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Iran: The life of Sakineh Mohammadi Ashtiani remains in the balance

A year after public attention was cast upon Sakineh Mohammadi Ashtiani's plight, her life appears to remain in the balance.

Sakineh Mohammadi Ashtiani, a 43-year-old woman from Iran's Azerbaijani minority, was sentenced in 2006 to be stoned to death for "adultery while married". She was also sentenced to 10 years imprisonment for her role in her husband's murder which, according to her lawyer, was reduced to five years' imprisonment for complicity in the murder. She remains in prison in Tabriz. In a letter sent by the Iranian Embassy in Spain to Amnesty International Spain on 8 July 2011, the Iranian authorities reiterated that she was sentenced to death by stoning and to 10 years' imprisonment for murder.

With the arrest of her lawyer, Javid Houtan Kiyani, in October 2010 Sakineh Mohammadi Ashtiani is without legal representation. Her son, Sajjad Qaderzadeh, and two German journalists arrested at the same time as her lawyer, have since been freed, but Sajjad Qaderzadeh is believed to have been pressured by the authorities to remain silent and not to campaign on behalf of his mother.

It remains unclear whether Javid Houtan Kiyani's request for a judicial review of her stoning sentence has been acted upon or whether now it is even possible for the review to be carried forward.

Similarly, before his arrest, Javid Houtan Kiyani told Amnesty International that her case was to be considered by the Amnesty and Clemency Commission, although since his arrest, it has been impossible to obtain any further information on the progress of her request.

A letter attributed to her lawyer, Javid Houtan Kiyani, circulated in early 2011 stated that he had been tortured in detention. Since 1 November 2010, when a prosecutor said that he was held on suspicion of having three forged or duplicate ID cards, the Iranian authorities have given no information concerning his legal situation. Other sources have since suggested that he has been sentenced to between one and 11 years in prison on various charges, and may still be facing other charges, most, if not all of which appear to relate to his defence of Sakineh Mohammadi Ashtiani.

In April 2011, Amnesty International wrote to the Iranian authorities seeking clarification of his legal status, but has not received a response. If – as appears – he is held solely for the peaceful exercise of his right to freedom of expression, including in connection with his work as a defence lawyer on behalf of Sakineh Mohammadi Ashtiani, he should be released immediately and unconditionally. The allegations that he has been tortured while in detention should be investigated immediately and anyone found responsible for abuses brought to justice.

Under the Iranian Code of Criminal Procedures, an individual convicted of stoning must remain in detention until the sentence is carried out. The life of Sakineh Mohammadi Ashtiani continues to remain in the balance as she is held with a final sentence of stoning passed

against her which has been sent to the Office for the Implementation of Sentences and could therefore be carried out at any time.

Amnesty International is continuing to urge the Iranian authorities not to schedule her execution and to campaign for her sentence to be overturned. If she is now held solely on the grounds of having consensual sexual relations she should be released immediately and unconditionally.

Amnesty International considers stoning to be a particularly repugnant and cruel form of execution and opposes the death penalty in all cases as a violation of the right to life and the ultimate form of cruel, inhuman and degrading punishment.

Death by stoning violates Article 6 [right to life] and 7 [prohibition of torture and cruel, inhuman and degrading treatment or punishment] of the International Covenant on Civil and Political Rights, to which Iran is a state party.

For more information:

Iran: Sakineh Mohammadi Ashtiani: A life in the balance, (Index: MDE 13/089/2010), 28 September 2010, <http://www.amnesty.org/en/library/info/MDE13/089/2010>

Iran: Executions by stoning, (index: MDE 13/095/2010), 23 December 2010, <http://www.amnesty.org/en/library/info/MDE13/095/2010>

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566 or email: press@amnesty.org

International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK
www.amnesty.org