

PUBLIC

AI Index: MDE 13/041/2003

15 December 2003

UA 364/03 Fear of imminent execution

IRAN Kobra Rahmanpour (f), aged about 22

Amnesty International fears that Kobra Rahmanpour is at risk of imminent execution. She was sentenced to death for the premeditated murder of her mother-in-law in 2000, and her husband, the victim's son, has demanded that the death sentence be carried out. According to a report in the Iranian daily newspaper, *Yas-e No*, the execution may take place within the next month.

On or around 10 November, Kobra Rahmanpour's husband reportedly presented documents establishing him as the legitimate representative of his mother's heirs. He is therefore entitled to request that the death sentence be carried out, as 'retribution in-kind' (*qisas-e nafs*). According to Iran's Penal Code, the decision to inflict retribution (*qisas-e nafs*) rests with the heirs of the victims. After being confirmed by the Supreme Court, death sentences imposed for murder 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 if the Head of the Judiciary invokes his power to revoke a finalized verdict if it is flawed, and refer the case to another court. It is reported that Kobra Rahmanpour's lawyer will ask for clemency from the victim's family.

Kobra Rahmanpour was reportedly arrested on 5 November 2000 after killing her mother-in-law. She allegedly acted in self-defence after her mother-in-law tried to attack her with a kitchen knife. At an unknown date, she was tried by Branch 1608 of Tehran's Criminal Court, where she was sentenced to death. Her lawyer has reportedly complained that the court did not consider, nor conduct any investigation into, her claim that the murder was in self-defence. Her lawyer is believed to have alleged that wounds on Kobra Rahmanpour's right hand had been sustained due to pulling the knife from the hands of her mother-in-law. In January 2003 her death sentence was upheld by the Supreme Court. Kobra Rahmanpour has been held in prison, possibly in Tehran, since her arrest three years ago.

It is alleged that Kobra Rahmanpour was forced into marriage against her will by her parents, and had been the victim of domestic violence since her marriage.

BACKGROUND INFORMATION

Amnesty International has recorded 106 executions so far this year in Iran, although the true figure may be much higher.

Amnesty International opposes the death penalty as the ultimate cruel, inhuman and degrading punishment, in violation of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party. Article 6 of the ICCPR states: *¶*In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes[¶].

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

- 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;
- urging that the death sentence imposed on Kobra Rahmanpour be commuted immediately;
- asking to be given details of the trial proceedings, and enquiring whether Kobra Rahmanpour has been allowed to appeal against her conviction and sentence as guaranteed by Article 14 (5) of the ICCPR;
- expressing concern at the lengthy imprisonment without bail of Kobra Rahmanpour

- calling for the allegation of self-defence to be properly investigated and considered in any appeal or re-examination of the case;
- urging the authorities to ensure that the victim's family is made aware of its right, under Islamic law, to pardon the condemned;
- reminding the authorities that the death penalty is in violation of the ICCPR, to which Iran is a state party.

APPEALS TO:

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahrudi
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:

Minister of Foreign Affairs,

His Excellency Kamal Kharrazi
Ministry of Foreign Affairs, Sheikh Abdolmajid Keshk-e Mesri Av
Tehran, Islamic Republic of Iran

Fax: + 98 21 390 1999 (please keep trying; please mark "care of Human Rights Department, Foreign Ministry)

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 27 January 2004.