.1389], *Shahla ba cheshman-e ashkbar idam shod* (“Shahla executed with tearful eyes”).



8. Graph: Shahla Jahed's criminal proceedings

