



Mission for Establishment of Human Rights in Iran (MEHR IRAN)

P.O. Box 2037, P.V.P., CA 90274
Tel: (310) 377-4590 ; Fax: (310) 377-3103
E-Mail: mehr@mehr.org ; URL: <http://mehr.org>

Extracted from Islamic Republic of Iran's Current Judicial Laws

RETALIATION, STONING, EXECUTION, CRUSIFICATION, HANGING, AND WHIPPING

...
...

Article 5 – The cases of insanity, apostasy, illness of the prisoner or menstruation period of female prisoners do not constitute causes to suspend the execution of the death sentence or any other verdicts of the court. However, in the case of a sickness, if his or her sickness, based on the opinion of the legal physician or a trustworthy physician, upon approval of the judge who has issued the original decree or upon the opinion of the prosecutor, is to such extent that it prevents the formalities of the execution outlined in this article, then the execution of the verdict will be delayed until such obstacles are removed.

Section 3:

...
...

The Method of Implementation

Article 14 – The implementation of verdict in form of retaliatory execution of the convict or punishment for homicide can be done by hanging, shooting with fire arm, or electrocution, **or any other way as seen appropriate by the “ruling judge”**.

...
...

Section 4:

Special Ceremonies for Implementation of Stoning to Death

....
....

Article 22 – Members of the police or prison guards must initially dig the location for execution of the verdict, according to and following the description in Article 102 of “**Islamic Penal Law**”, and prepare some amount of stones (rocks) of specified sizes according to Article 102 of the aforementioned law. The “executing judge” will initially inspect the preparations and, upon satisfactory inspection, he will order the execution to proceed.

Article 23 – In the case when conviction of the prisoner is based on his (her) confession, the “ruling judge” will throw **the first stone** at the convict, then the spectators can proceed to cast their stones. However, if conviction is based on the statement of witnesses, the first stones are thrown by the witnesses, followed by the “ruling judge”.

Clause 1 - The “ruling judge” refers to the judge who initially has ruled the verdict, unless the “assessment branch office of the supreme court” has nullified the ruling of the original court, and has ruled for stoning. In which case, the head of the aforementioned office or one of the members in that office, upon recommendation of the head of that office, can execute the stoning verdict.

Clause 2 - The absence or refusal of the “ruling judge” or witnesses for throwing the first stone do not constitute reasons for suspension of the verdict. And in any case the verdict will be executed by the order of the “executing judge”, unless the charge of fornication of the convict is proved by statements of the witnesses, and witnesses have run away at the time of stoning. Or, if fornication is proved by confession of the accused, but (s) he can manage to escape from the hole in ground in which (s) he was buried. In these two cases the verdict will not be executed and the “execution judge” will issue the order to suspend the verdict. The same is true if the case falls under Article 71 of “Islamic Penal Law” approved in 1370 (1991 A.D.), in which case Clause 17 of that Article will be implemented.

Section 5:

Execution by Hanging

Article 24 – In execution by hanging, the prisoner will be hung on a hanging truss which should look like a cross, while his (her) back is toward the cross, and (s)he faces the direction of Mecca [in Saudi Arabia], and his (her) legs are vertical and distant from the ground. Then the convict is left in that position for 3 days while the guards and the police watch him (her). After the 3rd day, (s)he is dismounted from hanging pole. If (s)he is diseased, (s)he will be buried after religious burial rituals, but if still alive, (s)he will be released and if medical treatment is needed such treatments are allowed.

CHAPTER 2:

Implementation Methods for Verdicts that Involve Cutting of Body Parts

Article 25 – For implementation of verdicts that require cutting of body parts, in addition to adhering to laws and regulations in “Islamic Penal Law”, conforming to Articles 1, 3, 4, 5, 6, 14, 15, 16, 18, 19 and 20 of this document is necessary.

Article 26 – The presence of a physician for confirmation and implementation of the contents in articles 272, 275, 290, and 291 of “Islamic Punishment Law” is required.

CHAPTER 3:

Implementation Methods for Whipping Verdict

Article 27 – Whipping is executed by a leather strap with strands woven together, and approximate length of 1 meter (3.5 feet), and approximate diameter of 1.5 cm (0.6 inch).

Article 28 - The arms and legs of the prisoner is cuffed as tight as possible, to restrain movements of the body, that may cause the lashes to hit “prohibited” areas of the body.

Clause – The “prohibited” areas of the body are the head, face and private parts.

Article 29 – In the case when lashing is performed indoors, the air temperature should be medium; and if it is done outdoors, temperature should not be too cold or too warm. In cold areas, attempt should be made to execute whipping in warmer hours of the day. In hot areas, it should be done during cooler time of the day.

Article 30 – Execution of whipping in reference to intensity of hits is as follows: The punishment for fornication and sex-without-intercourse is more intense than that for drinking alcohol. And, punishment of drinking alcohol is more intense than that for being a pimp.

Article 31 – The execution of lashes is in accord to article 300 of prosecution laws of “Public Courts” and “Revolution Courts” related to punishment matters, and conforms to regulations published in “Islamic Penal Laws”.

Article 32 – Execution of lashes for women is done with them in sitting position, and wearing such cloths that covers their bodies.

Article 33 – Execution of lashes for men is done while they are in standing position, and, in case of fornication and sex-without-intercourse, it is done while they wear nothing except covering their genital areas. And, in the case of being a pimp, whipping is done over their normal cloths.

Article 34 - Execution of whipping as a punishment based on judge’s interpretation of the laws, is done in accord with Article 288 of the “justice laws of the public and revolutionary courts in retributive matters”, and according to the following methods:

- (a) The prisoner is lying on his stomach and wearing normal cloths, and lashes are given to his (her) back, except head, face and genital areas.
- (b) Lashes are given uniformly and with medium force.

Article 35 – This document is in accord with Article 293 of “Justice Laws Of The Public And Revolutionary Courts In Retributive Matters”, approved on 28/6/1378 (July 1999), by

Commission On Judicial Matters Of Islamic Parliament, written in 36 Articles and 7 Clauses, and was approved by the Minister of Justice Department.

Signature:

Minister of the Justice Department, Seyed Mahmood Shaahroody.