

PUBLIC

AI Index: MDE 13/002/2004

09 January 2004

Further Information on UA 364/03 (MDE 13/041/2003, 15 December 2003) Fear of imminent execution

IRAN

Kobra Rahmanpour (f), aged about 22

Kobra Rahmanpour was reportedly arrested on 5 November 2000 for killing her mother-in-law. Despite a plea that she was acting in self-defence after her mother-in-law tried to attack her with a kitchen knife, she was sentenced to death by Branch 1608 of Tehran's Criminal Court, on or around 1 January 2002. The death sentence was upheld by the Supreme Court in January 2003.

According to a report on the Iranian news site, *Yas-e No*, on 1 January 2004 Kobra Rahmanpour's execution was postponed for 15 days, on the order of Judge Asgar from the Unit of Enforcement of Sentences. On 4 January, the daily Iran newspaper reported that Ayatollah Shahroudi, the Head of the Judiciary, had said that in view of the possibility that the victims' family may agree to pardon Kobra Rahmanpour, an order was issued to Tehran's Judiciary, to temporarily stay the execution. According to Iran's penal code, death sentences imposed for murder, that have been confirmed by the Supreme Court, can only be commuted if the victim's heirs forgo their right to retribution and ask instead for the payment of blood money (*diyeh*), or alternatively if the Head of the Judiciary invokes his power to revoke a finalized verdict if it is flawed, and refers the case to another court.

The stay of execution was widely publicised in the Iranian press, and it has been reported that scores of letters have been sent to Iranian daily papers urging the victims' family to pardon Kobra Rahmanpour.

Prior to this, on 31 December 2003, it was reported in several daily Iranian newspapers that Kobra Rahmanpour was due to be executed that morning, after her lawyer was informed by the Unit for Enforcement of Judgements, on 30 December, that his client would be executed at Evin Prison the next day.

According to the *Yas-e No* reporter who attended Evin prison on the morning of 31 December, the family of the victim, and Kobra's lawyer, arrived at the prison in the early hours of the morning. It is alleged that Kobra Rahmanpour's mother made a final plea to the family of the victim to pardon her daughter, which was unsuccessful. After a long wait outside the prison, the victims' family and Kobra's lawyer were eventually called inside the prison whereupon they were informed by prison authorities that there were no executions scheduled for that day.

Upon leaving Evin, Kobra's lawyer informed reporters that there had been an error in the communication of the order and the prison authorities were not prepared to execute her. Later that day, the Judge of the Unit for Enforcement of Judgements 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 prepared, and that the head of the prison had been summoned to account for this negligence. According to press reports, the prison authorities had attempted to prepare for the execution at short notice, and lacked a pair of handcuffs to transport Kobra.

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

- urging that the death sentence imposed on Kobra Rahmanpour be commuted immediately;
- asking the authorities to ensure that the victim's family is made aware of its right, under Islamic law, to pardon the condemned;

- urging the authorities to ensure that Kobra Rahmanpour is treated with respect and dignity, in accordance with Article One of the International Covenant on Civil and Political Rights (ICCPR), which says that "all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person";
- stating that Amnesty International recognizes the rights and responsibilities of governments to bring to justice those suspected of criminal offences, but strongly opposes the death penalty as the ultimate cruel, inhuman and degrading punishment, in violation of the Universal Declaration of Human Rights and the ICCPR, to which Iran is a state party.

APPEALS TO:

Head of the Judiciary

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

Telegram: Head of Judiciary, Ministry of Justice, Tehran, Islamic Republic of Iran

Fax: + 98 21 879 6671 (please keep trying; please mark "care of Director of International Affairs, Judiciary")

Salutation: Your Excellency

Leader of the Islamic Republic

His Excellency Ayatollah Sayed Ali Khamenei,
The Presidency, Palestine Avenue,
Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Telegram: Leader of Islamic Republic, Tehran, Islamic Republic of Iran

E-mail: webmaster@wilayah.org (on the subject line write: For the attention of the office of His Excellency, Ayatollah al Udhma Khamenei, Qom)

Salutation: Your Excellency

President

His Excellency Hojjatoleslam val Moslemin Sayed Mohammad Khatami
The Presidency, Palestine Avenue
Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Telegram: President, Tehran, Islamic Republic of Iran

E-mail: khatami@president.ir (please resend your message if it does not get through the first time)

Salutation: Your Excellency

COPIES TO:

Spokesperson of the Government of Iran

Mr Abdollah Ramanzadeh

Email: webmaster@information.spk-gov.ir

Salutation: Dear Sir

Islamic Human Rights Commission

Mr Mohammad Hassan Zia'i-Far
Secretary, Islamic Human Rights Commission
PO Box 13165-137, Tehran, Islamic Republic of Iran

Fax: + 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 20 February 2004.