

28 September 2006

UA 257/06 **Death penalty/ stoning**

IRAN Parisa (f)]
 Iran (f)] full names known to Amnesty International
 Khayrieh (f)]
 Shamameh Ghorbani (also known as Malek) (f)
 Kobra Najjar (f, aged 44)
 Soghra Mola'i (f)
 Fatemeh (f)

The women named above are at risk of execution by stoning.

Parisa was arrested in April 2004, while working as a prostitute in the city of Shiraz in southern Iran. She confessed to the charge of adultery during the preliminary investigations, claiming that she had been forced into prostitution by her husband due to the family's poverty. Her trial took place in June 2004, during which Parisa retracted her confession. Nevertheless, on 21 June 2004, Branch 5 of Fars province Criminal Court sentenced her to death by stoning for adultery. The sentence was upheld by Branch 32 of the Supreme Court on 15 November 2005. Her case is currently being reviewed by the Supreme Court. Parisa is detained in Adelabad prison in Shiraz.

Iran, an Ahwazi Arab from the Bakhtiari clan, was reportedly talking to the son of a neighbour in the courtyard of her house, when her husband attacked her with a knife. She was badly beaten and left bleeding and unconscious on the floor. While she was unconscious, it is alleged that the man killed her husband with his own knife. While police were interrogating her about the killing, Iran reportedly confessed to adultery with the son of her neighbour. However she later retracted her confession. A court in a city in Khuzestan sentenced her to five years' imprisonment for being an accomplice in the murder of her husband, and to execution by stoning for adultery. The verdict was upheld by the Supreme Court in April 2006. Her lawyer has appealed against the sentence. She is detained in Sepidar prison, in Ahvaz city.

Khayrieh, an Ahwazi Arab, was reportedly subjected to domestic violence by her husband. She allegedly began an affair with a relative of her husband, who then murdered him. She was sentenced to death by Branch 3 of Behbahan Court, in Khuzestan in southwestern Iran, for being an accomplice in the murder of her husband, and death by stoning for adultery. Khayrieh has denied any involvement in her husband's murder, but confessed to adultery. The sentence was upheld, and the case has reportedly been sent to the Head of the Judiciary for permission to be implemented. Talking about her fate, Khayrieh said "I am ready to be hanged, but they should not stone me. They could strangle you and you would die, but it is very difficult to have stones hitting you in the head".

Shamameh Ghorbani (also known as Malek), arrested in June 2005, was sentenced to execution by stoning for adultery by a court in Oromieh in June 2006. She is reportedly held in Oromieh prison. Her brothers and husband reportedly murdered a man that they found in her house, and she too was nearly killed after they stabbed her with a knife. Shamameh Ghorbani's case is reportedly being re-examined.

Kobra Najjar, who is detained in Tabriz prison in northwestern Iran, is at imminent risk of execution. She was sentenced to eight years' imprisonment for being an accomplice to the murder of her husband, and execution by stoning for adultery. She was scheduled to be executed after serving her prison sentence, which was finished two years ago. She has reportedly written to the Judicial Commission for Amnesty to ask for her sentence of execution by stoning to be commuted, and is awaiting a reply. Kobra Najjar was allegedly

forced into prostitution by her husband, a heroin addict who was violent towards her. In 1995, after a severe beating by her husband, she told one of her regular customers that she wanted to kill her husband. The customer allegedly murdered her husband after Kobra Najjar took him to an arranged meeting place. He was sentenced to death, but he was pardoned by the victim's family, to whom he paid *diyeh* (blood money).

Soghra Mola'i was sentenced to 15 years' imprisonment for being an accomplice to the murder in January 2004 of her husband Abdollah, and to execution by stoning for adultery. During interrogation she said "My husband usually tormented me. Nevertheless, I did not intend to kill him. On the night of the incident ... after Alireza killed my husband, I ran away with him because I was scared to stay at home, thinking that my brothers-in-law would kill me." Alireza was sentenced to death for the murder of Soghra Mola'i's husband, and to 100 lashes for "illicit relations". The sentences are pending examination by the Supreme Court. It is believed that Soghra Mola'i is detained in Reja'i Shahr prison, Karaj, near Tehran.

In May 2005, Branch 71 of the Tehran Province Criminal Court sentenced **Fatemeh** (surname unknown) to retribution (*qesas*) for being an accomplice to murder, and execution by stoning for having an 'illicit relationship' with a man named Mahmoud. Her husband was sentenced to 16 years' imprisonment for being an accomplice to the murder of Mahmoud. The case is currently being examined in the Supreme Court. According to a May 2005 report in the newspaper *Etemad*, an altercation occurred between Mahmoud, and Fatemeh's husband. Fatemeh confessed to tying a rope around Mahmoud's throat, which resulted in his strangulation. She has claimed that she intended merely to tie his hands and feet after he was unconscious and hand him over to the police.

BACKGROUND INFORMATION

Amnesty International is aware of two other women under sentence of execution by stoning in Iran, Ashraf Kalhori (see UA 203/06, MDE 13/083/2006, 27 July 2006; and updates), and Hajieh Esmailvand (see UA 336/04, MDE 13/053/2004, 16 December 2004; and updates). The Head of the Judiciary announced a moratorium on the use of stoning in December 2002, but reports indicate a man and a woman may have been stoned to death in May 2006.

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

- calling for the sentences of execution by stoning of the seven women named above (naming them) to be commuted immediately;
- stating your unconditional opposition to the death penalty, as the ultimate cruel, inhuman and degrading punishment and violation of the right to life;
- reminding the Iranian authorities that the UN Human Rights Committee (in the case of *Toonen v Australia*) has made clear that treating adultery and fornication as criminal offences does not comply with international human rights standards. Therefore the sentence of execution by stoning for adultery breaches Iran's commitment under article 6(2) of the International Covenant on Civil and Political Rights that death sentences will be imposed "only for the most serious crimes";
- calling for the abolition of execution by stoning in Iran as a positive step towards implementing international law and standards for the protection of human rights.

APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei, The Office of the Supreme Leader
Shoahada Street, Qom, Islamic Republic of Iran

Email: info@leader.ir OR istiftaa@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: Please send emails via the feedback form on the Persian site of the website:

<http://www.iranjudiciary.org/contactus-feedback-fa.html>

(The text of the feedback form translates as: 1st line: name, 2nd line: email address, 3rd line: subject heading, then enter your email into the text box)

Salutation: Your Excellency

COPIES 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 9 November 2006.