

PUBLIC

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UA 11/06 Imminent execution

IRAN Azam Ghareh Shiran (f), aged around 37

Azam Ghareh Shiran, who was sentenced to death in April 2002 for being an accomplice in the murder of her husband, who had allegedly forced her into prostitution, could now be executed at any time, possibly within days. The Head of the Judiciary has the power to order a stay of execution.

Azam Ghareh Shiran was allegedly forced to marry one of her father's cousins at the age of 15. She claims that her husband was a violent unemployed drug addict, who forced her into prostitution to support the family, and who she feared intended to also force their nine-year-old eldest daughter into prostitution. She ran away with her three children in around 1996, after beginning a relationship with another man, Abbas A, who bought a house for her. She tried twice to obtain a divorce, without success.

A year after she left, her husband found her and threatened to have her convicted of adultery and stoned to death. Azam and Abbas invited him to dinner, apparently hoping to placate him by offering him money. Azam put sleeping pills in the soup, to put her husband and children to sleep, and once he was asleep Abbas reportedly strangled him. They disposed of the body in a canal.

Azam was arrested in 1998 after the authorities became suspicious of her and Abbas, when they tried to obtain a divorce for her, while claiming to be brother and sister, on the grounds that her husband had deserted her. Under "pressure", Azam confessed to cooperating with Abbas A in the murder of her husband. She reportedly made this confession in the belief that it would mean that Abbas would face lesser charges, and escape the death penalty. She has since retracted this confession.

Azam was held in Evin prison for two years before she was put on trial, and had no access to a lawyer until the day her trial began, when she was assigned one by the court as she could not afford to hire one herself. In April 2002, she was sentenced to *qisas-e nafs* (retribution in kind) for "being an accomplice to murder" (in Persian, *mosharekat dar ghatl*). As the body was never found, the cause of death was not established, and the sleeping pills are not cited in the case file as the cause of death. Her lawyers have asserted that she should actually have been charged with "assisting a murderer" (in Persian *mo-aven dar ghatl*), which carries a maximum 15-year prison sentence.

Azam's death sentence was passed to the Supreme Court for approval, like all death sentences in Iran. The Supreme Court found problems with the lower court's proceedings, and referred the case for re-examination to a lower court, which again passed the death sentence on 21 July 2004. On 8 November 2004, the sentence was upheld by the Supreme Court. Her lawyers requested a re-trial, and the execution order was suspended, but this request was apparently rejected, and so the sentence has been passed to the body which carries out executions, the Unit for the Enforcement of Judgements.

Abbas A was also sentenced to death, and his sentence was upheld by the Supreme Court. Under the Iranian penal code, if a prisoner is sentenced to *qisas-e nafs*, the decision on whether the death penalty shall be inflicted rests with the victim's blood relatives. They can forgo their right to *qisas* and instead request *diyeh* (blood-money) or just pardon the culprit. The family of Azam's husband have reportedly agreed to forgo their right to retribution and accept blood money from Abbas A. They have reportedly refused to do so for Azam, and have asked for her to be executed.

Azam Ghareh Shiran has three children, the youngest of whom was only a few months old at the time of her arrest. Azam has now been in prison for seven years, during which her children have been in government custody. Her eldest daughter married and assumed custody of her siblings two years ago.

BACKGROUND INFORMATION

Amnesty International opposes the death penalty as the ultimate cruel, inhuman and degrading punishment, in violation of the Universal Declaration of Human Rights. In 2005, Amnesty International recorded at least 94 executions in Iran, although the true figure may be considerably higher.

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

- urging the authorities to stop the execution of Azam Ghareh Shiran;
- urging the authorities to commute her death sentence immediately;
- calling for the case against Azam Ghareh Shiran to be reviewed urgently, and in particular for the charges against her to be re-examined;
- expressing concern that Azam Ghareh Shiran was reportedly detained without trial for two years after her arrest, and did not have access to a lawyer until the first day of her trial;
- acknowledging that governments have a responsibility to bring to justice those suspected of criminal offences, but stating your unconditional opposition to the death penalty, as the ultimate cruel, inhuman and degrading punishment and violation of the right to life.

APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei, The Office of the Supreme Leader
Shoahada Street, Qom, Islamic Republic of Iran

Fax: + 98 251 7 774 2228 (mark "FAO the Office of His Excellency, Ayatollah al Udhma Khamenei")

Email: info@leader.ir
istiftaa@wilayah.org

Salutation: Your Excellency

Head of the Judiciary

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

Email: irjpr@iranjudiciary.org (mark "Please forward to His Excellency Ayatollah Shahroudi")
This email address can be unreliable. If it does not work, please send your appeal via the judiciary website: www.iranjudiciary.org/feedback_en.html

Salutation: Your Excellency

COPIES TO:

President

His Excellency Mahmoud Ahmadinejad
The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Fax: + 98 21 6 649 5880

Email: dr-ahmadinejad@president.ir

(via website) <http://www.president.ir/email>

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 22 February 2006.