

PUBLIC

AI Index: MDE 13/035/2005

18 July 2005

Further Information on UA 176/05 (MDE 13/031/2005, 24 June 2005) - Fear of Torture/Medical concern

IRAN                                      Vahid (m) (surname unknown)

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Iran's Judiciary has announced that Vahid's trial is still in progress, and he is therefore not at imminent risk of having his eyes surgically gouged out. This contradicts previous reports that Vahid had not only been sentenced but had an appeal rejected by the Supreme Court.

According to a statement given to reporters by judicial spokesperson Jamal Karimi-Rad on 5 July, the trial is still in progress, and Vahid has not yet received a final sentence. He added that such a sentence "would be difficult to carry out due to the fact that it could not be very equal to the crime committed," and the judge was more likely to demand that Vahid pay compensation to the victim.

Iran has to work urgently to bring domestic law and practice into line with its obligations under international law, such as the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), and abolish judicial penalties such as eye-gouging, which are cruel, inhuman and degrading punishments amounting to torture.

According to June reports in the Iranian press, Vahid was convicted of deliberately pouring acid from a battery on the face of another youth, Gholam-Hosseini, blinding him. Vahid maintained throughout his trial that his actions had not been deliberate. The Supreme Court rejected an appeal on 9 June and ordered that the punishment should be carried out. Vahid's lawyer was seeking clemency for his client from Gholam-Hosseini's family. Vahid had been asked to pay three billion Rials (US\$300,000) as *diyeh* (blood-money) to escape the punishment, but he said that he did not have that much money. With the 5 July statement from the judiciary it is no longer clear whether the June reports were accurate.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Persian, English, Arabic or your own language:**

- stating that Amnesty International recognizes the right and responsibility of governments to bring to justice those suspected of criminal offences, but opposes punishments which constitute cruel, inhuman and degrading treatment, amounting to torture;
- welcoming the Judiciary spokesperson's 5 July statement that Vahid is not at imminent risk of having his eyes surgically gouged out;
- seeking clarification of whether Vahid's trial has concluded and whether he has been sentenced, since the spokesperson asserted that the trial was still in progress and he had not received a final sentence, which conflicts with press reports that on 9 June the Supreme Court had rejected an appeal against his sentence and ordered that the punishment be carried out;
- expressing concern that carrying out such surgery as punishment would be contrary to international law, including the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and to international codes of medical ethics such as the UN Principles of Medical Ethics and the World Medical Association's Declarations of Geneva and Tokyo;
- urging the authorities to abolish punishments such as eye-gouging, which constitute cruel, inhuman and degrading treatment amounting to torture, so as to bring Iran's domestic law and practice into line with its obligations under international law such as the ICCPR and the CRC.

**APPEALS TO:**

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei

The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

**Fax:** + 98 21 649 5880

+ 98 251 774 228 (please mark 'For the attention of the Office of His Excellency, Ayatollah al Udhma Khamenei')

**Email:** info@wilayah.org

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**Salutation:** Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahroudi

Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran

**Email:** irjpr@iranjudiciary.org (mark 'Please forward to HE Ayatollah Shahroudi')

**Salutation:** Your Excellency

**COPIES TO:**

Speaker of Parliament

Gholamali Haddad Adel

Majles-e Shoura-ye Eslami (Parliament)

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**Salutation:** Dear Sir

and to diplomatic representatives of Iran accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 29 August 2005.