

URGENT ACTION

NEW EXECUTION FEARS FOR SAKINEH MOHAMMADI

In late December, reports appeared in the Iranian press apparently reiterating that Sakineh Mohammadi Ashtiani, a woman facing execution in Iran, could be executed by hanging instead of stoning. This recent press coverage indicates that she remains at risk of execution, which could be ordered at any time.

Sakineh Mohammadi Ashtiani, a 44-year-old mother of two from East Azerbaijan province in north-west Iran, was arrested in 2005 following the murder of her husband. She was convicted in an unfair trial of "adultery while married" and separately of complicity in her husband's murder. Sakineh Mohammadi Ashtiani's initial 10-year prison term for these complicity charges may have been reduced to five years. If so, it would now have expired. "Adultery while married" is punishable by stoning. It is not known whether her lawyer's July 2010 request for a judicial review of the stoning sentence has been acted upon. If Sakineh Ashtiani Mohammadi is now held solely for consensual sexual relations, Amnesty International would consider her a prisoner of conscience who should be released immediately and unconditionally.

Sakineh Mohammadi Ashtiani is held in Tabriz prison in East Azerbaijan, and does not have legal representation as her was imprisoned and banned from practicing law. According to the officially-licensed Iranian Student News Agency, ISNA, on 25 December 2011, the Head of the East Azerbaijan Provincial Judiciary stated that "Islamic experts are reviewing the case of Sakineh Mohammadi Ashtiani to see if the execution can be carried out by hanging", although he later said that he had been "misquoted", without clarifying how. This possible change in the method of execution has been discussed previously by judicial officials and has happened previously in other cases. Amnesty International fears that this news report may indicate that she is at renewed risk of execution.

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

- Calling on the Iranian authorities not execute Sakineh Mohammadi Ashtiani by any means, and to overturn her stoning sentence for "adultery while married";
- Seeking clarification about the basis and length of Sakineh Mohammadi Ashtiani's prison sentence;
- Noting that if she is now held solely for consensual sexual relations, Amnesty International would consider her a prisoner of conscience and call for her to be released immediately and unconditionally;
- Calling on the authorities to decriminalize consensual sexual relations between adults.

PLEASE SEND APPEALS BEFORE 17 FEBRUARY 2012 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
Twitter action: "Call on #Iran leader
@khamenei_ir to halt the execution of
Sakineh Ashtiani Mohammadi
Salutation: Your Excellency

Head of the Judiciary

Ayatollah Sadegh Larijani
[care of] Public relations Office
Number 4, 2 Azizi Street
Vali Asr Ave., above Pasteur Street
intersection
Tehran,
ISLAMIC REPUBLIC OF IRAN
Email: bia.judi@yahoo.com
(In subject line: FAO Ayatollah
Sadegh Larijani)
Salutation: Your Excellency

And copies to:

Secretary General, High Council for
Human Rights
Mohammad Javad Larijani
High Council for Human Rights
[Care of] Office of the Head of the
Judiciary, Pasteur St., Vali Asr Ave.
south of Serah-e Jomhuri, Tehran
1316814737
ISLAMIC REPUBLIC OF IRAN
Email: info@humanrights-iran.ir
(subject line: FAO Mohammad Javad
Larijani)

Also send copies:

***Iran does not presently have an embassy in the United States. Instead, please send copies to:*
Iranian Interests Section c/o Embassy of Pakistan
2209 Wisconsin Ave NW, Washington DC 20007
Tel: 202 965 4990 | Fax: 1 202 965 1073 | Email: requests@daftar.org
Please check with the AIUSA Urgent Action Office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

For more information on Sakineh Mohammadi Ashtiani's case, see *Iran: Sakineh Mohammadi Ashtiani, A life in the balance*, September 2010, <http://www.amnesty.org/en/library/info/MDE13/089/2010/en>).

Sakineh Mohammadi Ashtiani was initially accused of murder, which could have led to a death sentence, but her children waived their right to press charges against her, as is their right under Iranian law. Instead she was sentenced to 10 years in prison for murder under a different article of law, which her lawyer told Amnesty International was later reduced to five years after a Supreme Court review changed her conviction to one of "complicity". However, before his own arrest he was not able to produce the relevant court documentation, which he said had been confiscated by the authorities in August 2010.

In early July 2010, judicial officials in Tabriz wrote to the Head of the Judiciary seeking permission to change the method of execution in Sakineh Mohammadi Ashtiani's case from stoning to hanging, as had happened in some previous cases. On 10 July, the Head of Iran's High Council for Human Rights of the Judiciary (HCHR) said that Sakineh's case would be reviewed, and confirmed that Iranian law permits execution by stoning. The following day, the Head of the Provincial Judiciary in East Azerbaijan said that the death sentence against her, for "adultery while married and murder", remained in force and could be implemented at any time by decision of the Head of the Judiciary. Also in July 2010, Sakineh's legal representative, Javid Houtan Kiyani, requested an extraordinary review of the case by the Supreme Court. Amnesty International has no information as to whether this review has yet been ruled on, and if so, what the outcome may be.

Her case came to international attention in June 2010, and has led to the flight from Iran of one of her lawyers; the arrest and harassment of her son and Javid Houtan Kiyani who is held in Tabriz Prison in connection with his defense of Sakineh Mohammadi Ashtiani. He was arrested on 10 October 2010 along with her son and two German journalists, who have all been released. In March 2011, a letter written by Javid Houtan Kiyani in prison alleged that he was tortured while held in solitary confinement in Section 209 of Evin Prison from 11 October to 12 December 2010. 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 at least four years in prison on various charges, and may still be facing other charges. Most – if not all – of these appear to relate to his defense of Sakineh Mohammadi Ashtiani. His own legal representative, Naghi Mahmoudi, has since fled Iran after facing harassment and persecution in Iran, leaving Javid Houtan Kiyani without effective representation. Naghi Mahmoudi has confirmed that Javid Houtan has suffered a broken nose and teeth, cigarette burns and has lost considerable weight in prison.

Another of Sakineh Mohammadi Ashtiani's lawyers, Mohammad Mostafaei, fled Iran in July 2010 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".

Abdollah Farivar Moghaddam was hanged in February 2009 for "adultery while married" after his stoning sentence was changed to execution by hanging (see UA 50/09, *Iran: Death penalty/ stoning*, Index: MDE 13/015/2009, 24 February 2009, <http://www.amnesty.org/en/library/info/MDE13/015/2009/en>).

This case was previously UA 211/09 (see [http://www.amnesty.org/en/library/info/mde 13/082/2009/en](http://www.amnesty.org/en/library/info/mde%2013/082/2009/en)).

Name(s): Sakineh Mohammadi Ashtiani (f)

Issue(s): Death penalty, Legal concern

UA: 3/12

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Country: Iran