

URGENT ACTION

WOMAN SENTENCED TO STONING STILL RISKS DEATH

Sakineh Mohammadi Ashtiani, a 43-year-old mother of two, is held on death row in Tabriz Prison, north-west Iran. On 8 July 2010, the Iranian Embassy in London announced that she would not be stoned to death, but she still could be executed, by stoning or other means.

Sakineh Mohammadi Ashtiani was convicted in May 2006 of having an "illicit relationship" with two men and received 99 lashes as her sentence. Despite this, she was then also convicted of "adultery while being married", which she has denied, and sentenced to death by stoning.

Following an international outcry in recent weeks against her possible execution, the Iranian Embassy in London issued a statement on 8 July 2010 which said that Sakineh Mohammadi Ashtiani would not be executed by stoning. However, her precise legal status is unclear as her lawyer has not received any official communication regarding commutation of her death sentence.

During her trial, Sakineh Mohammadi Ashtiani 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 Ashtiani was sentenced to death by stoning.

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

- ✓ Urging the Iranian authorities not to execute Sakineh Mohammadi Ashtiani by stoning or any other means;
- ✓ Calling on them to clarify her current legal status to her and her lawyer;
- ✓ Stating that Amnesty International opposes the criminalization of consensual sexual relations, and urging the authorities to speedily enact legislation that unequivocally bans stoning as a legal punishment and does not permit the use of other forms of the death penalty or flogging or imprisonment against those convicted of "adultery".

PLEASE SEND APPEALS BEFORE 20 AUGUST 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;
via website:
[http://www.leader.ir/langs/en/index.php?
p=letter](http://www.leader.ir/langs/en/index.php?p=letter) (English);
[http://www.leader.ir/langs/fa/index.php?
p=letter](http://www.leader.ir/langs/fa/index.php?p=letter) (Persian)
Salutation: Your Excellency

Head of the Judiciary
Ayatollah Sadegh Larijani
Office of the Head of the Judiciary
Pasteur St.
Vali Asr Ave. south of Serah-e Jomhuri
Tehran 1316814737
Islamic Republic of Iran
Email: Via website:
[http://www.dadiran.ir/tabid/81/Default.a
spx](http://www.dadiran.ir/tabid/81/Default.aspx)
(1st starred box: your given name; 2nd starred
box: your family name; 3rd: your email
address)
Salutation: Your Excellency

And copies to:

Secretary General, High Council for
Human Rights
Mohammad Javad Larijani
Howzeh Riassat-e Ghoveh Ghazaiyeh
Pasteur St, Vali Asr Ave., south of
Serah-e Jomhuri
Tehran 1316814737
Islamic Republic of Iran
Fax: +98 21 3390 4986
Email: bia.judi@yahoo.com (In subject
line: **FAO Mohammad Javad Larijani**)

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 first update of UA: 211/09 Index: MDE 13/082/2009, 7 August 2009. Further information:

<http://www.amnesty.org/en/library/info/MDE13/082/2009/en>

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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 seven other women and three men are currently believed to be at risk of stoning to death in Iran (see UA 10/09, MDE 13/005/2009, 16 January 2009, UA 50/09, MDE 13/015/2009, 24 February 2009 and follow ups MDE 13/050/2009, 13 May 2009 and MDE 13/110/2009, 21 October 2009, UA 117/09, MDE 13/041/2009, 05 May 2009. Buali Janfashani and Sarimeh Sajjadi were also reported to have had their sentences of stoning upheld on appeal in January 2010.

In June 2009, 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. It appears that the draft currently being considered for approval by the Council of Guardians, which checks legislation for conformity to the Constitution and to Islamic Law, may not include the penalty of stoning. However, the Council of Guardians could reinstate the clause on stoning.

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