



Statement on the UPR Pre-Session on the Islamic Republic of Iran

Iran Human Rights Documentation Center

November 20, 2024

This statement is being delivered on behalf of the Iran Human Rights Documentation Center (IHRDC), an NGO dedicated to documenting human rights abuses and fostering accountability, rule of law and democracy in Iran. As a member of the Impact Iran coalition, IHRDC has consulted with its partner organizations in developing this statement. IHRDC has not been involved in consultations held by the Iranian government.

This statement focuses on two thematic issues: imprisonment of individuals unable to fulfill a contractual obligation or repay a debt in violation of Article 11 of the ICCPR, and amputation of fingers of individuals convicted of theft, in violation of Article 7 of the ICCPR.

Debtors Imprisonment

As a party to the ICCPR, Iran is obligated to refrain from imprisoning individuals who are unable to fulfill their debts. Nevertheless, thousands of Iranians are held in prison due to their inability to pay their debts or fulfill contractual obligations. According to the head of Iran's Diya Task Force, as of July 2024, there were 12,565 individuals imprisoned for debt in Iran.¹ Over the past three decades, 170,000 people have gone through Iran's prison system for failure to satisfy a debt.² This number far exceeds that of political prisoners, yet this serious human rights violation has not received adequate attention due to the wide array of serious human rights violations in Iran.

Individuals imprisoned for debt include those who owe *diya*, or blood money, resulting from accidents, individuals who owe *mehrieh*, which is a sum promised to a wife by her husband as a condition of marriage, and debts incurred in commercial transactions. Individuals imprisoned for failure to pay a debt often spend prolonged periods in prison. Their release depends on charitable contributions made to satisfy their debts or forgiveness of their debts by creditors. In one case a factory owner who went bankrupt spent twenty years in prison. He was released in March 2019 when charitable donations were used to satisfy his debt.

Article 3 of the 2015 Law on Enforcement of Financial Judgments states that if a creditor who has won a judgment against a debtor cannot collect the debt owed to him or her through the

¹ <https://www.irna.ir/news/85567369/>

²² <https://www.irna.ir/news/85567369/>

provisions of the 2015 law, the debtor could be imprisoned upon the request of the creditor until the debtor either satisfies the debt or proves that he or she is indigent or persuades the creditor to withdraw his or her complaint. A regulatory code promulgated in 2020 provides the framework for implementation of this law, including the circumstances under which a debtor may be imprisoned.

Recommendations to the Iranian government

- **Ensure the immediate release** of all prisoners detained for failure to fulfill a contractual obligation or repay a debt to bring Iran in compliance with Article 11 of the ICCPR.
- **Amend** the 2015 Law on Enforcement of Financial Judgments and the accompanying 2020 Regulatory Code on Enforcement of Financial Judgments to eliminate all provisions which allow for imprisonment for debt.

Amputation of Fingers

Article 278 of the Islamic Penal Code of 2013 provides for the amputation of four fingers of individuals convicted of theft. This sentence violates Article 7 of the ICCPR, which prohibits cruel, inhuman or degrading treatment or punishment. Numerous individuals have been subjected to this punishment over the last four decades. Most recently, on October 29, 2024, two individuals convicted of theft who were held in Oroumieh prison were subjected to this punishment and four of their fingers were amputated. This cruel punishment amounts to torture and inhibits the rehabilitation of individuals convicted of theft.

Recommendations to the Iranian government

- **Repeal** Article 278 of the Islamic Penal Code of 2013 and replace the punishment of amputation with other forms of punishment that would facilitate rehabilitation of individuals convicted of theft.
- **Impose an immediate moratorium** on the issuing and implementation of amputations until the repeal of Article 278 of the Islamic Penal Code.

IHRDC hopes that recommendations are made to the Iranian government on the issues discussed, and that the recommendations are accepted by the Iranian government.



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