FILE NO. 061184

## RESOLUTION NO.



[Urging the United States Department of State to condemn the Islamic Republic of Iran's practice of execution by stoning]

Resolution urging the United States Department of State to condemn the Islamic Republic of Iran's execution by stoning of Abbas Hajizadeh and Mahboubeh Mohammadi and the impending execution by stoning of Ashraf Kolhari and Malak Ghorbany.

WHEREAS, In May of 2006 it was reported that Abbas Hajizadeh and Mahboubeh Mohammadi were executed by stoning for committing adultery and that more than 100 members of the Revolutionary Guards and Bassij Forces participated in the stoning; and

WHEREAS, Ashraf Kolhari and Malak Ghorbany have been sentenced to death by stoning for committing adultery; and

WHEREAS, Kolhari was sentenced to 15 years imprisonment for participating in the murder of her husband, and she was sentenced to execution by stoning for adultery as a married woman; and

WHEREAS, Kolhari had an extra-marital affair after her divorce request was rejected by the court, reportedly on the basis that she has children; and

WHEREAS, Kolhari is a 37 year-old mother of four children, and Ghorbany is a 34 year-old mother of two young children; and

WHEREAS, Article 83 of the Iranian Penal Code states that the penance for adultery by a married woman with an adult man is execution by stoning; and

WHEREAS, Article 72 of the Iranian Penal Code and Article 4 of the Implementation of Execution Law state that if a person confesses to adultery and repents that the case must be

referred to the Parole Commission and that the Judge can ask for pardon by the Supreme Leader; and

WHEREAS, Ashraf Kolhari has reportedly written to Ayatollah Shahroudi, the Head of Judiciary, asking for forgiveness, but there has been no report on Shahroudi considering the request for a pardon; and

WHEREAS, In December 2002 Ayatollah Shahroudi issued a ruling to judges ordering a moratorium on execution by stoning, yet the practice has continued despite the Islamic Republic of Iran's promise to ban such violent and inhumane forms of punishment; and

WHEREAS, The United Nations Human rights Committee has made clear that treating adultery and fornication as criminal offenses do not comply with international human rights standards; and

WHEREAS, Iran is a member of the International Covenant on Civil and Political Rights, which has officially called for the banning of stoning and other cruel and inhumane methods of execution; and

WHEREAS, The Board of Supervisors of the City and County of San Francisco has expressed its opposition to the death penalty repeatedly, including endorsing a moratorium on executions in the United States in Resolution No. 632-00 and a moratorium on executions in California in Resolution No. 116-00; and

WHEREAS, On July 22, 2006, the Iranian Embassy in France announced that Malak Ghorbany's case is being re-evaluated and her original sentence is expected to be revised; and

WHEREAS, That the Iranian government is reconsidering Ghorbany's case because of international pressure has proven that symbolic statements such as this resolution can have a concrete impact; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges the U.S. State Department to issue a strong condemnation against the Islamic Republic of Iran for its practices of civil and human rights abuses, executions of minors, homosexuals and adulterers, and executions by the barbaric and violent means of public stoning; and, be it

FURTHER RESOLVED, That the Board of Supervisors condemns the criminalization of private, adult consensual sexual relations.



## City and County of San Francisco Tails

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

## Resolution

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061184

**Date Passed:** 

Resolution urging the United States Department of State to condemn the Islamic Republic or Iran's execution by stoning of Abbas Hajizadeh and Mahboubeh Mohammadi and the impending execution by stoning of Ashraf Kolhari and Malak Ghorbany.

August 15, 2006 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,

Mirkarimi, Peskin, Sandoval Excused: 1 - Alioto-Pier

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I hereby certify that the foregoing Resolution was ADOPTED on August 15, 2006 by the Board of Supervisors of the City and County of San Francisco.

8/17/2006

**Date Approved** 

Mayor Gavin Newsom

Gloria L. Young Clerk of the Board