

PUBLIC

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UA 252/06 Imminent execution

IRAN **Kobra Rahmanpour (f), aged about 25**

It is feared that Kobra Rahmanpour is at imminent risk of execution for murder. The Office for the Implementation of Sentences, which carries out executions, has set a deadline of 12 October for the family of the murder victim to agree to forgo their right to have Kobra Rahmanpour executed, and accept the payment of *diyeh* (blood money) instead. If they continue to ask for the execution to be implemented, it is likely to be carried out soon after 12 October.

Kobra Rahmanpour was arrested on 5 November 2000 and was sentenced to death by Branch 1608 of Tehran's Criminal Court in January 2002 for killing her mother-in-law. In 2003 the sentence was upheld by the Supreme Court. She claimed she had acted in self-defence after her mother-in-law had tried to attack her with a kitchen knife. Kobra Rahmanpour was allegedly forced into marriage against her will by her parents, due to the poverty of her family, and was subjected to domestic violence during her marriage. She did not have access to a lawyer until the beginning of her trial.

Kobra Rahmanpour was scheduled to be executed on 31 December 2003. However, on that day, the Judge of the Office for the Implementation of Sentences confirmed to a reporter from the internet news site, the Iranian Students' News Agency (ISNA), that the execution was cancelled because prison authorities were not fully equipped for it (there were allegedly no handcuffs to use on the way to the execution site).

In January 2004 Kobra Rahmanpour's execution was temporarily postponed by Ayatollah Shahroudi, the Head of the Judiciary, to allow the opportunity for the victims' family to agree to pardon Kobra Rahmanpour. In a letter to Amnesty International dated 3 February 2004, the Embassy of the Islamic Republic of Iran in London stated that legal proceedings in the case had been completed and that the sentence could only be commuted if the victim's heirs were to forgo their right to retribution and ask instead for compensation. The case was then transferred to the mediation body known as the Council for the Resolution of Differences (in Persian, the *Shoray-e Hall-e Ekhtelaaf*), for the victim's family to come to an agreement about whether to forgo their right to retribution and accept the payment of blood money. However, no resolution has been reached. According to Kobra Rahmanpour's lawyer, the victim's family have not agreed to pardon her. At the beginning of September 2006, the Office for the Implementation of Sentences reportedly set a deadline of 12 October for an agreement to be reached on pardoning Kobra Rahmanpour.

Kobra Rahmanpour has been detained in Evin prison for nearly six years, for four of which she has been under sentence of death. In September 2006, she wrote an open letter, published on the internet, in which she said:

"I am a human like you. I don't want to die. But right now I am more like a lifeless body who has forgotten happiness and laughter scared of the execution rope...I am only a step away from death. I, like all of you, am scared to die. Help me so this wouldn't be my last letter. So many times I think with myself, wishing my life would follow a different path. Wishing I could finish my pre-university course. Wishing I wouldn't be forced to work and to serve my husband's family. Wishing I wouldn't reach the borders of madness. But I have suffered so much. I am really a victim. And it is this victim who they are going to hang to death. This is not a destiny that I deserve. In these days of fear and horror, I come to you again. I thank all the media, papers and people who supported me and said that "Kobra shouldn't be executed". This time, maybe for the last time, I want to ask you to do your last efforts for me so I am not executed and have a chance to be free. In my dreams I always think of freedom and a good life after that. I have suffered enough. Help me so this horrible nightmare that has so many times chased me in sleep and has made me wake up and scream,

won't come true. Help me to be away from death. Do whatever you can, there is little time. These days would be gone too, and for me, every click of the clock is a sign that death is near. Please help me! I am scared of death and execution. I hate the execution rope and the crane. I want to live. All other ways are closed to me. Nobody is here for me. My only hope lies in people and my fellow humans. I want to hug my father and mother. In the end, I'd like to thank my family and everybody who struggles to save me, for their efforts."

On 11 May 2006, the United Nations Working Group on Arbitrary Detention (WGAD) released a statement on the case. Finding that Kobra Rahmanpour could not access the services of a defense lawyer "between her taking in custody and the beginning of the trial", the WGAD emphasized that: "The lack of legal representation in the investigation of a capital charge may seriously jeopardize a supreme human value; the life of the accused. It is the position of the Working Group that in the instant case the lack of defense counsel from the initial stage of the investigation is so detrimental to the interests of justice in general, and to the interests of the person charged in particular that it confers to the criminal proceedings an unfair character." The WGAD further said that "Under the specific circumstances of this case and bearing in mind that she is being held on death row since long, the most appropriate remedy would be to obtain her exemption from the implementation of the capital punishment. Such a generous measure, the Working Group believes, would be broadly welcomed and highly appreciated by the international community." [Working Group on Arbitrary Detention, Opinion No 14/2006, 11 May 2006, paragraph 15].

Kobra Rahmanpour was previously the subject of UA 364/03 (MDE 13/041/2003, 15 December 2003, and follow-ups).

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Persian, Arabic, English, French or your own language:

- urging the authorities to commute the death sentence against Kobra Rahmanpour;
- noting the opinion of the UN Working Group on Arbitrary Detention (WGAD), which states that "Under the specific circumstances of this case and bearing in mind that she is being held on death row since long, the most appropriate remedy would be to obtain her exemption from the implementation of the capital punishment";
- stating that Amnesty International recognizes the rights and responsibilities of governments to bring to justice those suspected of criminal offences, but opposes the death penalty as the ultimate cruel, inhuman and degrading punishment.

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Salutation: Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahroudi
Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran

Email: Please send emails via the feedback form on the Persian site of the website:

<http://www.iranjudiciary.org/contactus-feedback-fa.html>

(The text of the feedback form translates as: 1st line: name, 2nd line: email address, 3rd line: subject heading, then enter your email into the text box)

Salutation: Your Excellency

COPIES TO: diplomatic representatives of Iran accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.