

THE RUTHERFORD INSTITUTE

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INTERNATIONAL OFFICE
CENTRAL AND EASTERN EUROPE
Budapest, Hungary

August 21, 2006

The Honorable George W. Bush
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Via U.S. Mail and Facsimile (202-456-2461)

Dear Mr. President:

While diplomatic relations with the Islamic Republic of Iran remain strained, that does not absolve the United States from its responsibility as a world leader to speak out against inhumane practices and human rights abuses taking place in that country.

As president of The Rutherford Institute, a civil liberties organization dedicated to the defense of constitutional freedoms and human rights, I call on you to exercise your moral authority by directing the U.S. State Department to condemn Iran's practice of inhumane executions of women by public stoning and hanging.

According to news reports, on or about June 29, 2006, a court in the Islamic Republic of Iran sentenced Malak Ghorbany, a 34-year-old mother of two, to a brutal death by stoning after finding her guilty of adultery. In contrast, two men who were found guilty of murder in the same court were only given jail sentences of six years. Earlier this year, the Republic of Iran sentenced an 18-year-old girl to death by hanging for the so-called crime of defending herself against three male attackers.

These alarming sentences are mandated by provisions contained within Iran's Penal Code that call for the stoning of women and men convicted of adultery. Reports that such death sentences are being carried out are consistent with the U.S. State Department's 2001 report on Iran, which states:

Harsh punishments are carried out, including stoning and flogging (see Section 1.c.). The UNSR reported the stoning deaths of two women and

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the sentencing to death by stoning of at least one other during the year. He cited press reports of the May stoning death of an unnamed 35-year-old woman at Evin Prison in Tehran, who was arrested 8 years earlier on charges of appearing in pornographic films. He also reported that the Supreme Court upheld the sentence of death by public stoning of 38-year-old Maryam Ayoubi, who was convicted for the murder of her husband. Her sentence was carried out in Evin Prison in July. The UNSR reported that a third woman was sentenced in June to death by stoning for the murder of her husband. The law also allows for the relatives of murder victims to take part in the execution of the killer.

Research into the practice of death by stoning indicates that the female victim's hands are tied behind her back, as she is covered in sheets and placed in a deep pit designed to cover her body with dirt up to her chest—leaving only her head and shoulders exposed. Members of the community are then invited to hurl rocks at her head until she has been beaten to death. The size of the stones used during the execution are required to be a certain size—not so large that they would kill a woman too quickly, nor so small that they would fail to cause serious injury or pain. This is to ensure that women like Mrs. Ghorbany who face such punishment experience maximum pain and suffering.

Clearly, these types of cruel punishments place Iran in violation of its obligations under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights to ban stoning and other cruel and inhumane methods of execution. When Iran voluntarily agreed to these covenants, it pledged to treat all persons deprived of their liberties “with humanity and with respect for the inherent dignity of the human person.”

As you declared in your 2004 Human Rights Week Proclamation, “Freedom and dignity are God’s gift to each man and woman in the world.” No matter the crime, there can be no dignity or justice in condemning a person to a horrific and torturous death that results from stoning.

If, as a nation, we remain steadfastly opposed to injustice and tyranny wherever it occurs in the world, then we can have no other recourse than to condemn Iran’s practice of stoning women to death, especially on charges of adultery. Under Iran’s Penal Code, “adultery” can be used to describe any intimate act between a man and a woman outside of marriage and has been applied in instances where a girl commits “acts incompatible with chastity,” which includes instances of rape.

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To remain silent about such blatant injustice will render meaningless whatever America has to say on human rights, women's rights in particular. Thus, I urge you to take this opportunity to condemn Iran's practice of sentencing women to death by stoning and further urge other world leaders to demand that Iran show clemency to women like Malak Ghorbany.

Thank you for your prompt attention to this urgent matter.

Sincerely yours,

John W. Whitehead
President

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cc: Kofi A. Annan, United Nations Secretary-General
Ms. Louise Arbour, United Nations High Commissioner for Human Rights
Mr. Ernst Hofstetter, Director, U.S. Interests Section in Iran
Mr. Ali Jazini, Director, Interests Section of the Islamic Republic of Iran
The Honorable Richard G. Lugar, U.S. Senate
The Honorable Joseph R. Biden, Jr., U.S. Senate
The Honorable Chuck Hagel, U.S. Senate
The Honorable Lincoln Chafee, U.S. Senate
The Honorable John E. Sununu, U.S. Senate
The Honorable Barbara Boxer, U.S. Senate
The Honorable Russell Feingold, U.S. Senate
The Honorable Rick Santorum, U.S. Senate
The Honorable Sam Brownback, U.S. Senate
The Honorable Henry Hyde, U.S. House of Representatives
The Honorable Ileana Ros-Lehtinen, U.S. House of Representatives