

PUBLIC

AI Index: MDE 13/073/2005

25 November 2005

Further Information on UA 283/05 (MDE 13/052/2005, 1 November 2005) Fear of Imminent Execution

IRAN

Shahla Jahed (f), aged 35

Shahla Jahed is reportedly no longer at imminent risk of execution. According to press reports, her death sentence has been suspended pending the result of a review of her case.

The review follows a letter written by Shahla Jahed's lawyer to the Head of the Judiciary, Ayatollah Mahmoud Hashemi-Shahrudi, requesting a review of the execution order on the basis that the evidence suggested Shahla Jahed may not have committed the crime of which she was accused. Ayatollah Mahmoud Hashemi-Shahrudi reportedly wrote "Let there be a stay of execution so there can be a re-examination of the process" in the margin of the letter. No further details about the review, or the bodies conducting it, are known.

Shahla Jahed was a "temporary" wife of Nasser Mohammad-Khani, a former striker for the Iranian national football team and former manager of a team in Tehran. According to press reports, Shahla Jahed was originally sentenced to death by hanging in 2004 for stabbing to death Laleh Saharkhizan, Nasser Mohammad-Khani's "permanent" wife. Under Iranian law, men and women can have both "permanent" and "temporary" marriages. In a temporary marriage, men and women can commit to be married for a certain period of time, after which the marriage is null and void.

Shahla Jahed is said to have confessed to the murder during the initial investigation, but during her trial consistently maintained her innocence. In December 2004, on being told of a previous Supreme Court ruling in the case, Shahla Jahed reportedly said, "Everyone knows the conditions under which I confessed."

BACKGROUND INFORMATION

Confessions extracted under duress are prohibited by Article 38 of the Constitution of Iran, which says that "All forms of torture for the purpose of extracting confession or acquiring information are forbidden," and Article 9 of the Respect for Legitimate Freedoms and the Preservation of Civil Rights Act, passed in May 2004; which states that "It is prohibited to torture an accused person in order to extract a confession from him, or to force him to do other things. Confessions and admissions obtained in such manner shall have no validity in law or *Sharia* [religious law]." In addition, Iran is a state party to the International Covenant on Civil and Political Rights (ICCPR), of which Article 7 states that "No one shall be subjected to cruel, inhuman or degrading punishment".

Amnesty International opposes the death penalty as the ultimate cruel, inhuman and degrading punishment, in violation of the Universal Declaration of Human Rights.

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

- welcoming reports that Shahla Jahed's death sentence has been suspended pending a review of her case;
- seeking clarification of the scope of this review and the nature of the bodies taking part in it;
- calling for the review to investigate allegations that Shahla Jahed was coerced into confessing to the murder;
- calling for the results of the review to be made public and anyone found to be responsible for the alleged coercion brought to justice;

- reminding the authorities that confessions extracted under duress are prohibited by Article 38 of the Constitution of Iran, and Article 9 of the Respect for Legitimate Freedoms and the Preservation of Civil Rights Act, passed in May 2004; and that Iran is a state party to the International Covenant on Civil and Political Rights (ICCPR), of which Article 7 states that "No one shall be subjected to torture or to cruel, inhuman or degrading punishment";
- calling for Shahla Jahed's death sentence to be overturned.

APPEALS TO:

Supreme 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@wilayah.org

OR info@leader.ir

OR istiftaa@wilayah.org

Salutation: Your Excellency

Head of the Judiciary

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")

OR Rahimi@iranjudiciary.org

OR via website: www.iranjudiciary.org/feedback_en.html

Fax: + 98 21 8 879 6671 / 6 640 4018 / 6 640 4019

Salutation: Your Excellency

COPIES TO:

Minister of the Interior

Hojatoleslam Mustafa Purmohammadi
Ministry of the Interior, Dr Fatemi Avenue
Tehran, Islamic Republic of Iran

Email: ravabetomomi@moi.gov.ir

Fax: + 98 21 8 896 203/ 899 547/ 6 650 203

Speaker of Parliament

Gholamali Haddad Adel
Majles-e Shoura-ye Eslami
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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 6 January 2006.