

PUBLIC

AI Index: MDE 13/041/2009

05 May 2009

UA 117/09 Fear of Imminent Execution

IRAN **Mohammad Ali Navid Khamami, [m]**

Executed: **Vali Azad [m] aged 30**

According to the Iranian newspaper *Ham Mihan*, Mohammad Ali Navid Khamami is at imminent risk of stoning to death after being convicted of "adultery while being married" in the city of Rasht, Gilan Province in northern Iran. No further details are available about his arrest and subsequent trial.

Fears for Mohammad Ali Navid Khamami's life increased after the spokesman for the Judiciary, Ali Reza Jamshidi, confirmed in a press conference on 5 May 2009 that another man had been stoned to death in the Iranian month of Esfand (February- March 2009). Although Ali Reza Jamshidi also said that he was not aware of anyone else at risk of stoning in Rasht, but he did not deny the possibility.

Amnesty International had written to the Head of the Judiciary on 3 April 2009 requesting confirmation that 30-year-old Vali Azad from Parsabad had been stoned to death in secret in Lakan Prison on 5 March 2009. He had been sentenced to stoning to death for "adultery while being married" by Hojjatoleslam Kashani, Head of Branch 11 of the General Court in Gilan Province. According to the report received by Amnesty International, a woman convicted in the same case had been pardoned. Following his execution, Vali Azad's body was reported to have been buried in secret, despite requests by his family to have his body returned to them for burial.

BACKGROUND INFORMATION

Stoning in Iran is prescribed for the offence of "adultery while being married". In 2002, the Head of the Judiciary instructed judges to impose a moratorium on stonings. However, at least five men and one woman have been stoned to death since 2002. In January 2009, Ali Reza Jamshidi, while confirming two executions by stoning in December 2008, said that the directive on the moratorium had no legal weight and judges could therefore ignore it.

At least eight women and two other men are also believed to be at risk of stoning to death in Iran (see UA 50/09, MDE 13/015/2009, 24 February 2009 and UA 10/09, MDE 13/005/2009, 16 January 2009).

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

- expressing deep regret at the stoning to death of Vali Azad on 5 March 2009;
- calling on the authorities to immediately commute the sentence of death by stoning faced by Mohammad Ali Navid Khamami;
- calling on the authorities to immediately commute all other sentences of death by stoning;
- calling on them not to allow the execution by any other means of those sentenced to stoning;
- urging the authorities to ensure that the moratorium on stonings is implemented immediately and effectively, making it clear to officials of law enforcement, custodial and other relevant ministries and agencies that this moratorium must not be breached and that any officials who defy that instruction will be held accountable;

- calling on the authorities to urgently reform the law on stoning in Iran, and urging that any new legislation permits neither stoning nor any other form of execution for "adultery while being married".

APPEALS TO:

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi
c/o Director, Judiciary Public Relations and Information Office
Ardehsir Sadiq
Judiciary Public Relations and Information Office
No. 57, Pasteur St., corner of Khosh Zaban Avenue
Tehran, Islamic Republic of Iran

Email: info@dadiran.ir (In the subject line write: **FAO Ayatollah Shahroudi**)

Salutation: **Your Excellency**

Head of Gilan Judiciary

Office of Gilan Judiciary
Rasht
Gilan Province
Islamic Republic of Iran

Email: info@gildad.ir (In the subject line write: **FAO Head of Gilan Judiciary**)

Salutation: **Dear Sir**

COPIES TO:

Leader of the Islamic Republic

Ayatollah Sayed 'Ali Khamenei
The Office of the Supreme Leader
Islamic Republic Street – End of Shahid Keshvar Doust Street
Tehran, Islamic Republic of Iran

Email: info_leader@leader.ir

via website: <http://www.leader.ir/langs/en/index.php?p=letter> (English)

<http://www.leader.ir/langs/fa/index.php?p=letter> (Persian)

Salutation: **Your Excellency**

Director, Human Rights Headquarters of Iran

Mohammad Javad Larijani
Howzeh Riyasat-e Goveh Qazaiyeh / Office of the Head of the Judiciary
Pasteur St, Vali Asr Ave., south of Serah-e Jomhuri
Tehran 1316814737, Iran

Fax: **+98 21 3390 4986 (please keep trying)**

Email: info@dadgostary-tehran.ir (In the subject line write: **FAO Javad Larijani**)

Salutation: **Dear Mr Larijani**

and to diplomatic representatives of Iran accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.