

# **“WE ARE ORDERED TO CRUSH YOU”**

EXPANDING REPRESSION OF  
DISSENT IN IRAN

**AMNESTY  
INTERNATIONAL**



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**Amnesty International is a global movement of more than 3 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.**

**Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.**

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**AMNESTY  
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# 1. INTRODUCTION

“His interrogator told him: ‘We are ordered to crush you, and if you do not co-operate we can do anything we want with you and if you do not write the interrogation papers, we will force you to eat them’”.

Mahdieh Mohammadi Gorgani, wife of detained journalist Ahmad Zeidabadi, in an interview with Radio Farda, September 2009.<sup>1</sup>

On 14 February 2011, thousands of Iranians, encouraged by the mass protests sweeping across North Africa and the Middle East, defied a government ban by demonstrating in Tehran and other cities. The paramilitary Basij militia and other security forces responded by shooting at protesters, firing tear gas at them, and beating them with batons, before arresting many of them. In the wake of the toppling of autocratic governments in Tunisia and Egypt, the Iranian authorities were taking no chances.

The demonstrations were called by opposition leaders Mehdi Karroubi and Mir Hossein Mousavi in solidarity with the people of Tunisia and Egypt and were the first major public displays of opposition since the Iranian authorities viciously crushed vast protests that erupted and continued in the six months following disputed presidential election results in June 2009, culminating in demonstrations on the religious festival of Ashoura in December 2009.

Without apparent irony, Iran's Supreme Leader, Ayatollah Ali Khamenei, celebrated the uprisings in Tunisia and Egypt, saying that it reflected an “Islamic awakening” based on Iran's 1979 revolution.<sup>2</sup> Iran's leaders also supported Bahrainis demonstrating for their rights.<sup>3</sup> Yet in 2009 Iran had ruthlessly repressed Iranians expressing the same desire as Tunisians, Egyptians and Bahrainis demonstrating for political rights and social justice. In February 2011, Iran's response to the mere call for solidarity demonstrations was to place Mehdi Karroubi and Mir Hossein Mousavi under house arrest, blocking opposition websites, and arresting hundreds of political activists and others.

Subsequent demonstrations in 2011 in various Iranian cities were forcibly dispersed and further measures taken to stifle opposition and silence critics. One year later, Mehdi Karroubi and Mir Hossein Mousavi remain under house arrest, and hundreds of people are believed to be still in jail simply for daring to express their views. Meanwhile, the security forces, particularly the Basij militia, continue to operate with virtual impunity for their crimes.

Since the 2009 crackdown, the authorities have steadily cranked up repression in law and practice, and tightened their grip on the media. They have stopped public protests using articles of Iran's Penal Code that make demonstrations, public debate and the formation of groups and associations deemed a threat to "national security" punishable by long prison sentences or even death. Lawyers have been jailed along with their clients. Foreign satellite television channels have been jammed. Newspapers have been banned. Dissidents and critics who write in newspapers or on websites, or speak to the media, risk being charged with offences such as "spreading propaganda against the system", "insulting officials", "spreading lies with intent to harm state security" or occasionally the "offences" of "corruption on earth" or "enmity against God" which can carry the death penalty.<sup>4</sup>

Iran's internet community is feeling the chill of a new cyber crimes law, with bloggers and others being hauled off to prison. The severity of the sentences meted out to bloggers demonstrates the authorities' fear of the power of the internet and the free flow of information in and out of the country. At the time of writing in February 2012, as campaigning for the March parliamentary elections was about to get underway, so too did a new wave of arrests of bloggers, journalists and others, apparently to deter people from demonstrating on the anniversary of the 14 February demonstrations, or from highlighting criticism of the government in the parliamentary elections.

Iran's multiple and often parallel security bodies – including a new cyber police force – can now scrutinize activists as they use personal computers in the privacy of their homes. They have restricted bandwidth and are developing state-run servers, specific internet protocols (IPs), internet service providers (ISPs) and search-engines. Countless websites, including international and domestic social networking sites are blocked, among them the [www.amnesty.org](http://www.amnesty.org) website of Amnesty International. A relatively new and shadowy "cyber army", reportedly linked to the Revolutionary Guards – also known as the Iranian Revolutionary Guard Corps (IRGC) – has carried out attacks on websites at home and abroad, including the Twitter site and Voice of America.

Government restrictions on the internet have also been used to muffle criticism from abroad, a policy backed up by harassment of opponents living in exile and arrests in Iran of relatives of critics or journalists living overseas. New regulations have criminalized contact with any of more than 60 listed foreign institutions, media organizations and NGOs.

Waves of arrests in recent months have targeted lawyers; students; journalists; political activists and their relatives; members of Iran's religious and ethnic minorities; filmmakers, workers rights activists and people with international connections, particularly to foreign media such as BBC Persian. Dozens have been tortured or jailed, among them prisoners of conscience. Many others have been harassed or banned from travelling abroad.

Repression of human rights defenders has intensified. Many have been harassed or arbitrarily arrested and imprisoned. Some remain in prison after unfair trials in previous years, many of them prisoners of conscience. The Centre for Human Rights Defenders (CHRD), the Association for the Rights of Prisoners, Human Rights Activists in Iran (HRA) and the Committee for Human Rights Reporters (CHRR) have all been closed down or refused legal recognition. Independent trade unions are still banned and several union members are still in jail.

Casting a shadow over all those who fall foul of Iran’s unjust justice system is the mounting toll of people sentenced to death and executed. There were around four times as many public executions in 2011 than in 2010, and hundreds of people are believed to have been sentenced to death in the past year. At least three juvenile offenders were among those executed in 2011 – the execution of those under the age of 18 at the time of their alleged offence is strictly prohibited under international law.

This report follows two previous Amnesty International reports – *Iran: Election Contested, Repression Compounded*, issued in December 2009;<sup>5</sup> and *From protest to prison: Iran one year after the election*, issued in June 2010.<sup>6</sup> It shows that the abuses outlined in these reports have not only continued but in some cases have become more widespread or more entrenched in law.

For those ending up in Iran’s prisons and detention centres, torture and other ill-treatment remain routine and widespread. Former detainees – both men and women – as well as some prisoners who write open letters from cells up and down the country recount being beaten, including on the soles of their feet, sometimes while suspended upside down. They have said they were burned with cigarettes and hot metal objects. They have described being subjected to mock execution. They have told of being raped - sometimes with implements - including by other prisoners, or threatened with rape. They have complained of being denied adequate food and water, while medical treatment is often delayed or even denied. In many instances, torture and other ill-treatment are used to extract “confessions” under duress, and courts routinely ignore complaints of torture and accept as evidence “confessions” extracted using such illegal means.

Most trials in Iran are grossly unfair, particularly those before special courts such as the Revolutionary Courts, which are frequently held behind closed doors. Defendants are routinely denied access to lawyers during pre-trial investigations and often during trial, using a restrictive interpretation of a note in the Code of Criminal Procedures. Often, trials – before judges who appear to be told what sentences to pass by the interrogators – are over in a matter of minutes.

Detainees who protest against injustice, torture or appalling prison conditions are sometimes transferred to faraway prisons as punishment, or charged with new offences. Others are released but banned from travelling to prevent international networking, or forced to flee in fear of further persecution. Detainees’ friends and relatives are arrested or harassed to dissuade them from speaking out about their relative’s case or to put pressure on detainees.

Iran’s ethnic minority communities, including Ahwazi Arabs, Azerbaijanis, Baluch, Kurds and Turkmen, continue to suffer discrimination in law and in practice. The use of minority languages in state-controlled workplaces and for teaching in schools remains outlawed. Religious minorities face similar discrimination and marginalization. Activists campaigning for the rights of minorities face threats, arrest and imprisonment, as do activists campaigning against the pervasive discrimination that impacts severely on women in law and in practice.

As these long-standing patterns of abuse highlight, the recent references by Iran’s leaders to a liberating “Islamic Awakening” during the 1979 revolution are misleading. Not only did torture continue after the revolution, but so too did repression of political dissent.

Members particularly of leftist organizations and Kurdish groups, along with members of the People's Mojahedin Organization of Iran (PMOI), all of which played a major role in the revolution, were arrested in vast numbers after losing the power struggle that followed. Thousands of political prisoners were put to death by the state, many in summary executions, from 1979 onwards, especially in the infamous "prison massacres" of 1988.

Vague "Islamic criteria", enshrined in the new Constitution and subsequent legislation, were used by the authorities as justification for many violations of human rights. Women's rights were one of the first casualties: a strict dress code was imposed, women's testimony was deemed to be worth only half that of a man in court, and women received only half the compensation for injury or death due to a man, adding to the unequal status accorded to women in the Civil Code in matters relating to marriage, divorce and child custody. Sexual relations outside marriage were made punishable by flogging or stoning to death, while lesbians, gay men, and transgender and bisexual people faced heightened discrimination on account of their identity as well as harsh penalties for consensual sexual relations. Discrimination on ethnic and religious grounds also became enshrined in law, policy and practice. Even "offences" that were not codified in law, such as "apostasy from Islam", could be prosecuted under constitutional and legal provisions requiring judges to use their knowledge of Islamic law to rule on cases where domestic law was silent.

Amnesty International's reports on Iran since 2009, as well as recent reports issued by UN bodies,<sup>7</sup> provide compelling evidence of the gravity of the human rights situation in Iran and contradict the authorities' frequent denials – including in their dialogue in October 2011 with the UN Human Rights Committee – that any human rights are being violated, and their frequent assertions that such allegations are politically motivated.

The Iranian authorities are doing their utmost to prevent outside scrutiny, including by refusing to co-operate with UN human rights mechanisms, despite proclaiming that they are respecting their international obligations. Iran is obstructing nine UN mechanisms that have outstanding requests to visit, and no delegation of any of the special UN procedures has been permitted to conduct fact-finding visits since 2005. Indeed, the government expressly refused to accept recommendations calling for visits made during the Universal Periodic Review (UPR) process in February 2010.<sup>8</sup> International human rights organizations are likewise not permitted to visit – Amnesty International has not been granted access to the country to carry out research since shortly after the revolution in 1979.

Despite the brutal repression of activists and the relentless attempts to gag bloggers, journalists and dissidents, many people in Iran continue to brave the tentacles of the numerous security apparatuses – including those now reaching into the virtual world – in their struggle for their rights and dignity. Their bravery was clear for the world to see in 2009, when hundreds of thousands of people thronged the streets and filled the squares of Tehran and other cities in scenes that proved to be a foretaste of the 2011 so-called "Arab Spring".

### **Campaigning can bring results**

While much of this report focuses on the deteriorating human right situation in Iran, there are occasional good news stories, including in relation to the releases of individuals on whose behalf Amnesty International's members worldwide have campaigned. These releases highlight the difference that international attention can make to the lives of individuals and



their families and thus the need for the international community to remain attentive to the human rights situation in Iran.

Brothers Dr Arash and Dr Kamiar Alaei, renowned HIV/AIDS physicians, had been detained apparently because of their international links, including to US-based civil society organizations, and criticism of changes in government policy regarding HIV/AIDS. They were arrested in June 2008 and sentenced in January 2009 to six and three years' imprisonment respectively for “cooperating with an enemy government”.

Neither had been politically active. Their conviction followed an unfair trial in which secret evidence was produced which they were not allowed to see or challenge, and after having been held for over two months in pre-trial detention without being allowed access to a lawyer. The prosecution is said to have cited the brothers' participation at international HIV/AIDS conferences as part of their scheme to provoke a so-called “velvet revolution” in Iran.

Dr Kamiar Alaei was released in 2010 after serving two and a half years of his sentence. His brother, Dr Arash Alaei, was released in August 2011, one of some 70 prisoners released on the occasion of a religious festival. Part of the letter the brothers wrote to Amnesty International in November 2011 stated:

*“As a result of your support, we are now free and we are safe...When we got the message about your campaign through our family, it was like getting new blood that warmed our hearts and gave us energy to be strong, to tolerate the situation, and not to become broken...We learned from our prison experience that if you believe in what you are doing, you must continue your work, whether or not the work is appreciated by your government...and you must do this until the last moment of your life... Thanks to your efforts, we are rejoicing at being reunited and we want to extend your advocacy by being the voice of the voiceless for others who may face a similar situation to ours. This is at least one way we can pass on the kindness you have shown to us... from the bottom of our hearts; we thank you for campaigning for our freedom.”*

#### **Time for action**

Urgent action is needed to end the vicious cycle of human rights violations in Iran, a cycle fuelled by the almost guaranteed impunity for perpetrators. The government must take immediate steps to establish the rule of law, guarantee the true independence of the justice system, and ensure that anyone who does commit human rights violations is held to account for their crimes. It must also ensure that the Constitution enshrines protection of human rights and outlaws discrimination and other breaches of fundamental rights.

Among other things, Amnesty International is calling on the Iranian authorities to:

- release immediately and unconditionally all prisoners of conscience – those detained solely for the peaceful exercise of their internationally recognized rights;
- amend legislation which unduly restricts the rights to freedom of expression, association and assembly, and to permit open public debate prior to the March 2012 parliamentary elections;

- establish an immediate moratorium on executions and work towards the complete abolition of the death penalty.

In the absence of independent and impartial bodies to investigate allegations of human rights violations and to provide reparations to victims and affected families in accordance with international human rights standards, the organization is also calling on the Iranian authorities to:

- allow international scrutiny of the human rights situation in Iran, including by allowing visits by the UN Special Rapporteur on Iran, in addition to other thematic UN human rights mechanisms which have requested visits, as well as independent international human rights organizations such as Amnesty International.

Amnesty International is also appealing to the international community not to allow tensions over Iran's nuclear programme or events in the wider region to distract it from pressing Iran to live up to its human rights obligations as set out in a number of international human rights treaties to which it is a state party<sup>9</sup>. In particular, Amnesty International is calling for:

- the UN Human Rights Council to renew in March 2012 the mandate of the Special Rapporteur on Iran;
- the international community to press the Iranian authorities to grant the Special Rapporteur on Iran access to the country and to fulfil commitments to receive visits by UN human rights mechanisms that have asked to visit Iran.

## 2. INCREASING RESTRICTIONS ON FREEDOM OF EXPRESSION AND ASSOCIATION

Legislation passed since the 1979 revolution has imposed undue restrictions on the peaceful exercise of the rights to freedom of expression, assembly and association – particularly the 1981 Press Law, the Penal Code, the Labour Code, and the Law on Political Parties, Societies, Political and Guild Associations, and Islamic or Recognized Minority Religious Associations (Political Parties Law).

Amnesty International has for years been documenting violations of human rights relating to these laws, which have also been criticised by other international human rights monitors such as the UN Human Rights Committee<sup>10</sup>. The UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has also highlighted his concern at the numerous provisions in the Penal Code and the Press Law which restrict freedom of opinion and expression<sup>11</sup>.

In a report published in December 2001, Amnesty International presented and illustrated in detail its concerns about laws which curtail the right to freedom of expression<sup>12</sup>. Since then, the violations detailed in that report have continued unabated. The Iranian authorities continue to ban independent television and radio stations and the use of satellite dishes, on occasion jamming satellite broadcasts from abroad. They have banned books, and restricted the paper supply for certain publishers which makes it difficult for them to publish their books. Publications have been banned, mostly temporarily by the Press Supervisory Board, pending decisions by the courts. Some are said to have been closed under the 1960 Preventive Restraint Law<sup>13</sup>. Newspapers are provided with regulations over what they can and cannot publish on certain issues, and journalists and commentators have been targeted for arrest. Countless other Iranians have been harassed and persecuted for expressing their views, whether in print or orally.

However, the Iranian authorities have been particularly concerned at the rise of the internet over the last decade or more, and the potential it has for people to freely express their views.

In common with other repressive governments, the Iranian authorities have gradually been putting in place an array of legal and other measures intended to limit access to the internet from Iran, and to penalise people writing on websites or personal blogs. Additionally, the post-election unrest of 2009 showed the world exactly how powerful a tool social media such as Facebook and Twitter could be both in organizing protests and in reporting on human rights violations committed when protests are repressed. The authorities have taken further measures since then to prevent people in Iran using such tools to organize dissent.

## **MEASURES TAKEN OR IN PROGRESS SINCE 2001 TO FURTHER RESTRICT FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY IN IRAN**

2001: Order by Supreme Leader on “Overall policies on computer-based information-providing networks”

2001: Supreme Council of the Cultural Revolution “Rules and Regulations for Computer Information Providers” giving full control of the internet to the government and restricting content of internet publications

2002: “Decree on the Constitution of the Committee in charge of Determination of Unauthorized Websites”

2005: Law on Promoting the Culture of Chastity and Modesty

May 2006: Government-owned Information Technology Company (ITC) announces that Iran’s nationwide filtering database, which can be used to block access to Internet sites, would shortly begin work

October 2006: Regulations by Radio-telecommunications regulator including restrictions on online speeds to 128 kilobits per second and banning Internet service providers from offering fast broadband packages

2007: Requirement by Ministry of Culture and Islamic Guidance for all website and blog owners to register with the authorities

2008: Law on Audio-Visual Crimes, which extends the scope of the death penalty for some pornography-related activities

2009: Law on Cyber Crimes (also called Computer Crimes Law)

2009: Establishment of “Cyber Army” believed to be linked to Revolutionary Guards

January 2010: Ban on contact with over 60 foreign media and think tanks.

July 2010: Creation of High Council of Cinema, a body which controls all aspects of film production, including the provision of funding

January 2011: Inauguration of “Cyber Police Force” in Tehran. Force fully operational by January 2012

### **Bills which would restrict the right to exercise the fundamental freedoms of expression, assembly and association if ratified as they stand:**

Bill on the Establishment and Supervision of Non-Governmental Organizations (NGOs)

Bill on the Formation of Political Parties

Bill amending the Penal Code

Much of the legal framework restricting freedom of expression, association and assembly relates to measures in the Penal Code. The first four books of the Penal Code have been under revision in parliament since 2007. In January 2012, the Council of Guardians, which vets legislation for conformity to the Constitution and to Islamic Law, said no provisions in

the draft were in violation of Islamic Law, paving the way for the Bill to be sent to the President for ratification. An earlier version of the Bill seen by Amnesty International maintains many existing provisions which are incompatible with Iran’s obligations under international human rights instruments. In particular, it continues to provide for flogging and amputation as a punishment; it continues to penalise consensual sexual relations outside marriage, whether same sex or heterosexual; it continues to allow judges to pass judgment on the basis of their “knowledge”, which could be their subjective opinion; and discriminates against women and religious minorities in a number of areas. It also appears to still provide for the execution of juvenile offenders at the discretion of the judge and would permit the use of stoning as a penalty for adultery while married by allowing judges to cite Islamic Law.

## 2.1 LAWS AND POLICIES RESTRICTING FREEDOM OF EXPRESSION

New measures taken to limit the right of everyone in Iran to exercise their right of expression are rooted in long-standing policy and practice. Iran’s Penal Code, Press Code and other regulations have provided the basis for the decades-long censorship of newspaper articles; the banning of newspapers; and the vetting of factual and fictional literature, television, plays and film and forms of pictorial art. The Press Code was amended in April 2009 to cover the material published on the internet<sup>14</sup> but other legal measures set out below impose even more intrusive restrictions.

Individuals who write in newspapers or websites or who give interviews to the media may be charged under the Press Code and Penal Code with “offences” such as “spreading propaganda against the system”, “insulting officials”, “spreading lies with intent to harm state security” or occasionally “corruption on earth” or “enmity against God”.

Iran’s various and often parallel security bodies can now scrutinize activists as they use personal computers in the privacy of their homes.

In recent years, a shadowy “Cyber Army”, reportedly linked to the Revolutionary Guards, has carried out attacks on websites at home and abroad, such as against the sites of Twitter and Voice of America. In January 2012, the Police Chief Brigadier General Esma’il Ahmadi-Moghaddam, announced that the Cyber Police, established a year before and intended “to confront Internet crimes and counter social networks that spread ‘espionage and riots’”, was now operational throughout the country.<sup>15</sup>

In August 2011, the Minister of Culture and Islamic Guidance said that the Cabinet was preparing a Comprehensive Public Media Bill which would bring SMS messages and CDs, as well as weblogs or other websites, under the sole remit of the Press law<sup>16</sup>. In January 2012, the Cyber Police issued new regulations requiring owners of internet cafés to install CCTV cameras and to register the identity and contact details of users before allowing them to use their computers. Such information must be stored for six months, and provides yet one more way for security forces to monitor the activities of activists.<sup>17</sup>

Since 2001, the Iranian authorities have gradually increased measures to control Iranians’ access to the outside world via electronic means and media. They have restricted bandwidth and are developing state-run servers, specific internet protocols (IPs), internet service providers (ISPs) and search engines.

Countless websites, including international and domestic social networking sites, are blocked, as is the [www.amnesty.org](http://www.amnesty.org) website of Amnesty International. Many Iranians use proxy hosts and filter-busting programmes to access sites abroad, but increasingly even these are blocked. Providing such software or training in how to use it is a criminal offence.

Iranian officials have stated that they intend to establish a state-wide intranet that conforms to “Islamic principles”, which will run in parallel to the World Wide Web and will “replace it in Muslim countries in the region”<sup>18</sup>. It appears that by this measure, they may be intending in the future to shut off the access of most people in Iran to the global internet.

Commercial ISPs in Iran that offer internet connectivity to the public are required to connect via the state-controlled Telecommunication Company of Iran (TCI) which facilitates state control<sup>19</sup>. The authorities also require ISPs to record access to sites by users<sup>20</sup>. Recently-issued instructions require internet cafés to keep detailed data regarding users’ identities and the sites they visit for six months<sup>21</sup>.

Moreover, the authorities jam foreign satellite transmissions into the country and access to information is also restricted by the confiscation of satellite dishes, which are illegal in Iran.

The security forces closely monitor fixed line and mobile telephone services and people who live in Iran routinely assume that their line is tapped and adapt their speech accordingly. SMS services have been reported to have been occasionally blocked, particularly during times and locations where mass demonstrations have been expected.

The 2008 Law on Audio-Visual Crimes, amending an earlier version, provides for flogging and the death penalty for the producers of “obscene” products; producers of such products “intended for sexual abuse”; and the principal agents in the production of those products, on the grounds that they are “corrupt on earth”. Under Article 4, persons who use such products to blackmail others “to fornicate with them” will be charged with rape – for which there is a mandatory death sentence – under the Penal Code provisions criminalizing adultery and fornication.

More restrictions on freedom of expression were imposed under the 2009 Law on Cyber Crimes which replicated many of the restrictions placed on freedom of expression in the Penal Code and Press Law, making it clear that these laws do apply to internet and electronic publications.

**Ashkan Delanvar**, a student banned from further education for his political views, was tried in the first case recorded by Amnesty International where an individual was sentenced to prison under the Law on Cyber Crimes for providing anti-filter software and training in how to use it. He was sentenced to 10 months imprisonment after conviction of these charges, although his sentence was later increased on appeal<sup>22</sup>. When summoned to start serving the sentence Ashkan Delanvar fled Iran, fearing for his safety. He is in a European country waiting – at the time of writing – for his asylum application to be determined.

The right to education has long been restricted, with students banned from education on account of their political activities or faith. After the disputed presidential election, academic freedom came under renewed attack when the authorities launched a purge of universities,

particularly in relation to the teaching of social sciences. Reductions in social science courses, such as sociology and politics, including courses on human rights also followed a speech in August 2009, in which the Supreme Leader said that “instruction in these human sciences in the universities will lead to reservations and doubts in religious principles and beliefs”<sup>23</sup>.

In addition to the new restrictions on freedom of expression outlined above, when appearing in public women and men in Iran continue to have to adhere to a mandatory dress code that is enforced in law. The authorities have stepped up efforts in recent years to enforce the 2005 Law on Promoting the Culture of Chastity and Modesty, which has led some universities to threaten students who do not comply with the dress code with a ban on completing their studies. The dress code, however, has never been fully defined, and while many women wear traditional forms of dress, others have also chosen to interpret this code in other ways. This leaves them at risk of harassment from police or other security forces, including the Basij militia, particularly during summer crackdowns, which have increased since 2005.

In February 2012, it was reported that all women civil servants would be obliged to wear a specific uniform said to conform to “Islamic dress” from the start of the new Iranian year, which begins on 21 March 2012. According to reports in Iranian news agencies, the policy would be applied first in Tehran, but then would be extended to other parts of the country<sup>24</sup>. The dress code appears also to be enforced for political reasons as another tool for silencing perceived dissenters or critics. Defence lawyer **Nasrin Sotoudeh** was tried in February 2011, and subsequently fined 500,000 rials<sup>25</sup>, for not adhering to the dress code in a video she made to accept a human rights award in Italy in 2008 in which she did not cover her hair. The Iranian authorities had banned her from leaving the country to accept the award in person. The video was made in her house and was not aired by her in Iran, but was posted on the internet.

## **INTERNATIONAL STANDARDS GOVERNING FREEDOM OF EXPRESSION**

**Freedom of expression is guaranteed by Article 19 of the International Covenant on Civil and Political Rights (ICCPR) which states that “everyone shall have the right to hold opinions without interference” and that “everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice”. Freedom of expression may only be restricted for respect of the rights or reputations of others, or for the protection of national security or of public order or of public health or morals and must conform to strict tests of necessity and proportionality.**

In its General Comment No. 34 on Article 19, issued in September 2011, the UN Human Rights Committee, which is the authoritative body overseeing interpretation of the ICCPR, made it clear that freedom of expression applies to audiovisual material and the internet as well as to more traditional forms of communication, and includes:

“expression and receipt of communications of every form of idea and opinion capable of transmission to others ... political discourse, commentary on one’s own and on public affairs, canvassing, discussion of human

rights, journalism, cultural and artistic expression, teaching, and religious discourse”.

The Committee also clarified that lawful restrictions on freedom of expression may never be invoked as “a justification for the muzzling of any advocacy of multi-party democracy, democratic tenets and human rights”.

The Committee, which further highlighted the need for a plurality of media which should not be solely under state control, also warned that “treason” or “national security laws” may not be invoked “to suppress or withhold from the public information of legitimate public interest that does not harm national security or to prosecute journalists, researchers, environmental activists, human rights defenders, or others, for having disseminated such information” and stressed that “all public figures, including those exercising the highest political authority such as heads of state and government, are legitimately subject to criticism and political opposition”.

Regarding the internet, the Committee stated that generic bans on the operation of certain sites and systems are not “permissible restrictions” and that no form of media should be shut down or prevented from publishing material solely on the basis that it may be critical of the government or the political social system espoused by the government.

The Committee also found that journalists and others (such as persons who wish to investigate human rights violations or attend human rights-related meetings) should normally be allowed to leave, enter or travel within a country, including to “locations where there are allegations of human rights abuses”.

The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has also stated that expression on the internet:

“should never be subject to restrictions [on] discussion of government policies and political debate; reporting on human rights, government activities and corruption in government; engaging in election campaigns, peaceful demonstrations or political activities, including for peace or democracy; and expression of opinion and dissent, religion or belief, including by persons belonging to minorities or vulnerable groups.”<sup>26</sup>

In addition to the relationship of academic freedom to the right to freedom of opinion and expression, the Committee on Economic, Social and Cultural Rights, the authoritative body which oversees interpretation of the International Covenant on Economic, Social and Cultural Rights (ICESCR), has stated in its General Comment 13 that the right to education includes academic freedom of staff and students, noting that “staff and students in higher education are especially vulnerable to political and other pressures which undermine academic freedom”.<sup>27</sup>

## 2.2 RESTRICTIONS ON FREEDOM OF ASSOCIATION AND ASSEMBLY

As part of its efforts to marginalise and isolate Iranians, in January 2010, the authorities also effectively criminalized contact with over 60 foreign institutions, media organizations and NGOs. Numerous human rights defenders were detained, mostly briefly, in the months that followed.

In October 2011, Police Chief Esmā'il Ahmadi-Moghaddam is reported to have said that co-operating with the BBC or the Voice of America was tantamount to working with the enemy and would be treated “seriously”. In January 2012, he said that Google was not a search



engine, but an “espionage tool”.<sup>28</sup> An increasing number of arrests appear to be motivated by individuals’ contact with the international media.

Such measures exemplify how the authorities are continuing their attempts to restrict human rights organizations, either by repeatedly harassing and arresting members, or by forcibly closing them down. The Centre for Human Rights Defenders (CHRD), the Association for the Rights of Prisoners, Human Rights Activists in Iran (HRA) and the Committee for Human Rights Reporters (CHRR) – all previously closed down or never recognised despite repeated attempts to gain legal registration – remain shut. Other professional organizations which have criticised government actions and human rights violations against their members, such as the Association of Iranian Journalists and the House of Cinema (a professional association for film industry workers) have also been closed down by the authorities.

Numerous human rights defenders have already found themselves facing charges such as “forming or membership of a group whose intent is to harm state security”. Contact with individuals or institutions abroad could bring charges of “espionage”. If the “offence” is deemed to amount to “enmity against God”, the authorities could sentence an individual to death.

## **FREEDOM OF ASSOCIATION AND ASSEMBLY IN IRAN**

**Freedom of assembly and association are guaranteed under Articles 21 and 22 of the ICCPR respectively, and both rights are subject only to similar restrictions as may limit freedom of expression.**

Freedom of expression is provided for under Article 26 of the Iranian Constitution, but is limited by a vaguely worded clause which stipulates that associations must not violate the criteria of Islam or the basis of the Islamic Republic. As a result, restrictions are placed on the activities of associations, under Article 16 of the Law on Political Parties, Societies, Political and Guild Associations, and Islamic or Recognized Minority Religious Associations.

Restrictions on freedom of association are also placed on independent trade unions, under the Labour Law. Membership of the Bar Association, and approval for candidacy for elections to its board, is also subject to discriminatory vetting procedures which limit its independence by subjecting membership to approval by the judiciary<sup>29</sup>. The Bar Association has also been undermined by the introduction of so-called “legal advisers” which are subject to licensing by the Judiciary and are therefore not independent.<sup>30</sup>

Freedom of assembly is provided for under Article 27 of the Iranian Constitution, which stipulates that “[p]ublic gatherings and marches may be freely held, provided arms are not carried” but once again is limited by a vaguely worded clause that they must not be “detrimental to the fundamental principles of Islam”. Article 10 of the Law on Political Parties, Societies, Political and Guild Associations, and Islamic or Recognized Minority Religious Associations creates a commission that not only approves licences for organizations, but also verifies that demonstrations requested by licensed organizations meet the criteria of Article 27 of the Constitution.

In its concluding observations of November 2011, the UN Human Rights Committee expressed concern at wide ranging restrictions on the rights to freedom of assembly and association<sup>31</sup> and recommended that the Iranian authorities should ensure that these rights are guaranteed to all individuals without discrimination and

release immediately and unconditionally anyone held solely for the peaceful exercise of this right, including students, teachers, human rights defenders (including women’s rights activists), lawyers and trade unionists. The Committee also said that the authorities in Iran should ensure the prompt, effective and impartial investigation of threats, harassment, and assault on members of these groups, and, when appropriate, prosecute perpetrators of such acts.

Regrettably, the Iranian authorities have not taken the opportunity presented by the revision of the first four books of the Penal Code to remove undue restrictions on freedom of association. In January 2012, the Council of Guardians announced that it had found nothing incompatible with Islamic Law in the draft presented by parliament, thereby paving the way for its imminent passage into law after it is signed by the President. The new code continues to provide penalties for vaguely worded concepts such as “enmity against God”. This article can be used to impose the death penalty for “enmity against God” on anyone convicted under Article 498 (in Book 5 of the Penal Code, which was not revised) of “forming a group, branch or association whose aim is to harm national security”. Article 498 specifies that such a person should be sentenced to between two to 10 years’ imprisonment “if they are not considered to be an enemy of God”.

Likewise, a draft reform of the Labour Code, not passed by parliament at the time of writing, continued to undermine freedom of association by prohibiting the creation of independent trade unions. The draft also continued to give governmental security and intelligence bodies control over the approval of candidates permitted to stand for election to the leadership committees of workers’ bodies.

The numbers of human rights defenders facing such charges would be likely to increase if a draft law, the Bill on the Establishment and Supervision of NGOs is passed. If passed, the Bill would replace existing regulations with a regulatory framework that would effectively wipe out all independent NGOs in the country by creating the Supreme Committee Supervising NGO Activities, an unaccountable body. Chaired by the Interior Ministry, it will include representatives from the Intelligence Ministry, the police, the volunteer Basij militia, the Revolutionary Guards – all of which have in the past acted to curtail freedom of expression, association and assembly – and the Foreign Ministry, among others. It will have only one member representing NGOs’ interests. The Committee will be empowered to issue and revoke registration permits for all NGOs and have ultimate authority over their boards of directors. If this Bill is passed, members of NGOs that fail to secure registration permits or who have their permits revoked, will be even more at risk of prosecution. At the time of writing, the Bill had not yet been passed. The UN Human Rights Committee, which reviews states’ compliance with the ICCPR, has said that the Bill should be withdrawn.<sup>32</sup>

The Council of Guardians reviewed the draft legislation in October 2011. It rejected some of the Bill’s articles which the Council of Guardians found in contravention to the Constitution and Islamic Law, and returned the Bill to parliament. Parliamentarians have reportedly amended the relevant articles and the draft is, at the time of writing, under consideration by the Expediency Council<sup>33</sup>. Once resolved, the legislation can be signed into law by the President.

Political parties, particularly those associated with opposition leaders Mehdi Karroubi and Mir Hossein Mousavi, have been closed down by court order since 2009, joining other political parties banned since 1979.

Further restrictions on the formation and activities of political parties appear to be underway. A third parliamentarians' Bill, the draft Law on Formation of Political Parties, has been introduced by the Article 10 Commission, established under the current Political Parties Law.<sup>34</sup> In addition to failing to remove discriminatory provisions over who can form or join a political party<sup>35</sup>, the Bill also envisages supervision and evaluation of a political party by the Article 10 Commission in the period between registering for a licence to operate and the licence being granted. It is feared that this could pose an undue restriction – in breach of Iran's own Constitution – on the right to freedom of association, as the Article 10 Commission would be empowered to refuse a licence to any party whose activities it did not approve of in the post-registration period. Additionally, “fronts and associations” formed of more than one party would require separate registration, creating an extra hurdle for political participation.<sup>36</sup>

Additionally, 2011 saw proposals by the authorities to implement gender segregation in institutions of higher education, most of which have run mixed gender courses in recent years. In August 2011, it was reported that 20 universities would be restricting certain courses – including sociology, history, literature, mining, arts education and mathematics – to one gender of students only in the coming academic year.<sup>37</sup> These measures, as well as the requirement for women students to study in or near their hometown appear to be reducing the percentage of women entering university (from over 60 per cent in 2007 to fewer than 50 per cent in 2010). Later that August, the Ministry of Education issued a directive banning mixed-gender classes in pre-schools in most cases.<sup>38</sup> Schools in Iran are already gender-segregated.

Freedom of assembly too continues to be very limited except in cases where the authorities wish demonstrations to occur. For permits to be issued by the Interior Ministry, the demonstration must be deemed by the Article 10 Commission of the Political Parties Law not to “violate the fundamental principles of Islam”. The Bill on Political Parties retains this requirement for advance vetting of demonstrations by the Article 10 Commission. The Interior Ministry also has the power to refuse a permit for other reasons. It is also not clear whether permits for demonstrations can be sought by private individuals, or only by political parties, NGOs or other registered organizations.<sup>39</sup> In the current situation, there is a de facto refusal by the authorities to authorise demonstrations perceived as expressing dissent. The few demonstrations that have taken place since 2009 have therefore largely been unauthorised. Policing methods against demonstrators who have not obtained a permit are brutal and often resort to excessive use of force, which can sometimes be lethal.

## 3. FROM ARREST TO EXECUTION: PATTERNS OF HUMAN RIGHTS VIOLATIONS

Iran’s domestic legal framework governing pre-trial detention, although flawed, should provide some protection against arbitrary arrest and detention, which are prohibited under Article 9 and 14 of the ICCPR. Despite this, and the country’s international obligations, thousands of people have been arbitrarily arrested since 2009, many of whom have been subjected to other serious human rights violations, including incommunicado detention in conditions amounting to enforced disappearance and torture or other ill-treatment.

### LEGAL PROVISIONS GOVERNING ARREST AND DETENTION

The Iranian Constitution, Code of Criminal Procedures and the 2004 Law on Respect for Legitimate Freedoms and Safeguarding Citizens’ Rights all specify that arrests must be made on the basis of a warrant which must contain the reason for the summons and be read to the accused<sup>40</sup> unless someone is caught in the act of committing a crime. Iran’s Code of Criminal Procedure<sup>41</sup> empowers the police and the Basij and Revolutionary Guards to make arrests. Iran’s Supreme National Security Council may also empower other bodies or agencies to do so as well, although the basis and mechanism is not clear in the law and there appears to be no requirement for the authorities to inform the public as to what bodies have been granted arresting and detaining powers. For example, Ministry of Intelligence personnel do not appear in law to have the power of arrest, but under these provisions they may well have been given it.

The Iranian Constitution states that “charges with the reasons for accusation must, without delay, be communicated and explained to the accused in writing, and a provisional dossier must be forwarded to the competent judicial authorities within a maximum of 24 hours”<sup>42</sup>. The Code of Criminal Procedure, which reiterates that 24-hour limit<sup>43</sup>, states that a judge may issue temporary detention orders for a maximum of two months, thereby allowing authorities to hold detainees without charge beyond the 24-hour period<sup>44</sup>. The Code gives the accused the right to appeal against the detention order within 10 days, and although it states that the detainee’s case must be resolved within a month, it also allows the judge to renew the temporary detention order<sup>45</sup>. The Code sets no limits on how many times this order may be renewed.

The Code of Criminal Procedures says that detainees can petition a judge for release on bail<sup>46</sup>. It requires that the bail or surety is appropriate and proportionate to the crime and punishment in question, as well as the status of the accused and his background<sup>47</sup>.

Despite this, bail is often set extremely and disproportionately high, which may force the family of the detainee to surrender more than one property deed. Many of those arrested since the June 2009 election have stood bail of amounts equivalent to several hundred thousand US dollars. In some cases, detainees and their families are simply unable to meet such high demands, and the individual continues to languish in detention.

The Code of Criminal Procedures is also currently under review in Iran. Although some provisions of the current Code appear to provide some degree of protection from arbitrary

arrest and torture or other ill-treatment, in practice, the restrictive interpretation of certain notes are for example used to deny detainees access to a lawyer from the time of arrest until such time as the interrogation has been finished. The draft revised code also does not appear to fully clarify which agencies have the power of arrest in Iran.

The lack of transparency over which agencies have the right to carry out arrests facilitates abuses and impunity. Under the law, detainees must be held in facilities controlled by the Prisons Organization. However, in practice, many of those arrested, particularly those suspected of opposing the government, are arrested without a warrant or on the basis of a general arrest warrant that does not specify them by name or fully explain the reason for arrest, and are taken to detention facilities run by intelligence bodies such as the Ministry of Intelligence or the Revolutionary Guards Intelligence branch. It is common for detainees to be held incommunicado for days, weeks or even months after arrest with no chance to understand or challenge the basis for their detention, in conditions which can amount to enforced disappearance. Detainees' families are often unable to obtain any information concerning their whereabouts, and are shuffled from pillar to post as they try to find out if their relatives are even in the hands of the authorities.

### 3.1 TORTURE AND OTHER ILL-TREATMENT IN DETENTION

The Iranian legal framework provides limited protection from torture. Article 38 of the Constitution prohibits torture if it is “for the purpose of extracting confession or acquiring information”, while Article 39 bans all affronts to the dignity of detained or imprisoned persons. Article 6 of the 2004 Law on Respect for Legitimate Freedoms and Safeguarding Citizens' Rights further provides that while a prisoner is being detained, interrogated or investigated, law enforcement officers must not harm an accused person, for example, by blindfolding them or tying their limbs.

However, in reality torture is routinely and widely used. The Iranian authorities have admitted that in order to obtain information or confessions, law enforcement officials are, in special cases, permitted to use interviewing and interrogation techniques which may cause physical or mental pain or suffering when ordered to do so by a superior law enforcement official or other government official.<sup>48</sup>

In many instances, torture and other ill-treatment are used to extract “confessions” under duress. Methods frequently reported by detainees include severe beatings; electric shocks; confinement in tiny spaces; hanging upside down by the feet for long periods and rape or threats of rape of both men and women, including with implements. Detainees are also frequently subject to death threats, including mock executions; threats to arrest and torture family members; actual arrest of family members; deprivation of light or constant exposure to light and deprivation of food and water. Accusations of torture are routinely ignored in court and not investigated, while “confessions” extracted under duress are accepted as evidence.

In August 2011, the Head of the Prisons Organization denied that torture occurred in prisons under his jurisdiction, but stated that detainees held for interrogation were tortured. He told the semi-official Mehr News Agency:

*“Torture is practised in prisons that are run by the police and where prisoners are continuously being interrogated. But Iranian prisons are not run by the police or the judge.*

*They are instead run independently as subsidiaries of the Prisons Organization, under the supervision of the judiciary.”<sup>49</sup>*

### 3.2 POOR PRISON CONDITIONS

Hundreds of prisoners of conscience and political prisoners are held in overcrowded prisons in poor conditions leading to health problems and are then denied adequate medical care. In March 2011, the Head of the Prisons Organization said that the prison population had reached more than 220,000. He said:

*“During the [18-month] period since I took over as director of the organization, 55,000 people have been added to the overall number of prisoners while not even as little as 55 meters of space has been added to the current system.”<sup>50</sup>*

In late June 2011, Younes Mousavi, a member of the parliamentary Judicial Committee reportedly stated in parliament that overcrowding in some prisons was so severe that prisoners were sleeping on the stairs. He also reportedly said that the budget of the Prisons Organization was insufficient to clothe and feed prisoners, so that in some prisons prisoners shared a blanket, that some prison buildings were no longer fit for purpose and that the health system of some prisons was so poor that some prisoners could experience “unsuitable medical conditions” while in prison.<sup>51</sup>

Some family members of a group of around 600 women, including some political prisoners, transferred in 2011 to Gharchak (or Qarchak) prison, near Tehran wrote a letter to the Head of the Islamic Human Rights Commission in May 2011. The letter described the conditions in which they were held and alleged that guards had beaten prisoners who had complained:

*“...Prison authorities at Gharchak refuse to provide prisoners with food and water and according to the prisoners there are no regular meal times and prison authorities serve food at their convenience. The 600 female prisoners have access to only four bathrooms and the same bathrooms must be used by everyone for taking showers, washing their clothes and washing other items such as dishes. Furthermore, the water supply is cut off during most of the day.”<sup>52</sup>*

**“There are no laws in our country and there is no one we can go to in order to report this lawlessness. How is it that in a prison that is operated under the oversight of Prisons Organization, any member of the IRGC who wishes can come and beat up my son? I am truly sorry for a country that only claims to be carrying out justice. There are no laws, there are no authorities who would review the complaints, and human rights organizations just talk. None of this helps the political prisoners,”**

Ahmad Ronaghi Maleki, father of imprisoned blogger Hossein Ronaghi Maleki, August 2011<sup>53</sup>

**Hossein Ronaghi Maleki**, a blogger, was held in solitary confinement for 376 days after his arrest, during which he was tortured or otherwise ill-treated. He was sentenced to 15 years’ imprisonment after an unfair trial and went on hunger strike for about a week in December 2011. In failing health after developing kidney complications since his arrest, he has undergone at least four operations. He said in an open letter to the Tehran Prosecutor Abbas Ja’fari Dowlatabadi<sup>54</sup> that he was beginning his hunger strike in protest at his unfair

sentence, the refusal of the prison authorities to grant him a medical furlough, and the “psychological and physical pressures” he had been subjected to since his arrest.<sup>55</sup>

Hossein Ronaghi Maleki was beaten unconscious by a Revolutionary Guards officer in prison in August 2011 after a previous letter to the Tehran Prosecutor. He was taken to hospital but returned to prison after he regained consciousness.

Many other detainees referred to in the sections below have also complained of poor prison conditions and denial of medical treatment.

### 3.3 UNFAIR TRIALS

**“It appears that the judges presiding over the political cases in the revolutionary courts are in effect mercenaries whose job is to execute security policies of the regime. Often these judges do not even possess proper knowledge or expertise regarding the content of the case they are presiding over, have not read the case file, and basically do not know much about the accused at all. In these court sessions, which are barely a few minutes long, the judges merely ask simple and formal questions (limited to the name and address of the accused, the charges and such), and do not probe to uncover the truth or social motivations of the accused.”**

Behnam Daraeizadeh, an Iranian defence lawyer<sup>56</sup>

The majority of trials in Iran are grossly unfair, particularly those before Revolutionary Courts and other special courts such as the Special Court for the Clergy (SCC).<sup>57</sup> Revolutionary Courts are used to prosecute national security offences and offences under the Anti-Narcotics Law, whereas the SCC tries cases in which Muslim clerics or their followers are involved. Trials by Revolutionary Courts are frequently held behind closed doors. Defendants are routinely denied access to lawyers in the preliminary pre-trial investigation stage and often during the trial itself under a restrictive interpretation of a note to Article 128 of the Code of Criminal Procedures. Dozens of defendants have told Amnesty International how they were told that if they did not have a lawyer, ‘it would be better’ for them. Trials are often only minutes long and prisoners sometimes claim that the judges receive instructions from the intelligence service which has overseen their interrogation on the verdict and sentence. Behnam Daraeizadeh, a lawyer who has defended clients charged with political offences, is of the same opinion. He has stated that in political cases:

*“Agents of the Ministry of Intelligence prepare a report called ‘final circulation’. In this report or ‘circulation’, the manner of formation of the case and selected confessions of the accused are noted, while the judge or court magistrate of the case are given the options of designated punishments, and even recommendations regarding increasing or decreasing the level of punishment.”<sup>58</sup>*

While some prisoners of conscience and political prisoners receive lengthy prison sentences, others are sentenced to death on vaguely worded charges relating to national security. Prisoners of conscience held for non-political reasons are also sometimes sentenced to death, and executed, for offences not codified in law, such as “apostasy from Islam”. The Iranian authorities do not provide official statistics on their use of the death penalty and there is credible evidence that large numbers of executions are carried out in secret. Lawyers are not always informed in advance of their clients’ execution, despite the legal requirement that they must be informed 48 hours in advance, and families are not always given an opportunity

for a final visit, or to receive the body and effects of their relative after execution. Public executions are believed to have quadrupled in 2011 in what may be a strategy to spread fear among the population and to deter protests. As the repression of dissenters widens, the risk of further death sentences and executions cannot be excluded<sup>59</sup>.

## **INTERNATIONAL STANDARDS FOR ARREST, DETENTION AND TRIAL**

Arbitrary arrest is prohibited under Article 9(1) of the ICCPR. This provides that “No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law”. It also provides that anyone deprived of their liberty shall be promptly informed of the reasons for their arrest and shall have the right to challenge before a court the lawfulness of their detention.

A growing body of international treaties, customary law and jurisprudence recognizes enforced disappearances<sup>60</sup> as a continuous crime for as long as the fate of the victims is not clarified, and justice and reparation are not afforded<sup>61</sup>. International jurisprudence also acknowledges that enforced disappearances not only constitute inhumane treatment for the disappeared, but also for their relatives who suffer constant distress not knowing whether their loved ones are alive or dead, where they are held, and how they are being treated.

While Iran has not ratified the Convention against Torture, Article 7 of the ICCPR prohibits torture and cruel, inhuman or degrading treatment or punishment. The UN Commission on Human Rights has also ruled that “Prolonged incommunicado detention or detention in secret places may facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment and can in itself constitute a form of such treatment”.

Article 14 of the ICCPR guarantees the right “to a fair and public hearing by a competent, independent and impartial tribunal”, as well as the right not to be compelled to testify against oneself or to confess guilt and by having time to prepare an adequate defence.

The right to life is also guaranteed under Article 6 of the ICCPR and the UN has on many instances expressed concern at the high number of executions in Iran, including of juvenile offenders.



## 4. WHO IS BEING TARGETED?

Waves of new arrests have followed the mass arrests of 2009; political activists were among the first targeted, along with human rights defenders, journalists, bloggers, members of religious and ethnic minorities, and workers’ rights activists. Since then, lawyers and filmmakers have joined the swelling ranks of prisoners, many of whom are prisoners of conscience or political prisoners held without trial or tried unfairly<sup>62</sup>.

At the time of writing in February 2012, as campaigning for the March 2012 parliamentary elections is about to start, a further wave of arrests of bloggers and journalists is underway<sup>63</sup>. Over 10 journalists, writers and bloggers have been detained, as have members of ethnic and religious minorities. Reports have emerged that Revolutionary Guards’ intelligence services have been targeting Iranians working abroad for foreign media, particularly BBC Persian (see chapter 5 below).

Hundreds of prisoners of conscience and political prisoners are currently imprisoned or detained, although it is difficult to provide accurate figures on the numbers held at any one time. Secrecy surrounding arrest and detention; the difficulty of obtaining information about those held in prisons outside the major cities; the denial to detainees of access to family members and lawyers; pressures placed on family members not to talk publicly about their relative’s arrest; and the practice of granting temporary prison leave, as well as the Iranian authorities’ refusal to grant access to the country to international human rights monitors including international human rights organizations and UN human rights mechanisms, mean that Amnesty International has been unable to compile a comprehensive list of political prisoners, including prisoners of conscience. All those held are at risk of the serious human rights violations as described in previous sections of this report.

As a result, this is by no means an exhaustive account of the repression of freedoms of expression, association and assembly, or of arbitrary arrest, torture or unfair trial, but an attempt to highlight patterns of violations and the plight of those who are detained and who are at risk of detention.

### 4.1 HUMAN RIGHTS ORGANIZATIONS AND THEIR MEMBERS

**“What crime has he committed that he deserves to be tortured? Is defending the rights of Haft Tapeh factory workers, drivers’ union workers, and other organizations a crime?”**

Asareh Eyvazi, mother of journalist and human rights activist Abolfazl Abedini Nasr, from a letter to Iran’s Head of the Judiciary in April 2010<sup>64</sup>

Human rights defenders continue to be arbitrarily arrested, ill-treated, subject to enforced “disappearance”, sentenced after unfair trials and denied medical care. Others have been banned from international travel and prevented from leaving the country.

Three CHRD members received long sentences in 2011 including two founder members, **Mohammad Seyfzadeh** and **Abdolfattah Soltani**, who remain held in Evin Prison, Tehran. Another, Mohammad Dadkhah has been convicted to nine years’ imprisonment but is

currently at liberty, awaiting delivery of the appeal court's verdict, some three months after being held.

**Narges Mohammadi**, the Executive Chairperson of the CHRDR, was sentenced in September 2011 to 11 years in prison after her conviction for "spreading propaganda against the system" and "membership of a group whose object is to disturb the security of the country". The Revolutionary Court verdict stated that Narges Mohammadi's assertion that her activities were entirely peaceful was "lies" and that her true aims were to tarnish the country's reputation. She is awaiting the outcome of her appeal against her conviction and sentence.

In March 2011, Branch 26 of the Tehran Revolutionary Court sentenced journalist **Abdolreza Tajik** to six years' imprisonment for "membership of an illegal group [the CHRDR]" and "spreading propaganda against the system". His lawyer has denied he was an active member. The sentence was upheld on appeal in October 2011. After visiting him in detention in July 2010, his sister Parvin said he told her, "When they brought me in, on the first night of detention, in the presence of the Lieutenant Attorney General and the magistrate of Branch 1, my self respect and dignity were violated."<sup>65</sup> **Parvin Tajik** was later herself sentenced to 18 months in prison after conviction of "spreading lies with intent to disturb public opinion" and "spreading propaganda against the system" for speaking out in this way.<sup>66</sup>

**Hadi Esmailzadeh**, a lawyer and CHRDR board member, was reportedly summoned for questioning on 12 July 2011 on suspicion of "gathering and colluding with intent to harm state security" and "propaganda against the system through membership of the CHRDR". He, like Abdolreza Tajik and Narges Mohammadi, is subject to a travel ban.

In 2008 members of the CHRDR, including Mohammad Dadkhah, Hadi Esmailzadeh, Ferideh Gheyrat and Abdolfattah Soltani were disqualified under discriminatory selection regulations from standing for the Central Board of the Bar Association because of their activities as human rights defenders. In 2012, despite confirmation from the current board of the Bar Association that they are competent to stand for election, Ferideh Gheyrat and Mohammad Dadkhah, and other lawyers not linked to the CHRDR, were once again disqualified from standing.

Members of the CHRR are also facing imprisonment or have fled the country for their own safety. The Iranian authorities have accused the CHRR of having links with the banned opposition group, the People's Mojahedin Organization of Iran (PMOI), termed "monafeghin" (hypocrites) by the Iranian authorities. The CHRR vehemently denies any such links.

In January 2011, **Navid Khanjani** was sentenced to 12 years' imprisonment following an unfair trial before Branch 26 of the Tehran Revolutionary Court. He was found guilty of offences relating to his work for human rights organizations including "causing unease in the public mind" and "spreading propaganda against the system". Following his arrest in March 2010, Navid Khanjani was held for at least 23 days in solitary confinement, beaten while being questioned and subjected to near strangulation while blindfolded by a prison official for refusing to "confess" on camera. A member of the Baha'i religious minority, he is also a member of the Association to Oppose Discrimination in Education (AODE). An appeal held in August 2011 confirmed the 12 years handed down by a lower court, and added a four million

rial fine. In late January 2012, still at liberty, he told Amnesty International the order to start serving the sentence had been processed and that he expected to receive it imminently.

**Shiva Nazar Ahari** was arrested in December 2009 with two other CHRR members on their way to attend the funeral of Grand Ayatollah Montazeri, a senior cleric who had criticized the Iranian government’s crackdown on demonstrators in the aftermath of the disputed presidential election in June 2009. Held in conditions amounting to torture, she was sentenced in September 2010 to 74 lashes, converted to a fine, and a six-year prison sentence. This included three-and-a-half years for “enmity against God” to be served in internal exile at Izeh Prison, Khuzestan province; two years for “gathering and colluding to commit a crime against national security” and six months for “spreading propaganda against the system.” In January 2011, she was acquitted on appeal of “gathering and colluding to commit a crime against national security” and so her prison sentence was reduced to four years. The appeal court also changed her internal exile location from Izeh Prison in Khuzestan Province to a prison in Karaj, near Tehran. Shiva Nazar Ahari was released on bail in September 2011 but may be summoned at any time to serve her sentence. In January 2012, Shiva Nazar Ahari’s mother was knocked over from behind by a man in the street, injuring her hands and knees as a result. The man then jumped on his motorcycle, shouting “Death to the monafegh” and left.<sup>67</sup> As with Navid Khanjani, at the time of writing, she had not received the order to serve her sentence and was at liberty.

**Kouhyar Goudarzi**, another CHRR member, disappeared for several weeks after his arrest in July 2011 until discovered to be in solitary confinement at Evin Prison, where he remained at the end of 2011. A friend, Behnam Ganji Khaibari, aged 22, arrested with him and apparently tortured, committed suicide after his release in August 2011. Before his death, Behnam Ganji Khaibari said that he had been interrogated every morning and afternoon and pressured to make a “confession” incriminating Kouhyar Goudarzi.

Kouhyar Goudarzi’s trial before Branch 26 of the Revolutionary Court in Tehran, on the charges of “spreading propaganda against the system by giving an interview to *Der Spiegel* magazine” and “gathering and colluding with intent to harm state security through membership in the Committee of Human Rights Reporters” began in the presence of his lawyer on 20 January 2012. An earlier session on 9 January 2012 had been postponed at his request as his lawyer was not present.<sup>68</sup>

Kouhyar Goudarzi’s mother, **Parvin Mokhtare**, was arrested on 1 August 2011, one day after the arrest of her son, and has since been held in Kerman Prison, south-east Iran. She was tried before a Revolutionary Court in Kerman in September 2011 on charges of “spreading propaganda against the system” and “acting against national security” said to relate to her advocacy for her son after he was sentenced to one year in prison after conviction in a previous case in 2010 of charges including “spreading propaganda against the system”. Without any access to a lawyer since her arrest, she was sentenced to 23 months’ imprisonment in December 2011 after security officials told her that she had “no need of a lawyer or defence team”<sup>69</sup>.

At least 30 people, including some independent human rights activists and a number of HRA members, were arrested in early March 2010. Twenty websites belonging to the HRA were filtered by the authorities<sup>70</sup>. Most of those arrested were released shortly afterwards. One of

those detained was the HRA's former Head of Public Relations, freelance journalist and human rights activist **Abolfazl Abedini Nasr**, now aged 29, who was reportedly beaten both during his arrest and on his arrival at Evin Prison.

Abolfazl Abedini Nasr had previously been arrested shortly after the June 2009 presidential election and held for four months before being released on bail. After his re-arrest in March 2010, his lawyer was informed that Abolfazl Abedini Nasr had been convicted by Branch 1 of the Revolutionary Court in Ahvaz in connection with his June 2009 arrest. He was sentenced to 11 years' imprisonment for "membership of an illegal organization [HRA]", "spreading propaganda against the system" for talking to foreign media and "contacts with enemy states. The charge of "contact with enemy states" may be related to claims that the authorities made in March 2010 that HRA was set up by the CIA as part of alleged attempts to orchestrate a "soft revolution" in Iran. His sentence was confirmed on appeal in May 2010. He suffers from a heart problem for which he requires regular medication and check-ups. It is not clear to Amnesty International whether he is receiving adequate medical care in prison.

On 1 May 2011, Branch 28 of the Revolutionary Court in Tehran sentenced Abolfazl Abedini Nasr to an additional year's imprisonment after he was convicted of "spreading propaganda against the system" in connection with interviews he gave to media outlets in his capacity as Head of Public Relations for the HRA. This sentence was upheld on appeal in November 2011.

Abolfazl Abedini Nasr is also a member of the Pan-Iranist party, a banned political opposition party which advocates for the solidarity and reunification of the Iranian peoples inhabiting the Iranian plateau.

Civil society activists have left the country for their own safety. For example, **Sohrab Razzaghi** now lives abroad. He was previously the Director of Iranian Civil Society Organizations Training and Research Centre (ICTRC) (Koneshgaran Davtalab, also known as Volunteer Actors Institute) which promoted civil society capacity building, sustainable development, democracy and human rights. It was forcibly closed by the authorities in March 2007 though no explanation was provided. Formerly a professor at the Law and Political Department of the Allameh Tabatabaiee University in Tehran, he was dismissed in 2005 during a wave of dismissals and enforced retirements of academic staff regarded as being too reformist. He was arrested in October 2007, his home and offices were searched and material confiscated, and he spent a month in solitary confinement in Evin Prison before being released on heavy bail<sup>71</sup>. After the 2009 election, he was summoned to court, but did not attend and left the country. In January 2012, he was sentenced in his absence to 20 years in prison and a hefty fine after conviction of "acting against state security by forming a group with intent to overthrow the system", "gathering and colluding with intent to harm state security", "keeping classified information with the intent to make it available to foreigners" and "illegally receiving funds from international organizations".

## 4.2 LAWYERS

At least nine defence lawyers are currently detained or imprisoned in Iran apparently because of their defence work, other human rights activities, or the legitimate exercise of their freedom of expression. Others have faced harassment and prosecution and at least four have fled Iran fearing persecution.

Lawyers who defend prisoners of conscience or political prisoners or who publicly raise concerns over torture or judicial proceedings are particularly at risk of harassment and arrest. Others who have previously been arrested have cases open against them which can remain unresolved for months or even years, or are at liberty awaiting the outcomes of appeals against prison sentences. This state of uncertainty is a tactic frequently resorted to by the Iranian authorities apparently as a means to silence political and civil society activists.

**Abdolfattah Soltani** was arrested on 10 September 2011 and is now held pending completion of his trial on charges of “spreading propaganda against the system”, “establishing an illegal group opposed to the system [the CHRDI]”, and “gathering and colluding with intent to harm state security”. He is also facing a further charge relating to his acceptance of what the authorities have termed “an unlawful prize” – the Nuremberg International Human Rights Award – which Abdolfattah Soltani was awarded in 2009, although he was banned from travelling to Germany to accept it. Prior to his trial, Abdolfattah Soltani was threatened by Ministry of Intelligence officials with 20 years’ imprisonment.

At a UN press conference in November 2011, Mohammad Javad Larijani, the Secretary General of the Judiciary’s High Council for Human Rights, said that Abdolfattah Soltani was being held on suspicion of “relations with terrorist groups” which he said had been responsible for murdering more than 10,000 people in Iran. Members of Abdolfattah Soltani’s family have told Amnesty International that he flatly denies this allegation and told them that he wished to lodge a judicial complaint against Mohammad Javad Larijani.

Another prominent lawyer, **Mohammad Seyfzadeh**, is currently serving a two-year prison sentence, reduced on appeal from nine years for his role in establishing the CHRDI. He was arrested in April 2011 for allegedly attempting to leave the country illegally and was held in a detention facility in Oroumieh, north-west Iran, in conditions amounting to enforced disappearance for around two weeks. Mohammad Seyfzadeh had previously been sentenced in October 2010 to nine years’ imprisonment for “forming and being a member of an association ...whose aim is to harm national security” in relation to the CHRDI and “spreading propaganda against the system”<sup>72</sup>. At the same time, he was also sentenced to a 10-year ban on practising law, despite the fact that only the Disciplinary Court for Lawyers may impose such professional bans. In November 2011, Mohammad Seyfzadeh was, for a short time, transferred from prison to an unspecified hospital. Despite doctors’ wishes that he be kept for observation, he was promptly returned to Evin Prison.

Another co-founder of the CHRDI, Mohammad Dadkhah was sentenced in July 2011 to nine years’ imprisonment on charges relating to his alleged involvement in seeking the “soft overthrow” of the government and “spreading propaganda against the state”. He was also banned from teaching and from his profession as a lawyer for 10 years and sentenced to a fine for possessing a satellite dish, which is illegal in Iran. He told Amnesty International in

February 2012 that although his appeal court hearing had been held three months earlier, he had not received notification of the verdict<sup>73</sup>.

**Nasrin Sotoudeh**, human rights lawyer and mother of two, was sentenced on 9 January 2011 to 10 years in prison on the charge of "acting against national security, including membership of the Centre for Human Rights Defenders". She received an additional one-year sentence for "spreading propaganda against the system". She was also banned from practising law and from leaving the country for 20 years, reduced on appeal in September 2011 to 10 years. The prison sentence was also reduced by the appeal to six years.

Although Nasrin Sotoudeh has defended CHRD members, she has said that she herself is not a CHRD member. The charges appear to relate to her legitimate defence work<sup>74</sup>. Before her arrest, Nasrin Sotoudeh had been warned to stop representing Nobel Laureate and CHRD founder, Shirin Ebadi, or face reprisals.

Nasrin Sotoudeh's husband, **Reza Khandan**, has faced repeated questioning by the authorities over his advocacy for his wife. Shortly after his wife's sentencing, Reza Khandan was held overnight in Evin Prison after being summoned to appear at the office of Tehran's Prosecutor at the prison. He was questioned for about 10 minutes while blindfolded and asked to put two of his replies in writing. He was told that he was accused of "publishing lies" and "disturbing public opinion" on account of an unpublished letter he wrote to the Prosecutor's Office in which he complained about the conditions of detention of Nasrin Sotoudeh. He was released on bail of 500 million rials.

Since 1 November 2010, when a prosecutor said that he was held on suspicion of having three forged or duplicate ID cards, the Iranian authorities have given no information concerning the legal situation of **Javid Houtan Kiyan**, the legal representative of **Sakineh Mohammadi Ashtiani**. Other sources have since suggested that he has been sentenced to at least four years in prison on various charges, as well as a five-year ban on practising law after a trial in which he was denied legal representation. Most, if not all, of these appear to relate to his defence of Sakineh Mohammadi Ashtiani, a woman sentenced to death by stoning for "adultery while married" whose case has received considerable international attention.

Javid Houtan Kiyan was arrested on 10 October 2010 in his office along with **Sajjad Qaderzadeh**, Sakineh Mohammadi Ashtiani's son and two German journalists who were conducting an interview with them about her case. Sajjad Qaderzadeh was released on bail in December 2010 and the journalists in February 2011 after payment of a fine.

In March 2011, a letter attributed to Javid Houtan Kiyan emerged which alleged that he was tortured while held in solitary confinement in Section 209 of Evin Prison from 11 October to 12 December 2010. In the letter, Javid Houtan Kiyan said that he had been burned with cigarettes and repeatedly beaten, causing some of his teeth to be broken as well as being soaked with water and left for hours in the cold<sup>75</sup>.

**Naghi Mahmoudi**, Javid Houtan Kiyan's former legal representative fled Iran in August 2011, fearing for his own safety. With a long history of defending Azerbaijani cultural rights activists, he received instructions to represent Javid Houtan Kiyan in March 2011, following a passing encounter with him in a Tabriz courthouse in January 2011. Naghi Mahmoudi

confirmed to Amnesty International in February 2012 that he managed to meet him only once, in March 2011, at a Tabriz prison..

In interviews with news agencies<sup>76</sup>, Naghi Mahmoudi stated, “I couldn’t believe what I saw”, in reference to Javid Houtan Kiyan’s appearance. Naghi Mahmoudi also said that during the two-hour meeting, he saw that Javid Houtan Kiyan’s teeth had been smashed, his nose had been broken, and that Javid Houtan Kiyan spoke “slowly, and in little more than a whisper”. Naghi Mahmoudi stated that Javid Houtan Kiyan told him how he had been beaten for hours at a time, taken into a courtyard on winter nights and soaked while left in the cold for hours, and had been burned on his genitals. Following this visit, Naghi Mahmoudi said that he was not only banned from subsequently visiting his client, but from all prisons in Tabriz.

According to Naghi Mahmoudi, Javid Houtan Kiyan has appeared in three different courts. He appeared before Branch 15 of the Revolutionary Court in Tehran, on the charge of “apostasy”, relating to his translation of a book by an Indian author, a charge which was subsequently dropped.

He also appeared before Branch 104 of the General Court in Tabriz, on charges relating to counterfeit identity documents, which Naghi Mahmoudi believes were also subsequently dropped, although he acknowledged they could still be pending. His third appearance was before Branch 1 of the Revolutionary Court in Tabriz on the charge of “spreading propaganda against the system”, for which he received a one-year prison sentence, and “gathering and colluding with intent to harm national security”, for which he was sentenced to three years’ imprisonment. He was also banned from practising law for five years. Naghi Mahmoudi said that his client could still be facing espionage charges in connection with the interview conducted with the two German journalists and Sakineh Mohammadi Ashtiani’s son. Espionage can carry the death penalty in Iran. Reports in February 2011 suggested that an appeal court had upheld a six-year conviction against Javid Houtan Kiyan.<sup>77</sup>

Marcus Hellwig, one of the two German journalists arrested at the same time, said in February 2012 that guards had taken him “to a torture cell to show me what they were using there to torture people”. He said that he was beaten but expressly refused to discuss other aspects of his experience there. He added that he heard cries from other victims throughout the day<sup>78</sup>.

Public criticisms of violations of clients’ rights or judicial procedures seem to be behind the arrest of some lawyers.

**Farshid Yadollahi** and **Amir Eslami** were sentenced in January 2011 to six months’ imprisonment for “spreading lies with intent to disturb the public mind” after lodging complaints regarding unlawful actions by the security forces in connection with their representation of six Sufi clients on the island of Kish. Farshid Yadollahi and Amir Eslami were again arrested in September 2011 with over 60 other Sufis, including two other lawyers, **Afshin Karampour** and **Omid Behrouzi**, as part of a crackdown on religious minorities. All are believed to remain detained in Section 350 of Evin Prison, and were reported in late December 2011 to have been charged with “insulting the Leader”, “causing unease in the public mind”, “gathering and colluding with intent to harm state security”,

“spreading lies” and “membership of a ‘deviant’ group”. Further arrests of Sufis have continued since.

**Mostafa Daneshjou**, another Sufi lawyer, was arrested in his Tehran office on 18 May 2011 by plain clothes security agents and taken to Sari Prison, in northern Iran, to serve a seven-month prison term imposed in January 2010. The sentence followed his conviction of “spreading lies” in connection with his representation of two Sufis in Neka, in Mazandaran province, northern Iran, who had complained about an illegal search of their house by the Mazandaran security forces. On 15 June 2011, he was transferred from the prison to an “addicts’ rehabilitation camp” for three days for unclear reasons, which may have been connected to the free legal advice sessions he was providing for fellow prisoners in Sari Prison. In late October 2011, he was reportedly transferred to Evin Prison and is reported to have been charged along with the four lawyers named above. He is also said to have had his licence to practise law revoked.

In February 2011, **Khalil Bahramian**, who has represented many political prisoners including some on death row, was sentenced to 18 months in prison by Branch 28 of Tehran’s Revolutionary Court on charges of “spreading propaganda against the system” and “insulting the Head of the Judiciary”. He was also banned from practising law for 10 years. The real motive for his arrest appears to have been his public criticism of flaws in the judicial process in the cases of some of his clients, who were executed. Khalil Bahramian has been practising law in Iran for 46 years. He is currently free pending appeal against this sentence.

#### 4.3 WOMEN’S RIGHTS ACTIVISTS

Several women’s rights activists are currently detained or serving prison terms for their peaceful activities, often on vaguely worded charges related to offences against the state. Most are associated with the One Million Signatures Campaign (also known as the Campaign for Equality), a grassroots movement dating from 2006 that aims to collect a million signatures of Iranians demanding an end to discrimination against women in law<sup>79</sup>. Judicial procedures regarding their detention, trial and release have not been respected. Many have been held in solitary confinement or with extremely limited contact with their families and lawyers. Some have been ill-treated and denied medical care. Others are banned from travelling abroad.

**Fereshteh Shirazi**, a mother of two and member of the One Million Signatures Campaign, was arrested on 4 September 2011 after being summoned to the office of the Ministry of Intelligence in Amol, northern Iran. In October 2011, she was sentenced to two years’ imprisonment for “causing unease in the public mind by spreading lies” and “insulting the authorities” on her blog and a further year for “spreading propaganda against the system”. She was also banned from leaving the country for seven years<sup>80</sup>. The sentence was upheld on appeal by the Mazandaran Appeal Court in January 2012. She is reportedly held in poor prison conditions in Amol Prison.

In May 2011, **Mahboubeh Karami** began serving a three-year sentence (reduced on appeal from four years), imposed for her peaceful activities in support of greater rights for women. Mahboubeh Karami has been a member of the One Million Signatures Campaign since its foundation and is also a former director of the HRA Women’s Unit. Over 30 members of HRA were arrested in 2010. At her trial by Branch 26 of the Revolutionary Court she was



convicted of “membership of an illegal organization [the Human Rights Association of Iran]”, “gathering and colluding with intent to harm state security” and “spreading propaganda against the system”.

Mahboubeh Karami has health problems that her family and friends fear will worsen in prison. She was suffering from depression at the time of her arrest in March 2010 which became more severe while she was in detention. She is also said to suffer from insomnia and respiratory problems. Released on bail in August 2010, she returned to Evin Prison in May 2011<sup>81</sup>.

These women have joined other women in prison, who have been held since before the 2009 unrest. For example, **Ronak Safazadeh**, a 25-year-old member of Iran’s Kurdish minority and a member of the Campaign for Equality and the Azar Mehr Women’s Organization of Sanandaj, is currently detained in Sanandaj Prison, Kordestan Province, north-west Iran. She is serving a six-year prison term imposed after she was convicted in April 2009 of “membership of an illegal organization [The Party For Free Life of Kurdistan, PJAK]” and “spreading propaganda against the system”.

The day prior to her arrest, Ronak Safazadeh attended a meeting on the International Day of the Child in Sanandaj, during which she collected signatures in support of the Campaign for Equality. The following day, security officials reportedly came to her house, confiscated her computer, copies of the Campaign’s petition and a booklet produced by the Campaign, and arrested her.

Amnesty International has seen no evidence that Ronak Safazadeh has personally used or advocated violence and believes she is a prisoner of conscience, held solely on account of her peaceful human rights activities. Ronak Safazadeh has been suffering from dental problems in prison, for which she appears not to have received adequate medical treatment<sup>82</sup>.

**Zhila Karamzadeh-Makvandi**, a member of the Mothers of Park Laleh (formerly known as the Mourning Mothers), which campaigns against unlawful killings and other serious human rights violations, was arrested at the Passport Department in Tehran on 27 December 2011. She was taken to serve her two-year prison sentence imposed after conviction of “founding an illegal organization” and “acting against state security” in connection with her peaceful activities. Leyla Seyfollahi and Nader Ahsani – a male supporter of the group – are also both facing two-year prison sentences after conviction of similar charges and risk imprisonment at any time. All three had been arrested in 2010 in connection with their activities on behalf of the group. **Mansoureh Behkish**, another member of the Mothers of Park Laleh, was detained between 12 June and 9 July 2011 before being released on bail. Her trial began on 25 December 2011 on charges of “spreading propaganda against the system” and “gathering and colluding with intent to harm national security by establishing the Mourning Mothers group”. Between 1981 and 1988, six members of Mansoureh Behkish’s family were killed or disappeared, including a sister, four brothers and a brother-in-law.

#### 4.4 RIGHTS ACTIVISTS FROM MINORITIES

Demands by ethnic minority rights activists for greater rights have, for many years, been suppressed, in the context of armed opposition from some groups, particularly from the Ahwazi Arab, Kurdish and Baluch communities. Activists from these communities who

advocate for greater respect and protection of the rights of their communities – which face discrimination in law and practice in Iran – risk numerous human rights violations ranging from arbitrary arrest to the death penalty after unfair trial, as well as restrictions on movement and denial of other civil rights. This pattern continues in the context of a wide and generalized suppression of most forms of dissent over government policies.

**Kaveh Ghasemi Kermanshahi**, a Kurdish human rights defender and member of the One Million Signatures Campaign, was held between February and May 2010, including 80 days in solitary confinement. His trial on national security charges began in October 2010 and in February 2011 he was sentenced to five years' imprisonment, which was reduced to four years by an appeals court. In March 2011, he was required to serve the sentence, but fearing for his safety, he fled the country. In 2011, he was a recipient of a Hellman-Hammett award, awarded to human rights activists by Human Rights Watch.

**Mohammad Sadiq Kabudvand**, a 49-year-old Kurdish human rights defender, is serving sentences totalling 10-and-a-half years imposed in May 2008 for "acting against state security by establishing an illegal group [the Human Rights Organization of Kurdistan, HROKJ]". He is also facing other charges brought against him while in prison for his writings on women's rights and other human rights issues. Mohammad Sadiq Kabudvand suffers from kidney and prostate conditions, exacerbated by poor prison conditions and lack of adequate medical care, and while in prison has developed heart problems. He is believed to have had one heart attack and two strokes while in prison and to have other serious health conditions, for which he has not received adequate medical attention. Since his imprisonment Mohammad Sadiq Kabudvand has lost about 20kg.

In January 2012, Mohammad Sadiq Kabudvand was taken to hospital outside Evin Prison for medical tests, but his wife Parinaz Baghbani Hassani told Amnesty International that despite the recommendation of doctors that he remain in hospital, he was taken back to Evin prison.

**Sa'id Metinpour**, a member of the Azerbaijani minority and advocate for the linguistic and cultural rights of the Azerbaijani minority is also still imprisoned. He is a journalist and a member of the board of editors of the weekly Azerbaijani Turkic publications *Yarpagh (Page)* and *Moj-e Bidari (The Awakened Wave)*, in addition to writing his own blog.

Following his arrest in May 2007, Sa'id Metinpour was tortured and later sentenced to an eight-year prison sentence by Branch 15 of the Revolutionary Court in Tehran after being convicted of "espionage" and "spreading propaganda against the system". He is detained in Evin Prison. He suffers from severe back pain, but has not been granted temporary leave to seek medical care.

#### 4.5 FILMMAKERS

In their attempts to suppress any form of dissent and to prevent dissenting voices from being heard in the outside world, the Iranian authorities are gradually increasing the pressure on the world-renowned Iranian film industry. People working in and connected to the industry have been arbitrarily arrested on vague charges linked to threatening state security and subjected to torture and ill-treatment. Severe restrictions have been placed on their movement and ability to work. Directors, such as **Ja'far Panahi**, although free could be

returned to prison at any moment after being sentenced to long prison terms, while others, such as **Mohsen Makhmalbaf** and **Bahman Ghobadi**, now live in exile.

Directors have long demonstrated skill in circumventing existing domestic censorship laws, which require film scripts to be vetted before production starts. Additional measures were introduced during 2010. In May 2010, a Ministry of Culture and Islamic Guidance official said that Iranians must also obtain permission from the Iranian authorities before co-operating in foreign film productions. Additionally in July 2010, the government created the High Council of Cinema, overseen by the President of Iran and headed by the Minister of Culture and Islamic Guidance, supported by six pro-government cinematographers, which is the main source of production funding. All cinema-related work in the country is to be coordinated by this recently established body, including the operations of the House of Cinema, a professional association for the industry.

During 2011, several workers in the industry were detained briefly or faced imprisonment for their peaceful activities related to their work. They included actress **Marzieh Vafamehr** who was arrested in June 2011. She was sentenced on or around 8 October to one year in prison and 90 lashes in connection with her appearance in the Australian film, *My Tehran for Sale*, in which she appears in one scene without the mandatory head covering women in Iran are required to wear. In another scene she also appears to drink alcohol, a criminal offence in Iran, although her husband has denied she had actually drunk alcohol. She was released later in October after an appeal court reduced her imprisonment to three months and commuted the flogging sentence to a fine of 12 million rials following an international outcry at her conviction and sentence.

Filmmakers with links to outside broadcasters such as the BBC have been arrested and detained. Five documentary directors, **Hadi Afarideh**, **Naser Saffarian**, **Mohsen Shahrnazar**, **Mojtaba Mir Tahmasb** and **Mehran Zinatbakhsh** along with producer and distributor, **Katayoun Shahabi** were arrested in September 2011. All were held in Section 209 of Evin Prison, which is controlled by the Ministry of Intelligence, with extremely limited contact with their families. By mid-December 2011, all had been released on bail.

Hadi Afarideh, Naser Saffarian, Mohsen Shahrnazar and Katayoun Shahabi are believed to have sold their films to a variety of broadcasters including the BBC's Persian service and the arrests followed a documentary shown on BBC Persian about the life of Iran's Supreme Leader, Ayatollah Ali Khamenei. The BBC's satellite transmission of the programme was jammed inside Iran.

Earlier, on 5 September 2011, Mojtaba Mir Tahmasb was removed from a flight and his passport confiscated as he attempted to travel to Europe to present *This is Not a Film*, a 75-minute depiction of the life that director Ja'far Panahi has led since his December 2010 conviction.

Ja'far Panahi was sentenced to six years' imprisonment in December 2010 after being convicted of “acting against state security” and “propaganda against the system”. He was also banned from any involvement in filmmaking for 20 years, from travelling abroad and from talking to domestic or international media. His sentence was upheld in October 2011. Another director of international renown, **Mohammed Rasoulof**, was convicted of similar

charges and sentenced to six years' imprisonment, reduced on appeal to one year. In May 2011, an international travel ban imposed on Mohammad Rasoulouf in 2009 was lifted. At the time of writing in February 2012, both men remain free.

#### 4.6 BLOGGERS

Before and since 2009, bloggers have been held for long periods without charge or trial, sentenced to lengthy sentences on vague charges after unfair trials, ill-treated and subjected to judicial punishments amounting to torture, such as flogging. The length of the sentences perhaps demonstrates the authorities' fear of the power of the internet.

**Hossein Derakhshan**, a prominent blogger – sometimes called the Iranian "Blogfather" – is credited with helping to spark the initial surge in blogging in Iran by posting simple instructions in Persian on how to set up a site and begin writing online comments. He was sentenced in September 2010 after an unfair trial before Branch 15 of the Revolutionary Court and ordered to repay funds he had allegedly received from abroad<sup>83</sup>. The sentence followed his conviction on vaguely worded charges relating to national security such as "co-operating with hostile states", for which he received 10 years' imprisonment, "insults to the holy sanctities", which attracted five years' imprisonment, along with "spreading propaganda against the system in favour of counter-revolutionary groups" and "the set-up and management of vulgar and obscene websites", which made up the rest of the extremely lengthy 19-and-a-half year prison sentence. His appeal was reportedly unsuccessful.

A dual Canadian-Iranian national who had visited Israel (a crime in Iran<sup>84</sup>) and who wrote his blog mostly from outside Iran, Hossein Derakhshan was arrested at his family home on 1 November 2008 shortly after he returned to Iran for a family visit. Despite his dual nationality, he was denied consular assistance as the Iranian authorities do not recognize dual nationality. He was detained without charge for about 19 months prior to his trial and denied access to his lawyer and regular visits from his family during this time.

Another blogger, **Hossein Ronaghi Maleki** (see section 3.2 above), was arrested on 13 December 2009 and is now serving a 15-year prison sentence. The sentence includes 10 years imposed for "membership of an [illegal] internet group called Iran Proxy" and lesser terms for "spreading propaganda against the system", "insulting the [Supreme] Leader" and for "insulting the President". He did not receive a fair trial and was denied access to his defence lawyer. He told the judge that he was tortured in pre-trial detention but the judge is said to have answered he "deserved it". He is in poor health.

In September 2011, **Somayeh Tohidlou**, a well-known blogger and opposition activist was flogged 50 times for "insulting" the country's President. Afterwards, in a message on her blog to those who carried out the punishment, she recounted how she was chained hand and foot before being flogged and said, "Be happy, because if you wanted to humiliate me, my entire body is burning with humiliation".<sup>85</sup>

## 4.7 JOURNALISTS

Journalists expressing views contrary to those of the authorities have long been persecuted. In recent years, dozens have been harassed, detained and imprisoned after unfair trials. Journalists continue to be at risk of ill-treatment and of torture.<sup>86</sup>

Journalist and women's rights activist, **Faranak Farid**, was reportedly beaten severely after her arrest on 3 September 2011 in Tabriz amid mass demonstrations to protest at the drying up of Lake Oroumieh in East Azerbaijan province. She was left unable to move one of her arms and temporarily lost the hearing in one ear. Faranak Farid was interrogated for many hours at a detention centre in Tabriz. Her glasses were taken from her and she was forced to sign a document that she could not read. It appears that she may be accused of "insulting the Supreme Leader", "spreading propaganda against the system" and "acting against national security". She was released on bail in October 2011 but remains at risk of returning to prison if tried and convicted on these charges. Her trial was held on 21 February 2012.

Many journalists arrested because of their non-violent professional activities in the run-up to and the aftermath of the June 2009 elections remain in detention.

**Isa Saharkhiz**, aged about 53, was detained without charge or trial for over 11 months before being sentenced in September 2010 to three years' imprisonment for "insulting the country's leadership" and "propaganda against the system". Prior to his arrest, in addition to his journalistic work, Isa Saharkhiz had been active in Mehdi Karroubi's election campaign. He was transferred to Reja'i Shahr Prison, Karaj in May 2010, which his family consider to be a form of punishment.

His health has deteriorated significantly as a result of harsh conditions of detention in Reja'i Shahr Prison, aggravated by lack of access to adequate medical care. Isa Saharkhiz was badly beaten at the time of his arrest in July 2009 and in late 2010 he was reported to be in extremely poor health and required surgery for internal bleeding. He required further medical care following a hunger strike he and several other prisoners began in protest at the deaths of prisoners of conscience **Haleh Sahabi** and **Hoda Saber** in May 2011<sup>87</sup>. In August 2011 Isa Saharkhiz was sentenced to an additional two years' imprisonment for work he carried out as a journalist prior to his imprisonment. He has appealed against this conviction and sentence<sup>88</sup>.

Haleh Sahabi, a women's rights activist and member of the organization Mothers for Peace, died, apparently after being struck by a member of the security forces, on 1 June 2011 during the funeral of her father, Ezzatollah Sahabi, a former parliamentarian and the leader of the Nationalist Religious Alliance (Melli Mazhabi). She had been granted temporary release from detention, where she was serving a two-year sentence relating to her peaceful participation in a demonstration in 2009, to attend the funeral. Hoda Saber, prisoner of conscience and member of the Nationalist Religious Alliance died from a heart attack in jail on 10 June 2011 after going on hunger strike in protest at Haleh Sahabi's death. According to a letter from over 60 of his fellow prisoners, he was beaten and denied adequate medical treatment before his death<sup>89</sup>.

**Ahmad Zeidabadi**, aged about 46 and a journalist for *Roozonline*, an online publication based in Belgium, and Secretary General of the Graduates' Association, which has promoted

reform and greater respect for human rights, is serving a six-year prison term in Reja'i Shahr prison.

Ahmad Zeidabadi was held incommunicado in a cell only 1.5m long in Evin Prison for 35 days from his arrest until his appearance on 8 August 2009 in a mass "show trial". In protest he went on hunger strike for 17 days until doctors convinced him to stop. He was also reportedly severely beaten and threatened during questioning. In December 2009, he was sentenced to six years' imprisonment, five years of internal exile and banned for life from all social and political activities after conviction of "spreading propaganda against the state" and "causing unease in the public mind".

His sentence was upheld on appeal in January 2010. In May 2011, he was awarded the 2011 UNESCO/Guillermo Cano World Press Freedom Prize in recognition of his outstanding contribution towards press freedom in Iran, despite the personal cost to himself.

Attempts to repress freedom of expression by attacks on journalists have continued even while they are in prison.

**Abdollah Momeni**, a journalist and spokesperson of the Graduates' Association, also appeared in a "show trial" in August 2009. He was sentenced to six years' imprisonment in November 2009 and a previously suspended sentence of two years' imprisonment was also implemented. In May 2010, this was reduced to four years and eleven months on appeal.

However, in August 2011, he was reportedly charged with the fresh charge of "spreading propaganda against the system" and "causing unease in the public mind" in connection with an open letter to the Supreme Leader published in September 2010. In the letter he described his arrest and interrogation, during which he was tear-gassed, beaten and held in solitary confinement in an extremely small, dirty cell. The letter also described how he received threats to himself and his family; had his head pushed down a dirty toilet bowl, so that he ingested faeces and was forced to eat his interrogation forms during the fasting month of Ramadan<sup>90</sup>.

Abdollah Momeni was also among a group of 26 political prisoners, including prisoners of conscience, who in May 2011 wrote an open letter to the committee responsible for overseeing the implementation of the Law on Respecting Legitimate Freedoms and Protecting Citizens' Rights<sup>91</sup>. The letter called for an investigation into the numerous violations since the 2009 election of all the rights protected under that law which they described<sup>92</sup>.

In January 2012, Abdollah Momeni was reportedly taken to the medical facility in Evin prison with stomach pains where he said to have been assaulted and abused by the staff<sup>93</sup>.

**Bahman Ahmadi Amou'i**, an editor at the business daily paper *Sarmayeh*, was also arrested following the June 2009 elections. A Revolutionary Court in Tehran sentenced him to seven years' and four months' imprisonment and to 32 lashes in January 2010. The sentence includes five years for "colluding with intent to harm national security", one year for "spreading propaganda against the system", one year and 32 lashes for "disturbing public order" and four months for "insulting the President". The sentence was reduced to five years on appeal. He was temporarily released after payment of a large bail amount but returned to

Evin Prison in late May 2010 where he remains. The authorities closed *Sarmayeh* in November 2009 and in December 2011 he wrote an open letter to Iran’s parliamentarians where he wrote of having spent at least 90 days in solitary confinement<sup>94</sup>.

At the time of writing, a new wave of arrests of writers, journalists, bloggers and family members of Iranian journalists abroad was underway<sup>95</sup>. The arrests appeared to be an attempt to repress potentially critical voices in advance of the March 2012 parliamentary elections in Iran. Those detained included **Esmail Jafari**, a journalist and blogger on labour and human rights; **Fatemeh Kheradmand**, a writer on social issues; **Ehsan Houshmand** (or Houshmandzadeh), a sociologist and member of Iran’s Kurdish minority, who has written about Iran’s ethnic minorities; **Saeed Madani**, a sociologist and political activist and a member of the National Religious Alliance; **Mehdi Khazali**, the son of Ayatollah Abolghasem Khazali, a member of the Council of Guardians; **Parastou Dokouhaki**, social and cultural researcher and women’s rights activist; **Peyman Pakmehr**, the editor of the Tabriz News website; journalist **Marzieh Rasouli**; **Sahamoddin Bourghani**, who writes for the news website Irdiplomacy; former student leader and journalist **Said Razavi Faghieh**, arrested at the airport on return to Iran from Paris; journalist **Shahram Manouchehri**; and **Mohammad Soleymaninia** (or Soleymani Nia). Some had been released by the time of writing.

#### 4.8 POLITICAL LEADERS AND ACTIVISTS

In February 2011, the authorities arrested hundreds of political activists and others to prevent them from attending demonstrations in support of protest movements in Tunisia and Egypt. Demonstrations went ahead in Tehran, Esfahan, Kermanshah, Shiraz and other cities despite permission not being granted. They were violently dispersed by the security forces, which arrested scores and killed at least two people – **Sane’ Zhaleh**, aged 26, and **Mohammad Mokhtari**, aged 22.

Most of those arrested are believed to have been released, but some were sentenced to prison terms after unfair trials, such as **Ramin Parchami**, a well-known television actor, who was arrested in Tehran while filming demonstrations on 14 February 2011. He was later sentenced to one year in prison after conviction of charges including “participating in an unlawful gathering” and “disturbing public order”.

Opposition leaders and former presidential candidates, **Mehdi Karroubi** and **Mir Hossein Mousavi**, as well as their wives were placed under de facto house arrest shortly after requesting permission to hold the demonstrations; a measure which remained in place at the time of writing. There has been no attempt on the part of the authorities to charge them with any offence and the decision to keep them detained appears to rest with the Supreme Leader.

**Fatemeh Karroubi**’s de facto house arrested ended in July 2011 when her husband moved from the family home to a different apartment under the control of the Ministry of Intelligence<sup>96</sup>. During a visit from his wife in late December, Mehdi Karroubi said that he believed the elections are a “sham” and there is no point in participating in the election process. Following this, up to the time of writing in February 2012, Mehdi Karroubi was denied access to family visits<sup>97</sup>.

In January 2012, a group of 39 political prisoners, including many prisoners of conscience, called for the immediate and unconditional release of the two political leaders<sup>98</sup>. The signatories included many of the individuals discussed in this report.

A number of people close to Mehdi Karroubi and Mir Hossein Mousavi or other political opposition leaders were detained for several weeks in early 2011 before being released, mostly on payment of large bail amounts. They included **Taghi Rahmani**, an advisor to Mehdi Karroubi during the 2009 presidential election as well as **Sayed Sadreddin Beheshti** and **Mohammad-Hossein Sharif-Zadegan**, both close aides to Mir Hossein Mousavi who were also detained for several weeks, the latter was released on bail around 50 days after his arrest.

**Fariba Ebtehaj**, secretary and office manager to Massoumeh Ebtekar, the former head of Iran's Department of Environment and a former vice-president and advisor to former President Mohammad Khatami, was also detained for several weeks.

Prior to the February 2011 demonstrations, a ban on political parties such as the Islamic Iran Participation Front (IIPF) and the Mojahedin of the Islamic Revolution Organization (MIRO) and the National Trust Party had been imposed after the 2009 elections. This ban remains in force, and other political activists have since been arrested solely because of their peaceful political activities.

**Mohammad Tavassoli**, the Head of the Political Bureau of the banned Freedom Movement was arrested in November 2011 in connection with a letter sent by 143 political activists to former President Khatami the previous month warning that the forthcoming parliamentary elections would be neither free nor fair.

**Emad Bahavar**, the Head of the Youth Wing of the party, is currently serving a 10-year prison sentence in Section 350 of Evin Prison. He was convicted in December 2010 of "membership in the Freedom Movement Organization", "gathering and colluding with intent to harm national security", "spreading propaganda against the system" and "insulting the Leader". He was also banned from media and political activities for 10 years.

The Freedom Movement's former leader, 80-year-old **Ebrahim Yazdi** who suffers from prostate cancer, was sentenced to eight years in prison in December 2011. Arrested in October 2010 at a funeral ceremony in a private home in Esfahan, he was held first in Evin Prison and then later in a Ministry of Intelligence "safe house" in Tehran. He was released on bail in March 2011 and stood down as leader of the party. At the time of writing, he was at liberty, awaiting the outcome of an appeal against his conviction and sentence.

Prominent political opponents such as **Behzad Nabavi**, a former Deputy Minister, parliamentarian and founding member of MIRO, remained in detention at the time of writing. Behzad Nabavi returned to prison in late May 2010 to continue serving a five-year prison term after having been released temporarily on 16 March 2010. He was convicted in November 2009 of "acting against national security" and "spreading propaganda against the system" and sentenced to six years' imprisonment, reduced on appeal to five years, after he was acquitted of the charge of "spreading propaganda against the system".



**Heshmatollah Tabarzadi**, the 53- or 54-year-old Secretary General of the banned Iran Democratic Front, is serving a nine-year prison sentence imposed after his arrest in December 2009 at his home in Tehran after the Ashoura protests of that year. He was charged with “insulting the Leader”, “spreading propaganda against the system”, “gathering and colluding with intent to harm national security”, “insulting the President” and “disturbing public order” and was also sentenced to 74 lashes. His arrest appeared to be linked to some of his articles and interviews critical of the authorities, which appeared before and during the Ashoura unrest.

Several members of the banned Pan-Iranist Party were arrested in 2011. **Hojjat Kalashi**, the Head of the Party’s Youth wing and **Milad Dehghan**, a member, were arrested in Khuzestan province in January 2011, but released later. They were also among 10 party members reportedly arrested in Khuzestan in June 2011. Fellow member, **Reza Kermani**, aged 77, received a one-year sentence in February 2011 after being convicted of “acting against national security”. Reza Kermani, who has serious health problems for which he requires medical treatment, began serving his sentence in August 2011.

These political activists arrested since 2009 have joined other political activists who have been imprisoned for years. Some have also been punished for their activities inside prison. For example, **Arzhang Davoudi**, the Director of the Parto-e Hekmat Cultural-Education Centre in Tehran has been held since his arrest in 2003 in connection with an interview he gave to an illegally-filmed TV documentary called “Forbidden Iran” in which he spoke about the plight of political prisoners at the time and the death in custody of Zahra Kazemi, a Canadian-Iranian photojournalist. Arzhang Davoudi was held for three months in incommunicado detention during which he was tortured, resulting in injuries including a broken shoulder blade, bleeding in his left eye, deafness, a broken jaw and broken teeth. He was subsequently sentenced to 15 years in prison after convictions of charges relating to his appearance in the documentary, his role in establishing the Iran Liberation Movement, and for writing a document called “Manifesto for a Secular Iran”. In 2011, he was sentenced to an additional 14 months in prison on charges of “spreading propaganda against the system”, “insulting officials” and “causing unease in the public mind” in connection with statements he had made from prison. His house has been confiscated and sold.

#### 4.9 TRADE UNIONISTS

Independent trade unions are banned in Iran. However, a small number of independent unions and workers’ support organizations exist. Their members have fought against the withdrawal of subsidies, unpaid wages and precarious work conditions and are challenging a revised Labour Code which they believe will worsen conditions for workers in Iran. Bus drivers and metal workers in Tehran, bakers in Kordestan, sugar workers in Khuzestan and teachers across the country are among those determined to struggle for their rights. Without exception, their union actions put them at great risk<sup>99</sup>.

**Rasoul Bodaghi**, a member of the Iran Teachers’ Trade Association (ITTA) in Tehran, and a teacher of 20 years standing was arrested in September 2009. He was subsequently convicted of “spreading propaganda against the system” and “gathering and colluding with intent to disturb national security”, for which he is currently serving a six-year sentence. His sentence was confirmed on appeal in January 2011. The Appeal Court also banned him from

taking part in any civil society activities for five years. Members of ITTA have been facing arrest and harassment for years.

A number of Tehran Bus Drivers' Union (Sherkat-e Vahed) members have been sentenced to prison terms because of their peaceful union activities. The deputy head of the Tehran Bus Drivers' Union, **Ebrahim Madadi**, is currently serving a three-and-a-half-year prison sentence for "acting against national security". He was released temporarily for a few days just before the International Labour Organization's (ILO) 15th Asia and the Pacific Regional Meeting opened in Kyoto, Japan on 4 December 2011, but returned to prison on the day the meeting concluded. The Union's leader, Mansour Ossanlu (or Ossalu), serving a five-year prison term, was earlier released in June 2011 before the annual conference of the ILO opened in Geneva. He remains free on temporary prison leave.

**Reza Shahabi**, the Union's treasurer, was at the time of writing in February 2012, awaiting the outcome of his trial which concluded in May 2011 before a branch of the Tehran Revolutionary Court. Accused of "spreading propaganda against the system" and "gathering and colluding against state security", according to his lawyer, the prosecution is seeking to bring a fresh charge of "enmity against God" for alleged contact with the PMOI. Held since June 2010, he remains in Section 209 of Evin Prison in poor health and has conducted hunger strikes to protest the lack of medical treatment he has received.

Other members of the Union are challenging a ban on their working as bus drivers related to their union activities.

Similarly, leaders and members of the Haft Tapeh Sugar Cane Company (HTSCC) Trade Union have faced arrest and persecution for their peaceful activities. **Ali Nejati**, a former leader of the HTSCC, began serving a one-year prison term in November 2011. He was released temporarily for medical reasons in December and is believed to remain free at the time of writing. His wife, Shahnaz Nejati, was detained for 24 hours in late November 2011 for unknown reasons.

Others working to establish independent trade unions in Iran have also been targeted. At least five members of the **Committee to Pursue the Establishment of Workers Organizations** have been arrested since June 2010. **Behnam Ebrahimzadeh**, a worker at a polyethylene pipe-manufacturing factory in the outskirts of Tehran who reportedly suffered two broken ribs as a result of beatings during his arrest in June 2010, was initially sentenced to 20 years' imprisonment in December 2010 after conviction of "enmity against God" for his alleged contacts with an unspecified banned opposition group. This was overturned by the Supreme Court, and he was sentenced to five years after a retrial after conviction of "gathering and colluding with intent to harm state security", which was upheld on appeal in October 2011.

**Ayat Niafar**, the spokesperson of the Committee, was arrested in October 2011 and released later on bail. Another member of the Committee in Tabriz, painter and decorator **Shahrokh Zamani**, and four other labour rights activists – **Nima Pour Yaghoub**, **Sassan Vahebvash**, **Mohammad Jarahi** and **Sayed Boyuk Sayedlar** – were all arrested in June 2011 and later released on bail.

In August 2011, Branch 1 of the Revolutionary Court in Tabriz sentenced Shahrokh Zamani to 11 years, Nima Pour Yaghoub to 6 years, Mohammad Jarahi to 5 years and Sassan Vahebevash to six months in prison after conviction of charges including “acting against national security by establishing or membership of groups opposed to the system” and “spreading propaganda against the system”. Sayed Boyuk Sayedlar was acquitted. The sentences were upheld on appeal in November 2011. Shahrokh Zamani was arrested in mid-January 2012.

In November 2011, two members of the board of directors of the Free Workers of Iran Union – **Sheis Amani** and **Sedigh Karimi** – were notified that their 30-month prison sentences had been reactivated. Arrested during a demonstration marking International Worker’s Day on 1 May 2008 in Sanandaj, the capital of Kordestan province, they were released on bail after 42 days and later tried.

#### 4.10 STUDENTS AND ACADEMICS

Since 2009, university teachers have been fired or forcibly retired and plans have been made to change university courses to make them more “Islamic” (see section 2.1 above). For example, in May 2011, 150 senior professors of business administration, sociology, economics, communications, law and political science at Alameh Tabatabaei University in Tehran were said to be facing forcible dismissal or early retirement<sup>100</sup>. Other professors had been removed since 2005. Academics have been persecuted for attending conferences abroad and for their links with other professionals in their field.

University professor, lawyer and former MP **Ghasem Sholeh Saadi** was arrested in April 2011 to serve an 18-month prison sentence imposed in 2006 in connection with charges stemming from a critical open letter he wrote to the Supreme Leader in 2002<sup>101</sup>. After his arrest, Ghasem Sholeh Saadi was also informed that a further one-year sentence had been passed against him, along with a 10-year ban on teaching and a 10-year ban on practising law, apparently imposed for interviews he had given to foreign media. According to reports, on 17 Sept 2011 he was again tried in a Revolutionary Court which convicted him of “insulting the Leader” and sentenced him to an additional two-year prison sentence<sup>102</sup>.

On 30 January 2011, **Omid Kokabi**, aged 28, a post-graduate ethnic Turkmen student in experimental physics at the University of Texas, who had previously studied in Barcelona, Spain, was arrested as he waited to leave the country after visiting his family. Held in solitary confinement for 36 days in Section 209 of Evin Prison, in a letter to the Head of the Judiciary in July 2011 he said that he had been coerced into signing a false confession. In his letter, he stated:

*“I have been frequently threatened that my university professors in Iran, who had invited me to their university to co-operate in research and with whom I have mutual scientific interests, will be arrested. I have been threatened that I will be handed to interrogators who will interrogate me more harshly, torturing and physically assaulting me, depriving me of food, access to the toilet and contact with the outside world. My interrogators have repeatedly told me that my father, who has not yet fully recovered after his open-heart surgery, has had a heart attack as result of my arrest and is hospitalised. They have told me that they would keep me in detention and in solitary confinement in utter disconnection from my family until my father passes away as a result of these pressures and that I could never see him again.*”

*They have told me that my sister also suffers from heart problems and that she is in a bad way because she follows my case under hard mental pressure."*<sup>103</sup>

During questioning, he was reportedly made to write down details of individuals he had seen in embassies or at conferences, and was told by those questioning him that some of the people he had met were CIA operatives. In the letter, he also said that he had been forced to write down answers to questions he had been asked verbally leaving a blank space on the paper for questions to be filled in later. A second letter complaining about his lack of a fair trial, pressures on his family and increased pressure on himself since his first letter was made public on 10 January 2012<sup>104</sup>.

His trial, reportedly on charges of "contact with "hostile" countries" and receiving "illicit payments" began in October 2011. His lawyer has not been able to visit him since his arrest nor to have access to his case file.

**Dr Rahman Ghahremanpour**, the Director of the Disarmament Research Group in the Centre for Strategic Research – a think-tank affiliated to the Expediency Council – was arrested in June 2011 at around the same time as three Turkish academics who had travelled to Iran to attend a seminar titled "Iran, Turkey and the Arab Spring". The Turkish academics were released after 13 days, but Rahman Ghahremanpour remained held, apparently without charge or trial, at the time of writing, possibly facing accusations of espionage. He had attended workshops organised by a Turkish professor on free and fair elections and had participated in a study group visiting the USA for electoral observation.

**Dr Mohammad Maleki**, a 78-year-old former Chancellor of Tehran University and founding member of a human rights organization who suffers from prostate cancer, was summoned in January 2012 to begin serving a one-year prison term imposed after he was convicted of "spreading propaganda against the system". He had been arrested in August 2009 after he refused to vote and then proceeded to criticize the conduct of the 2009 presidential election. He was held for over six months before being released on bail. In September 2011, he wrote a letter to the UN Special Rapporteur on Iran, Ahmed Shaheed, detailing his treatment in prison, after which he was interrogated and banned from travelling abroad<sup>105</sup>.

Student activists who have expressed views opposing the government or its policies have faced harassment, arrest and bans on continuing their education, both temporary and permanent. Some continue to serve long sentences handed down after unfair trials before and since June 2009 or have been sentenced to flogging, a punishment that amounts to cruel, inhuman and degrading treatment. In September 2011, **Peyman Aref**, a student activist, was flogged 74 times after being convicted of "insulting the President".

Peyman Aref was released on 10 October 2011 at the end of his one-year sentence, following implementation of the flogging conviction. However, on 30 October 2011, he was again arrested along with two women while they were visiting the grave of Neda Agha Soltan, a woman killed in the course of street demonstrations in 2009. He was taken to Evin Prison, where he was held until his release on 12 December 2011 following a reported acquittal; the two women were released after one day.

Student **Ziaoddin (Zia) Nabavi** was arrested on 14 June 2009 shortly after attending a mass protest at the announcement of President Ahmadinejad's electoral victory. He has said that he was beaten, kicked, insulted and humiliated during his subsequent questioning. Amnesty International believes that he is held solely for his peaceful activities for the Council to Defend the Right to Education, a body set up in 2009 by students barred from further study because of their political activities.

He was sentenced in January 2010 to 15 years for “gathering and colluding against national security”, “spreading propaganda against the system”, “disturbing public order” and “enmity against God through links and co-operation with the PMOI”, to be served in internal exile in Izeh, Khuzestan province. He was also sentenced to 74 lashes for “causing unease in the public mind”. The sentence was reduced on appeal in May 2010 to 10 years on the vague charge of “enmity against God” and in September 2010 he was “exiled” to Karoun Prison, in the city of Ahvaz. His particularly heavy sentence appears in part because he has family members based in PMOI-run camps in Iraq. Since his transfer to Ahvaz, he has revealed the extremely poor prison conditions in Karoun Prison<sup>106</sup>.

A number of student activists have been given additional sentences or punishments in relation to actions they have carried out while in detention.

**Majid Tavakkoli**, women's rights activist **Behareh (also Bahareh) Hedayat** and **Mahdieh Golrou**, serving prison terms of eight-and-a-half years, nine-and-a-half years and two years respectively for their peaceful student and human rights activities, were sentenced in April 2011 to additional six-month prison terms after conviction of “spreading propaganda against the system” because of a Students' Day declaration they jointly wrote from prison in 2010. The declaration, written to coincide with the 16 Azar (7 December) Student Day anniversary, praised the efforts of Iranian students abroad and said that the anniversary was a great opportunity to protect and promote the student movement. The sentences were upheld on appeal in November 2011.

Following publication of the statement, Behareh Hedayat was transferred to the “methadone ward” of Evin Prison, where she was interrogated while being denied contact with her family. She undertook a week-long hunger strike in protest.

#### 4.11 LESBIANS, GAY MEN AND BISEXUAL AND TRANSGENDER PEOPLE

Same-sex sexual activities are prohibited for both men and women under the Hodoud section of the Penal Code. Lesbians, gay men and bisexual and transgender (LGBT) people already face harassment and persecution, cruel punishment of flogging or even the death penalty for same-sex sexual activities<sup>107</sup>. They also face hostility from a society that is intolerant of sexual identities other than heterosexuality.

That this hostility is reflected at the highest level is shown by President Ahmadinejad's statement in New York in 2007 that “Iran has no homosexuals” and the response of the Iranian government to the UN Human Rights Committee to a question about protection of LGBT rights, where the government merely stated that the question was “beyond the mandate and subject matter of the [ICCPR]”. The Committee reminded the Iranian authorities that discrimination, prosecution and punishment of people because of their sexual orientation or gender identity fall squarely within the purview of the Covenant and urged the

authorities to repeal or amend all legislation which provides for or could result in the discrimination, prosecution and punishment of people because of their sexual orientation or gender identity. The Committee also urged the authorities to take all necessary legislative, administrative and other measures to eliminate and prohibit discrimination on the basis of sexual orientation, including with respect to access to employment, housing, education and health care, and to ensure that individuals of different sexual orientation or gender identity are protected from violence and social exclusion within the community<sup>108</sup>.

Amnesty International fears that new measures to monitor the internet will increase monitoring of lesbians, gay men and bisexual and transgender people in Iran, leading to further persecution.

**"One day [my son] said something that really brought pain to my heart. He said, 'I am starting to forget what my father looks like. Lately, when I have a dream about him, I don't see his face anymore.'"**

Farzaneh Mirvand, wife of Siyamak Ghaderi,<sup>109</sup>

**Siyamak Ghaderi**, a former journalist with the state news agency, was sentenced to four years' imprisonment, flogging and a fine in January 2011 after he was convicted of charges including "publishing lies" and committing "religiously unlawful acts". The sentence was later upheld on appeal. The charges relate in part to interviews with people from the LGBT community he had posted on his blog after President Ahmadinejad's speech in New York. Held in solitary confinement in Section 209 of Evin Prison, where he endured over 30 days of interrogation, he said in a letter from prison that he had been beaten and had his face pushed into a dirty toilet to force him to make a false "confession"<sup>110</sup>.

At least three men were executed in 2011 following their conviction of "sodomy". At least three other men, alleged to have taken part in sexual acts between men, were reportedly under sentence of death. One, known only to Amnesty International as "**Ehsan**", was under the age of 18 at the time of the alleged offence.

Ehsan was arrested in 2008 at the age of 17 after a man brought a complaint against him and two other youths, alleging that the three had attempted to rape him, although the man subsequently withdrew the accusation. Reportedly tortured for almost a month, Ehsan "confessed" to the charges, but withdrew his "confession" in court and denied all charges. He was convicted by Fars General Court of "sodomy" and sentenced to death. The death sentence was confirmed by Branch 13 of the Supreme Court in Tehran and once Ehsan turned 18, he was transferred from a juvenile detention centre to Adel Abad Prison in Shiraz. He remains imprisoned in Shiraz, though his lawyer has requested his case be considered by an Amnesty and Clemency Commission panel.

There is no separate offence of male rape in Iran. Article 111 of the Penal Code provides that "sodomy will result in execution provided both the active and passive parties are mature, sane and consenting", with the presumption being that in the absence of these requirements, the individual would not be subject to prosecution for "sodomy". Activists for LGBT rights believe that this has in some cases led to one party to consensual sexual activity claiming to have been raped in order to avoid execution.

## 4.12 RELIGIOUS AND ETHNIC MINORITIES

Despite constitutional guarantees of equality, religious and ethnic minorities – which often intersect – face widespread discrimination in law and practice. This includes confiscation of land and property; denial of employment and restrictions on social, cultural and linguistic rights, including adequate opportunities to learn their mother tongue and to have it used as a medium of instruction, something the Azerbaijani community has been prominent in demanding in recent years. Members of minority groups may be disadvantaged before the criminal justice system if they are unable to speak Persian, the official language, well. This can particularly impact rural women who are less likely to be well-educated than their urban counterparts. Religious freedoms, such as restrictions on communal prayers for Sunni Muslims, including on building mosques in large cities, are also restricted. At least one Ahl-e Haq shrine was reportedly destroyed in 2011 by Iranian officials, who also blocked attempts by worshippers to rebuild it<sup>111</sup>.

Persecution of religious minorities, including converts to Christianity, Baha'is, dissident Shi'a clerics and members of the Ahl-e Haq and Dervish communities has increased since the 2009 presidential elections<sup>112</sup>. Non-Muslims, especially the Baha'i community, have been increasingly demonized by Iranian officials and in the Iranian state-controlled media. In 2011, repeated calls by the Supreme Leader and other authorities to combat “false beliefs” – apparently an allusion to evangelical Christianity, Baha'ism and Sufism – appear to have led to an increase in religious persecution.

The Baha'i minority, which numbers between 300,000 and 350,000, suffers particularly harshly at the hands of the state, which regards it as a “heretical” sect. Numerous anti-Baha'i articles have been published, for example by the official government news agency, the Islamic Republic News Agency (IRNA), and other agencies or websites affiliated to the government or security forces. These include Javan Online, Jahan News, Fars News, Iranian Students News Agency (ISNA), Iranian Quran News Agency (IQNA) and Tabnak News Agency.

At the end of January 2012, over 80 Baha'is were held in connection with their beliefs, including seven leaders whose 20-year prison sentences were re-imposed in March 2011, reversing a 2010 appeal court decision. A Tehran Revolutionary Court convicted the seven, **Fariba Kamalabadi**, **Mahvash Sabet**, **Jamaloddin Khanjani**, **Afif Naeimi**, **Saeid Rezaie**, **Behrouz Tavakkoli** and **Vahid Tizfahm** in August 2009 on charges including “espionage for Israel”, “insulting religious sanctities” and “spreading propaganda against the system”. They denied all the charges against them, but were sentenced to 20-year prison terms. One of their lawyers told Amnesty International in February 2010 that the seven's file was empty and the accusations baseless.

In September 2010, the group was told verbally that their sentences had been reduced to 10 years after an appeal court acquitted them of some of the charges, including espionage, but was never given a written copy of the court verdicts. In March 2011, the 20-year sentences were re-imposed, possibly as a result of a legal challenge by the Prosecutor General<sup>113</sup>.

**Rozita Vaseghi**, a member of the Baha'i religious community, was arrested on 15 March 2010 at her home in Mashhad, Razavi Khorasan province, and subsequently sentenced to five years for “membership of an illegal organization whose aim is to harm the security of the country” and “spreading propaganda against the system”. She was also banned from leaving

the country for 10 years. While in prison, in July 2011 she was convicted of a new charge of “spreading Baha’i teachings” and sentenced to an additional five years in prison.

Initially held for six months in solitary confinement, Rozita Vaseghi is now held with other Baha’i prisoners in Vakilabad Prison, Mashhad. She is said to be in poor health, having lost a lot of weight and suffering from low blood pressure.

Members of the Baha’i community established the Baha’i Institute for Higher Education (BIHE) in 1987 with a view to providing higher education for young Baha’is who are systematically denied access to state tertiary education. Since then, the authorities have periodically harassed the BIHE. Most recently, around 39 homes associated with the BIHE were raided in May 2011 and at least 17 BIHE staff and faculty members were arrested, of whom at least seven – **Kamran Mortezaei, Vahid Mahmoudi, Riaz Sobhani, Mahmoud Badavam, Ramin Zibaie, Farhad Sedghi and Noushin Khadem** – were subsequently sentenced to jail terms of four or five years after conviction of “membership in the deviant Bahaist sect, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country”. The sentences of six of them were upheld in January 2012, but Vahid Mahmoudi’s five-year term was suspended and he was released<sup>114</sup>.

Christians – mainly from evangelical denominations and converts from Islam, who can face the death penalty for “apostasy” even though this is not an offence in codified Iranian law – have faced increasing persecution in recent years, notably since the disputed presidential election of 2009<sup>115</sup>.

**Farshid Fathi**, a 33-year-old Christian, was seized by police at his home in December 2010 and has been held in Evin Prison. He was reportedly tried on 5 February 2012<sup>116</sup>.

Other Christians, including children, were arrested in late December 2011 in Ahvaz when masked police raided a church during a service. All were later released except for the pastor, **Farhad Sabokroh**, and two of his assistants, **Davoud Alijani** and **Naser Zamen-Dezfuli**. At the time of writing in February 2012, they were believed to still be denied legal representation and were held in Karoun Prison, Ahvaz<sup>117</sup>.

**Yousef Naderkhani (also Nadarkhani)**, a Christian convert and a pastor in an evangelical church, was sentenced to death in October 2010 after being convicted of apostasy<sup>118</sup>. He was arrested in October 2009 following a protest he made to the local education authorities after discovering that his child was being forced to read from the Qur’an at school.

In June 2011, the Supreme Court of Iran ruled that a lower court should re-examine some procedural flaws in the case, with the power to decide whether to release, execute or retry Yousef Naderkhani. The verdict included a provision for the sentence to be overturned should he recant his Christian faith. Yousef Naderkhani was retried in September 2011 and refused to recant his religious beliefs. His lawyer told Amnesty International on 22 February 2012 that the verdict is yet to be announced and the court is reported to have asked Ayatollah Khamenei for a religious ruling (fatwa) on the case.



In September 2011, an appeal court upheld a one-year prison sentence imposed on six members of the Church of Iran. They had been convicted in April 2011 of “spreading propaganda against the state”, reportedly for proselytizing. In a separate case, in February 2012, a court reportedly banned Fatemeh Nouri, a convert to Christianity, from university education for one year<sup>119</sup>.

Over 60 Gonabadi Dervishes (a Sufi religious order), as well as 12 journalists for Mazjooban-e Noor, a Gonabadi Dervish news website, were arrested in Kavar, in south-west Iran, and Tehran in September and October 2011. At least 11 were still detained, mostly without access to lawyers or family, at the end of 2011. Anti-Dervish demonstrations took place in Kavar on 3 September, and at least six people were shot, one of them fatally, by members of the security forces as they attempted to enter Kavar on 4 September to show solidarity with the Dervishes of Kavar. Further arrests took place in December 2011 and January 2012 (see section 4.2 above).

Amnesty International has documented unfair trials against Shi’a religious leaders, held under the auspices of the Special Court for the Clergy, since 1997<sup>120</sup>.

For example, **Sayed Hossein Kazemeyni Boroujerdi** trained as a Shi’a cleric. He advocated the separation of religion from government and held public events in Tehran which led to his arrest. In August 2007, he was sentenced in an unfair trial, by the Special Court for the Clergy, to one year’s imprisonment in Tehran followed by 10 years’ imprisonment in exile in the city of Yazd. He was also stripped of his title of Ayatollah and position as a cleric, while his residence and all of his assets were reportedly confiscated.

According to sources in Iran, Sayed Hossein Kazemeyni Boroujerdi has been tortured and otherwise ill-treated on numerous occasions since his arrest including by being beaten, thrown against a wall, filmed in a state of partial undress and having cold water thrown on him when he was sleeping.

Sayed Hossein Kazemeyni Boroujerdi was returned to Evin Prison in August 2009 where, in February 2011, he was reportedly attacked and beaten by prison officials who also forcibly shaved his beard. Sayed Hossein Kazemeyni Boroujerdi suffers from many illnesses including Parkinson’s disease, diabetes, high blood pressure and kidney and heart problems. Recent reports suggest that Kazemeyni Boroujerdi may have lost his vision in one eye and has still not been allowed to leave prison to receive medical treatment.

Six of Sayed Hossein Kazemeyni Boroujerdi’s followers – **Tayebeh Hosseini, Narges Ghaffarzadeh, Forough Hematyar, Maryam Azimi, Roya Araghi** and a man, **Mohammad Reza Sadeghi** – were arrested in November 2010<sup>121</sup>. Mohammad Reza Sadeghi was reportedly tortured or otherwise ill-treated in detention. A seventh follower, Mohammad Mehmannaavaz, was arrested in December 2011. All were released on heavy bail; at least one has since fled the country, fearing persecution.

The Iranian authorities have long been suspicious of Iran’s ethnic minorities, including Ahwazi Arabs, Azerbaijanis, Baluch, Kurds and Turkmen, many of which are situated in border areas. Some members of these minorities belong to armed opposition groups which carry out attacks, such as the People’s Resistance Movement of Iran (also known as

Jondallah), a Baluch armed group which has carried out indiscriminate attacks in the south-east of the country, and some Ahwazi Arab groups. For many years, Kurdish organizations such as the Kurdistan Democratic Party of Iran (KDPI) and the Marxist group Komala conducted armed struggle against the Islamic Republic of Iran, although neither currently does so. The Party For Free Life of Kurdistan (PJAK), was formed in 2004, and carried out armed attacks against Iranian security forces, but declared a unilateral ceasefire in 2009, although it still engages in armed clashes with security forces in what it terms "self-defence". In recent years, the authorities have accused foreign powers such as the USA and the UK of stirring unrest among them.

Amnesty International condemns attacks by armed groups on civilians, including local politicians and judges, indiscriminate and disproportionate attacks, hostage-taking, and the killing of hostages or of captured members of the security forces which violate principles of international humanitarian law.

Many members of ethnic minorities have also been arrested or harassed after protesting at environmental degradation in their areas.

On 18 May 2011, members of the Ministry of Intelligence arrested **Farzad Haghshenas**, aged 35, a Kurdish environmental activist, in front of his shop in Marivan, Kordestan Province. He was released on 1 October after the payment of about 520 million rials. Until his release he was held in solitary confinement in the Marivan Intelligence detention facility. Farzad Haghshenas is a member of Sabzchia (The Green Mountain Society) which aims to ensure that the countryside around Marivan is kept clean.

Members of the Kurdish minority who express any form of peaceful dissent are vulnerable to accusations of participation in banned Kurdish political groups such as KDPI, Komala and PJAK. Such accusations put them at even greater risk of serious human rights violations including torture and the death penalty.

At least 19 Kurdish men are also believed to be on death row in connection with their alleged membership of and activities for banned Kurdish organizations. They include: **Sherko Moarefi, Anvar Rostami, Rostam Arkiya, Mostafa Salimi, Hassan Talai, Rashid Akhkandi, Sayed Sami Hosseini, Sayed Jamal Mohammadi, Mohammad Amin Abdolahi, Ghader Mohamadzadeh, Aziz Mohammadzadeh, Habibollah Golparipour; Zaniar Moradi; Loghman Moradi; Ali Afshari** and his brother **Habib Afshari**, and **Reza Esmaili (Mamadi)**.

In late January 2012, Amnesty International received conflicting information about the status of Zaniar and Loghman Moradi, sentenced to death in December 2010 for their alleged membership of Komala and for the July 2009 murder of the son of the Friday Prayer leader of Marivan. Most reports stated that the Supreme Court had upheld death sentences against them while some reports stated that their death sentences had been sent to the enforcement office of the judiciary, for implementation.

**Habibollah Latifi**, an industrial engineering student at Ilam University, was sentenced to death on 3 July 2008 following an unfair trial behind closed doors before the Sanandaj Revolutionary Court. Habibollah Latifi was also denied legal representation. He was convicted of "enmity against God" for his alleged role – a role he denied – in attacks in the city of

Sanandaj on behalf of the PJAK. Habibollah Latifi's death sentence was upheld for a second time in May 2011 and he remains at risk of imminent execution.

**Sa'id Sa'edi** and **Yahya Qavami**, two Iranian Kurdish men, both active members of civil society, were arrested while celebrating the postponement of Habibollah Latifi's execution in December 2010. They were held for three months before being released on bail valued at 400 million rials, taken in the form of property deeds. Sa'id Sa'edi was reportedly ill-treated in detention by Ministry of Intelligence officials and was sentenced to three years in prison, which has been upheld on appeal, although he remained free at the time of writing.

A founder member of the East Kurdistan Cultural Research Institute (otherwise known as the Xorkhelat Institute, EKCRI ) which the authorities have refused to register, Sa'id Sa'edi has been repeatedly harassed because of his human rights activities<sup>122</sup>. Others, including at least seven relatives of Habibollah Latifi who were arrested at the same time, were all reportedly released, some after the payment of large amounts of bail, by January 2011.

**Ali Reza Sepahi Laeen**, a Kurdish writer and poet from the Kurdish minority in Khorasan, who works in the Public Relations office of Ferdowsi University in Mashhad, north-east Iran, was arrested on 30 July 2011 from his home in the city. In February 2011, he was reported to still be held apparently without trial in a detention facility under the control of the Revolutionary Guards in Mashhad. He is reportedly accused of writing poems critical of the authorities, praising Kurdish leaders and cooperating with one of the Kurdish opposition groups. Ali Reza Sepahi Laeen suffers from diabetes but it is not known whether he is receiving adequate medical care. His wife was reported in November 2011 to have come under considerable pressure from Revolutionary Guards intelligence officials in Mashhad not to speak of his ordeal.

Two activists for the rights of the Ahwazi Arab minority were arrested in late January 2012. **Ghalib Manabi**, a singer, and his brother **Hassan Manabi** were reportedly arrested in Ahvaz city, the latest in a wave of arrests of Ahwazi Arabs in the area. They were not known to have been released at the time of writing.

Like many others, members of ethnic minorities are frequently tortured or otherwise ill-treated after arrest. The testimony of one Kurdish prisoner received by Amnesty International described how he spent four months in solitary confinement in a tiny cell, which was continually lit. He said that in addition to the “devastating loneliness of solitary confinement” the unbearable heat made it like living in hell. He was reportedly tortured blindfold, repeatedly slapped on the face and verbally insulted:

*“...they handcuffed me from behind and while my eyes were closed they took me to the torture room then they began to hit me violently with a whip, made of thick cable, mostly on my palms my head and under my feet and sometimes stroke my head to the wall”.*

Those who seek to promote Azerbaijani cultural identity and linguistic rights are often charged with vaguely worded offences such as “acting against state security by promoting pan-Turkism”.

Poet **Saeed Mughanli**, who is a journalist and editor of *Yashmaq*, a literary magazine, was arrested on 8 June 2011. He was reported to have been released on bail on 25 September 2011 but details of his release were not known. He has been arrested for his activities on behalf of the Azerbaijani community several times before.

Around 70 Iranian Azerbaijanis were reportedly arrested on 2 April 2011 during peaceful demonstrations in Tabriz and Oroumieh, calling on the Iranian authorities to remove dams on rivers feeding Lake Oroumieh (also known as Lake Urmia), which is at risk of drying up. Similar to demonstrations in previous years, the protesters brought glasses of water and poured them into the rivers feeding the lake or the lake itself. They also carried banners with slogans such as "Break down dams and let water flow into the Lake Urmia", "Lake Urmia has no water in it and [if] Azerbaijan does not wake up now, it will be too late" and "Long live Azerbaijan".

Most of those arrested were reportedly released without charge within 24 to 48 hours. However, at least three of those arrested – Jalil Alamdare Milani, Ali Salimi and Sa'id Siyami<sup>123</sup> – were sentenced to flogging and only released after the lashes were administered. One detainee was reportedly tortured with electric shocks. Further arrests took place in August and September 2011.

**Ebrahim Rashidi**, an activist for the Azerbaijani minority from the city of Meskinshahr, was reportedly arrested on 24 January 2012 in Tabriz by security forces who failed to show an arrest warrant. He is also said to have gone on hunger strike in order to protest at what he called his "illegal" detention though it is not known whether, at the time of writing, he continued to maintain it. He had previously been arrested in 2006, when Amnesty International had campaigned on his behalf<sup>124</sup>.

Scores of members of the Ahwazi Arab minority were reportedly arrested before, during and after demonstrations on 15 April 2011, and at least three people were killed during clashes with the security forces. The demonstrations – called a "Day of Rage" in common with other protests across the Middle East at the time – were marking the sixth anniversary of mass demonstrations during and following which members of the security forces killed dozens of protestors and carried out mass arrests, sparking a cycle of violence and human rights violations.

At least four Ahwazi Arab men reportedly died in custody between 23 March 2011 and mid-May 2011, possibly as a result of torture or other ill-treatment. Others have been hospitalized, apparently as a result of injuries sustained from torture or other ill-treatment.

One man, **Ejbarah Tamimi**, was reportedly arrested at home following the 15 April demonstrations, apparently on suspicion of having been in contact with, and having provided information to, al-Arabiya TV. According to reports received by Amnesty International he died in Sepidar Prison, in Ahwaz, after being tortured in a failed attempt to extract a recorded "confession".

At least eight Ahwazi Arabs in Iran, including **Hashem Hamidi**, said to have been aged only 16, were executed between 5 and 7 May 2011. Three of the eight were reportedly executed

in public. The precise charges those reportedly executed were convicted of are unknown to Amnesty International.

The Iranian authorities have not acknowledged these executions. However, a police colonel said on 21 April 2011 that eight members of a group he described as “the Khalq-e Arab terrorist group” had been arrested by security forces, accused of the killing of three individuals, including a law enforcement official, on 15 April 2011. Ahwazi Arab sources have claimed that the eight were arrested in connection with demonstrations that took place on 15 April 2011 in Khuzestan province. In either case, they were tried, convicted and executed within three weeks. Amnesty International does not have information concerning most of their trials, although Hashem Hamidi was reportedly tried without the presence of a lawyer in a trial that lasted only about 10 minutes.

At the time of writing in February 2012, an unfolding wave of repression in Khuzestan appeared to have resulted at least two deaths in custody and between 50 to 65 arrests in at least three separate locations in the province. Arrests in Shoush, north-central Khuzestan appeared to have been brought on by the appearance of anti-election slogans painted on walls while others appeared to be pre-emptory arrests aimed at preventing any gathering of Ahwazi Arabs either on the anniversary of the 14 February demonstrations or on the 15 April anniversary of the “Day of Rage” (see above)<sup>125</sup>.

#### 4.13 PEOPLE WITH LINKS TO THE PMOI

During 2011, a number of individuals appear to have been arrested solely on account of their family links to members of the PMOI. In other cases, unduly harsh sentences appear motivated by family links with PMOI members. The PMOI, formerly engaged in armed action against the Iranian government, is based in Iraq. Some 3,400 Iranian refugees and exiles, mostly PMOI members, live in Camp Ashraf, Iraq, where they were given refuge by Saddam Hussain years before he was overthrown by a US-led coalition in 2003, although the residents are in the process of being relocated.

Seven people arrested on 1 May 2011, including **Mahmoud Azimi, Hossein Haj Aghaei, Aria Haeri, Negar Haeri, Nasser Sodagari, Tahereh Pour-Rostam** and **Pouyan Sodagari**, were all later released. All had relatives residing in Camp Ashraf and this appeared to be the main, if not the only, reason for their arrest.

One of those arrested, Mahmoud Azimi, a former political prisoner imprisoned in the 1980s for his membership of the PMOI, was reportedly arrested after he and other members of his family sought to hold a memorial ceremony for his niece, Nastaran Azimi. Nastaran Azimi was among at least 30 camp residents killed on 8 April 2011 when the Iraqi security forces sought to take greater control of Camp Ashraf, using lethal and other excessive force<sup>126</sup>.

Around 70 other people previously sentenced apparently because they have relatives in Camp Ashraf are believed to remain imprisoned.

They include **Shabnam Madadzadeh**, a student teacher who was a member of the Tehran branch of the Office for the Consolidation of Unity, a student body, and her brother **Farzad Madadzadeh**, a taxi driver, who were both arrested in February 2009 and sentenced after an unfair trial to five years in prison to be spent in exile on charges of “enmity against God

through contacts with the PMOI” and “spreading propaganda against the system”. Their convictions appear to relate to the fact that they have family members who were members of the PMOI or who reside in Camp Ashraf.

Amnesty International considers any individual held solely on account of their family links to members of the PMOI or for their own imputed political opinions, who has not used or advocated violence, to be a prisoner of conscience who should be released immediately and unconditionally.

The heavy sentence imposed upon **Ziaoddin (Zia) Nabavi** (see section 4.10 above) appears in part to be linked to the fact that he has family members based in Camp Ashraf.

Some people with links to the PMOI have been sentenced to death, and a few even executed. Three alleged PMOI supporters – Ali Saremi, Ja'far Kazemi and Mohammad Ali Haj Aghaei – were executed in Iran in December 2010 and January 2011. All three men had been convicted of “enmity against God” in relation to contacts with the PMOI<sup>127</sup>. In January 2012, Mohammad Javad Lari, another alleged PMOI supporter, who was arrested in 2009, was sentenced to death for a second time, after his initial sentence had been overturned by the Supreme Court. The Supreme Court overturned his death sentence once again, and returned it to a lower court for a further retrial, after which he was sentenced to two years' imprisonment, and then reportedly released.

## 5. BEYOND IRAN’S BORDERS

In Vienna in July 1989, and later, in a Berlin restaurant in September 1992, Iranian Kurdish opposition leaders were killed in broad daylight. In the trial that followed the 1992 attack, the verdict concluded that senior Iranian government officials held responsibility for the killing<sup>128</sup>. The Iranian government is widely believed to have ordered a series of extrajudicial executions outside its borders in the 1980s.

While the killing of opposition figures abroad appeared to have stopped by the early 1990s, the surveillance, harassment and threats continued<sup>129</sup>. Following the June 2009 presidential election, there are an increasing number of reports of harassment of and threats to Iranians resident abroad.

**Ebrahim Mehtari** took part in the post-election demonstrations in 2009. He was arrested and tortured, including by being subjected to rape<sup>130</sup>. After his release, he fled Iran and has been resettled as a refugee in France. Late in the evening of 24 March 2011, he was attacked by two men, at least one of whom was an Iranian. He was stabbed repeatedly, in his legs, chest and arm. They had managed to put a noose around his neck when a siren sounded, prompting the assailants to flee. He managed to get himself to a hotel where staff called for the police. They, in turn, took him to hospital.

Only days earlier, Ebrahim Mehtari had taken part in an event at the UN’s Human Rights Council, where human rights activists had campaigned in favour of states voting to condemn the poor human rights situation in Iran. He had provided details of the sexual abuse and other forms of torture he endured. He believes the attack was in reprisal for his appearance at the event.

Other individuals have reported that family members in Iran have been arrested in an apparent attempt to stop them from continuing their political or human rights activities abroad. This has more recently extended to Iranian journalists abroad.

**“For those working for the BBC Persian service, interference and harassment from the Iranian authorities has become a challenging fact of life”**

Mark Thompson, Director General of the BBC, 3 February 2012

On 17 January 2012, Iranian authorities arrested the sister of an employee of BBC Persian – the BBC’s Persian language news service – and held her in solitary confinement in Tehran’s Evin Prison. Though she was eventually released on bail, she was forced to “confess” on camera. Her interrogators contacted her sister abroad via Facebook, having extracted the password from her.

This arrest took place at the same time as a wave of arrests of bloggers and journalists in Iran (see sections 4.6 and 4.7 above). On 3 February 2012, Mark Thompson, the Director General of the BBC, said that other family members of BBC Persian staff had had their passports confiscated, preventing them from leaving the country. He noted that some BBC Persian staff have had their Facebook and email accounts hacked and others have faced a “stream of false

and slanderous accusations ... in the official Iranian media, ranging from allegations of serious sexual assault, drug trafficking, and criminal financial behaviour."<sup>131</sup>

In a report carried by the Mehr news agency on 7 February 2012, an unnamed source said that, "a number of people deceived by the lie-spreading BBC Persian network" had been arrested in Iran and accused them of having "the mission of gathering news and information, producing content in various formats, recruiting, training and preparing for the departure of Iran's elite media workers from the country." BBC Persian denied having any staff in Iran.

Other activists based abroad have told Amnesty International how monitoring apparently by Iranian intelligence services places pressures upon them to moderate what they say publicly. One such activist who does not wish to be identified told Amnesty International in February 2012:

*"I consider myself to be a victim of terror, even though I have lived abroad for more than 30 years. The intelligence services have developed very effective techniques to make people censor themselves. I frequently receive phone calls, letters and emails from unknown people who say 'we know where you live' and worse 'we know where your family in Iran lives'. My father, who still lives in Iran, has been summoned for interrogation on several occasions when I have spoken out against the government and told to make me stop. Once he was even detained briefly. Sometimes I wake up in a cold sweat at night, for fear that something has happened to him and that it is my fault. I would be much more active if I weren't so afraid – it is a form of mind control. If I find it so difficult after 30 years away, what must it be like for those who have only just left? Some of them find it very difficult."*

Failed asylum seekers also risk arrest if they return to Iran, particularly if forcibly returned, where their asylum application is known to the authorities. A report issued by a Swiss refugee agency quotes an unnamed judge as saying:

*"Asylum seekers are interrogated on return, whether or not they have been political activists in Iran or abroad. If they have tried to conduct propaganda against Iran, then they are culpable and are detained until a judge decides the sentence. In recent years many people have tried to destroy the reputation of Iran and this must be stopped. Such people help the opposition groups and their culpability is plain. Returnees will therefore be held for a few days until it is clear to the police, that they have not been involved in political activity. If the police can prove that the person was not active and has not done or said anything that could damage the reputation of the Islamic Republic, then they are released. If the person was either politically active in Iran before leaving, or has been active abroad, they must be tried and receive a punishment appropriate to their activities."<sup>132</sup>*

This report followed an article written by a former Supreme Court judge which appeared in *Iran* newspaper, a daily paper published by the Iranian government, on 17 February 2011. Referring to existing laws that enable Iran's judiciary to bring charges against Iranians for alleged violations of Iranian law committed while outside Iran, the article stated that failed asylum-seekers could be prosecuted for making up accounts of alleged persecution. On 26 April 2011, *Kayhan* newspaper, which is controlled by the Office of the Supreme Leader, also reported that Iranians are seeking asylum "on the pretext of supporting the opposition".<sup>133</sup>



## 6. CONCLUSION AND RECOMMENDATIONS

This report highlights widespread and persistent human rights violations in Iran. Amnesty International's fears that an already dire situation will worsen as parliamentary elections approach in early 2012 has already been borne out by the recent wave of arrests in the country. It is essential if further mass human rights violations are to be avoided that the international community act on behalf of the hundreds, if not thousands, of prisoners of conscience and political prisoners imprisoned after unfair trials in Iran. Amnesty International is appealing to the international community as a matter of urgency to engage with the Iranian authorities and ensure that they address the human rights concerns outlined in this report.

Amnesty International is calling on the Iranian authorities to:

- amend legislation which unduly restricts the rights to freedom of expression, association and assembly, and to permit open public debate in the run-up to the March 2012 parliamentary elections.

In particular it is calling on the authorities to:

- ensure that no one is detained or imprisoned solely for the peaceful exercise of the right to freedom of opinion and expression, association and assembly. Anyone so detained should be released immediately and unconditionally;
- end all victimization, discrimination, harassment and arbitrary arrest of human rights defenders, including women's rights activists, lawyers and trade unionists and others who are seeking to uphold their own and others' rights;
- ensure that legal restrictions on the formation and operation of political parties, NGOs and trade unions are lifted and to desist from passing legislation that would further restrict their activities;
- ensure that all offences are defined narrowly and clearly in law;
- take effective measures to prohibit and prevent all forms of torture and other cruel, inhuman or degrading treatment or punishment, including the delay or denial of adequate medical care, and to ensure that those suspected of such actions are investigated and brought to justice in fair proceedings and without recourse to the death penalty. Victims should have an enforceable right to reparations in accordance with international standards;
- end all forms of cruel or torturous punishment including flogging, amputation, crucifixion, stoning and the deliberate infliction of injury in law and practice;

- repeal or amend legislation which provides for, or could result in, discrimination against, or prosecution and punishment of people solely for their sexual orientation, gender identity or mutually agreed sexual activities between consenting adults. Anyone held solely on account of such activities or orientation should be released immediately and unconditionally;
- repeal or revise all legislation which discriminates against members of ethnic or religious minorities;
- release anyone detained solely on account of their faith, lack of faith or change of faith, or on account of their ethnic or religious identity or their peaceful activities advocating for greater rights for their community;
- ensure that all trial procedures meet international standards for fair trial including by ensuring that all arrested people have access to a lawyer of their choice immediately following their arrest;
- ensure that no one is coerced into testifying against themselves or others or to confess guilt and that no such "confessions" are accepted as evidence in court, except against a person accused of torture or other ill-treatment as evidence that the "confession" or other statement was made;
- abolish Revolutionary Courts and the Special Court for the Clergy;
- establish an immediate moratorium on executions and to work towards the complete abolition of the death penalty;
- establish independent and impartial bodies to investigate allegations of human rights violations promptly, thoroughly and effectively, and to provide reparations to victims and affected families in accordance with international human rights standards; and
- to allow international scrutiny of the human rights situation in Iran including by allowing the UN Special Rapporteur on Iran to visit, in addition to other thematic UN human rights mechanisms which have requested visits, as well as independent international human rights organizations such as Amnesty International.

Amnesty International is calling on UN member states to:

- do all within their power to ensure that the mandate of the Special Rapporteur on Iran is renewed during the February-March 2012 session of the Human Rights Council;
- press the Iranian authorities to grant the Special Rapporteur on Iran access to the country and to fulfil the commitment in its standing invitation to receive visits by UN Special Procedures relating to human rights that have asked to visit Iran.
- promote engagement by their own parliamentarians with Iranian parliamentarians elected in March 2012 to remind them of their responsibility to ensure that Iranian legislation fully complies with international human rights standards to which Iran is a state party.

# ENDNOTES

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<sup>1</sup> Amnesty International, *Iran: Case sheet: Ahmad Zeidabadi*, (Index: MDE 13/042/2010), 3 May 2010, <http://www.amnesty.org/en/library/info/MDE13/042/2010>

<sup>2</sup> "Thanks to Islam and Islamic Revolution, a public Islamic awakening has happened in the region today, which will definitely yield its results as it has already yielded its results in certain points." Extract of speech by Ayatollah Khamenei on 23 April 2011, quoted in Hamsayeh Net, *Islamic Awakening Sweeping the Region Harbinger of Profound Changes to Follow: Supreme Leader*, 24 April 2011, <http://hamsayeh.net/archive/595-islamic-awakening-sweeping-the-region-harbinger-of-profound-changes-to-follow-supreme-leader.html>

<sup>3</sup> For example, Ayatollah Ahmad Jannati said during a sermon at Friday prayers in Tehran in April 2011: "All Islamic countries, as long as they're not themselves involved in the crime, bear responsibility to support the Bahrainis in their fight." Quoted in Deutsche Welle, *Iran's support for Bahrain protesters fuels regional tensions*, 15 April 2011, <http://www.dw.de/dw/article/0,,6504403,00.html>

<sup>4</sup> Articles 183 to 186 of the Penal Code concern the "offence" of "moharebeh va ifsad fil-arz" or "enmity against God and corruption on earth". The phrase relates to Sura 5:33 of the Qur'an and in the Penal Code the "crime" of "moharabeh va ifsad fil-arz" has four possible punishments stemming from the Qur'anic verse: the death penalty, cross-amputation, crucifixion and "banishment". The Penal Code defines the terms as: "Any person resorting to arms to cause terror, fear or to breach public security and freedom will be considered as a mohareb and to be corrupt on earth". Among those designated as mohareb are those convicted of membership or support for an organization that seeks to overthrow the Islamic Republic by procuring arms for this". Other references in law specify other circumstances where someone may be considered a "mohareb", including espionage and forming a group to harm state security. "Corruption on earth" is not defined in the Penal Code. However, several articles in the Penal Code and other laws specify that the penalty for "corruption on earth" can be applied for offences including espionage, some economic offences, armed resistance to the state, "setting up centres of corruption", and production of "obscene products". Individuals accused of "apostasy", which is not a codified offence in Iranian law, have also sometimes been designated as "corrupt on earth" and sentenced to death. For example, on 26 January 2011, Iranian authorities announced that Sayed Ali Gharabat had been executed for "spreading corruption" and "apostasy" in Karoun Prison, Ahvaz, after he, according to the authorities, falsely claimed to have communicated with the Twelfth Imam. Twelver Shi'a Muslims believe that the Twelfth Imam is currently in hiding and will return to earth to bring about justice. See Amnesty International, *Iran: Nobel Laureate Shirin Ebadi and Rights Groups Demand Moratorium on Executions*, (Index: MDE 13/015/2011), 16 February 2011, <http://www.amnesty.org/en/library/info/MDE13/015/2011/en>. The Anti-Narcotics Law also considers recidivist offenders to be "corrupt on earth" in some instances.

<sup>5</sup> Amnesty International, *Iran: Election Contested, Repression Compounded*, (Index: MDE 13/123/2009), 10 December 2009, <http://www.amnesty.org/en/library/info/MDE13/123/2009>

<sup>6</sup> Amnesty International, *From protest to prison: Iran one year after the election* (Index: MDE 13/062/2010), 9 June 2010, <http://www.amnesty.org/en/library/info/MDE13/062/2010>

<sup>7</sup> These include: United Nations General Assembly, *The situation of human rights in the Islamic Republic of Iran: Report of the Secretary-General*, (UN Document A/66/361), 15 September 2011, [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/66/361](http://www.un.org/ga/search/view_doc.asp?symbol=A/66/361) and United Nations General Assembly, *Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran*, (UN Document A/66/374), 23 September 2011, [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/66/374](http://www.un.org/ga/search/view_doc.asp?symbol=A/66/374)

<sup>8</sup> The UN Special Rapporteurs on torture and other cruel, inhuman or degrading treatment or punishment; the independence of judges and lawyers; the promotion and protection of the right to freedom of opinion and expression; and the situation on human rights defenders, as well as the Independent Expert on minority issues, have all asked to visit but have received no response. The Iranian authorities have indicated that they will not agree to the request of the newly appointed Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to visit the country. Meanwhile, the Special Rapporteurs on extrajudicial, summary or arbitrary executions and on freedom of religion or belief, as well as the Working Group on enforced or involuntary disappearances, have agreed in principle to visit, but the Iranian authorities have not proposed any dates. Iran has submitted belated reports to some treaty bodies, although its reports to the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities are now overdue. Iran had its human rights record considered during the UPR process, by the UN Committee on the Elimination of All Forms of Racial Discrimination in August 2010, and the UN Human Rights Committee in October 2011.

<sup>9</sup> Iran is party to key international human rights standards such as the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of the Child. Its failure to respect its obligations under these treaties is amply demonstrated by the multiple human rights violations reported in this document. The status of international human rights treaties is not specified in the Iranian legal system, and they are practically never referred to in domestic jurisprudence. The UN Human Rights Committee, which oversees implementation of the ICCPR, found in November 2011 that this hinders the full enjoyment of the rights provided for in the ICCPR and called on Iran to ensure effective implementation and application of the provisions of the ICCPR, irrespective of the place of the Covenant in the domestic legal system.

<sup>10</sup> The UN Human Rights Committee, in its 1993 concluding observations, expressed concern at the extent of limitations to the freedom of expression, assembly and association, noting that self-censorship was widespread in the media, and that severe limitations had been placed upon the exercise of freedom of assembly and of association. See UN Human Rights Committee, *Concluding Observations on the Islamic Republic of Iran, 1993*. Similarly in 2011, the Human Rights Committee expressed concern that the freedoms of assembly and association were severely limited, and that many newspapers and other media had been closed down, journalists and other media workers arrested and about limitations imposed on the use of the internet and access to satellite broadcasts. The committee recommended that Iran should fully guarantee the right to freedom of expression and opinion of independent media, and ensure that journalists can exercise their profession without fear of being brought before courts, as well as ensuring the release, rehabilitation and provision of effective judicial redress and compensation for journalists arbitrarily arrested. The committee also said that the Iranian authorities should ensure that the monitoring of internet use does not violate the rights to freedom of expression and privacy.

<sup>11</sup> UN Economic and Social Council, Report submitted by the Special Rapporteur on the right to freedom of opinion and expression, Ambeyi Ligabo, on his visit to Iran, (E/CN.4/2004/62/Add.2), 12 January 2004,

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<http://aadel.iranhrdc.org/Exe/ZyNET.exe/WRK200000JYY.xml?ZyActionD=ZyDocument&Client=search&Index=IHRDC%20Public%20Documents&File=C%3A%5CZYIMAGE%20DATA%5CINDEX%20DATA%5CPUBLIC%5CXML%5C2009%5C10%5C00000000%5CWRK200000JYY.xml&User=anonymous&Password=anonymous&ImageQuality=r85g16%2Fr85g16%2Fx150y150g16%2Fi500&Display=hprfw&Back=ZyActionS&MaximumPages=5&Query=fname%3D%22WRK200000JYY.xml%22>

<sup>12</sup> Amnesty International, *Iran: A legal system that fails to protect freedom of expression and association*, (Index: MDE 13/045/2001), published 21 December 2001, <http://www.amnesty.org/en/library/info/MDE13/045/2001/en>

<sup>13</sup> This law was apparently only intended to be used in exceptional cases to prevent “hooliganism” or murder. See Article 19, *Memorandum on Media Regulation in the Islamic Republic of Iran*, March 2006

<sup>14</sup> Deutsche Welle, *Tasvib-e layehh janjali-e eslahe-e ghanoun-e matbouaat dar majles*, 15 April 2009, <http://www.dw-world.de/dw/article/0,,4178392,00.html>

<sup>15</sup> AFP, *Iran launches cyber crime unit: police*, 23 January 2011, <http://www.google.com/hostednews/afp/article/ALeqM5hLEy7yxpOx8VTvk11-v0zSealMw>. The cyber crimes police website may be viewed at <http://www.cyberpolice.ir/>

<sup>16</sup> Report of the Majles Cultural Affairs Committee in E'temad newspaper, 1 November 2011, as reported by the BBC Monitoring Service.

<sup>17</sup> ISNA, *Oltimatum-e polic be cafinetdarán, Polic-e Fata: 20 dastour-ol-amal baraye cafinet-ha elam shod, cafinet-ha etelaat-e interneti-e karbaran ra sabt konand*, 3 January 2012, <http://isna.ir/ISNA/NewsView.aspx?ID=News-1923707>

<sup>18</sup> AKI, *Iran: Tehran announces new 'halal' Islamic internet*, 15 April 2011, [http://www.adnkronos.com/IGN/Aki/English/CultureAndMedia/Iran-Tehran-announces-new-halal-Islamic-internet\\_311908244227.html](http://www.adnkronos.com/IGN/Aki/English/CultureAndMedia/Iran-Tehran-announces-new-halal-Islamic-internet_311908244227.html) and IT Analyze, *Shabakeh-e internet-e halal dar Iran rah andazi mishavad*, 15 April 2011, <http://itanalyze.com/articles/2011/04/15/13747.php>

<sup>19</sup> Open Net Initiative, 2009 Iran entry, [http://opennet.net/research/profiles/iran#footnoteref17\\_a7hpeud](http://opennet.net/research/profiles/iran#footnoteref17_a7hpeud)

<sup>20</sup> The 2001 Supreme Council of the Cultural Revolution regulations stipulate that ISPs must record the activities of the users to provide to the Ministry of ICT. The recorded information must be endorsed by the Ministry of Information, Justice Administration and the Police. The records may - at the request of the High Council of National Security or a judge - be provided to the Ministry of Intelligence. See Iran CSOs Training & Research Centre, *“Access is denied”: A Report on the Status of the Internet in Iran*, November 2005, [http://www.genderit.org/sites/default/upload/A\\_Report\\_on\\_Internet\\_Access\\_in\\_Iran\\_2\\_.pdf](http://www.genderit.org/sites/default/upload/A_Report_on_Internet_Access_in_Iran_2_.pdf)

<sup>21</sup> RFERL, *Iran Announces New Restrictions For Internet Cafes*, 4 January 2012, [http://www.rferl.org/content/iran\\_announces\\_new\\_internet\\_restrictions/24442396.html](http://www.rferl.org/content/iran_announces_new_internet_restrictions/24442396.html)

<sup>22</sup> Initially sentenced to four month’s imprisonment for distributing software designed to circumvent restrictions placed on internet access by the Iranian Government and six month’s imprisonment for providing training into how to use such software, Ashkan Delanvar was acquitted of the charge that he formed a virtual group to disturb national security; the appeal court confirmed one year’s imprisonment for ‘propaganda against the system’; confirmed his sentence for distributing and providing training in the use of anti-filtering software; and overturned his acquittal for ‘establishing groups opposed to national security’ in connection with Facebook groups he was allegedly part of and imposed an additional two

years sentence.

<sup>23</sup> Ayatollah Mohammad Emami-Kashani, a member of the Assembly of Experts, declared in a nationally televised sermon on 4 September 2009 that the human sciences should not be taught in the Western style in Iran. Two days later, the Institute for Humanities and Cultural Studies said it had been instructed by the Supreme Council for the Cultural Revolution to revise the human sciences curriculum. See *Pavhouheshgah-e oloum-e ensani, dorouse oloume ensani ra baznegari mikonad*, 6 September 2009 [http://www.bbc.co.uk/persian/iran/2009/09/090906\\_ka\\_universities\\_humanities.shtml](http://www.bbc.co.uk/persian/iran/2009/09/090906_ka_universities_humanities.shtml)

<sup>24</sup> BBC Persian, *Tarh-e poushesh-e Irani-Eslami az Farvardin mah dar Tehran ejra mishavad*, 19 February 2012, [http://www.bbc.co.uk/persian/rolling\\_news/2012/02/120219\\_i31\\_rln\\_iran\\_islamic\\_clothes.shtml](http://www.bbc.co.uk/persian/rolling_news/2012/02/120219_i31_rln_iran_islamic_clothes.shtml). The reports stated that a uniform would also be introduced for men.

<sup>25</sup> In recent months, the rial has fallen significantly against the US dollar, making it difficult to give meaningful equivalents.

<sup>26</sup> Frank La Rue, *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression*, (UN Doc A/66/290), 10 August 2011, <http://www.ohchr.org/Documents/Issues/Opinion/A.66.290.pdf> The report also references UN Human Rights Council resolution 12/16 (para. 5 (p) (i)).

<sup>27</sup> The CESCR stated that "[m]embers of the academic community, individually or collectively, are free to pursue, develop and transmit knowledge and ideas, through research, teaching, study, discussion, documentation, production, creation or writing. Academic freedom includes the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfil their functions without discrimination or fear of repression by the State or any other actor, to participate in professional or representative academic bodies, and to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction. The enjoyment of academic freedom carries with it obligations, such as the duty to respect the academic freedom of others, to ensure the fair discussion of contrary views, and to treat all without discrimination on any of the prohibited grounds". See Committee on Economic, Social and Cultural Rights, General Comment No. 13, (UN Doc E/C.12/1999/10), 8 December 1999, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G99/462/16/PDF/G9946216.pdf?OpenElement>

<sup>28</sup> Iranian Labour News Agency (ILNA), Google motor-e jostojou nist balkeh abzar-e jasousi ast, 10 January 2012, <http://www.ilna.ir/newsText.aspx?ID=234051>

<sup>29</sup> These restrictions are laid down in the 1997 Law on the Requirements for Obtaining a Lawyer's Licence, which requires lawyers to be practising Muslims, to believe in the ideological basis of the Islamic Republic, not to be monarchists, members of atheist or communist groups, "misleading denominations" [e.g. Baha'is] or opposition groups. In June 2009, the Head of the Judiciary approved new by-laws to the 1955 Law establishing the independence of the Iranian Bar Association which would give the Judiciary the power to approve membership of the Bar and lawyers' licensing applications, thereby undermining the independence of the Bar. The by-laws, which do not need parliamentary approval, have been challenged by the Bar Association and have not yet been implemented. For further information, see Amnesty International, *Iran: Lawyers' defence work repaid with loss of freedom: Joint statement*, (Index: MDE 13/093/2010), 1 October 2010, <http://www.amnesty.org/en/library/info/MDE13/093/2010/en>. In February 2012, 28 candidates were disqualified from standing for election to the Board by the Administrative Court for Judges. See BBC Persian, *Rad-e salahiat-e 28 namzad-e entekhabat-e heya't-e modireh kanoun-e vokalay-e dadgostari-e*

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Iran, 11 February 2012,

[http://www.bbc.co.uk/persian/iran/2012/02/120211\\_i38\\_iran\\_bar\\_assosiation.shtml](http://www.bbc.co.uk/persian/iran/2012/02/120211_i38_iran_bar_assosiation.shtml)

<sup>30</sup> The 2001 Law on the Third Economic Social and Cultural Development Plan. Article 187 stipulates that the judiciary, “shall be authorized to confirm the competence of the graduates of law who shall be granted licences for the establishment of legal advisory institutes.” The advisors are authorized to present cases in court. See Amnesty International, *Iran: A legal system that fails to protect freedom of expression and association*, (Index: MDE 13/045/2001), 21 December 2001, <http://www.amnesty.org/en/library/info/MDE13/045/2001/en>

<sup>31</sup> In its concluding observations of November 2011, the Human Rights Committee expressed concern at the severe limitations on freedom of assembly and association and noted that the holding of public gatherings and marches as well as the establishment of associations are conditional upon compliance with “principles of Islam”, which are not defined under national legislation. The Committee also highlighted concerns about the harassment or intimidation, prohibition and forceful breaking up of demonstrations, and arrests and arbitrary detentions of human rights defenders. It noted “that human rights defenders and defence lawyers often serve prison sentences based on vaguely formulated crimes such as “mohareb” (enemy of God) or the spreading of propaganda against the establishment”. See Human Rights Committee, *Concluding observations of the Human Rights Committee: Islamic Republic of Iran*, (UN Doc CCPR/C/IRN/CO/3), 29 November 2011, <http://www2.ohchr.org/english/bodies/hrc/docs/CCPR.C.IRN.CO.3.doc>

<sup>32</sup> Human Rights Committee, *Concluding observations of the Human Rights Committee: Islamic Republic of Iran*, (UN Doc CCPR/C/IRN/CO/3), 29 November 2011, <http://www2.ohchr.org/english/bodies/hrc/docs/CCPR.C.IRN.CO.3.doc>

<sup>33</sup> The Council for the Discernment for the Expediency of the System, or Expediency Council, is an advisory body for the Supreme Leader with powers to resolve disputes over legislation between Parliament and the Council of Guardians. The Supreme Leader appoints its members, and in October 2005 gave the Expediency Council “supervisory” powers over all branches of government.

<sup>34</sup> An English translation of the Bill is available on the website of the Iran Human Rights Documentation Centre. See *The parties and associations law reform plan*, <http://www.iranhrdc.org/english/news/features/100000018-the-parties-and-associations-law-reform-plan.html>

<sup>35</sup> Article 23 and article 25 of the Bill specify that founders and members of political parties must demonstrate “[p]ractical commitment to the Constitution of the Islamic Republic of Iran”

<sup>36</sup> For further information, see Arseh Sevom, *Islamic Republic of Iran Forcefully Targets Civic and Democratic Organizations*, 3 May, 2011, <http://www.arsehsevom.net/2011/05/islamic-republic-of-iran-forcefully-targets-civic-and-democratic-organizations/>

<sup>37</sup> Radio Zamaneh, *Gender segregation underway in 20 Iranian universities*, 8 July 2011, <http://radiozamaneh.com/english/content/gender-segregation-underway-20-iranian-universities>

<sup>38</sup> Radio Free Europe/Radio Liberty, *Iran To Extend Gender Segregation To Preschools*, , 23 August 2011, [http://www.rferl.org/content/iran\\_separates\\_sexes\\_in\\_preschool/24305334.html](http://www.rferl.org/content/iran_separates_sexes_in_preschool/24305334.html)

<sup>39</sup> Shadi Sadr, *A Legal Analysis on Violation of Rights in the Post-Election Events*, June 2010, <http://www.iranhrdc.org/english/publications/legal-commentary/3043-a-legal-analysis-on-violation-of->

[rights-in-the-post-election-events.html](#). She asserts that only organizations registered under the Law on Political Parties and Associations may seek a permit to demonstrate.

<sup>40</sup> Article 119 of the Code of Criminal Procedures.

<sup>41</sup> Article 15.4 and 15.5.

<sup>42</sup> Article 32.

<sup>43</sup> Article 24.

<sup>44</sup> Article 32.

<sup>45</sup> Article 33.

<sup>46</sup> Article 132.

<sup>47</sup> Article 134. The bail provided is normally a title deed of a property valued substantially above the amount of the bail fixed by the court or cash. The bail is registered and any cash is deposited in a special account of the Ministry of Justice designated for this purpose. The court issues an order to the Deeds and Properties Registration Department, where the owner takes the Deed. The Department enters a ban on transactions in the Deed which can only be cancelled by a new court order.

<sup>48</sup> Iranian response to a questionnaire on the Use and Application of the Code of Conduct for Law Enforcement Officials, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials administered by the UN Crime Prevention and Criminal Justice Division. See <http://www.uncjin.org/Standards/Conduct/cc/iran.pdf>, page 4.

<sup>49</sup> Radio Zamaneh, *Prison authorities deny use of torture*, 9 August 2011, <http://zamaaneh.net/english/content/prison-authorities-deny-use-torture>

<sup>50</sup> Deutsche Welle, *220 hezar Irani dar زندانها با 85 hezar zarfiyat*, 3 March 2011, <http://www.dw-world.de/dw/article/0,,6458574,00.html>

<sup>51</sup> Shargh *800 nafar dar زندانها-ye 100 nafareh*, 27 June 2011, <http://sharghnewspaper.ir/News/90/04/06/3723.html>.

<sup>52</sup> Kalame *Dar زندان-e Gharchak Varamin, yek faji'eh insani dar hal-e voghou' ast*, 8 May 2011, <http://www.kalame.com/1390/02/18/klm-57435/>

<sup>53</sup> From an interview with the International Campaign for Human Rights in Iran. See *Imprisoned Blogger Severely Beaten by IRGC Forces after Writing a Letter to Tehran's Prosecutor*, 19 August 2011, [http://www.iranhumanrights.org/2011/08/ronaghi\\_beating/](http://www.iranhumanrights.org/2011/08/ronaghi_beating/)

<sup>54</sup> An English translation of his letter may be read at <http://persianbanoo.wordpress.com/2011/12/13/blogger-hosseini-ronagi-maleki-letter-to-public-prosecutor-announcing-his-hunger-strike/>

<sup>55</sup> Hossein Ronaghi Maleki was transferred to hospital on 19 December 2011 and is reported to have undergone kidney surgery two days later, but was returned to prison on 23 December 2011. He refused to be taken to hospital in January 2012, in protest at the authorities' continuing refusal to grant him prison leave for medical treatment.

<sup>56</sup> Iran Human Rights Documentation Centre, *Legal Commentary: A Look at Criminal Procedure in Iran*, November 2010, <http://www.iranhrdc.org/english/publications/legal-commentary/3008-a-look-at-criminal->



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[procedure-in-iran.html](#)

<sup>57</sup> The UN Working Group on Arbitrary Detention found following its visit to Iran in 2003, that “through an extremely restrictive interpretation of article 128 of the Code of Criminal Procedure and of note No. 3 to the law on the selection of counsel, the revolutionary tribunals [courts] - in addition to the fact that they have no constitutional legitimacy - abuse the already questionable authority given them under these instruments to exclude counsel at their discretion from hearings in cases covered by this article, that is, those involving the internal and external security of the State, cases in which their presence is all the more necessary. This derogation is so serious that it makes these tribunals ‘special courts’”. The Working Group recommended the abolition of Revolutionary Courts. See Report of the Working Group on Arbitrary Detention, Visit To The Islamic Republic Of Iran (15-27 February 2003), (UN Document E/CN.4/2004/3/Add.2), 27 June 2003, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G03/147/77/PDF/G0314777.pdf?OpenElement>

<sup>58</sup> Iran Human Rights Documentation Centre, *Legal Commentary: A Look at Criminal Procedure in Iran*, November 2010, <http://www.iranhrdc.org/english/publications/legal-commentary/3008-a-look-at-criminal-procedure-in-iran.html>

<sup>59</sup> For further information on the legal framework governing arrest and detention in Iran, courts and places of detention, please refer to previous Amnesty International reports, in particular, *From Protest to Prison: Iran one year after the election* (Index: MDE 13/062/2010), 9 June 2010, <http://www.amnesty.org/en/library/info/MDE13/062/2010/en>

<sup>60</sup> The International Convention for the Protection of All Persons from Enforced Disappearance (ICED), which entered into force in December 2010, defines enforced disappearance in Article 2 as: “the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law”. Iran has not yet ratified the ICED.

<sup>61</sup> For example, OHCHR Working Group on Enforced and Involuntary Disappearances, *General Comment on Enforced Disappearances as a Continuous Crime*, <http://www2.ohchr.org/english/issues/disappear/docs/GC-EDCC.pdf>

<sup>62</sup> A prisoner of conscience is a person who has not used violence or advocated violence or hatred and is imprisoned or placed under other physical restriction (for example, house arrest) because of their political, religious or other conscientiously held beliefs, ethnic origin, sex, colour, language, national or social origin, economic status, birth, sexual orientation or other status. Amnesty International calls for their immediate and unconditional release. Political prisoners may be held for similar reasons, but have used or advocated violence or hatred. Amnesty International considers that such prisoners should be tried according to international fair trial standards.

<sup>63</sup> Amnesty International, *Iran: Wave of arrests in run up to parliamentary elections*; (Index: MDE 13/004/2012) 31 January 2012, <http://www.amnesty.org/en/library/info/MDE13/004/2012/en>

<sup>64</sup> Amnesty International, *Iran: Case Sheet: Abolfazl Abedini Nasr*, (Index: MDE 13/039/2010), 3 May 2010, <http://www.amnesty.org/en/library/info/MDE13/039/2010>

<sup>65</sup> BBC Persian, *Abdolreza Tajik: Dar زندan hatk-e hormat shodeh-am*, 24 June 2010, [http://www.bbc.co.uk/persian/iran/2010/07/100724\\_117\\_tajik.shtml](http://www.bbc.co.uk/persian/iran/2010/07/100724_117_tajik.shtml)

<sup>66</sup> Human Rights House of Iran, Abdolreza Tajik’s Sister Sentenced to 1 ½ Years of Prison, 17 November 2010, <http://www.rahana.org/en/?p=8059>

<sup>67</sup> Recorded as a ‘status update’ on the Facebook page of Shadi Sadr, accessed 25 January 2012.

<sup>68</sup> Committee of Human Rights Reporters, *Court was held on charges of Kouhyar Goudarzi, 20 January 2012*, <http://chrr.biz/spip.php?article16997>

<sup>69</sup> Committee of Human Rights Reporters, *Parvin Mokhtareh be 23 mah –e habs-e ta’ziri mahkoom shod*, <http://chrr.biz/spip.php?article16737>

<sup>70</sup> Human Rights Activists in Iran, now active for four years, split into two groups prior to the arrests: one group continued to be called HRA-Iran and its website (Human Rights Activists New Agency) may be accessed at <http://www.hra-news.org/>; the other set up a separate group with its own website initially known as Reporters and Human Rights Activists in Iran (RAHANA), but now called Human Rights House of Iran. It has been active for two years and its website may be accessed at: <http://www.rahana.org/>

<sup>71</sup> Amnesty International, *Iran: Amnesty International urges immediate and unconditional release of Sohrab Razzaghi*, (Index: MDE 13/135/2007), 16 November 2007, <http://www.amnesty.org/en/library/info/MDE13/135/2007/en>

<sup>72</sup> Mohammad Seyfzadeh has said the various parts of the sentence against him included the establishment of the Centre for the Defenders of Human Rights, which undertook the defence of opposition groups, teachers, students, etc. Giving talks outside Iran to opposition groups and accepting the defence of such individuals are also mentioned in the sentence, as were “contacts with the US and other Western countries.” He added that “the sentence mentions that the president of the United States and the European Union issued statements of condemnation when the offices of the Centre were shut down.” See Fereshteh Ghazi for Roozonline, *I Do Not Accept This Political Sentence*, 4 November 2010, <http://www.roozonline.com/english/news3/newsitem/article/i-do-not-accept-this-political-sentence.html>

<sup>73</sup> Trials of judges or lawyers for alleged infractions related to their professional conduct are held before the Disciplinary Court for Judges, which was not the case in respect to Mohammad Dadkhah.

<sup>74</sup> Amnesty International, *The Wire, February/March 2011. Vol. 41, issue 001*, (Index: NWS 21/001/2011), 1 February 2011, <http://www.amnesty.org/en/library/info/NWS21/001/2011/en>

<sup>75</sup> Amnesty International wrote to the Iranian authorities in March 2011 urging them to investigate these reports but has yet to receive a reply.

<sup>76</sup> HRA-Iran, *Vaziat-e Javid Houtan Kiyani dar goftogou ba Naghi Mahmoudi*, 12 September 2011 <http://www.hra-news.org/2/00/9648-1.html> and The Times, *Torture and exile: the fate of lawyers supporting Ashtiani*, 8 October 2011.

<sup>77</sup> HRA-Iran, *Mahkomiati-e ghati-e Houtan Kiyani vakil-e dagostari beh shesh sal habs-e ta’ziri*, 19 February 2012, <https://hra-news.org/00/11398-1.html>

<sup>78</sup> Bild am Sonntag, *Ich dachte, ich sterbe jetzt. Die machen dich fertig*, 5 February 2012, <http://www.bild.de/politik/inland/iran/ich-dachte-ich-sterbe-jetzt-1-22457916.bild.html>

<sup>79</sup> In its concluding observations in November 2011, the Human Rights Committee noted in particular, “the high number of women’s rights activists who have been arrested and detained, including volunteers and members of the One Million Signatures Campaign”.

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<sup>80</sup> Campaign for Equality, *Three Year Mandatory Prison Sentence for Fereshteh Shirazi Upheld in Appeals*, 7 January 2012, <http://www.we-change.org/english/spip.php?article942>

<sup>81</sup> On 12 December 2011, the human rights organization, HRA-Iran reported that “despite Mahboubeh Karami's health condition, the Medical Commission of The Prisons decided that she is able to and should serve her sentences. Mahboubeh's family has been trying to annul her imprisonment sentence due to her deteriorating health condition, a request which was refused by the Medical Commission. Also during the last couple of weeks Mahboubeh's father has been hospitalized”. See HRA-Iran, *Mokhalefat-e commission-e pezeshti ba azadi-e Mahboubeh Karami*, 12 December 2011, <http://hra-news.org/1389-01-27-05-27-21/10664-1.html>. Her father has since died.

<sup>82</sup> Amnesty International, *Submission to the Commission on the Status of Women regarding concerns about the harassment and imprisonment of women, including rights defenders and members of minorities, in Iran* (Index: MDE 13/071/2011), 10 August 2011, <http://www.amnesty.org/en/library/info/MDE13/071/2011/en>

<sup>83</sup> The sums totalled 30,750 euros, US\$2,900, and £200, but the sources he had allegedly received them from were not specified.

<sup>84</sup> The Iranian parliament was reported in 2011 to have raised the penalty for visiting Israel from three months to a maximum of five years in prison. See BBC Persian, *Mojazat-e safar-e Iranian beh Israell tashdid shod*, 14 November 2012, [http://www.bbc.co.uk/persian/rolling\\_news/2011/11/111114\\_I03\\_rln\\_iran\\_israel\\_travelling.shtml](http://www.bbc.co.uk/persian/rolling_news/2011/11/111114_I03_rln_iran_israel_travelling.shtml)

<sup>85</sup> The blog of Somayeh Tohidlou can be accessed at: <http://smt0.ir/>

<sup>86</sup> According to the Committee for the Protection of Journalists (CPJ), 42 Iranian journalists were detained or imprisoned on 1 December 2011, and over 150 have been arrested since the 2009 election. See CPJ, *Imprisonments jump worldwide, and Iran is worst, 8 December 2011*, <http://www.cpj.org/reports/2011/12/journalist-imprisonments-jump-worldwide-and-iran-i.php> and CPJ, *Fear, Uncertainty Stalk Iranian Journalists in Exile*, <http://www.cpj.org/2012/02/irans-vast-diaspora.php>

<sup>87</sup> In May 2010, the UN Working Group on Arbitrary Detention found Isa Saharkhiz's detention to be arbitrary and requested that the Iranian Government release Isa Saharkhiz immediately and unconditionally, which they have failed to do. See UN Working Group on Arbitrary Detention, *Communication addressed to the Government on 8 January 2010: Concerning Mr. Isa Saharkhiz*, (Opinion No. 8/2010 (Islamic Republic of Iran)), [http://www.unwgadatabase.org/un/Document.aspx?id=2407&terms=\(+Iran+\)](http://www.unwgadatabase.org/un/Document.aspx?id=2407&terms=(+Iran+))

<sup>88</sup> International Campaign for Human Rights in Iran, *They Keep My Father In Prison For His Criticism of Khamenei, Says Son of Imprisoned Journalist*, 10 August 2011, <http://www.iranhumanrights.org/2011/08/saharkhiz-sentence/>

<sup>89</sup> Letter from prisoners reported by Kaleme, *Jam'i az javanan-e zendani-e band-e 350: Sepah-e pasdaran va masoulan-e zendan-e Evin ra moghasser-e shahadat-e Hoda Saber midanim*, 12 August 2011, <http://www.kaleme.com/1390/05/21/klm-69022/>

<sup>90</sup> His letter may be read at <http://www.iranhumanrights.org/2010/09/letter-momeni-khamanei/>

<sup>91</sup> The signatories were Mohsen Aminzadeh, Mohsen Mirdamadi, Bahman Ahmadi Amou'i, Abdollah Momeni, Milad Asadi, Abdollah Ramezanzadeh, Emad Behavar, Mostafa Tajzadeh, Mojtaba Tehrani, Ali Jamali, Mohammad Hossein Khourbak, Mohammad Davari, Amir Khosrow Dalirsani, Kayvan Samimi,

Esmā'il Sahābeh, Mohammad Farid Taheri Ghazvini, Feizollah Arabsorkhi, Behzad Nabavi, Abolfazl Ghadiani, Majid Dorri, Zia Nabavi, Mehdi Karimian Eghbal, Mohammad Reza Moghisseh, Ali Malihi, Mohammad Javad Mozaffar and Hassan Asadi Zeidabadi.

<sup>92</sup> Kaleme, *Shekayat-e 26 zendani siyasi az vezarat-e etela'at va sepah-e pasdaran: shakanje shodeh-im*, 11 May 2011, <http://www.kaleme.com/1390/02/21/klm-57736/>

<sup>93</sup> Human Rights House of Iran, *Serious concerns for grave health of prisoner Abdollah Momeni*, 28 January 2012, <http://www.rahana.org/en/?p=12316>

<sup>94</sup> Iranian Journalists, *Pishbini-haye yek rouznameh negar ke be vagheiat peyvast amma monjar be panj sal زندان shod*, 18 December 2011, [http://khabarnegaran.info/article.php3?id\\_article=648](http://khabarnegaran.info/article.php3?id_article=648)

<sup>95</sup> The arrests are documented in: Amnesty International, *Iran: Wave of arrests in run up to parliamentary elections* (Index Number: MDE 13/004/2012), 31 January 2012, <http://www.amnesty.org/en/library/info/MDE13/004/2012/en>

<sup>96</sup> On or around 31 July, Mehdi Karroubi was transferred to a small apartment controlled by the Ministry of Intelligence. In a letter published in September on Mehdi Karroubi's website, *Sahamnews*, Fatemeh Karroubi stated that her husband had requested to be moved to reduce restrictions placed on other residents of the complex where he lived. The family was looking for alternative accommodation acceptable to the Ministry, which had imposed stringent conditions, including that the location would not be made public. Mehdi Karroubi's family, including his wife, son, daughter-in-law and grand-children were allowed to visit him on the occasion of the Eid al-Fitr celebrations marking the end of the Islamic month of Ramadan which fell at the end of August.

<sup>97</sup> Radio Zamaneh, *Concern for Opposition Leader under house arrest*, 26 January 2012, <http://www.radiozamaneh.com/english/content/concern-opposition-leader-under-house-arrest>

<sup>98</sup> Kaleme, *39 zendani-ye siyasi: ghadam nakhost dar tahghigh-e hakemiat-e melli; azadi mousavi va karroubi ast*, 25 January 2012, <http://www.kaleme.com/1390/11/05/klm-88130/>

<sup>99</sup> For further information about the repression of independent trade unionists, see Amnesty International, *Determined to live in dignity: Iranian Trade Unionists struggle for rights*, (Index: MDE 13/024/2011), 10 June 2011, <http://www.amnesty.org/en/library/info/MDE13/024/2011/en>

<sup>100</sup> Radio Zamaneh, *150 professors to be dismissed or forced into retirement*, 22 May 2011, <http://radiozamaneh.com/english/content/150-professors-be-dismissed-or-forced-retirement>

<sup>101</sup> Mehr News, *Sholeh Saadi bar asas-e mahkoumiat-e ghabli bazdasht shod*, 10 April 2011, <http://www.mehrnews.com/fa/newsdetail.aspx?newsid=1285730> and Amnesty International, *Iran: fear of ill treatment or torture, Qasem Sho'leh Sa'di*, (Index: MDE 13/006/2003), 4 March 2003, <http://www.amnesty.org/en/library/info/mde13/006/2003/en>

<sup>102</sup> Human Rights House of Iran, *Ghasem Sholeh Saadi az Evin be dadgah montaghel va mohakemeh shod*, 7 September 2011, <http://www.rahana.org/archives/44441>

<sup>103</sup> The letter may be viewed in Persian at <http://www.kaleme.com/1390/04/23/klm-65334/>.

<sup>104</sup> This letter may be viewed in Persian at <http://www.kaleme.com/1390/10/20/klm-86089/>

<sup>105</sup> For an English translation of Dr. Maleki's letter to Ahmed Shaheed, See Persian2English, *I testify to 32 years of crime*, 11 September 2011, <http://persian2english.com/?p=22689>

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<sup>106</sup> The letter may be read in English at <http://en.irangreenvoice.com/article/2011/may/05/3108>

<sup>107</sup> According to Articles 110 and 111 of the Iranian Penal Code, penetrative “sodomy” is punishable by death. The method of execution is at the discretion of the judge. Non-penetrative sexual acts carry penalties of between 60 to 100 lashes, although if one of the two men is a non-Muslim and is deemed the active party, he could face execution (Articles 121, 123 and 124 of the Penal Code). Article 122 provides that non-penetrative acts repeated on four occasions, having been punished on each occasion, will be subject to the death penalty on the fourth occasion. Sex between women is punishable by 100 lashes, or, on the fourth conviction, with execution (Articles 129 and 131). If two women “lie under the same cover without necessity” they will receive less than 100 lashes, and on the fourth occasion, 100 lashes (Article 134).

<sup>108</sup> See the Iran country page on the website of the Office of the Human Commissioner for Human Rights, at: <http://www.ohchr.org/EN/Countries/AsiaRegion/Pages/IRIndex.aspx>. It contains links to all UN treaty bodies’ reports including the Human Rights Committee’s Concluding Observations.

<sup>109</sup> Persian2English, *Wife of political prisoner: When I told authorities about the tortures, they laughed at me*, 16 November 2011, <http://persian2english.com/?p=23251>

<sup>110</sup> The letter may be read in English at <http://persianbanoo.wordpress.com/2011/11/26/journalist-siyamak-ghaderi-my-head-was-pushed-into-a-dirty-toilet-to-force-false-confession/>

<sup>111</sup> HRA-Iran, *Security Forces Block Reconstruction of Ahl-e Haqq’s Shrine*, 10 December 2011, [http://www.en-hrana.org/index.php?option=com\\_content&view=article&id=589:security-forces-block-reconstruction-of-ahl-e-haqqs-shrine&catid=13:religious-minorities&Itemid=13](http://www.en-hrana.org/index.php?option=com_content&view=article&id=589:security-forces-block-reconstruction-of-ahl-e-haqqs-shrine&catid=13:religious-minorities&Itemid=13)

<sup>112</sup> The Iranian Constitution recognizes only Islam, Christianity, Judaism and Zoroastrianism. Religious minorities not recognized under the Constitution, such as the Baha’is and Ahl-e Haq, are particularly at risk of discrimination and persecution. Sunni Muslims, Sufis and dervishes and Shi’a Muslims who oppose the state view of the theological basis of the Islamic Republic of Iran are also liable to persecution.

<sup>113</sup> In November 2008, the UN Working Group on Arbitrary Detention found their detention to be arbitrary and requested their immediate and release. The decision may be read at [http://www.unwgadatabase.org/un/Document.aspx?id=2358&terms=\(+Iran+\)](http://www.unwgadatabase.org/un/Document.aspx?id=2358&terms=(+Iran+))

<sup>114</sup> Baha’i International Community, *Imprisonment of Baha’i educators*, 6 February 2012, <http://news.bahai.org/human-rights/iran/iran-update/#educationalprogramme>

<sup>115</sup> Amnesty International has received information suggesting that at least 65 evangelical Christians were arrested between March 2008 and March 2009, increasing to 152 arrests between March 2009 and March 2010, and 232 arrests between March 2010 and March 2011. Most individuals were detained for less than 24 hours but some were held for over a month. See Christian Solidarity Worldwide, *Iran: Summary of Concerns and Recommendations*, August 2011, <http://dynamic.csw.org.uk/article.asp?t=report&id=142&rnd=0.4813043>

<sup>116</sup> Mohabat News, *Trial of Farshid Fathi, a Christian prisoner was held*, 17 February 2012, [http://www.mohabatnews.com/index.php?option=com\\_content&view=article&id=4008:trial-of-farshid-fathi-a-christian-prisoner-was-held&catid=36:iranian-christians&Itemid=279](http://www.mohabatnews.com/index.php?option=com_content&view=article&id=4008:trial-of-farshid-fathi-a-christian-prisoner-was-held&catid=36:iranian-christians&Itemid=279)

<sup>117</sup> Mohabat News, *Condition of Three Detainees arrested in attack on the Assembly of God church of Ahwaz Unknown*, 22 January 2012

[http://www.mohabatnews.com/index.php?option=com\\_content&view=article&id=3839:condition-of-three-detainees-arrested-in-attack-on-the-aog-church-of-ahwaz-unknown&catid=36:iranian-christians&Itemid=279](http://www.mohabatnews.com/index.php?option=com_content&view=article&id=3839:condition-of-three-detainees-arrested-in-attack-on-the-aog-church-of-ahwaz-unknown&catid=36:iranian-christians&Itemid=279) and Mohabat News, *Concern over health conditions of Pastor Farhad Sabokroh in prison*, 4 February 2012,

[http://www.mohabatnews.com/index.php?option=com\\_content&view=article&id=3921:concern-over-health-conditions-of-pastor-farhad-sabokroh-in-prison&catid=36:iranian-christians&Itemid=279](http://www.mohabatnews.com/index.php?option=com_content&view=article&id=3921:concern-over-health-conditions-of-pastor-farhad-sabokroh-in-prison&catid=36:iranian-christians&Itemid=279) and Farsi Christian News Network, *Details of the savage attack on The Church of "Assembly of God" in Ahvaz*, 22 January 2012, [http://www.fcnn.com/index.php?option=com\\_content&view=article&id=2754:details-of-the-savage-attack-on-the-church-of-assembly-of-god-in-ahvaz&catid=127:iranian-christian&Itemid=593](http://www.fcnn.com/index.php?option=com_content&view=article&id=2754:details-of-the-savage-attack-on-the-church-of-assembly-of-god-in-ahvaz&catid=127:iranian-christian&Itemid=593)

<sup>118</sup> "Apostasy" is not defined as a crime in the Iranian Penal Code. However, individuals are occasionally convicted of this "offence" on the basis of religious works or edicts by senior Islamic clerics, in accordance with Article 167 of the Constitution which requires judges to use their knowledge of Islamic law to try cases where no codified law exists.

<sup>119</sup> Mohabat News, *Iranian Christian convert sentenced to one year of deprivation of education*, 7 February 2012,

[http://www.mohabatnews.com/index.php?option=com\\_content&view=article&id=3954:iranian-christian-convert-sentenced-to-one-year-of-deprivation-of-education&catid=36:iranian-christians&Itemid=279](http://www.mohabatnews.com/index.php?option=com_content&view=article&id=3954:iranian-christian-convert-sentenced-to-one-year-of-deprivation-of-education&catid=36:iranian-christians&Itemid=279)

<sup>120</sup> Amnesty International, *Iran: Shi'a religious leaders as victims of human rights violations* (Index: MDE 13/024/1997), 2 June 1997, <http://amnesty.org/en/library/info/MDE13/024/1997/en>

<sup>121</sup> Amnesty International, *Iran: Supporters of Ayatollah Boroujerdi arrested*, (Index: MDE 13/112/2010), 14 December 2010, <http://www.amnesty.org/en/library/info/MDE13/112/2010/en>

<sup>122</sup> Amnesty International, *Iran: Kurdish Human Rights Defenders and Journalists - Appeal Case Sa'id Sa'edi and Ajlal Qavami*, (Index: MDE 13/080/2006), 13 July 2006, <http://www.amnesty.org/en/library/info/MDE13/080/2006/en>

<sup>123</sup> Amnesty International, *Iran: Azerbaijanis arrested in lake protests*, (Index: MDE 13/038/2011), 4 April 2011, <http://www.amnesty.org/en/library/info/MDE13/038/2011/en>

<sup>124</sup> HRA-Iran, *Ebrahim Rashidii dar hashtomin rooz-e etesab-e ghaza*, 31 January 2012, <http://hra-news.org/1389-01-27-05-27-21/11235-1.html> Information about the 2006 arrest can be seen at Amnesty International, *Iran: Incommunicado detention/ Fear of torture and ill-treatment/ Possible prisoners of conscience*, (Index: MDE 13/039/2006), 1 April 2006, <http://www.amnesty.org/en/library/info/MDE13/039/2006/en> and follow ups.

<sup>125</sup> See, for example. HRA-Iran, *Dast-e kam 60 tan az shahrvandan-e Arab dar khouzeestan bazdasht shodand/ be hamrah-e asami*, <https://hra-news.org/1389-01-27-05-25-54/11299-1.html>, or Radio Zamaneh, *Widespread arrests in southwestern Iran*, 5 February 2012, <http://www.radiozamaneh.com/english/content/widespread-arrests-southwestern-iran> or Iranian Minorities Human Rights Organization, *Three Ahwazi Arabs killed under torture*, 5 February 2012, <http://www.iranianminorities.org/2012/02/imhro-three-ahwazi-arabs-killed-under.html>

<sup>126</sup> Camp Ashraf has previously been attacked several times by Iraqi security forces, causing the death of dozens of residents and injuries to others. Most recently, Iraqi troops stormed the camp on 8 April 2011 using excessive force and live fire against residents. Some 36 residents, including eight women, were killed and more than 300 others were wounded. Since the April 2011 assault, the Iraqi authorities have tightened controls on the camp residents to restricting access to some forms of medical treatment. In

December, the Iraqi authorities publicly confirmed their plans to close the camp.

<sup>127</sup> Amnesty International, *Iran hangs two men detained during 2009 unrest*, 24 January 2011, <http://www.amnesty.org/en/news-and-updates/iran-hangs-two-activists-detained-during-2009-unrest-2011-01-24>

<sup>128</sup> Amnesty International, *Iran: "Mykonos" trial provides further evidence of Iranian policy of unlawful state killings*, (Index: MDE 13/015/1997), 9 April 1997, <http://www.amnesty.org/en/library/info/MDE13/015/1997/en>

<sup>129</sup> References to Iranian governmental surveillance have been made by various governments, including the Federal Republic of Germany in its Annual Report of the Office of the Protection of the Constitution, 2002 and 2004; and Sweden in reports in 2003, 2004 and 2009.

<sup>130</sup> For a description of his arrest and torture, see Amnesty International, *Iran: Election contested, repression compounded*, (Index: MDE 13/123/2009), 10 December 2009, <http://www.amnesty.org/en/library/info/MDE13/123/2009/en>

<sup>131</sup> BBC, *The harassment of BBC Persian journalists*, 3 February 2012, [http://www.bbc.co.uk/blogs/theeditors/2012/02/the\\_harassment\\_of\\_bbc\\_persian.html](http://www.bbc.co.uk/blogs/theeditors/2012/02/the_harassment_of_bbc_persian.html)

<sup>132</sup> Organization Suisse d'Aide aux Refugies, *Iran: traitement des requérants d'asile déboutés Renseignement de l'analyse-pays de l'OSAR*, 18 August 2011, <http://www.fluechtlingshilfe.ch/herkunftslander/arabia/iran/iran-behandlung-von-abgewiesenen-asylsuchenden> See page 6 of the report. It is attributed to an unnamed Iranian judge, in an interview undertaken in July 2011.

<sup>133</sup> Kayhan News, *Khoda konad fak va famileman nafahmand ma dar inja cheghadr khar shodeh-im*, 26 April 2011, <http://kayhannews.ir/900206/2.htm#other208>



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