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-PRISONER OF CONSCIENCE APPEAL CASE -

Hamid Pourmand: Imprisonment due to religious belief

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Hamid Pourmand and Family ©Open Doors

Amnesty International (AI) believes Hamid Pourmand, a colonel in the Iranian army from the city of Bushehr, to be a prisoner of conscience, imprisoned solely on account of his religion, stemming from legal discrimination against Christians in Iran.

Christian lay pastor Hamid Pourmand reportedly went on trial before a military court in Tehran in January 2005, charged with deceiving the Iranian armed forces about his religion and 'acts against national security', the first time that the Iranian authorities had produced Hamid Pourmand since his arrest in September 2004. On 16 February 2005, a Tehran Military Court sentenced Hamid Pourmand to three years' imprisonment, ordering his immediate transfer to Evin prison in Tehran.

There are reports that he has decided not to appeal against his conviction on the grounds that he may have served his sentence before a decision is reached.

On 28 May 2005, a court in Bushehr acquitted Hamid Pourmand on further charges of apostasy and proselytizing, declaring that under Sharia (Islamic law), there are no charges against you." During the hearing, the judge reportedly told him, "I don't know who you are, but apparently the rest of the world does. You must be an important person, because many people from government have called me, saying to cancel your case."¹

Unfair trial in a military court

The former army colonel was found guilty by a military court of deceiving the Iranian forces by not declaring when he acquired officer rank that he was a convert from Islam to Christianity.

Hamid Pourmand, now 47, was an army colonel who converted to Christianity nearly 25 years ago. Under current Iranian law, non-Muslims are prohibited from serving as military officers. Hamid Pourmand reportedly declared in court that he had documented proof that the army knew he had become a Christian before he was given officer rank.

During his hearing, Hamid Pourmand's lawyer

produced several documents in which his client's military superiors had acknowledged some years ago that the colonel was a Christian. He had apparently even been excused by his commander from observing the Muslim month of fasting, an exemption granted only to non-Muslims. The Military Court reportedly ruled that Hamid Pourmand was guilty of giving false testimony and producing falsified documents. The verdict on 16 February came during the second and final session of his military trial which had begun in late January.

Hamid Pourmand's conviction automatically discharges him from the Iranian army.

Background Information

On 9 September 2004, Iranian police raided the annual general conference of Iran's Assemblies of God Church, arresting 85 church leaders gathered at the church's denominational centre in Karaj, 20 miles west of Tehran.² Every single person present was put under arrest, blindfolded and taken for interrogation. Each individual was questioned separately by security officials, who had a list of specific questions. The interrogation revealed that the authorities had very precise information about each person, including his or her activities and other personal data.

By the evening, the authorities had released all the arrested Christians except for the 10 pastors and elders among them. All the released evangelicals were forbidden to attend church services.

On 12 September 2004, another nine pastors and elders were released quite late in the night. The pastors were not given any specific reason for their arrest, although they were asked many questions about themselves and each other. Only the lay pastor, Hamid Pourmand, remained in incommunicado detention.

Hamid Pourmand had continued to serve as an officer in the Iranian army, despite laws instituted after the 1979 Islamic Revolution to prohibit non-Muslims from holding officer rank. According to his family and Christian acquaintances, Hamid Pourmand never concealed his

¹ Please see news report by Assyrian International News Agency, 'Islamic Judge acquits Iranian Christian' (31 May 2005) at <http://www.aina.org/news/20050531130515.htm>

² Assemblies of God is the world's largest Pentecostal Christian denomination, which was founded in 1914 in Arkansas. As of 2004, they have approximately 15 million members worldwide, with 12,100 churches in the United States and 236,022 churches worldwide. They hold to a conservative Protestant theology, as well as to the core Pentecostal doctrines such as the Baptism of the Holy Spirit, speaking in tongues, and faith healing.

religious conversion

“Hamid did not keep his conversion secret,” one of his friends reportedly said “But he is an honest man, and people liked and respected him.”³

Hamid Pourmand served as the volunteer pastor of a congregation of the Assemblies of God Church in Bushehr. At the same time of his arrest, his wife and children were visiting relatives in Tehran. They returned home to Bushehr, to discover that their house had been broken into and ransacked. Personal items, such as family papers, documents and photographs had been removed from the family home.

Family Communication

In the beginning of November 2004, Iranian authorities moved Hamid Pourmand to a military prison, which raised fears for the safety of the pastor. He was allowed one short telephone call to his wife three weeks after his arrest, but security police reportedly refused to permit him any contact with his family or friends for five months following his arrest. Hamid Pourmand’s wife was apparently allowed to see him on the day of his military court martial, held during the last week of January 2005. She was also given court permission on 3 February 2005 to visit him at the military prison where he had been jailed for the past three months. This was the first time she had been in contact with him since her short phone call to him three weeks after his arrest.

Hamid Pourmand’s jail sentence automatically discharged him from the army, cutting off not only his regular income, but also eliminating nearly 20 years of military pension. The verdict also requires his family to vacate their home in military lodgings.

According to reports, Iran’s Judiciary said on 2 May 2005, that Hamid Pourmand was in jail for breaking the law and not because of his religion. Judiciary spokesman Jamal Karimi-Rad said Hamid Pourmand had been “involved in a political group” while serving in the armed forces, which is forbidden by Iranian law. The spokesman also stated that Hamid Pourmand “appealed the three-year sentence, but the appeal court upheld the lower court’s conviction”.

Sentencing

During the court hearings in February, court officials reportedly declared that for many years Pourmand had belonged to an “underground” church through which “many Muslims” had deserted Islam and become Christians.⁴

The three-year verdict handed out on 16 February in the Tehran military court represented the maximum penalty for Hamid Pourmand’s alleged offence. It is not clear whether his sentence begins from the 16 February when the verdict was handed out, or dates from his original arrest on 9 September 2004. According to reports, he was held in incommunicado detention for the first five

months after his arrest.⁵

Over the past 15 years, there have been reports of at least eight evangelical Christians who have been killed in Iran, and between 15 and 23 are reportedly missing or ‘disappeared’.

RECOMMENDED ACTIONS

Please send telegrams/ telexes/ faxes/ express/ e-mail letters in Farsi, Arabic, English or French:

- expressing concern that Hamid Pourmand is a prisoner of conscience, imprisoned solely on account of his religion, and calling for his immediate and unconditional release;
- expressing concern that he has been denied the right to adequate and regular access to legal representation of his choice prior to and after his trial;
- urging the authorities to end the practice of solitary confinement, in line with the recommendations made by the UN Working Group on Arbitrary Detention (WGAD) following its visit to Iran in February 2003 (UN document E/CN.4/2004/3/Add.2), which noted that “such ‘imprisonment within imprisonment’ is arbitrary in nature and must be ended”;
- reminding the authorities that Rule 32 of the UN’s Standard Minimum Rules for the Treatment of Prisoners states that close confinement should not depart from the prohibition on cruel, inhuman or degrading punishment;

PLEASE SEND YOUR APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed ‘Ali Khamenei
The Presidency, Palestine Avenue, Azerbaijan
Intersection, Tehran, Islamic Republic of Iran

Telegram: Ayatollah Khamenei, Tehran, Islamic Republic of Iran

Fax: + 98 21 649 5880 (please mark ‘For the attention of the Office of His Excellency, Ayatollah al Udhma Khamenei, Qom)

Email: webmaster@wilayah.org (on the subject line write: For the attention of the Office of His Excellency, Ayatollah al Udhma Khamenei, Qom)

Salutation: Your Excellency

3 Open Doors Urgent Appeal (January 2005) ‘Iran – Hamid Pourmand’ which can be viewed at

<http://www.opendoorsusa.org/Display.asp?Page=HamidCampaign>

4 Compass Direct; ‘Jailed Iranian Pastor finally produced in court’, which can be viewed at

<http://www.compassdirect.org/en/newsheaden.php?idelement=3687>

5 According to reports by Compass Direct; ‘Government jails Christian pastor for three years’ which can be viewed at

<http://www.compassdirect.org/en/newsheaden.php?idelement=3689>

