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IRAN

THREE PEOPLE RISK COURT-ORDERED BLINDING

Three prisoners, two men and a woman, are at imminent risk of judicially-sanctioned blinding after their cases were sent to Branch 3 of the Office for Implementation of Sentences in Tehran to carry out their sentences of blinding under the principle of qesas (retribution-in-kind).

On 2 August 2022, Hamshahri Daily news, which is operated by the municipality of Tehran, reported that three separate blinding sentences were referred to Branch 3 of Tehran's Office for Implementation of Sentences. The article specified that among them was a woman sentenced by a criminal court in Kermanshah, Kermanshah province, to being blinded in her right eye, a prison term and payment of "blood money" (diyah) after being convicted of blinding the right eye of her neighbour with acid in 2011. Her conviction and sentence were upheld by the Supreme Court. The newspaper also reported that a man in Fars province was sentenced to being blinded in connection to the blinding of another person with a knife during a fight in 2017, while a second man in Qom province was sentenced to being blinded for the blinding of a person with a bullet in 2018. Without providing further details, the article stated that the two men's convictions and sentences "were upheld". According to the article, all three were sentenced under the principle of qesas (retribution-in-kind), which is a theory of equivalent retaliation, and referred to Tehran for implementation as Kermanshah, Qom and Fars provinces are not equipped to carry out these sentences.

In recent months, Amnesty International has documented an alarming spike in the implementation of corporal punishment and death sentences. For instance, on 27 July 2022, Iranian authorities used a guillotine machine to amputate the fingers of Pouya Torabi, who had been convicted of theft. Prior to this, on 31 May 2022, the fingers of Sayed Barat Hosseini were amputated without anaesthetic. Both were transferred to Tehran's Evin prison from provincial prisons for the implementation of their amputation sentences. Corporal punishments constitute torture, a crime under international law, and which is prohibited under Article 7 of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party.

Write to the Head of the Judiciary urging him to:

- immediately stop any plans to implement any blinding sentences, and quash the blinding sentences of all three as they amount to torture, and grant them fair retrials without resorting to corporal punishments
- ensure the Iranian authorities to abolish all forms of corporal punishment in law and practice and to treat prisoners and detainees with human dignity
- Initiate public education campaigns aimed at preventing acts of violence including acid attacks, and ensure that survivors of such attacks are provided with effective remedies, including psycho-social and medical rehabilitation

Write to:

Head of the Judiciary
Gholamhossein Mohseni Ejei
c/o Embassy of Iran to the European Union
Avenue Franklin Roosevelt No. 15
1050 Bruxelles
Belgium
Email: secretariat@iranembassy.be
Salutation: Dear Mr Gholamhossein Mohseni Ejei:

Additional information

The news on the order to implement the blinding sentences against the woman and two men emerged against the backdrop of a spike in executions and corporal punishments being carried out in Iran in 2022. Concerns over the Iranian authorities' plans to accelerate the use of cruel, inhuman and degrading punishments were further heightened after Iran International, a Persian language media outlet based in the UK, broadcasted on 5 August 2022 a segment about a leaked confidential letter, dated 19 April 2022, and signed by the deputy head of the judiciary, Mohammad Mossadegh Kahnemoui. In the letter, he orders heads of judiciaries across the country to expedite the implementation of all qesas sentences, including against those sentenced to death and to corporal punishments such as amputation and blinding. The letter further instructs provincial judiciaries to refer qesas cases involving amputation to courts in Tehran for the sentences to be carried out centrally. The letter instructs provincial judiciaries to report on their progress in the implementation of qesas sentences.

Amnesty International has documented an alarming rise of executions and corporal punishments in 2022. In late July 2022, Abdorrahman Boroumand Centre and Amnesty International raised the alarm about Iranian authorities embarking on an execution spree, killing at least 251 people in the first six months of 2022 and warned that "if executions continue at this horrifying pace, they will soon surpass the total of 314 executions recorded for the whole of 2021" (more information can be found [here](#)). Between May and September 2022, the Iranian authorities amputated the fingers of five men at Tehran's Evin prison using a guillotine machine. According to an informed source interviewed by Amnesty International, amputation sentences were carried out at a clinic inside Evin prison in the presence of multiple officials, including the prosecutor of Tehran, the associate prosecutor (dadyar) of Evin prison, the judge overseeing the implementation of sentences in Evin prison, the head of Evin prison and the chief doctor at the prison medical clinic (more information can be found [here](#)). At least eight other men, including Hadi Rostami, Mehdi Sharfian and Mehdi Shahivand are at risk of having their fingers amputated (more information can be found [here](#)). According to the Abdorrahman Boroumand Centre, since January 2000, the Iranian authorities have amputated the fingers of at least 135 men.

On 3 March 2015, the Iranian authorities forcibly blinded a man in his left eye after he was sentenced to qesas (retribution-in-kind) for throwing acid on the eyes of another man in the city of Qom in August 2009. The blinding of his right eye was not implemented based on the victim's request. In

addition to this punishment, he was ordered to pay "blood money" (diyah) and sentenced to 10 years in prison (more information can be found [here](#)). Since then, no information has been made publicly available on judicially-sanctioned blinding being carried out, while courts continued to issue blinding sentences.

Under international law, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as punishing them for an act that they have committed or are suspected of having committed, or intimidating them or a third person, or for any reason based on discrimination of any kind. The UN General Assembly has consistently condemned torture and other ill-treatment and has called on states to investigate and prosecute them. In 1975, it adopted a Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, setting out the obligations of all states to investigate allegations of torture and prosecute those responsible, as well as provide redress to victims. Article 10 of the ICCPR also states that all persons deprived of their liberty must be treated "with humanity and with respect for the inherent dignity of the human person."

Iran is a state party to ICCPR and as such is legally obliged to prohibit and punish torture in all circumstances and without exception. Despite this, Iran's Islamic Penal Code continues to provide for corporal judicial punishments amounting to torture, including amputation, flogging, blinding, crucifixion and stoning. Iranian law requires that a physician be present during the implementation of corporal punishments, in direct violation of ethical guidelines and international standards which expressly prohibit health providers' involvement in torture.