

PUBLIC

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To: Health professionals
From: Medical office / Middle East Program
Date: 10 August 2001

MEDICAL LETTER WRITING ACTION

**Public flogging
Iran**

Key words flogging / corporal punishment / cruel, inhuman or degrading treatment

Summary

There has been a recent upsurge in the use of public flogging in Iran. Although senior government ministers, some members of the *Majles* (parliament), and pro-reform political groups have criticised public flogging, those responsible for implementing these punishments continue to carry them out. Amnesty International is opposed to all forms of punishment which are cruel, inhuman or degrading and urges the Iranian authorities to end all such punishments -- whether carried out in public or private.

Recommended actions

Please write to the addresses below using professional letter head paper making some of the following points

- o Introducing yourself as a health professional concerned with human rights
- o Saying that you are writing about the increased use of flogging as a punishment in Iran
- o Acknowledging the right of all national governments to take measures to protect public safety
- o Expressing deep concern that flogging is being used (you could mention that the United Nations Human Rights Committee has said that flogging is cruel, inhuman or degrading and, as such, an unacceptable form of punishment)
- o Asking about the role (if any) played by health professionals in the practice of flogging
- o Urging that the practice of flogging prisoners be brought to an end and replaced by alternative penalties consistent with international human rights law
- o Asking for a response

Addresses

Leader of the Islamic Republic of Iran
H.E. Ayatollah Sayed Ali Khamenei
The Presidency
Palestine Avenue, Azerbaijan Intersection
Tehran
Islamic Republic of Iran

Head of Judiciary
H.E. Ayatollah Mahmoud Hashemi Shahrudi
Ministry of Justice
Park-e Shahr
Tehran
Islamic Republic of Iran

Copies

Please send copies of your letters to your nearest diplomatic representative of Iran and to one or more of the following addresses.

H.E. Dr Mohammad Farhadi
Minister of Health and Medical Education
PO Box 310
Tehran 11344
Islamic Republic of Iran

Secretary
Health and Welfare Committee
Majles-e Shura-ye Eslami
Imam Khomeini Avenue
Tehran, Islamic Republic of Iran

Dr Ahmad Ali Noorbala
President, National Committee for Humanitarian Rights
Ostad Nejat Elahi Avenue
North Nejat Elahi
Tehran, Islamic Republic of Iran

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MEDICAL CONCERN

**Public Floggings
Iran**

There has been a recent upsurge in the use of public flogging in Iran. Although senior government ministers, some members of the *Majles* (parliament), and pro-reform political groups have criticised public flogging, those responsible for implementing these punishments continue to carry them out. Amnesty International is opposed to all forms of punishment which are cruel, inhuman or degrading and urges the Iranian authorities to end all such punishments -- whether carried out in public or private.

The current upsurge

Over the past four months, there has been a marked increase in the use of public flogging as a punishment for infringements of the law, particularly with respect to sexual conduct, consumption of alcohol and behaviour in public. The following episodes have been reported in Iranian and foreign media.

- Five Iranians, including two sisters, Tahereh and Sima Yaghubi, were reported to have been flogged in public on 16 May 2001 in the northern city of Tonekabon for having sexual relations outside marriage. The sisters and two of the men received 91 lashes each; the remaining man received 74 lashes.
- A woman, named only as Robabeh, was sentenced in May 2001 to receive 50 lashes, to be followed by stoning to death. There have been no reports of the punishment having yet been carried out.
- Twenty-five men received between 70 and 80 lashes in public floggings carried out in Tehran on 20 July 2001; the men were accused of drinking and selling alcohol.
- On 24 July 2001, eight Iranian men accused of drinking alcohol and causing public disturbances were publicly flogged in Vanak Square in northern Tehran. The men, all aged between 20 and 25, each received between 70 and 80 lashes. A further 14 men, aged 20-25, were flogged in Tehran, receiving between 70-80 lashes.
- On 25 July 2001, 22 men were flogged in public in Tehran for drinking alcohol and harassing women.
- On 29 July 2001, five men were whipped in a public square in the town of Boroujerd in the west of Iran. The men all received more than 70 lashes for public disorder offences.
- On 1 August 2001 a Revolutionary Court in Torbat-e Heydariyeh, in northeastern Iran, sentenced two political supporters of the president, Mohammad Khatami, to periods of imprisonment plus 40 lashes following arrests made in connection with celebrations of the president's re-election.

- Five Iranian men were flogged in public for drunkenness on 7 August 2001. The men, aged between 27 and 30, reportedly received 70 lashes each at a Tehran square close to the Interior Ministry building.

There has been criticism within Iran of the upsurge of public floggings. On 23 July 2001, the Interior Minister, Abdolvahed Moussavi Lari, was quoted in a government newspaper as condemning the increased number of public floggings for the drinking of alcohol and making reference to the serious political and social consequences of such punishments.

On 1 August 2001, the Director-General for Security Affairs at the Tehran Governor-General's office was quoted as saying that "from now on any court order for public flogging would have to be reviewed by the provincial security council". He also referred to the "adverse effect" created by the public whippings, both within and outside Iran.

Medical involvement

It is understood that health professionals are present at whippings carried out within penal institutions in Iran. It is common in those countries practising corporal punishment to have one or more health professionals present to resuscitate prisoners seriously affected by the punishment or, in some cases, to intervene to delay the punishment.

It is not known whether doctors or other health personnel are present at the floggings carried out in public. No report available to AI mentions their presence though presumably they *may* be present. Amnesty International seeks to persuade all health professional bodies to prevent such participation in, or tolerance of, cruel, inhuman or degrading punishments, in line with the Declaration of Tokyo of the World Medical Association and the United Nations Principles of Medical Ethics.

Background information

The current upsurge in public floggings is exceptional. In previous years floggings have usually been carried out within prisons. AI noted that, in 2000, at least 49 such floggings were reported, many for "depraved dancing" [AI Report, 2001].

In some cases, flogging has been a prelude to execution, underlining the intent of the punishment to maximise the suffering of the victim.

Other more drastic punishments are sometimes inflicted in Iran. In August 2000, Iranian press reported that a Tehran court had ordered one of the eyes of Gholamhossein Aryabakhshahyesh to be removed in accordance with the law of retribution, part of the Iranian penal code, after he had blinded a man in one eye in a traffic argument in the middle of a Tehran street in April 1997. (See *Iran: "Eye-for-an-eye" sentence: Fear of punitive surgery*, AI Index: MDE 13/024/2000, 8 September 2000, available online at: <http://web.amnesty.org/ai.nsf/Index/MDE130242000>). Reports in the Iranian press at the time suggested that no surgeon or other medical practitioner was willing to carry out such punitive surgery and whether the punishment was ever inflicted is not clear.