

# URGENT ACTION

## MORE FORCED TV “CONFESSIONS” IN STONING CASE

**Sakineh Mohammadi Ashtiani, who is facing death by stoning, her son Sajjad Qaderzadeh, her lawyer Javid Houtan Kiyan and two German journalists, who are all currently detained in Iran, reportedly made self-incriminating statements on state TV on 15 November. Such statements, likely to have been made under duress, should not be accepted as evidence in court.**

The presenter on IRTV1 said the international reactions to **Sakineh Mohammadi Ashtiani's** possible execution were a “propaganda war against Iran”. In her third TV appearance since August, Sakineh Mohammadi Ashtiani described herself as “a sinner,” and said of people campaigning on her behalf, “They are defending me without any reason. I do not even know these people.” Her son was shown “confessing” to lying about his mother’s treatment in prison, while a voiceover said that **Javid Houtan Kiyan** had acknowledged telling Sajjad to lie about the case. They are believed not to have had access to their families or lawyers since their arrest. The two German journalists, according to a Persian voiceover, said they had been “deceived” by Mina Ahadi, an Iranian woman in Germany campaigning for Sakineh, who, they said, had sent them to Iran, although she has denied this.

The two German journalists, currently in Tabriz, are also facing charges of “espionage”, according to the Head of the East Azerbaijan Judiciary, Hojjatoleslam Malek Ezhder Sharifi, in a 16 November 2010 article carried by Fars News Agency, which is close to the authorities. They have been granted access to German consular officials.

Anyone held solely for peacefully exercising their rights to freedom of expression and association, including in attempting to save the life of Sakineh Mohammadi Ashtiani, should be released immediately and unconditionally. Otherwise, they should be released unless charged with a recognizably criminal offence and tried promptly and fairly in line with the International Covenant on Civil and Political Rights (ICCPR) to which Iran is a state party.

### PLEASE WRITE IMMEDIATELY in Persian, Arabic, English, French or your own language:

- Calling for Javid Houtan Kiyan and Sajjad Qaderzadeh and the two German journalists to be released immediately and unconditionally if, as appears, they are held solely for peacefully receiving or imparting information about the case of Sakineh Mohammadi Ashtiani;
- Expressing concern that they appear to have been forced to make self-incriminating statements on state TV and urging that in line with Article 14(g) of the ICCPR, these recordings are not used as evidence against them in court;
- Calling for them to be granted immediate access to lawyers of their choice and to their families;
- Calling for Sakineh Mohammadi Ashtiani not to be executed by any means and to be released if she is now held solely on the grounds of consensual sexual relations, in which case she would be a prisoner of conscience.

### PLEASE SEND APPEALS BEFORE 28 DECEMBER 2010 TO:

#### Leader of the Islamic Republic

Ayatollah Sayed ‘Ali Khamenei  
The Office of the Supreme Leader  
Islamic Republic Street – End of  
Shahid Keshvar Doust Street, Tehran,  
Islamic Republic of Iran

**Email:** [info\\_leader@leader.ir](mailto:info_leader@leader.ir), **via website:**

<http://www.leader.ir/langs/en/index.php?p=letter>

(English)

**Salutation:** Your Excellency

#### Head of the Judiciary

Ayatollah Sadegh Larijani  
Howzeh Riyasat-e Qoveh Qazaiyeh  
(Office of the Head of the Judiciary)  
Pasteur St., Vali Asr Ave., south of  
Serah-e Jomhouri  
Tehran 1316814737

Islamic Republic of Iran

**Salutation:** Your Excellency

#### **And copies to:**

Secretary General, High Council for  
Human Rights

His Excellency Mohammad Javad  
Larijani, Bureau of International Affairs,  
Office of the Head of the Judiciary,  
Pasteur St., Vali Asr Ave. south of  
Serah-e Jomhouri, Tehran  
1316814737, Islamic Republic of Iran

**Email:** [info@humanrights-iran.ir](mailto:info@humanrights-iran.ir)

**Fax:** + 98 21 5 537 8827 (keep trying)

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date. This is the fifth update of UA: 211/09 Index: MDE 13/082/2009: [http://www.amnesty.org/en/library/info/mde\\_13/082/2009/en](http://www.amnesty.org/en/library/info/mde_13/082/2009/en)

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### ADDITIONAL INFORMATION

Sakineh Mohammadi Ashtiani was arrested in 2005 following the murder of her husband. Initially accused of murder, her children waived their right to press charges against her as is their right under Iranian law. Instead she was charged and convicted under Article 612 of the Penal Code and sentenced to the maximum penalty of 10 years for her alleged role in her husband's death. Her lawyer has said that this was reduced to five years in 2009 – the maximum penalty for “complicity in murder” - after he had successfully argued that she had done nothing which would have led directly to her husband's death. Despite court documents showing that she was sentenced to a prison term in relation to the murder, the Iranian authorities are now trying to claim that judicial proceedings regarding the murder have not yet been completed and appear to be attempting to portray her as a dangerous murderer who deserves to be executed. (For further information, see *Iran: Sakineh Mohammadi Ashtiani, A life in the balance*, Index MDE 13/089/2010, September 2010, <http://www.amnesty.org/en/library/info/MDE13/089/2010/en>)

Her case came to international attention in June 2010, and has led to the arrest and harassment of her son and lawyers. Javid Houtan Kiyani, Sakineh Mohammad Ashtiani's lawyer, and Sajjad Qaderzadeh, her son, were arrested on 10 October in Javid Houtan Kiyani's office along with two German journalists who were conducting an interview with them about her case. The Iranian Embassy in Uruguay confirmed to Amnesty International on 11 November that Sajjad Qaderzadeh was indeed in detention. Another of her lawyers, Mohammad Mostafaei, was forced to flee the country in July for his own safety after he was summoned for interrogation. His wife and brother-in-law were also arrested to try to force him to give himself up. Mohammad Mostafaei has since been sentenced to six years' imprisonment *in absentia* for “acting against national security by discussing Sakineh Mohammad Ashtiani with foreign media” and for “propaganda against the system”.

Recent months have seen increased persecution of defence lawyers. **Nasrin Sotoudeh** remains in detention (see UA 197/10 and update MDE 13/099/2010, <http://www.amnesty.org/en/library/info/MDE13/099/2010/en>), **Mohammad Oliyaeifard**, a lawyer and board member of the Committee for the Defence of Political Prisoners in Iran, a human rights organization, is serving a one-year prison sentence imposed for speaking out against the execution of one of his clients during interviews with international media. Two other lawyers, both colleagues of Nobel Peace Laureate Shirin Ebadi in the NGO Centre for Human Rights Defenders (CHRD), which they all helped to found, are also at risk of prosecution for their human rights work. **Abdolfattah Soltani** and **Mohammad Ali Dadkhah** were both arrested after the disputed presidential election of June 2009. Though both were later released on bail, they have court cases in process or pending against them on vaguely worded charges which could lead to their imprisonment and eventual disbarment. Prominent lawyer, **Mohammad Seyfzadeh**, who is also a founder member of the CHRD, has been sentenced to nine years in prison for “forming an association ... whose aim is to harm national security” and “being a member of an association whose aim is to harm national security” in relation to the CHRD. Five other lawyers have been arrested in recent days, three at an airport in Tehran when returning from Turkey. One of them, **Sara Sabaghian**, included Sakineh Mohammadi Ashtiani among her clients. (For further information, see *Iran: Lawyers' defence work repaid with loss of freedom*, Index: MDE 13/093/2010, 1 October 2010, <http://www.amnesty.org/en/library/info/MDE13/093/2010/en>)

Article 14 of the ICCPR provides for the right of an accused person to have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing. The UN Basic Principles on the Role of Lawyers provide that lawyers must be allowed to carry out their work “without intimidation, hindrance, harassment or improper interference.” In addition, it affirms the right of lawyers to freedom of expression, also provided for in Article 19 of the ICCPR, which includes “the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights”. Article 14 (g) of the ICCPR also states that everyone has the right “not to be compelled to testify against himself or to confess guilt”.

The UN Special Rapporteur on the Independence of Lawyers and Judges has not been permitted to visit the country despite the Standing Invitation issued by Iran to all UN human rights mechanisms in 2002.  
Further information on UA 211/09 Index: MDE 13/102/2010 Issue Date: 16 November 2010

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