

EXTERNAL

AI Index: MDE 13/03/98

EXTRA 13/98

Death penalty/ Flogging

5 February 1998

IRAN Helmut Hofer, German businessman
Vahide Ghessemi, a 26 or 27-year-old medical
student, (f), of Iranian nationality

Amnesty International is concerned at reports that Helmut Hofer, a German businessman in Iran, has been sentenced to death following his trial for allegedly having had sexual relations with a Muslim woman, believed to be Vahide Ghessemi. It is not known when or where the trial may have taken place. He is reportedly being held in Evin Prison in Tehran.

No information is available concerning any court proceedings against Vahide Ghessemi. Amnesty International is, however, concerned at media reports that she may have been sentenced to 99 lashes and is continuing its investigations.

On 30 January 1998, a spokesman from the German Foreign Ministry reportedly confirmed that Helmut Hofer was arrested and imprisoned in Tehran on 27 September 1997 and sentenced to death on 26 January 1998 for: "*forbidden relations between a non-Muslim and a Muslim*". On 1 February the Iranian Foreign Ministry reportedly confirmed that a German national had been tried in Iran, but declined to specify the charges against him or the sentence passed, stating that the trial was held "*in a competent court in accordance with the law*". The sentence is expected to go before an appeal court soon.

BACKGROUND INFORMATION

Amnesty International is opposed to the death penalty in all cases as the ultimate violation of the right to life and the right not to be subjected to cruel, inhuman and degrading treatment or punishment as proclaimed in the Universal Declaration of Human Rights.

Amnesty International also opposes the judicial punishment of flogging on the grounds that it amounts to torture, or to cruel, inhuman or degrading punishment, both unconditionally prohibited under international law.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English, French or your own language:

- expressing unconditional opposition to the death penalty in all cases;
- urging that the death sentence against Helmut Hofer be lifted immediately;
- seeking urgent clarification of the charges against Helmut Hofer and details of any court proceedings that may have been held resulting in his death sentence;
- drawing attention to Safeguard 1 of the UN Economic and Social Council (1984/50) which states that "[in] countries which have not abolished the death penalty, capital punishment may only be imposed for the most serious crimes, it being understood that their scope should not go beyond intentional crimes with lethal or extremely grave consequences";
- seeking urgent clarification of any charges and court proceedings against Vahide Ghessemi, the woman allegedly involved in this case;
- urging that the flogging sentence, if it has been passed against her, be commuted and stating your belief that flogging contravenes Article 7 of the International Covenant on Civil and Political Rights (ICCPR).

APPEALS TO:

Please note: fax tones can be very difficult to obtain

1) Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei
 The Presidency, Palestine Avenue
 Azerbaijan Intersection, Tehran, Islamic Republic of Iran
Telegrams: Ayatollah Khamenei, Tehran, Iran
Faxes: + 98 21 650203 (via Interior Ministry, ask for fax to be forwarded)
Salutation: Your Excellency

2) President

His Excellency
 Hojjatoleslam val Moslemin Sayed Mohammad Khatami
 The Presidency, Palestine Avenue
 Azerbaijan Intersection, Tehran, The Islamic Republic of Iran
Telegrams: President Khatami, Tehran, Iran
Faxes: + 98 21 674790 (via Foreign Affairs, ask for fax to be forwarded)
Salutation: Your Excellency

3) Head of the Judiciary

His Excellency Ayatollah Mohammad Yazdi
 Ministry of Justice
 Park-e Shahr, Tehran, Islamic Republic of Iran
Telegrams: Head of Judiciary, Tehran, Iran
Salutation: Your Excellency

4) Minister of Information

His Excellency Qorbanali Dorri Najafabadi
 Ministry of Information
 Tehran, Islamic Republic of Iran
Telegrams: Information Minister, Tehran, Iran
Salutation: Your Excellency

5) Minister of the Interior

His Excellency Abdollah Nouri
 Ministry of the Interior
 Dr Fatemi Avenue
 Tehran, Islamic Republic of Iran
Telegrams: Interior Minister, Tehran, Iran
Faxes: + 98 21 899547/650203 (note: it can be difficult to obtain fax tone)
Salutation: Your Excellency

COPIES TO:

Minister of Foreign Affairs
 His Excellency Kamal Kharrazi
 Ministry of Foreign Affairs, Sheikh Abdolmajid Keshk-e Mesri Avenue
 Tehran, Islamic Republic of Iran
Faxes: + 98 21 674790

Chairman of the Islamic Consultative
 Assembly's Human Rights Committee
 Imam Khomeini Avenue, Tehran, Islamic Republic of Iran

Mr Mohammad Hassan Zia'i-Far,
 Secretary, Islamic Human Rights Commission
 PO Box 13165-137, Tehran, Islamic Republic of Iran
Faxes: + 98 21 204 0541

and to diplomatic representatives of IRAN accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 9 March 1998.