

URGENT ACTION

DEMAND JUDICIARY HALTS STONING

Iranian woman, Sakineh Mohammadi is at risk of execution by stoning in Tabriz Prison, western Iran. She was convicted in 2006 or 2007 of “adultery while being married”. She was previously flogged for “having an illicit relationship”.

Sakineh Mohammadi was convicted on 15 May 2006 of having had an “illicit relationship” with two men. She received flogging of 99 lashes as her sentence. She was subsequently accused of “adultery while being married” in September 2006 during the trial of a man accused of murdering her husband. In this trial, Sakineh Mohammadi retracted a “confession” that she had made during her pre-trial interrogation, alleging that she had been forced to make it under duress, and denied the charge of adultery. Two of the five judges found her not guilty, noting that she had already been flogged and adding that they did not find the necessary proof of adultery in the case against her. However, the three other judges, including the presiding judge, found her guilty on the basis of “the knowledge of the judge”, a provision in Iranian law that allows judges to make their own subjective and possibly arbitrary determination whether an accused person is guilty even in the absence of clear or conclusive evidence. Having been convicted by a majority of the five judges, Sakineh Mohammadi was sentenced to death by stoning.

Her death sentence was confirmed by the Supreme Court on 27 May 2007. Her case has been sent to the Amnesty and Clemency Commission twice, but her request for clemency was rejected on both occasions.

Sakineh Mohammadi’s lawyer again asked the Amnesty and Clemency Commission to review her case three months ago. It is not known how long this will take, but if rejected she would be at immediate risk of execution by stoning.

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

- Urging the authorities not to execute Sakineh Mohammadi;
- calling on the authorities to order an immediate and effective moratorium on executions by stoning and the use of other forms of execution and cruel and inhuman punishments, including flogging.

PLEASE SEND APPEALS BEFORE DD/MONTH/YEAR TO:

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi
Howzeh Riyasat-e Qoveh Qazaiyeh /
Office of the Head of the Judiciary
Pasteur St., Vali Asr Ave., south of
Serah-e Jomhuri
Tehran 1316814737, Islamic Republic
of Iran

Email: shahroudi@dadgostary-tehran.ir (In the subject line write: FAO Ayatollah Shahroudi)

Salutation: Your Excellency

Head of the Judiciary in East Azerbaijan Province

Hojjatoleslam Malek-Ashtar Sharifi
Office of the Head of the Judiciary in
Tabriz
East Azerbaijan

Salutation: Your Excellency

And copies to:

Leader of the Islamic Republic
Ayatollah Sayed ‘Ali Khamenei, The
Office of the Supreme Leader
Islamic Republic Street - Shahid
Keshvar Doust Street
Tehran, Islamic Republic of Iran
Email: **via website:**
<http://www.leader.ir/langs/en/index.php?p=letter> (English)
<http://www.leader.ir/langs/fa/index.php?p=letter> (Persian)
Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

In Iran stoning to death is prescribed as the mode of execution for those convicted of committing the offence of "adultery while being married". In 2002, the Head of the Judiciary instructed judges to impose a moratorium on stonings. Despite this, at least five men and one woman have been stoned to death since 2002. In January 2009, the Spokesperson for the Judiciary, Ali Reza Jamshidi, confirmed that two executions by stoning had been carried out in December 2008 and said that the directive on the moratorium had no legal weight and that judges could therefore ignore it.

At least eight other women and three men are currently believed to be at risk of stoning to death in Iran (see UA 50/09, MDE 13/015/2009, 24 February 2009, UA 10/09, MDE 13/005/2009, 16 January 2009 and UA 117/09, MDE 13/041/2009, 05 May 2009).

In June, the Legal and Judicial affairs committee of Iran's parliament (Majles) recommended the removal of a clause permitting stoning from a new version of the Penal Code currently under discussion in the parliament. The law has yet to be passed by the whole Majles, after which it will be passed to the Council of Guardians for approval. The clause allowing the use of stoning could be reinstated at either stage.

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