

PUBLIC

AI Index: MDE 13/006/2001

18 January 2001

Further information on EXTRA 05/01 (MDE 13/004/01, 16 January 2001) - Imminent execution

IRAN11 men aged 20-30, names not known

Maryam Ayoubi (f), aged 31

Hossein Esna 'Ashari, 24

Ali Hassanzadeh, 25

Mostafa Nikbakht, 22

Mir Jalil Sayed Nazari, 22

Six of the 11 men mentioned above were executed on 17 January. They were hanged at dawn, according to press reports citing Iranian state radio.

A further three were apparently pardoned by the victims' families, while the executions of the remaining two men had been postponed.

Maryam Ayoubi had reportedly been facing 15 years' imprisonment followed by stoning to death (see EXTRA 05/01, MDE 13/004/2001, 16 January 2001). However, new reports indicate that she will simply be stoned to death.

Stoning to death is prescribed for certain offences under the Iranian Penal Code. According to the Penal Code, men should be buried in a pit in the ground up to their waists, and women buried up to their chests. Individuals who manage to dig themselves out and escape from the pit whilst the stoning is being carried out have their lives spared. Article 104 of the Penal Code states that "...the stones should not be too large so that the person dies on being hit by one or two of them..." so is designed to cause grievous pain leading to eventual death.

In the unlikely event that she manages to dig herself free before she is killed, Maryam Ayoubi will then start her 15-year sentence. It is not known when this sentence will be carried out.

Amnesty International has no new information on Hossein Esna 'Ashari, Ali Hassanzadeh, Mostafa Nikbakht or Mir Jalil Sayed Nazari

An article concerning this Urgent Action was published in the **[English-language]** Tehran Times newspaper on 18 January. It stated that "The West intentionally wants to interfere in internal matters of Iran, levelling baseless charges." It also said that "Such a move by Amnesty is nothing but open interference in Iran's internal affairs."

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- expressing your regret that six of the eleven men have been executed despite international appeals;
- urging that the death sentences imposed on the remaining two men be commuted immediately;
- urging the authorities not to carry out the sentence of stoning to death against Maryam Ayoubi, as it constitutes cruel, inhuman and degrading treatment amounting to torture and is therefore a violation of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party;

- seeking clarification of the status of Hossein Esna 'Ashari, Ali Hassanzadeh, Mostafa Nikbakht and Mir Jalil Sayed Nazari and urging that if their death sentences have also been upheld, they should also be halted immediately;
- expressing your sympathy for the victims of violent crime and recognising the rights and responsibilities of governments to bring to justice those suspected of criminal offences, but stating your unconditional opposition to the death penalty irrespective of the crime for which it is imposed, as the ultimate violation of the right to life;
- reminding the Iranian authorities of their commitment to the Universal Declaration of Human Rights, in particular Article 3: "Everyone has the right to life, liberty and security of person."

APPEALS TO:

Leader of the Islamic Republic of Iran,
 His Excellency Ayatollah Sayed Ali Khamenei
 c/o The Presidency, Palestine Avenue, Azerbaijan Intersection,
 Tehran, Islamic Republic of Iran
Telegrams: Ayatollah Khamenei, Tehran, Islamic Republic of Iran
Salutation: Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahrudi
 Ministry of Justice
 Park-e Shahr
 Tehran
 Islamic Republic of Iran
Telegrams: Head of Judiciary, Tehran, Islamic Republic of Iran
Faxes: + 98 21 537 8827 (number may be unreliable. A recorded message, in English, will indicate when to send fax - please send before it gives you the tone to leave a voice message)
Salutation: Your Excellency

President

His Excellency Hojjatoleslam Sayed Mohammad Khatami
 The Presidency, Palestine Avenue, Azerbaijan Intersection,
 Tehran, Islamic Republic of Iran
Telegrams: President Khatami, Tehran, Islamic Republic of Iran
Faxes: + 98 21 649 5880
E-mails: khatami@president.ir
Salutation: Your Excellency

Nasser Qavami, Head Judicial & Legal Affairs Committee

Majles-e Shura-ye Eslami
 Imam Khomeini Avenue
 Tehran, Islamic Republic of Iran
Telegrams: Majles, Tehran
Telex: 21 42 32 ICAI IR
 Fax: +98.21.646 1746 (occasionally difficult to reach, please be patient)
 Salutation: Dear Sir
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 1 March 2001.