

PUBLIC

AI Index: MDE 13/050/2009
29 May 2009

Further Information on UA 50/09 (MDE 13/015/2009, 24 February 2009) Death penalty/ Stoning

IRAN	Ashraf Kalhori (f) aged about 40	
	Iran (f) (full name known to Amnesty International)	
	Khayrieh (f) (full name known to Amnesty International)	
	A woman known only as "H"	
	M. Kh (f)	
	Unnamed man, now known to be Rahim Mohammadi] husband and wife
	Unnamed woman, now known to be Kobra Babaei]]
Executed:	Afsaneh R Rahmani (f)	

All those named above have been sentenced to be stoned to death for the "crime" of "adultery while being married". According to Iranian law, "adultery while being married" carries a mandatory sentence of execution by stoning.

Afsaneh Rahmani was executed by hanging on 21 May 2009 in Adelabad Prison in Shiraz, southern Iran. She had been sentenced to stoning for adultery as well as to *qesas* (retribution) for the murder of her husband, by Branch 5 of the General Court in Fars, southern Iran, on 9 April 2008. Her sentence was confirmed by Branch 27 of Supreme Court on 4 August 2008, the same day on which Judiciary spokesman Ali Reza Jamshidi restated that executions by stoning in Iran were suspended.

Rahim Mohammadi and his wife Kobra Babaei, whose names were previously unknown, are at risk of stoning to death after their death sentences were upheld by the Branch 27 of the Supreme Court in Tabriz, north western Iran. Their lawyer, Mohammad Mostafaei, stated that Branch 2 of the Appeals Court in Eastern Azerbaijan Province had issued the stoning sentences against them which were later confirmed by Branch 27 of the Supreme Court. The lawyer added that he had filed appeals on the couple's behalf. Amnesty International fears that they may face execution despite any appeal submitted at this stage.

In an interview with the news website Rooz, the lawyer said that Rahim Mohammadi and Kobra Babaei, who have a 12 year old daughter, were both unable to find work for prolonged periods. Reports state that "they realized that certain officials were willing to help them in exchange for sexual relations with Rahim's young wife" and had therefore turned to prostitution in order to support themselves.

Ashraf Kalhori, Iran, Khayriyeh, M. Kh and "H" remain at risk of execution. Amnesty International has no new information relating to their cases

BACKGROUND INFORMATION

Stoning in Iran is prescribed for the offence of "adultery while being married". In 2002, the Head of the Judiciary introduced in a directive a moratorium on executions by stoning. In August 2008, the spokesman for the judiciary, Ali Reza Jamshidi, announced the suspension of executions by stoning. However, at least five men and one woman have been stoned to death since 2002. These include two men who were stoned to death in Mashhad on or around 26 December 2008; and most recently, on 5 March 2009 a man named Vali Azad who was secretly stoned to death in Lakan Prison in Rasht, north western Iran.

In a 13 January press conference, Ali Reza Jamshidi confirmed that the December 2008 stonings had taken place. He also said that the directive on the moratorium had no legal weight and judges were therefore free to ignore it.

Seven women and two men are known to be under sentence of stoning in Iran, but there may be others whose cases are not known to Amnesty International or to anti-stoning campaigners in Iran.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Persian, Arabic, English, French or your own language:

- deploring the hanging of Afsaneh Rahmani in Shiraz on 21 May 2009;
- urging the authorities not to execute Rahim Mohammadi and Kobra Babaei and those named above;
- calling on the authorities to immediately commute all sentences of death by stoning;
- calling on them not to allow the execution of those condemned to stoning by any other means;
- urging the authorities to ensure that the moratorium on stonings is implemented immediately and effectively, making it clear to officials of law enforcement, custodial and other relevant ministries and agencies that this moratorium must not be breached and that any officials who defy that instruction will be held accountable;
- calling on the authorities to urgently reform the law on stoning in Iran, and urging that any new legislation permits neither stoning nor any other form of execution for "adultery while being married".

APPEALS TO:

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi
c/o Director, Judiciary Public Relations and Information Office
Ardeshir Sadiq
Judiciary Public Relations and Information Office
No. 57, Pasteur St., corner of Khosh Zaban Avenue
Tehran, Islamic Republic of Iran

Email: info@dadiran.ir (In the subject line write: **FAO Ayatollah Shahroudi**)

Salutation: **Your Excellency**

COPIES 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

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**

Director, Human Rights Headquarters of Iran

Mohammad Javad Larijani
Howzeh Riyasat-e Qoveh Qazaiyeh / Office of the Head of the Judiciary
Pasteur St, Vali Asr Ave., south of Serah-e Jomhuri
Tehran 1316814737, Iran

Fax: **+98 21 3390 4986 (please keep trying)**

Email: info@dadgostary-tehran.ir (In the subject line write: **FAO Javad Larijani**)

Salutation: **Dear Mr Larijani**

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 10 July 2009.