

# AMNESTY INTERNATIONAL

## Press release

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### **Iran must not execute woman spared stoning death by any means**

Amnesty International today urged the Iranian authorities not to execute by any method a 43-year-old woman convicted of adultery, following an official statement that she will not be executed by stoning.

The Iranian Embassy in London announced on Thursday that Sakineh Mohammadi Ashtiani would not be stoned to death. However, fears remain that the mother-of-two could be hanged, as she has been convicted of "adultery while married".

"We note the Iranian Embassy's statement on stoning, but a mere change of the method of execution would not address the injustice faced by Sakineh Mohammadi Ashtiani," said Hassiba Hadj Sahraoui, Amnesty International's Middle East and North Africa deputy director.

"The statement does not specify which judicial authorities in Iran have been consulted. Until she and her lawyer have been officially notified otherwise, she could still face execution, including by stoning," said Hassiba Hadj Sahraoui. Sakineh Mohammadi Ashtiani was convicted in May 2006 of having an "illicit relationship" with two men and received 99 lashes as her sentence. Despite this, she was then also convicted of "adultery while being married", which she has denied, and sentenced to death by stoning.

She has retracted a "confession" made during interrogation, stating that it was made under duress. However, she was convicted by a majority of three out of five trial judges on the basis of the "knowledge of the judge".

This is a provision in Iranian law that allows judges to make their own subjective and possibly arbitrary determination of guilt, even in the absence of clear or conclusive evidence.

Sakineh Mohammadi Ashtiani's death sentence was confirmed by the Supreme Court on 27 May 2007. Her case has been sent to the Amnesty and Clemency Commission twice, but her request for clemency was rejected on both occasions.

The judicial authorities in Iran must immediately clarify Sakineh Mohammad Ashtiani's legal status and conduct a thorough review of her case, as well as all other cases where stoning sentences have been passed, Amnesty International said.

"A declaration by the Ministry of Foreign Affairs is simply not enough to save once and for all the life of Sakineh Mohammadi Ashtiani. We fear that this announcement might just be a tactic to deflect criticism," said Hassiba Hadj Sahraoui.

"To punish - and in some cases execute - people for being in consenting relationships is no business of the state. Anyone treated as such is a prisoner of conscience," said Hassiba Hadj Sahraoui.

Amnesty International is aware of at least 10 other people (seven women and three men) under sentence of stoning and believes there are likely to be others. Last year, at least three people sentenced to death by stoning were in fact executed by hanging.

"Any form of state killing is unacceptable and inhumane, and Iran must now give assurances that Sakineh - along with the numerous other prisoners on death row in Iran - will not be killed by any means."

Thursday's statement said that stoning as a punishment has now been removed from a new draft of Iran's Penal Code, which is currently under review by Iran's parliament and is yet to be ratified.

However, it remains to be seen if this decision has been ratified and if it will be implemented.

Amnesty International has also called on Iran's lawmakers to confirm the statement made by the Embassy in London in relation to the banning of the punishment of stoning in the new version of the Penal Code under consideration.

Amnesty International opposes the criminalization of consensual sexual relations.

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