PUBLIC AI Index: MDE 13/036/2006

20 April 2006

Further Information on UA 332/04 (MDE 13/048/2004, 10 December 2004) and follow-up (MDE 13/001/2005, 11 January 2005; MDE 13/068/2005, 08 November 2005) - Fear of imminent execution/fear of flogging

IRAN

Leyla Mafi, (f), aged about 20

Leyla Mafi is now known to have had her sentence of 99 lashes inflicted in February at the headquarters of the Justice Department in the city of Arak. Afterwards she was moved to a women's rehabilitation centre in Tehran, where she is obliged to stay for eight months.

Her lawyer thanked all the activists inside and outside Iran who campaigned to save Leyla from the death penalty, and said that despite the trauma Leyla had been through, she was very glad to be alive.

Leyla Mafi was forced into prostitution by her mother when she was eight years and raped repeatedly thereafter. She was arrested in early 2004 and charged with "acts contrary to chastity" by controlling a brothel, having intercourse with blood relatives and giving birth to an illegitimate child. Tests carried out by social workers reportedly showed that she had a mental age of eight, but despite this she was sentenced to flogging followed by death.

In response to urgent appeals from human rights defenders inside Iran, from Amnesty International's membership and Urgent Action network, and from foreign governments, the Iranian government took the exceptional step of publicly commenting on the case at a news conference on 26 December 2004. They contested Amnesty International's information about the case, but nonetheless announced that Leyla Mafi's case would be reviewed.

On 27 March 2005 the Supreme Court overturned the death sentence, but upheld the sentence of flogging. The case was sent back to the Court of First Instance in Arak for a retrial. In October 2004 Leyla Mafi was acquitted of the charge of incest (which carries the death penalty), and of controlling a brothel. However, she was convicted of an "unchaste act with a next of kin (other than fornication)" and was sentenced to 99 lashes. She was also sentenced to three and a half years imprisonment for "providing the facilities for corruption and prostitution by being available for sexual acts". The judge also ordered that following the completion of her prison sentence, she should reside for eight months in a women's rehabilitation centre.

MANY THANKS TO ALL THOSE WHO SENT APPEALS. No further action is requested from the UA network.