

EXTERNAL

AI Index: MDE 13/25/97

6 June 1997

Further information on EXTRA 46/97 (MDE 13/12/97, 2 April 1997) and follow-up (MDE 13/14/97, 7 April) - Fear of imminent execution

IRAN Mohammad Assadi, lawyer, aged 68

According to reports received by Amnesty International, Mohammad Assadi was recently notified officially that his appeal against his conviction and sentence has been rejected by Iran's Supreme Court. The exact charges against him remain unknown to the organization, but they are believed to be politically motivated.

His sole chance of escaping execution now rests with the possibility of a pardon by the Leader of the Islamic Republic of Iran, on the recommendation of the Head of the Judiciary.

Amnesty International has received reports that after his appeal was rejected by the Supreme Court, Mohammad Assadi sought a review of the verdict under Article 31 of the Law on the Formation of Public and Revolutionary Courts (see background). His application for a review was reportedly rejected. Amnesty International believes that since his trial was reportedly unfair, because among other things, he was not granted a lawyer of his choice, Mohammad Assadi should be retried promptly and fairly according to international standards, or be released.

Amnesty International is concerned at reports which suggest that Mohammad Assadi has not been allowed contact with other prisoners since his arrest in September 1993. Reports further suggest that he has not received any medical care for his heart and eye problems. He is believed to be currently held in a military prison in Tehran.

FURTHER BACKGROUND INFORMATION

Article 19 of the Law on Formation of Public and Revolutionary Courts states that a review of the court's verdict may be sought by the defendant if the death sentence is passed. Further to this, the defendant may under Article 31 request a review of the verdict rendered by any court, even if confirmed by an earlier review, provided that it can be demonstrated that either a judge has made a mistake or that the court did not have the jurisdiction to render the verdict, as detailed in Article 18.

The United Nations Safeguards guaranteeing protection of the rights of those facing the death penalty, passed in Resolution 1989/64 on 24 May 1989 states that, "Capital punishment may only be carried out... after legal process which gives all possible safeguards to ensure a fair trial, at least equal to those contained in Article 14 of the International Covenant on Civil and Political Rights, including the right of anyone suspected of or charged with a crime for which capital punishment may be imposed to adequate legal assistance at all stages of the proceedings".

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in French, English or in your own language:

- expressing deep concern that Mohammad Assadi remains under sentence of death and urging that his sentence be commuted and that he be tried promptly and fairly in accordance with international standards;

- calling on the authorities to put an end to Mohammad Assadi's solitary confinement, if the reports that he is being kept in isolation are true, and to grant him access to a doctor of his choice;
- calling for the commutation of all other pending death sentences in Iran;
- urging the authorities to ensure that all political prisoners in Iran are afforded a fair trial, safeguards which are all the more important where the defendant may be facing execution, the most serious and irreversible of penalties.

APPEALS TO:

1) Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei
The Presidency, Palestine Avenue
Azerbaijan Intersection, Tehran, Islamic Republic of Iran
Telegrams: Ayatollah Khamenei, Tehran, Iran
Salutation: Your Excellency

2) Head of the Judiciary

His Excellency Ayatollah Mohammad Yazdi
Ministry of Justice
Park-e Shahr, Tehran, Islamic Republic of Iran
Telegrams: Head of the Judiciary, Tehran, Iran
Salutation: Your Excellency

3) President Hojjatoleslam

Ali Akbar Hashemi Rafsanjani
The Presidency, Palestine Avenue
Azerbaijan Intersection, Tehran, The Islamic Republic of Iran
Telegrams: President Rafsanjani, Tehran, Iran
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: Minister of the Interior, Tehran, Iran
Faxes: +98 21 655 426/899 547/650203
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
Fax: +98-21-674790

Chairman of the Islamic Consultative Assembly's Human Rights Committee
Iman Khomeini Avenue, Tehran, Islamic Republic of Iran

Mr Mohammad Hassan Zia'i, Secretary, Islamic Human Rights Committee,
PO Box 13165-137, 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 July 1997.