

PUBLIC

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16 December 2005

UA 319/05 Death Penalty/Fear of Imminent Execution/Flogging

IRAN **Habib (m)**
 Ali-Reza (m)
 Sa'id (m)

Habib has been sentenced to death, and Ali-Reza and Sa'id to public flogging, for the rape of a woman. Their appeals have just been rejected, and their sentences could be carried out at any time. At this stage the Head of the Judiciary has the power to order a stay of execution and a review of the case.

The men were arrested and charged after a young woman in Esfahan was raped in August or September 2003. Habib was convicted of "adultery" (*zena-ye mohsineh*), while Ali-Reza and Sa'id were sentenced to 99 lashes each for acts "incompatible with chastity" (*a'mal-e monafi-ye 'effat*)

BACKGROUND INFORMATION

In Iranian law, the penalty for rape is specified under Article 82 of the Penal Code, which deals with punishments for adultery.

Amnesty International opposes the death penalty in all cases as the ultimate cruel, inhuman and degrading punishment, a violation of the Universal Declaration of Human Rights. The organization has recorded 83 executions in Iran so far this year, although the true figure may be much higher. It also opposes the use of cruel, inhuman or degrading punishment such as flogging, which amount to torture. Torture is prohibited by 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 Persian, English, Arabic or your own language:

- urging the authorities to commute the death sentence imposed on Habib and the flogging sentences imposed on Ali-Reza and Sa'id;
- asking for details of their trial and any appeals, and of their legal representation;
- urging the authorities to take steps to end the use of cruel inhuman or degrading punishments such as flogging, which amount to torture;
- acknowledging that governments have a responsibility to bring to justice those suspected of criminal offences, but stating your unconditional opposition to the death penalty, as the ultimate cruel, inhuman and degrading punishment and violation of the right to life.

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: **istiftaa@wilayah.org**
 info@leader.ir

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")**
 iranjudiciary.org/feedback_en.html

Fax: **+ 98 21 8 879 6671**
 + 98 21 6 640 4018
 + 98 21 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

Speaker of Parliament

His Excellency Gholamali Haddad Adel
Majles-e Shoura-ye Eslami
Imam Khomeini Avenue,
Tehran, Islamic Republic of Iran

Fax: + 98 21 6 646 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 27 January 2006.