

PUBLIC

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UA 256/05 Torture/Death Penalty/Imminent Execution

IRAN Moussa Esfandiari Mehni (m), aged 42, farmer

Farmer Moussa Esfandiari Mehni was sentenced to death in October 2004, apparently convicted of smuggling firearms and opium. He is alleged to have confessed under torture. The Supreme Court in Tehran is believed to have upheld the sentence this month. All death sentences in Iran must be upheld by the Supreme Court before they can be implemented, and he could now be executed at any time. The Supreme Leader of Iran, Ayatollah Sayed 'Ali Khamenei, has the power to grant clemency at this stage.

Moussa is married and has seven children. He lives near the town of Baft, in south-eastern Iran. He was allegedly tortured after he was arrested: this included burning, beatings and fake executions, in order to force him to confess. He is now held in Baft prison.

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 and the International Covenant on Civil and Political Rights, to which Iran is a state party.

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

- expressing concern that Moussa Esfandiari Mehni is facing execution, despite allegations that he confessed under torture;
- reminding the authorities that extracting confessions under duress is prohibited by Iranian law;
- urging the authorities to order an investigation into these allegations, and publish the findings;
- stating that Amnesty International recognizes the right and responsibility of governments to bring to justice those suspected of criminal offences, but opposes the death penalty in all circumstances as the ultimate cruel, inhuman and degrading punishment;
- urging the authorities to stop the execution of Moussa Esfandiari Mehni, and to commute his death sentence.

APPEALS TO:

Leader of the Islamic Republic

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

Fax: + 98 21 649 5880 (mark "FAO the Office of His Excellency, Ayatollah al Udhma Khamenei")

Email: info@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")

Salutation: Your Excellency

Minister of the Interior

Hojatoleslam Mustafa Purmohammadi

Ministry of the Interior

Dr Fatemi Avenue

Tehran, Islamic Republic of Iran

Fax: + 98 21 896 0203

COPIES TO:

Speaker of Parliament

Gholamali Haddad Adel

Majles-e Shoura-ye Eslami (Parliament)

Imam Khomeini Avenue, Tehran, Islamic Republic of Iran

Fax: + 98 21 646 1746

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 8 November 2005.