

EXTERNAL

AI Index: MDE 13/13/95

UA 206/95

Death penalty / Fear of flogging

23 August 1995

IRANFazel Khodadad and a woman "M.H."

On 22 August 1995 Fazel Khodadad was sentenced to death by hanging after conviction by a court in Tehran on charges of "sabotaging the country's economic system". He was also sentenced to 50 lashes for drug use and 99 lashes for an illegal sexual relationship with a woman identified as "M.H.". She was also sentenced to 99 lashes, which has reportedly been suspended for two years. They can apparently appeal against the judgment to the Supreme Court within 20 days.

The charges of sabotaging the country's economic system related to the illegal transfer of 200 million dollars from an account in the Saderat Bank. Four other people involved in the case were sentenced to 15 years' or life imprisonment. One person was acquitted.

Iranian legislation permits the use of the death penalty in cases where "economic sabotage" is deemed to have been intended to destroy the economic system of Iran.

Amnesty International, while recognizing the rights and responsibilities of governments to bring to justice those responsible for crimes, opposes the death penalty in all cases as the ultimate violation of the right to life as laid out in the Universal Declaration of Human Rights. It also opposes the use of judicial punishments such as flogging, which it considers to be contrary to Article 7 of the International Covenant on Civil and Political Rights (ICCPR), which prohibits the use of torture or cruel, inhuman or degrading treatment or punishment.

RECOMMENDED ACTION: Please send telegrams/telexes/airmail letters in English or your own language:

- urging that the death sentence passed against Fazel Khodadad be commuted if upheld on appeal;
- urging that the sentences of lashings against Fazel Khodadad and the woman "M.H." be commuted if upheld on appeal;
- drawing attention to world trends to abolish or reduce the use of the death penalty, the desirability of which was reaffirmed in Resolution 32/61 of 8 December 1977 of the United Nations General Assembly;
- drawing attention to Article 7 of the ICCPR which unconditionally forbids torture or ill-treatment and stating that you believe that judicial punishments such as flogging violate this Article.

APPEALS TO:

1) Leader of the Islamic Republic
His Excellency Ayatollah Sayed 'Ali Khamanei
The Presidency
Palestine Avenue
Azerbaijan Intersection
Tehran, Islamic Republic of Iran
Telegrams: Ayatollah Khamanei, Tehran, Iran
Telexes: 214231 MITI IR (marked for the attention of Ayatollah Khamanei)
Salutation: Your Excellency

2) His Excellency Hojjatoleslam

Ali Akbar Hashemi Rafsanjani
The Presidency
Palestine Avenue
Azerbaijan Intersection
Tehran

The Islamic Republic of Iran

Telegrams: President Rafsanjani, Tehran, Iran

Telexes: 214231 MITI IR (marked for the attention of President Rafsanjani)

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: Justice Minister, Tehran, Iran

Telexes: 214231 MITI IR; 213113 PRIM IR (marked for the attention of the Justice Ministry)

Salutation: Your Excellency

4) Minister of the Interior
His Excellency Mohammad Ali Besharati Jahromi
Ministry of the Interior
Dr Fatemi Avenue
Tehran

Islamic Republic of Iran

Telegrams: Interior Minister, Tehran Iran

Telexes: 214231 MITI IR, 213113 PRIM IR (marked for the attention of the Interior Minister)

Salutation: Your Excellency

COPIES TO:

Minister of Foreign Affairs
His Excellency
Dr Ali Akbar Velayati
Ministry of Foreign Affairs
Sheikh Abdolmajid Keshk-e Mesri Avenue
Tehran
Islamic Republic of Iran

Sa'id Raja'i Khorasani
Chairman of the Islamic Consultative Assembly's Human Rights Committee
Imam Khomeini Avenue
Tehran, Islamic Republic of Iran

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 10 October 1995.