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# IRAN

## @Victims of human rights violations

### 1. INTRODUCTION

The human rights situation in the Islamic Republic of Iran is characterized by long-term political imprisonment after unfair trials, the widespread use of torture and the death penalty, and possible extrajudicial executions of opposition activists outside Iran.

Those targeted for such abuses are often involved, but sometimes just suspected of involvement, in underground opposition activities. Those currently held include members or sympathizers of the People's Mojahedin Organization of Iran (PMOI); followers of Dr Shariati; left-wing organizations such as the Tudeh Party, Peykar and Razmandegan; Kurdish organizations such as the Kurdistan Democratic Party of Iran (KDPI) and Komala; and groups representing other ethnic minorities such as the Baluchis and Arabs. Abuses against members of religious minorities such as Christians and Baha'is have also continued. In addition, women have been targeted for human rights violations, particularly during crackdowns for violations of dress regulations.

Amnesty International had planned to discuss the range of its human rights concerns, as summarized in this report, with appropriate government and judicial officials in Tehran, and to reiterate its proposals to bring human rights law and practice into line with international human rights treaties to which Iran is a state party. Amnesty International regrets that this has not been possible, despite the fact that during the last two years Iranian officials have stated publicly that the organization was invited to visit the Islamic Republic of Iran. Amnesty International welcomed these statements and repeated its readiness to send delegates to the country, proposing that the first visit take place in early 1993. As of October 1993 it had received no indication from the Iranian authorities that a delegation would be received in the Islamic Republic of Iran. Although delegates from the organization were permitted to visit the country in 1991 to interview Iraqi Shi'a and Kurdish refugees, Amnesty International has not been permitted access for government talks or to observe political trials since 1979.

Amnesty International's concerns in Iran and the individual cases described in this report have been raised directly with the Iranian authorities. Where responses have been received these are reflected in the text. In most cases, however, no substantive response was forthcoming.

### 2. IRAN'S INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

Iran is a state party to the International Covenant on Civil and Political Rights (ICCPR), which sets out basic safeguards for the protection of human rights. After a delay of many years, the government submitted its second periodic report to the Human Rights Committee, composed of 18 international law experts from all regions of the world, which monitors states parties' implementation of the Covenant's provisions. The Committee discussed the report with representatives of the government during its sessions held in October 1992, April 1993 and July 1993. During its last session<sup>1</sup> the committee adopted a series of comments, suggestions and recommendations with regard to Iran's respect for human rights. Some of these are referred to in the following pages. Amnesty International believes these to be entirely consistent with its own recommendations to the Government of the Islamic Republic of Iran, first proposed in 1986 and made public in 1987<sup>2</sup>.

### 3. LONG-TERM IMPRISONMENT FOLLOWING UNFAIR TRIAL

Political trials in the Islamic Republic of Iran deny defendants the fundamental right to a fair and public trial, as guaranteed in Article 14 of the ICCPR, at every stage of the proceedings. Many defendants are denied access to a lawyer and family visits. Some are not told the reasons for their arrest or the charges against them and many are convicted, and executed, based on confessions made after torture. Trials are held in secret, inside prisons, with summary proceedings. Defendants have no right of

<sup>1</sup>At the 1260th meeting on 29 July 1993

<sup>2</sup>Iran: Violations of Human Rights: Documents sent by Amnesty International to the Government of the Islamic Republic of Iran (AI Index: MDE 13/09/87).

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appeal.<sup>3</sup> The following cases highlight this pattern of long-term imprisonment after unfair trial.

**Abbas Amir Entezam**, a former Deputy Prime Minister and Ambassador, was arrested at Tehran Airport on 19 September 1979 after he had been recalled by the Iranian Government. He was summarily tried in Evin Prison in December 1980 by an Islamic Revolutionary Court. Proceedings lasted only a few minutes and he had no access to a lawyer for his defence. He was charged with espionage for the USA and sentenced to life imprisonment. Although he appealed against the sentence, no judicial appeal hearing is known to have taken place. He was denied family visits for three and a half years. Abbas Amir Entezam is now reportedly suffering several illnesses, including a stomach ulcer, eye infection, problems with his left knee and an ear infection. All have reportedly resulted from or been aggravated by torture or ill-treatment in prison. He is held in Evin Prison.

**Mohammad Ali Amoui**, 69, and married with one daughter, has been imprisoned on political grounds since his arrest in 1983. He was arrested because he was a prominent member of the banned communist Tudeh Party<sup>4</sup>. He received a grossly unfair trial which was held in camera in Evin Prison. According to unconfirmed reports, he was given a death sentence, which apparently serves as a form of continuing psychological pressure on the prisoner to force him to repent. He was given no access to legal counsel at any stage during the trial proceedings or his imprisonment. He was also severely tortured during the first years of imprisonment and as a result needed an operation on his leg in 1992. The authorities have reportedly offered to release Mohammed Ali Amoui if he agrees to give a televised interview renouncing his political activities. He has refused to do so and is still being held in Evin Prison.

**Mohammad Bagher Borzoui** was arrested in Tehran around November 1982 and was tried by an Islamic Revolutionary Court in secret in Evin Prison in 1984. He was charged with being a leading member of Sazeman-e Razmandegan-e Peshgam-e Mostazafin (widely known as Arman-e Mostazafin), an organization which is based on Dr Shariati's ideas, and with acting against the Islamic Republic. He is believed to have been sentenced to 18 years' imprisonment. He had no access to legal counsel at any time during his detention or at his trial and had no opportunity to appeal against his sentence. He was held in prolonged solitary confinement in Gohardasht Prison (Karaj). He was reportedly tortured, particularly during the period immediately following his arrest, and put under a lot of pressure to give a video-recorded interview repenting his "crimes".<sup>5</sup> He remained in Gohardasht Prison for a number of years, but is currently believed to be held in Evin Prison.

The Human Rights Committee, in its July 1993 comments, "deplores the lack of respect for due process of law, particularly before the Revolutionary Courts, where trials in camera tend to be the rule and where apparently no real possibility is provided to the accused to prepare a defence." [Paragraph 12]. The Committee went on to recommend that Iranian legislation and practice be brought into line with the provisions of Articles 9 and 14 of the Covenant, which provide that all persons should have the right to fair trial, including the assistance of legal counsel, the right to be brought promptly before a judge, the right to be tried in public, and the right to appeal. It added that "urgent consideration should...be given to the abolition of the Revolutionary courts". [Paragraph 20].

## 4. TORTURE

Political detainees continue to be subjected to torture following arrest to force them to "confess" or give statements. Amnesty International believes that prolonged incommunicado detention - when detainees are completely isolated from the outside world - facilitates the torture of detainees. It has repeatedly urged that detainees be given prompt and frequent access to a lawyer, relatives and a medical doctor, wherever necessary. The following case is typical of many.

**Mohammad Taghie Rahmanie**, a 33-year old student, was arrested in Tehran in September 1986 and has since been held in Evin Prison. He was sentenced to 10 years' imprisonment following a trial by an Islamic Revolutionary Court in 1986. The trial was held in secret in Evin Prison and reportedly lasted only about five minutes. He had no access to legal counsel at any time during his detention or at his trial. He was reportedly subjected to beatings, lashes on the soles of his feet and on his legs, punches

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<sup>3</sup>For more details on political trials in the Islamic Republic of Iran see Amnesty International's external document Iran: Unfair trials of political detainees (AI Index: MDE 13/15/92), published in July 1992.

<sup>4</sup>The Tudeh Party was dissolved in May 1983. Before the end of that year its leadership and hundreds of its supporters were imprisoned.

<sup>5</sup>Political prisoners in Iran are often forced to give filmed interviews repenting their activities, which are then either broadcast on television or kept with the threat of being broadcast in future.

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in his face and kicks. He has reportedly lost most of his hearing in his left ear as a result of beatings. His eye-sight is also said to have deteriorated in the course of his confinement. He was previously arrested in 1981 because of his support for a group named Pishtazan, also followers of Dr Shariati. He was sentenced to one and a half years imprisonment, but reportedly remained in prison for over three years.

The Human Rights Committee expressed concern in paragraph 16 of its July comments at the cases of torture and ill-treatment of persons deprived of their liberty and recommended that "All complaints of ... torture and ill-treatment should be duly investigated, the culprits should be punished and measures should be taken to prevent any recurrence of such acts". [Paragraph 19]

## 5. IMPRISONMENT OF MEMBERS OF RELIGIOUS AND ETHNIC MINORITIES

**Mehdi Dibaj**, who converted to Christianity 43 years ago, has been held since 1984. He is currently believed to be held in Sari, the provincial capital of Mazandaran. He was never given a reason for his arrest nor was there any one incident that prompted it. He has apparently never been formally charged nor given an official reason for his continued detention. He has spent two of his eight years in prison in solitary confinement. It appears that Mehdi Dibaj has merely exercised his right to freedom of religion and speech, without using or advocating violence. These rights are guaranteed under the International Covenant on Civil and Political Rights to which Iran has been a State Party since 1976.

Members of the Baha'i community also remain at risk of imprisonment and even execution for the non-violent expression of their conscientiously held beliefs.

In its July 1993 comments the Human Rights Committee expressed concern at "the extent of the limitations and restrictions on the freedom of religion and belief, noting that conversion from Islam is punishable and that even followers of the three recognized religions<sup>6</sup> are facing serious difficulties in the enjoyment of their rights..."

**Samir Yasin Moslemyan**, a member of the Arab community of Ahvaz, has reportedly been detained since his arrest in December 1987. No information about his trial and conviction are available. Reports indicate that he may have been subjected to ill-treatment or torture. He is currently believed to be held in Ahvaz Prison.

During 1993 there have been continuing reports of arbitrary arrests, detention, torture and execution of members of the Naroui<sup>7</sup> tribe in Baluchistan-Sistan region, particularly in the Nosratabad district.

**Abdollah Bagheri**, was arrested at the beginning of November 1992 outside Marivan, close to the Iraq border. The precise date of his arrest and his present whereabouts are unknown. Abdollah Bagheri was accused of being a member of Komala. In a statement reported on 7 November 1992, the Information and Security Minister, Hojatoleslam Ali Fallahian, said that "Iranian intelligence services had arrested an official of the Marxist Komala movement" and that a military group backed by "counter-revolutionary elements" in Iran had been dissolved and its members executed. According to reports, the Komala "official" the Information and Security Minister referred to is Abdollah Bagheri.

In February 1993, the Iranian authorities wrote to Amnesty International stating that "Mr Abdollah Bagheri is a high ranking official of the Komala movement. He was arrested on the Iran/Iraq border for his illegal and armed border crossing and will be charged with terrorist attacks. He is responsible for many murders." In April 1993, reports were received that Abdollah Bagheri's video-taped "confessions" were broadcast on television in Iran at the beginning of 1993. Detailed information regarding his "confessions" is not available to Amnesty International but it is feared that they may have been extracted under pressure, as a result of torture or ill-treatment.

The Human Rights Committee noted in its July 1993 comments that, contrary to the Covenant's provisions<sup>8</sup>, "members of certain political parties who did not agree with what the authorities believe to be Islamic thinking or who expressed opinions in opposition to official positions have been discriminated against". [Paragraph 15].

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<sup>6</sup>The Iranian Constitution does not recognize the Baha'i faith.

<sup>7</sup>The Narouis, who are Sunni Muslims, have been seeking greater autonomy since the early 1980s.

<sup>8</sup>Articles 18 and 19, guaranteeing freedom of thought, conscience and religion, respectively.

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## 6. THE DEATH PENALTY

The death penalty has been widely applied in the Islamic Republic of Iran. In 1992 Amnesty International recorded more than 330 executions, including at least 140 political executions. The actual total may well be considerably higher.

Three followers of Dr Ali Shariati and members of the Mohajerin Organization, **Ali Reza Hamidabad**, 36, **Hamid Kord**, 32, and **Gholam Reza Sagvand**, 37, were executed at the end of 1992. They were arrested three years earlier. They spent most of their imprisonment in Dezful Prison, where their executions are believed to have taken place. They were all reported to have been tried in secret, but no further information about their trials is available. The Iranian authorities have consistently denied that any followers of Dr Shariati have been imprisoned since the Islamic Republic was founded. On 12 June 1993 they wrote to Amnesty International stating that "all followers of Dr Shariati who are involved in publication and distribution of his books and articles, are completely free and there is no restriction on their activities. Officially enjoying the facilities of a publishing company, the followers of Dr Shariati present his writings to the public." However, at least 24 followers of Dr Shariati known to Amnesty International are still being held after several years of detention.

At least two members of Komala were executed in 1992. They had both been arrested in September 1991, in a village in the Marivan area, and had been held in Sanandaj Prison until their execution. In both cases the prison authorities merely handed over their clothes to their relatives and informed them that they had been executed.

At the end of 1992 and the beginning of 1993 around 20 Baluchis were reportedly executed, 17 of whom were executed in Zahedan Prison in December 1992 and February 1993. Although the majority were members of the Naroui tribe, the victims included at least three members of the Barahoui tribe, also in the Baluchistan-Sistan area. Information regarding the precise charges and trials is unavailable.

Executions of political prisoners continued in 1993. In early August 1993, for example, Amnesty International learned of the execution of **Mohsen Mohammadi Sabet** in Rasht Prison while he was being held in incommunicado detention. The reported circumstances suggest the execution was carried out following legal proceedings that failed to meet minimum international standards for fairness and impartiality. Mohsen Mohammadi Sabet was reportedly arrested in September or October 1992 at his home in Rasht, and had been held in solitary confinement in Rasht Prison since that date. Details of any charges that may have been brought against him or of his trial are unknown. In a letter to the Iranian authorities in April 1993, Amnesty International asked for information regarding the precise charges brought against Mohsen Mohammadi Sabet and the date of the trial, and urged that he be given immediate access to a lawyer of his own choosing, and medical care if necessary. The organization received no reply to this inquiry.

Hundreds of people have been executed for drug-related offences in the last two years. In 1992 at least 190 people were reportedly executed for these offences. The true figure is believed to be much higher. Within five days in June 1993, 8,615 people were, according to press reports, arrested for similar offences. It is feared that many of those arrested in June have already been executed. While Amnesty International fully recognizes the need for the Iranian Government to take effective measures to punish illicit drug-trafficking, the death penalty has not been shown to have any special deterrent effects against such offences.

The Human Rights Committee said in its July 1993 comments that it "deplore[d] the extremely high number of death sentences...". The Committee recommended that "domestic laws should be revised with a view to curtailing the number of offences currently punishable by the death penalty and to reducing the number of executions". It added that "Public executions should be avoided and the accused should, in all cases, be provided with all the necessary guarantees, including the right to a fair trial..."

## 7. VIOLATIONS AGAINST WOMEN

In a nationwide crackdown on "vice and social corruption" undertaken in June 1993, hundreds of women were reportedly arrested in Tehran for allegedly failing to conform with the dress laws of the Islamic Republic of Iran. Although most of them were believed to have been released shortly after arrest, on 22 June a number of them were allegedly sentenced to flogging. The punishment laid down for infringing the dress code is 72 lashes.

Amnesty International considers flogging to be cruel, inhuman or degrading punishment, forbidden under international law. Some of those arrested may have infringed the dress code for conscientious reasons, as a non-violent expression of their beliefs.

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The Human Rights Committee noted the "punishment and harassment of women who do not conform with a strict dress code" [Paragraph 13 of July 1993 comments] and recommended that active measures be taken to "enhance the status of women...and guarantee their equal enjoyment of rights and freedoms" [Paragraph 21]. The committee also stated that it considered flogging to be incompatible with Article 7 of the ICCPR, which prohibits the use of torture.[Paragraph 11].

Amnesty International is also concerned at the cases of a number of women serving long prison terms because of their opposition political activities, such as **Ghadamkheyr Nasiri**, who has been imprisoned on political grounds since her arrest in 1985. She was tried in secret in Evin Prison in 1986 and was sentenced to 15 years' imprisonment. The reason for her arrest appears to be her alleged support of Razmandegan<sup>9</sup>, although the details of the precise charges against her are unknown. She was given no access to legal counsel at any stage during the trial proceedings or her imprisonment and no possibility of appeal. She was reportedly tortured, and her husband, also a political prisoner, was executed in 1988.

**Shaheen Sameie**, a factory worker in her forties, was arrested in 1982, tried in secret in Evin Prison in 1983 and was sentenced to 15 years' imprisonment apparently for her alleged support of Peykar. She was denied access to legal counsel during the trial proceedings and imprisonment and there was no possibility of appeal. She was reportedly tortured. In 1985 she went on hunger-strike for 48 days, which resulted in ill-health for some time.

Both Ghadamkheyr Nasiri and Shaheen Sameie are believed to be held in Evin Prison.

## 8. EXTRAJUDICIAL EXECUTIONS

Amnesty International unconditionally opposes extrajudicial executions -- deliberate and unlawful killings by governments, which result from a policy at any level of government to eliminate or permit the elimination of specific individuals or groups -- and deliberate and arbitrary killings of civilians by armed opposition groups.

Several leading members of Iranian opposition groups based abroad have been assassinated in circumstances suggesting that they may have been extrajudicially executed. On 17 September 1992 three KDPI leaders, **Sadegh Sharafkandi**, Secretary General, **Fattah Abdouli**, member of the Central Committee and the party's Europe representative, **Homayoun Ardalan**, KDPI's representative for Germany and **Nuri Dehkurdi**, an interpreter, were shot dead in a restaurant in Berlin by masked gunmen. The KDPI delegates were in Berlin for a Socialist International convention.

In a statement issued on 19 September 1992, the Iranian Embassy in Bonn rejected charges that Iranian authorities may have ordered the killings, stating "We do not know who these people are or for what purpose they came to Berlin". The Iranian authorities have continued to categorically deny accusations of any involvement in the killings.

However, according to press reports at the end of May 1993, prosecutors in Germany have charged the Iranian authorities with having ordered the assassinations. The federal prosecutor's indictment asserts that "... the ringleader of the Berlin attack was Kazem Darabi, an agent of the Iranian secret service ..." and that "... an agent of the Iranian intelligence service, Kazem Darabi, received orders from superiors in Tehran to kill the Kurds during their visit to a meeting of the Socialist International here. He is said to have planned and carried out the shootings with the help of four Lebanese confederates. All are under arrest...". Two of the four Lebanese men accused of aiding Kazem Darabi, Youssef Amin and Abbas Rhayel, were named as members of the pro-Iranian Hizbullah "Party of God" militia. Another, Atallah Ayad, was said to belong to the Syrian-backed Amal. Trial proceedings have not yet begun.

**Ali Akbar Ghorbani**, a member of the PMOI, was abducted in Istanbul, Turkey, on 4 June 1992. His body was discovered in a forest near Yalova at the end of January 1993. Reports indicate that he had been severely tortured before being murdered. On 4 February 1993 the Turkish Interior Minister, Ismet Sezgin, was reported as stating that an "Islamic fundamentalist group with Iranian links" had carried out three political killings in Turkey. He said that Islamic Action was responsible for the killings of Ali Akbar Ghorbani, an Iranian national, as well as Turkish journalist Cetin Emec and writer Turan Dursun in 1990. He told a news

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<sup>9</sup>**Razmandegan** was a small left-wing group which split away from **Peykar** shortly after the Islamic Republic came into being in 1979.

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conference in Istanbul that police had arrested 19 members of the previously unknown Islamic Action group and they had been charged with the killings. He added, "The suspects have confessed that they have received military training at an official Iranian facility between Tehran and Qom. They said they were taught assassination techniques". Ali Akbar Ghorbani may have been the victim of an extrajudicial execution if the allegations of official Iranian links are found to be true.

**Abbas Gholizadeh**, a member of Derafsh-e Kaviani, was abducted near his home in Istanbul in December 1992. As of October 1992 no information was available regarding his whereabouts.

On 21 April 1993 a French judge, Jean-Louis Bruguiere, issued warrants for the arrest of two Iranians, Nasser Ghasmi Nejad and Gholam Hossein Shoorideh Shirazi Nejad, who were suspected of helping the killers of the former Prime Minister **Shapour Bakhtiar** and his personal secretary **Fouroush Katibeh** (both assassinated in August 1991 in a Paris suburb) to escape from France. Three Iranians, including one of the suspected murderers, Ali Vakili Rad, are still in prison awaiting trial. The judge also issued international arrest warrants against Hossein Sheikhattar, an adviser to the Iranian Telecommunications Minister, and Mesut Edipsoy, a Turk of Iranian origin.

In recent months several opposition activists have been murdered outside Iran in circumstances suggesting that they may have been extrajudicially executed. They include two members of the Naroui tribe, **Haibat** and **Dilavar**, shot dead outside their home in Karachi in March 1993.

**Mohammad Hassan Arbab** (also known as Mohammad Khan Baluch), a PMOI activist, was assassinated in Karachi in Pakistan on 4 June 1993, and **Mohammad Hossein Naghdi**, representative of the National Council of Resistance of Iran and former Chargé d'Affaires at the Iranian Embassy in Rome, was murdered by two gunmen in Rome on 16 March 1993. On 28 August 1993 **Bahram Azadifar**, a member of the KDPI, was found dead in his house in Ankara. He was reportedly visited by two men disguised as Turkish policemen who killed him instantly. Three days earlier, on 25 August, another Iranian national, **Mohammad Ghaderi**, a former KDPI member and recognized refugee, was abducted at his house in Kirshahir in Turkey. According to reports, two men, who introduced themselves as Turkish police officers, entered his house and took him away. His mutilated body was discovered some ten days later.

The Human Rights Committee expressed concern at the many cases of extra-judicial executions [paragraph 10] recommending that all cases be duly investigated. In particular, it condemned "the fact that a death sentence ha[d] been pronounced, without trial, on ... Mr Salman Rushdie, for having produced a literary work..." The committee went on to add that "The fact that the sentence was the result of a fatwa issued by a religious authority does not exempt the State party from its obligation to ensure to all individuals the rights provided for under the Covenant, in particular its articles 6, 9, 14 and 19".<sup>10</sup>

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<sup>10</sup>These articles guarantee the right to life, the right to liberty and security of person, the right to fair trial and the right to freedom of opinion and expression, respectively.