

**PUBLIC**

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**UA 334/07**      **Imminent execution**

**IRAN**            **Raheleh Zamani (f), aged 27**

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Raheleh Zamani, a mother of two children aged five and three, is facing imminent execution for the killing of her husband. According to reports received by Amnesty International, she is due to be hanged on 20 December. Her husband's family have refused to accept *diyeh* (blood money), and are insisting on the implementation of the sentence. At this stage, the Head of the Judiciary has the power to temporarily suspend executions and order a review of a case.

Raheleh Zamani was sentenced to *qesas-e nafs* (retribution in kind) in October 2005 for the murder earlier the same year of her husband, Mohammad Zamani, whom she alleged was having an extra-marital affair. Raheleh Zamani reportedly said in her defence that she was threatened with violence by her husband each time she asked him to end his affair. She said that she had never meant to kill her husband, but just wanted to "teach him a lesson". A month and a half prior to the murder, Raheleh Zamani had given birth to her second child, a son. She may have been suffering from severe post-natal depression.

Raheleh Zamani is said to have told the court that on the day of the incident, she arrived home and found her husband with another woman. She then confronted her husband but he began beating her and threw her out of the house. When Raheleh Zamani returned home a few hours later, Mohammad Zamani refused to apologize for his actions and threatened to kill her if she said anything to anyone about his extra-marital relationships. When her husband went for a nap, Raheleh Zamani killed him.

#### **BACKGROUND INFORMATION**

In the Iranian Penal Code murder is punishable by *qesas-e nafs*, or death. Murder by someone with diminished responsibility may be punishable by the payment of *diyeh*, a form of compensation. In cases of pre-meditated murder, the family of the victim has the right to ask for their relative's killer to be put to death. The family can also choose to forgive the culprit and accept payment of *diyeh* instead.

Also in the Iranian legal system, there is a distinction between cases where the penalty is "execution" (*hokm-e 'adam*) and *qesas*, although people sentenced to *qesas* are often reported in the media to have been sentenced to death. In Iranian law, murder is treated as a private dispute between two civil parties – the state's role is to facilitate the resolution of the dispute through the judicial process. In this sense, the death penalty is regarded as being imposed by the state, whereas *qesas* is imposed by the family of the victim. As a result, sentences of *qesas* are not open to pardon or amnesty by the Supreme Leader, whereas most other death sentences can be reversed by the Supreme Leader. This is in contravention of Article 6 (4) of the International Covenant on Civil and Political Rights, to which Iran is a state party, which says that in the eyes of international law, Iran remains fully responsible for respecting and protecting the rights of those under its jurisdiction, irrespective of the role that private parties may play in the administration of justice.

Executions in Iran have increased sharply in 2007, particularly in the wake of a crackdown on "social vices" which was announced in April and has continued to date. Amnesty International has recorded over 300 executions to date, some of which have been in public, including some multiple hangings. Executions of women are rare: five have been recorded so far this year.

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

- calling for an immediate halt to the scheduled execution of Raheleh Zamani on 20 December;
- calling for Raheleh Zamani's death sentence to be commuted;
- stating that you recognize that governments have a right and a duty to bring to justice those suspected of criminal offences, but stating your unconditional opposition to the death penalty, as the ultimate cruel, inhuman and degrading punishment and violation of the right to life;
- asking for details of her trial and any appeals, including how the judge determined that she had committed pre-meditated murder;
- urging the Iranian authorities to bring Iranian legislation into line with their international human rights obligations, so that people sentenced to death for murder have the right to seek pardon or commutation of their sentence from the state.

**APPEALS TO:**

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei

The Office of the Supreme Leader, Islamic Republic Street - Shahid Keshvar Doust Street

Tehran, Islamic Republic of Iran

**Email:** [info@leader.ir](mailto:info@leader.ir)

**Salutation:** **Your Excellency**

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi

Howzeh Riyasat-e Qoveh Qazaiyeh / Office of the Head of the Judiciary

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**Email:** [info@dadgostary-tehran.ir](mailto:info@dadgostary-tehran.ir) (In the subject line write: **FAO Ayatollah Shahroudi**)

**Salutation:** **Your Excellency**

**COPIES TO:**

President

His Excellency Mahmoud Ahmadinejad

The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

**Email:** [dr-ahmadinejad@president.ir](mailto:dr-ahmadinejad@president.ir)

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Director, Human Rights Headquarters of Iran

His Excellency Mohammad Javad Larijani

Howzeh Riassat-e Ghoveh Ghazaiyeh

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and to diplomatic representatives of Iran accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.**