



IRAN:

**HUMAN RIGHTS
ABUSES AGAINST THE
KURDISH MINORITY**

**AMNESTY
INTERNATIONAL**



Amnesty International Publications

First published in 2008 by
Amnesty International
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW
United Kingdom
www.amnesty.org

© Amnesty International Publications 2008

Index: MDE 13/088/2008
Original language: English
Printed by Amnesty International,
International Secretariat, United Kingdom

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Iran: Human rights abuses against the Kurdish minority

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1. Introduction

*Even if dying of hunger or from poverty
Still I will not serve strangers all my life long,
I have no fear of chains, ropes, rods, or the prison
Should they hack me into pieces, should they kill me
Still I will say: I am a Kurd!*¹

Kurds in Iran have long suffered deep-rooted discrimination. Their social, political and cultural rights have been repressed, as have their economic aspirations. Kurdish regions have been economically neglected, resulting in entrenched poverty. Forced evictions and destruction of homes have left Kurds with restricted access to adequate housing.² Parents are banned from registering their babies with certain Kurdish names. The use of the Kurdish language in education is frequently thwarted. Religious minorities that are mainly or partially Kurdish are targeted by measures designed to stigmatize and isolate them. The discriminatory *gozinesh* system – a selection procedure that requires prospective state officials and employees to demonstrate allegiance to Islam and the Islamic Republic of Iran – denies Kurds equality in employment and political participation.³

The Iranian authorities do allow the Kurdish language to be used in certain broadcasts and some publications. Expressions of Kurdish culture, such as dress and music, are respected. However, when Kurdish rights activists link their human rights work – drawing attention to the government's failure to observe international human rights standards - to their Kurdish identity they risk further violations of their rights. All too often, these brave individuals have found themselves in jail or targeted for other abuses.

Kurdish human rights defenders, community activists and journalists face arbitrary arrest and prosecution. Some become prisoners of conscience – people imprisoned for the peaceful expression of their conscientiously held beliefs. Others suffer torture, grossly unfair trials before Revolutionary Courts and the death penalty.

¹ By Hemin, the pen name for Mohammad Amin Sheikholeslami (1921-1986). He was a well-known Kurdish poet from Mahabad, Iranian Kordestan. He fled persecution in Iran to live out his life in exile in Iraqi Kurdistan.

² See the report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living – mission to the Islamic Republic of Iran (19-31 July 2005), UN reference E/CN.4/2006/41Add.2, 21 March 2006, Summary.

³ For a fuller explanation of *gozinesh*, see *International Labour Organization - Amnesty International's concerns relevant to the 91st session of the International Labour Conference, 3 to 19 June 2003* (AI Index: IOR 42/003/2003); and *International Labour Organization - Amnesty International's concerns relevant to the 92nd International Labour Conference, 1 to 17 June 2004* (AI Index: IOR 42/008/2004).

These forms of repression serve to reinforce the marginalization and relative economic deprivation of the Kurdish community.

This report follows other Amnesty International reports on human rights abuses against ethnic, religious and cultural minorities in Iran.⁴ It details the impact of discriminatory practices on the civil, political, economic, social and cultural rights of the Kurds. It highlights the double oppression suffered by Kurdish women and girls – partly the consequence of attitudes and practices deeply rooted in Kurdish culture, partly the result of the government's failure to promote and protect the rights of women and Kurds.

Amnesty International has previously raised many of the concerns and individual cases detailed in this report, which addresses developments up to May 2008, with the Iranian authorities in correspondence as well as through public statements and appeals. However, the Iranian authorities rarely respond to the organisation and Amnesty International has not been permitted to visit Iran to assess the human rights situation at first hand for more than 28 years, since shortly after the Islamic Revolution in February 1979.⁵

Amnesty International is publishing this report to draw attention to the ongoing repression of Kurds in Iran. It is calling on the Iranian authorities to take concrete measures to end the discrimination and associated human rights violations, in accordance with their obligations under international law. In broad terms, it is calling on the Iranian authorities to:

- take effective measures to ensure that Kurds and all other members of minority communities in Iran – men, women and children alike – enjoy their full range of human rights;
- amend or abolish all legislation and practices that discriminate against minority communities, including the discriminatory *gozinesh* criteria governing employment and public office;
- promote and protect the rights of human rights defenders;

⁴ See: *Defending Minority Rights – The Ahwazi Arabs* (AI Index: MDE 13/056/2006), May 2006; and *Iran: Human Rights Abuses against the Baluchi Minority* (MDE 13/104/2007), September 2007. All Amnesty International reports can be accessed at: <http://www.amnesty.org/>.

⁵ This report is based on publicly available sources, such as online newspapers in Iran, blogs and news websites; exchanges with activists carried out by online messenger or voice over internet protocol services; and face-to-face interviews with activists outside Iran. The identities of some of these activists have been withheld for security reasons. Place names used in this report are those that are in general usage in Persian in Iran to aid understanding.

- publicly condemn torture and other ill-treatment and take immediate steps to eradicate such abuses;
- release immediately and unconditionally all prisoners of conscience;
- ensure that all trials respect international fair trial standards;
- commute all death sentences and order an immediate moratorium on executions.

2. Background

Iran's Kurdish community

An estimated 12 million Kurds live in Iran, between 15-17 per cent of the population. They live mainly in the provinces of West Azerbaijan, Kordestan,⁶ Kermanshah and Ilam in the west and south-west of the country, although many have moved to the big cities such as Tehran. Sanandaj is the administrative centre of Kordestan. There is also a community of Kurds in North Khorasan province in north-eastern Iran.

The Kurdish language is divided into two main dialects: Sorani and Kurmanji. Smaller communities of Gorani and other Kurdish-dialect speakers are present in Iran. Most Kurds are Sunni Muslims, although a minority are Shi'a. Some are Yazidi, a religion with pre-Islamic roots, while others are Baha'i, Ahl-e Haq⁷ and followers of the Qaderi and Naqshbandi schools of Sufism. Iran's official religion is Shi'a Islam, which is clearly favoured by the state.⁸

Kordestan, the centre of Kurdish settlement in Iran, is one of the most deprived provinces in the country. Its economy is based on agriculture, livestock farming and handicrafts, which mainly employ women and girls.⁹ As in most other areas of Iran, Kordestan's population is young – more than 42 per cent were then under the age of 15, according to 1998 UNICEF figures.¹⁰

The effective autonomy of the Kurdish region of Iraq, dating from 1991, through to the establishment in 2005 of the autonomous Kurdish Regional Government in Iraq, may have fired the aspirations of Kurdish rights activists in Iran to seek an analogous

⁶ Also commonly referred to as Kurdistan or Iranian Kurdistan.

⁷ The People of the Truth – also known as Ali Allahis or Yaresan.

⁸ Baluchis, most Kurds, some Persians and Turkmen, all Sunni Muslims, also face religious discrimination.

⁹ UNICEF, *The Status of girls and women in Kordestan province in the Islamic Republic of Iran*, 1377 (1998), Table 1 on population distribution.

¹⁰ UNICEF, *op cit*.

situation in Iran. It may also have reinforced longstanding fears among Iran's leaders that minority communities bordering the same ethnic group in a neighbouring country may want to secede from Iran.

Such fears go some way towards explaining the government's treatment of these minorities, although numerous other factors are relevant. Arabs, Azerbaijanis, Baluchis and Turkmen, all concentrated in border areas, face discrimination similar to that suffered by Kurds.

About half of Iran's population are believed to belong to ethnic or religious minorities.¹¹ Despite constitutional guarantees of equality and Iran's international legal commitments, discrimination and repression of minority communities, who have been demanding greater respect for their cultural and political rights, has intensified in recent years, notably since the election of President Mahmoud Ahmadinejad in 2005.

Kurdish opposition groups

The oldest Kurdish opposition group is the Kurdish Democratic Party of Iran (KDPI).¹² In 1946 it established the Republic of Kurdistan, generally called the Mahabad Republic, after the site of its capital. It collapsed after 11 months and its leadership was arrested, tried and many executed, including around 20 leaders who were hanged in public in Mahabad and two smaller cities, Saqez and Boukan. The party was swiftly banned.

It was legalized in 1979 after it played a key role in the revolution. In Kurdish towns, power passed to town councils (*shoura*) led by the KDPI, which also led to the takeover of police and army barracks in other Kurdish areas.¹³

By mid-1979, however, armed conflict broke out between the new government's Revolutionary Guards and armed Kurdish groups, particularly the KDPI and the Marxist group Komala. The then new Islamic Republic of Iran's first Supreme Leader, Ayatollah Ruhollah Khomeini, who considered the concept of ethnic minorities contrary to Islamic doctrine, ordered that Kurdish opposition be crushed. Scores of

¹¹ The Iranian authorities do not provide official statistics about the demographic make-up of Iran although there are a wide range of estimates based on surveys done in previous years and other demographic projections.

¹² Also called the Democratic Party of Iranian Kurdistan (PDK-I), the organisation was founded in Mahabad on 16 August 1945.

¹³ Ervand Abrahamian, *Iran between two revolutions*, 1982, p.527.

Kurdish villages and towns were destroyed and around 10,000 Kurds were killed.¹⁴ Thousands of Kurds were sentenced to death after summary trials.

Soon after the outbreak of the Iran-Iraq war in 1980, the Iranian government sent a large military force to border areas and regained control of the main Kurdish cities. A major offensive in 1984 drove KDPI forces across the border into Iraq.¹⁵ Throughout the war, governments on both sides encouraged separatist activities by Kurdish nationalists in the other country, leading to costly political splits and conflicts between Kurds.

In 1991, citing the plight of Iraqi Kurds, the KDPI suspended armed opposition to the Iranian authorities. The party now seeks “the attainment of Kurdish national rights within a democratic federal republic of Iran” and has long rejected the use of violence to further its aims while “supporting the national struggle of Kurds in other parts of Kordestan”.¹⁶ In 2005, the KDPI was accorded consultative status with the UN, but towards the end of 2006 the party split. The majority, led by Mustafa Hijri, retained the KDPI name.

In September 2007, the KDPI reported that more than 300 people were in detention in Iran either accused or convicted of charges rooted in their support of Kurdish political groups. According to the KDPI, at least 200 were serving prison terms of between six months and 20 years, including scores of cases about which Amnesty International had little or no confirmed information. According to the KDPI for example, Jahandar Mohammadi, an NGO activist from Sanandaj was sentenced in January 2007 to 15 years’ imprisonment for a ‘link to Kurdish political oppositions groups’; Simko Ghaderpour, a ‘political detainee’ from Bokeran was sentenced in December 2006 to 11 years’ imprisonment on similar grounds; and Mikha’il Gholami, an NGO activist from Sanandaj, who was sentenced to three years’ imprisonment in February 2007.

Amnesty International believes that scores if not hundreds of political prisoners affiliated to the KDPI and other proscribed political parties are serving prison sentences, convicted after unfair trials. Others face prosecution for membership of or sympathy with the KDPI.

¹⁴ De Bellaigue, Christopher, *In the Rose Garden of the Martyrs*, 2005; p.60.

¹⁵ *Murder at Mykonos: Anatomy of a Political Assassination*,

¹⁶ Taken from “Brief Historical background” issued by the KDPI, undated.

Several Kurdish political parties are based outside Iran because of such persecution. Membership of these banned parties is punishable by imprisonment under security-related laws. Some of the groups, including Komala, have reportedly carried out armed attacks against the Iranian state. As far as Amnesty International is aware, they have not attacked non-military targets nor have they committed human rights abuses.

The Party for a Free Life in Kurdistan (PJAK)¹⁷ emerged in 2004 and is affiliated to the Kurdistan Workers' Party (PKK), which has, for many years, engaged in armed opposition to the government of Turkey. It appears to be the only active armed Kurdish opposition group today. It claims to have 3,000 armed members in the mountains, nearly half of them women, and thousands of followers, although it apparently has little support in the main Kurdish provinces of Kordestan and Kermanshah. The Iranian authorities contend that the PJAK is a terrorist organization that is sponsored and armed by the US government.

The US authorities have not designated the PJAK as a Foreign Terrorist Organization (FTO) under US law but they have strongly condemned the group's activities and US officials are reported to have declined to meet the PJAK's leader when he made a private visit to Washington DC in 2007.

Since 2006, Iranian Revolutionary Guards have been engaged inside Iran in sporadic conflict with Kurdish fighters, most of them apparently linked to the PJAK, generally in the northern parts of the four provinces bordering Iraq. In February 2007 Kurdish fighters reportedly destroyed a Revolutionary Guards' helicopter in Jahannam-Darreh, near Khoy in West Azerbaijan, killing nine officers. Revolutionary Guards then reportedly launched a series of attacks against Kurds in the mountains near the border town of Salmas, killing at least 17 Kurds, thought to be combatants.

Amnesty International condemns in all circumstances attacks that deliberately target civilians, including attacks both by government forces and armed political groups, as well as hostage-taking, torture and other-ill-treatment of captives, indiscriminate and disproportionate attacks and the killing of captives.

In 2006 the Kurdish United Front (KUF) was formed to demand peacefully the rights they believe are systematically denied to Kurds. KUF founder Bahaeddin Adab said:

¹⁷ Partiya Jiyana Azadîya Kurdistanê, or PJAK.

“Kurdish areas suffer from discrimination and [official] contempt in all political, economic, social and cultural areas of life. Kurds have no share in the distribution of power or regarding economic development; the four Kurdish provinces of our country are not developed and are deprived. They face limitations in their cultural activities, which is preventing cultural development.”¹⁸

3. Discrimination against Kurds

Iran’s Constitution provides for equality of all Iranians before the law.¹⁹ However, this is not the reality in practice.

Iran is a state party to the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of Racial Discrimination (CERD) and the Convention on the Rights of the Child (CRC), and the Iranian authorities are required to uphold and promote the rights of people belonging to minorities and take steps towards eliminating discrimination.²⁰

Among other things, the Iranian authorities are required to take steps towards eliminating discrimination against minorities in the realization of economic, social and cultural rights – including the right to work that is freely chosen, adequate housing, food and water, education, the highest attainable standard of health, and equal participation in cultural life.

Religion and culture

Iran’s Kurds, most of whom are Sunni Muslims, face discrimination because of their religion, even though Sunni Islam is recognized and accorded formal legal standing in Iran. The religious institutions of Sunni Kurds are generally blocked, while those of

¹⁸ From an interview with Radio Free Europe/Radio Liberty (RFE/RL), 3 January 2006; see

<http://www.rferl.org/content/article/1064384.html>

¹⁹ Articles 3(14) and 19.

²⁰ For example, Article 26 of the ICCPR requires states to uphold equal protection of the law and non-discrimination in the exercise of human rights. The Human Rights Committee, which monitors compliance with the ICCPR, has clarified that this extends to all human rights, including economic, social and cultural rights. Article 27 of the ICCPR states that: “In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.” Other provisions include Article 30 of the Convention on the Rights of the Child; Article 2.1 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by the UN General Assembly in 1992.

Shi'as are encouraged and supported by the state. There is not a single Sunni mosque in Tehran and, according to reports; the government has restricted the expansion of Sunni mosques that exist elsewhere in the country.

The discriminatory attitude towards Sunnis extends to children's education – UNICEF found as long ago as 1998 that the only two rural secondary schools in Kordestan were located in the Shi'a towns of Ghorveh and Bijar.

Sunni Kurdish clerics have, on occasion, suffered human rights violations. In January 2008, for example, a cleric, Ayoub Ganji, went missing for 13 days after delivering a Friday prayer sermon at the Qoba Mosque in Sanandaj. Protesters reportedly gathered near state buildings following his enforced disappearance and said there would be more demonstrations unless news of the cleric was made known. On 8 February Ayoub Ganji was released from detention, reportedly suffering what appeared to be the effects of extreme trauma, including failure to recognize his wife and son, and crying out as if he was being harmed.

Other religious groups include the mainly Kurdish Ahl-e Haq, most of whose members live in Kermanshah and in or around the big cities. Their faith, which shares aspects of Islam's tenets, embodies Kurdish religious identity. The Ahl-e Haq are not recognized under Iranian law and their rituals are prohibited. They are also banned from discussing their faith with the media.

In recent years senior state officials have required school heads to report whether there are any members of "subversive sects" (*feragh-e zalleh*) among staff or students and reminded the heads that "any activity and propaganda is forbidden" by members of these groups (see Appendices I and II).

In October 2007, for instance, the authorities in Kermanshah wrote to district governors:

"Following instructions issued by the Ministry of Interior... regarding the activities of the Ahl-e Haq in respect to the construction of their Assembly Houses [you are reminded that] these establishments have no legal or canonical basis, therefore please refrain from any correspondence and communication with any public authority concerning them and from issuing any permission that they should be built..." (see Appendix III for full document).

Irrespective of their religion, Kurds are not allowed to give their children certain names, including for boys Soran (the name of the language), Khabat (struggle),

Rizgar (Free) and Âla (flag); and for girls Ajin (equal) and Fermisk (tear). Every registry office has a list of permitted names; a birth certificate is not issued unless the family consents to using an authorized name.

Iran's international obligations require that the country's "... religious or linguistic minorities... enjoy their own culture [and have the right] to profess and practice their own religion..."²¹

Employment

The practice of *gozinesh* has been used to marginalize Kurds and others and to expressly deny them employment in the state sector, though in practice, in parts of the private sector as well. In law and practice, the process impairs equality of opportunity and treatment in employment for all those who seek jobs in the public and parastatal sectors (such as the *bonyads* or foundations) and, reportedly, in parts of the private sector.²² *Gozinesh* is used to select successful candidates for any state sector job, whether as a teacher, factory employee, shop worker or parliamentary candidate. The state is by far the main employer in Iran.

Kurdish activists say the government has neglected Kurdish areas, impeding employment opportunities. For instance, activists say de-mining programmes in Kurdish areas affected by the 1980-1988 Iran-Iraq war have been slow, hampering the development of agriculture and industry.

Housing

Kurds have faced decades of challenges related to housing – ranging from the destruction of Kurdish villages during the Iran-Iraq war, to the more recent problems of state neglect and forced eviction.²³

Reporting on his July-August 2005 visit to Iran, the UN Special Rapporteur on adequate housing²⁴ stated that the living conditions for Kurds in Kermanshah were extremely unsatisfactory. He added:

²¹ Article 27 of the ICCPR.

²² For further information about discriminatory *gozinesh* procedures, please see Amnesty International's concerns relevant to the 91st International Labour Conference (AI Index: IOR 42/003/2003).

²³ Reza Afshari, *Human Rights in Iran: the abuse of cultural relativism*, 2001; citing Human Rights Watch/Middle East, *Iran: Religious and Ethnic Minorities, Discrimination in Law and Practice*, September 1997, p.25.

²⁴ Special Rapporteur on adequate housing as a component of the right to an adequate standard of living.

“Testimonies received about the housing situation in Ilam province, with a large Kurdish population, were equally disturbing and indicated that post-war reconstruction efforts had been disproportionately slow and insufficient in this area.”²⁵

The Special Rapporteur drew attention to the disproportionately poor housing and living conditions of minority communities, noting the discriminatory nature and impact of forced evictions and expropriation of rural land for large-scale agricultural plantations or petrochemical plants. The Special Rapporteur stated:

“[I]n some regions, these expropriations seem to have targeted disproportionately property and land of religious and ethnic minorities... [including] ...houses... The expropriations are considered a form of land confiscation by the affected population, particularly since prices paid in return for land are considerably lower than market values.”²⁶

He was “disturbed by the fact that... exceptions [in the provision of basic services] seemed to disproportionately affect predominantly minority neighbourhoods and provinces, clearly constituting discrimination”²⁷ and noted that “the marginalization of these communities has fed civil unrest, leading to clashes with security forces, escalating violence and an atmosphere of anger and mistrust.”

The Special Rapporteur called on the Iranian authorities to end forced evictions, and to allocate adequate resources to historically marginalized provinces in order to assist the realization of the right to adequate housing as well as improve access to water, sanitation and other essential services.²⁸

Under international standards, everyone has the right to “an adequate standard of living... including adequate food, clothing and housing and to the continuous improvement of living conditions” and the state is required to use “all appropriate means” to respect, protect and fulfil the right to adequate housing.”²⁹

²⁵ Kothari, Miloon, Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living – mission to the Islamic Republic (19-31 July 2005), UN reference E/CN.4/2006/41Add.2, 21 March 2006, Summary.

²⁶ Ibid, para.43.

²⁷ Ibid, para.51.

²⁸ Ibid, paras 103-105.

²⁹ The latter part of this is set out in Article 2.1 of the ICESCR, the former is Article 11.1.

The Iranian government did not reply to the Special Rapporteur's report or recommendations.

Education

Iran's Constitution states that the official language and script of Iran is Persian,³⁰ and that official documents and text books must be in this language. Despite this, the use of regional and tribal languages in the press and mass media, as well as for teaching regional and tribal literature in schools, is allowed in addition to Persian.

However, no permanent measures have been introduced in Iran's education system to facilitate teaching in minority languages, nor to teach such languages as a second language – even though such provisions are included in Iran's Constitution and international standards.³¹

According to the Ministry of Education, state schooling is free and compulsory at the primary and middle (“guidance”) stages³² and teaching is carried out in Persian at all levels. In bilingual regions, a one-month course is held to teach key concepts, including Persian, to beginners, before the school year starts.”³³

³⁰ Article 15.

³¹ Article 15 of Iran's Constitution states, “The official language and script of Iran, the lingua franca of its people, is Persian. Official documents, correspondence, and texts, as well as text books, must be in this language and script. However, the use of regional and tribal languages in the press and mass media, as well as for teaching of their literature in schools, is allowed in addition to Persian”. According to Article 29.2 of the Convention on the Rights of the Child, Article 18 of the ICCPR, Article 13.3 of the ICESCR and Article 5b of the UNESCO Convention against Discrimination in Education, individuals (including members of minorities) have the right to establish and direct educational institutions, provided that they conform to the minimum educational standards laid down by the state. Likewise, parents have a right to ensure the education of their children in accordance with their religious and philosophical convictions, which includes the right to choose for their children institutions other than those established and maintained by the public authority. While the state provides education in the state's official language(s) for the majority population, members of minorities have a right to establish and maintain schools where education is provided in their own language.

³² Primary school is known as dabestan, covering the ages of 6/7-10/11; “Guidance” or Rah-nama'i is between 12/13-13/14. Secondary education, dabirestan, covering the ages of 14/15-17/18, is not compulsory.

³³ See UNESCO-International Bureau of Education, World Data on Education 2006/7 (based on official reports of UNESCO member states), <http://www.ibe.unesco.org/countries/WDE/2006/index.html>. Amnesty International recognizes that international provisions on linguistic rights in education are weak. The European Court of Human Rights ruled that the state is to “provide for the possibility of pluralism in education”. This provides for the right to establish educational institutions teaching in a manner that upholds minority culture and language, provided that all schools meet minimum standards of quality.

Primary Education: weekly lesson timetable					
Subject	Number of weekly periods in each grade				
	I	II	III	IV	V
The Holy Qoran	1	2	2	2	2
Religious teaching	-	2	2	2	2
Persian composition	-	2	2	2	2
Persian dictation	-	3	2	2	2
Persian reading	11	3	4	3	3
Social studies	-	-	2	3-2	3-2
Art	2	2	1-2	1-2	1-2
Science and health	3	3	3-2	3	3
Mathematics	5	5	4	4	4
Physical education	2	2	2	2	2
Total weekly period	24	24	24	24	24

Source: Ministry of Education, 2003. Each teaching period lasts 45 minutes in Grades I-II and 50 minutes in Grades III-IV.

Lower secondary education: weekly lesson timetable			
Subject	Number of weekly periods in each grade		
	I	II	III
Persian literature	5	5	5
Mathematics	5	4	4
Science	4	4	4
Religious teaching	3	2	2
Arabic language	3	2	2
Social studies	3	3	3
Art	2	1	1
Introduction to techniques and vocations	3	3	3
Foreign Language	2	4	4
Defence preparation	-	-	1-0
The Holy Qoran	2	2	2
Physical education	2	2	2
'Fostering affairs'	2	1	1
Compensatory courses	2	3	2-3
Total weekly period	36	36	36

Source: Ministry of Education, 2003. Each teaching period lasts 50 minutes.

None of the non-profit-making private schools, which have been allowed since 1988 and are under the supervision of the Education Ministry, is known to have taught in Kurdish for any lasting period.³⁴

In February 2008 human rights activists told Amnesty International that in the preceding month at least three directors of pre-school childcare facilities in Kordestan province had been summoned to the security adviser's office of the regional governorate on grounds that they had permitted the teaching of "a non-national language". A non-governmental organisation, Soma, which had used Kurdish for three years in pre-schools it operated in Sanandaj and Mahabad, was reportedly closed by the authorities in late 2007 or early 2008, along with its facilities. Others were threatened that their licences would be revoked.

Kurds have staged many campaigns related to their education. On 20 February 2007, for example, Kurdish students held an event at Tehran University's Department of Literature, during which they called for the teaching of Kurdish in Iran's education system, including at the University of Sanandaj.³⁵ The event closed with a statement which declared, in part, "As everyone knows, language is one of the most fundamental aspects of a nation's being. Language conveys thoughts, culture and [...]. In today's multicultural climate in the world, based on the Universal Declaration of Human Rights and other humanitarian principles, every nation should have a right to develop and advance its language. Everyone agrees that every language could play a part in the process of human civilization." This event, too, resulted in some of the organisers and participants being arrested and subjected to long term detention.

Amnesty International believes that state authorities should take positive measures so that, wherever possible, members of minority communities have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue, as well as to learn the official language; and to encourage knowledge of the language and culture of the minorities in their territory.³⁶

³⁴ Ibid.

³⁵ *Iran: Ethnic minorities facing new wave of human rights violations* (AI Index: MDE 13/020/2007, News Service No. 039, 26 February 2007).

³⁶ Article 4.3 and 4.4, Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by General Assembly resolution 47/135 of 18 December 1992.

4. Double oppression: Kurdish women and girls

Diba Alikhani, a human rights defender, left her office for the courthouse at Azadi Square in Sanandaj in mid-2006. As she neared the courthouse she saw a woman being escorted by a female jailer. A man suddenly appeared, pulled out a knife and slit the woman's throat. Diba Alikhani ran to the scene beseeching the two armed guards outside the courthouse to help. The armed guards simply threw coins on the dead woman's body – pennies intended to atone for the sin.³⁷

The woman had been accused of having had sexual relations outside marriage. In the face of this tragic “honour” crime, Diba Alikhani felt powerless and unable to take action. The authorities failed to arrest and prosecute the perpetrator of the murder.



Diba Alikhani
© Private

Kurdish women face a double challenge to establish their rights: as Kurds living in a marginalised community and as women in a community governed largely by patriarchal customs. In both cases, they are subject to discriminatory laws. An often quoted phrase among Iran's women human rights defenders in Kurdish areas is: “We are both women and Kurds; so, in the Islamic Republic of Iran, we are *doubly accused*”.³⁸ The UN Special Rapporteur on violence against women³⁹, who visited Iran in January-February 2005, concluded that women from Iran's minorities experience multiple forms of discrimination.⁴⁰

Even though women and girls form the backbone of economic activity in Kurdish areas, they do not enjoy a status commensurate with their contribution:

“The man decides whether or not his daughter, sister, or spouse attends school, goes to work or any other place for that matter. For this reason, the literacy rate of Kurdish women and girls, particularly in rural areas, is either

³⁷ Called *kaffareh*, or paying atonement, the casting of coins on a dead body is often done by those who see the body, especially in a public place.

³⁸ “*Ma ham zan hastim, ham Kurd, pas dar Jomhuri Eslami Iran do etteham darim.*”

³⁹ The full name of this mandate is Special Rapporteur on violence against women, its causes and consequences. The mandate holder was, at the time of the mission to Iran, Yakin Ertürk.

⁴⁰ See her January 2006 report, UN document E/CN.4/2006/61/Add.3. In para.32 she adds: “Violence against women in Iran is ingrained in gender inequality, which is upheld and perpetuated by two factors: (a) patriarchal values and attitudes based on notions of male supremacy, and (b) a State-promoted institutional structure based on gender-biased, hard-line interpretations of Islamic principles. While the former is a universal and historically rooted phenomenon, the latter is particular to Iran and is rooted in gender politics and policies prevalent in the country. Both factors, however, represent a male-dominated society with male-empowering laws and practices.

the lowest or one of the lowest in the country. For these same reasons, healthcare indices such as neonatal mortality and morbidity and maternal peripartum mortality rates are very high, and poverty, although epidemic (sic) among lower class immigrants and rural inhabitants in Kurdistan, is even more so a female affliction.”⁴¹

Strict social codes, invoked in the name of tradition and religion, are used to justify the denial of the human rights of women. The codes have created social no-go areas in parts of Kurdish society that hinder outsiders, including Iranian state officials, from dealing effectively with girls’ education, early and forced marriages, domestic violence against Kurdish girls and women, suicide by self-immolation, and “honour” killings.

In Iran, as throughout the world, women are victims of violence on a daily basis and face discrimination in society at large as well as by state officials. Perpetrators may be state officials, members of groups or private individuals – including family members.

The extent and prevalence of violence against women in the Kurdish regions of Iran is impossible to quantify – not least because international and national organizations do not have effective access to all Kurdish areas. It is clear, however, that discrimination and violence against women and girls in the Kurdish regions is both pervasive and widely tolerated.

To escape the violence and abuse, some Kurdish girls and women resort to a most extreme form of self-harm, setting themselves on fire.

Iran’s justice system provides little or no remedy to the obstacles and violence facing women and girls. The UN Special Rapporteur on violence against women noted:

“Discriminatory laws in both the Civil and Penal Codes in Iran play a major role in empowering men and aggravating women’s vulnerability to violence. In particular, discriminatory provisions in the Civil Code relating to the areas of marriage, child custody, freedom of movement and inheritance may lead to, perpetuate or legitimize violence against women perpetrated by private actors. The provisions of the Penal Code relating to crimes specified in the sharia,

⁴¹ UNICEF, *The status of girls and women in Kurdistan province in the Islamic Republic of Iran*, 1377 (1998).

namely, hudud, qisas and diyah, are of particular relevance in terms of gender justice.”⁴²

As a result, police and judicial officials are often unwilling to arrest and prosecute perpetrators of violence against women in Kurdish areas. Even if an arrest is made, police frequently fail to investigate or press charges against suspected perpetrators. Women are not encouraged to bring complaints against their attackers and fear bringing “dishonour” on the family as well as reprisals from the attacker and relatives.

For example, Shamameh Ghorbani (also known as Malek), an Iranian Kurd, was sentenced to execution by stoning for adultery by a court in Oromieh in June 2006. Her brothers and husband reportedly murdered a man they found in her house, and she too was nearly killed when they stabbed her. In November 2006, it was reported that the Supreme Court had rejected the sentence of stoning and ordered a retrial, citing incomplete investigations in the case. It is believed that Shamameh Ghorbani confessed to adultery in court, believing that this would protect her brothers and husband from prosecution for murder. Under Iranian law, a murder may not be punished if committed defending one’s honour or that of relatives. In a letter to Branch 12 of the Criminal Court, Shamameh Ghorbani is reported to have said, “Since I am a rural, illiterate woman and I didn’t know the law, I thought that if I confessed to a relationship with the dead man, I could clear my brothers and husband of intentional murder. I said these untrue words in court and then understood I had done myself an injury.”⁴³

The authorities seldom even investigate complaints of rape, murder or suicide of women. Women who report rape face being locked up and accused of having committed crimes of *zina*.⁴⁴ In the rare cases in which alleged perpetrators of rape are prosecuted, they are often acquitted or given disproportionately lenient sentences that fail to reflect the gravity of the crime. In short, impunity prevails for perpetrators of violence against women.

⁴² Para. 44 in the report on the Special Rapporteur’s January-February 2005 Mission to Iran, UN document E/CN.4/2006/61/Add.3.

⁴³ This case is also featured in *Iran: End executions by stoning*, January 2008 (AI Index MDE 13/001/2008).

⁴⁴ *Zena*, or *zina*, is adultery. It is defined in the Penal Code as intercourse between a man and a woman whose intercourse is inherently forbidden, or *haram*, other than in those cases where the person has had a doubt. See *Iran: End executions by stoning* (AI Index: MDE 13/001/2008).

Under the ICCPR, the Iranian authorities are required to “undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant”. The principle of equality between the sexes, and particularly the requirement to eradicate all forms of violence against women, is a basic premise of international human rights law. The existence of traditional, customary, religious or social norms should not be invoked by states to avoid complying with this obligation.⁴⁵

The Iranian authorities are also obliged to exercise due diligence in eradicating violence against women in the home and in the community. The authorities must ensure that Iran has laws, policies and plans which recognise these rights and which can be used in practice to enable women to access their rights, to protect women from abuses and to ensure that those whose rights are violated receive appropriate redress and reparation.

The first UN Special Rapporteur on violence against women, Radhika Coomaraswamy, wrote:

“States must promote and protect the human rights of women and exercise due diligence:

(a) To prevent, investigate and punish acts of all forms of VAW [violence against women] whether in the home, the workplace, the community or society, in custody or in situations of armed conflict;

(b) To take all measures to empower women and strengthen their economic independence and to protect and promote the full enjoyment of all rights and fundamental freedoms;

(c) To condemn VAW and not invoke customs, traditions or practice in the name of religion or culture to avoid their obligations to eliminate such violence;

(d) To intensify efforts to develop and/or utilize legislative, educational, social and other measures aimed at the prevention of violence, including the dissemination of information, legal literacy, campaigns and the training of legal, judicial and health personnel.”⁴⁶

⁴⁵ See *Making Rights A Reality: the duty of states to address violence against women* (AI Index: ACT 77/049/2004).

⁴⁶ Radhika Coomaraswamy, Special Rapporteur on violence against women, Report to the Commission on Human Rights, UN Doc. E/CN.4/2003/75, 6 January 2003, para. 85.

Amnesty International recognizes that the Iranian authorities, like other governments, face difficulties when confronted by practices rooted in culture and belief that legitimize violations of women's human rights. However, Amnesty International considers that the Iranian government has not taken sufficient steps to eliminate discrimination, end the cycle of violence against women and punish perpetrators, whether they be family members or state officials.

The police and judiciary are openly biased against women and the violations they suffer. The government must take action to stop such bias, including by instructing officials in their duty to ensure protection of the human rights of women and by providing training in non-discrimination. Further, they must ensure that all state authorities act with due diligence to prosecute those who commit violence against women, and implement specific measures to protect women and girls.

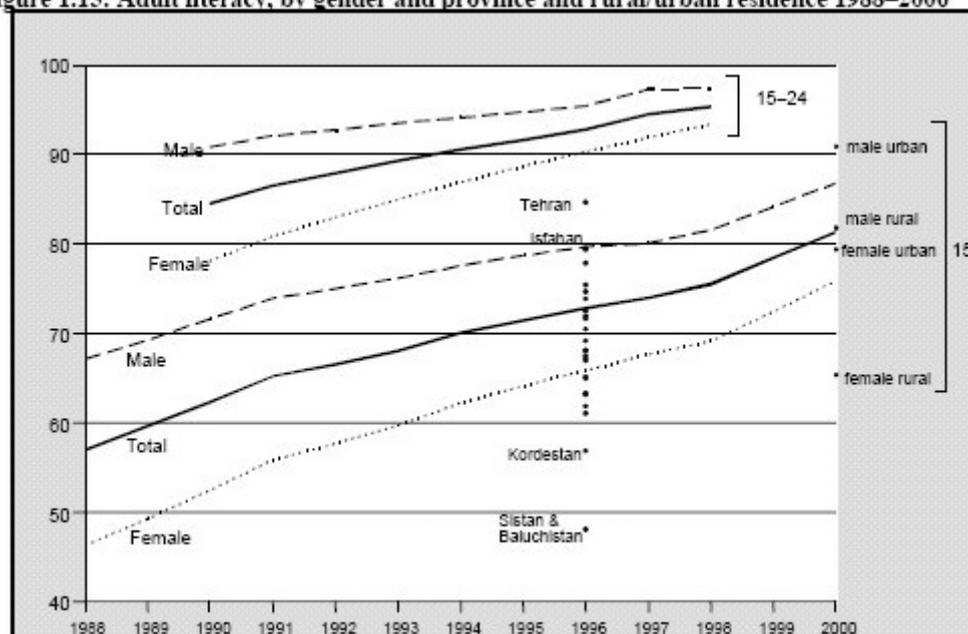
Many countries have adopted measures to combat inequality and discrimination, and to protect women against violence, understanding the links between the two. While complete eradication of violence against women may seem unachievable, states are obliged to take concrete and effective steps that advance the protection of women and ensure that perpetrators are brought to justice and that victims receive reparation. Legislative steps must be backed by effective measures that address the underlying causes of violence, including cultural, social and customary practices.

The need to combat violence against women is gaining recognition in Iran, and networks of women human rights defenders are advancing a women's rights agenda. This agenda should be supported by the authorities.

Schooling and literacy

Cultural norms in the Kurdish community which facilitate the practice of forced and early marriage perpetuate the fear of violence amongst Kurdish girls in school, impacting adversely on Kurdish girls' education. These norms do not, however, excuse the failure by the Iranian state to provide proper facilities for the education of Kurdish girls.⁴⁷

⁴⁷ Article 3 of the ICCPR has been interpreted by the Human Rights Commission as including an obligation on states to exercise due diligence. See Human Rights Committee General Comment 28 on Article 3, and Human Rights Committee Draft General Comment on Article 2.

Figure 1.15: Adult literacy, by gender and province and rural/urban residence 1988–2000

Sources: NHDR 1999, Ministry of Education 1999, DHS 2000

Taken from: Iran: UN Common Country Assessment Report -2003; page 33 (See: http://www.undg.org/archive_docs/3370-Iran_CCA.pdf)

Article 30 of Iran's Constitution provides for free education for all citizens up to secondary school. According to Iranian government figures, over 90 per cent of children aged 6-10 have access to primary education⁴⁸ and the literacy rate is reported to be as high as 97 per cent.⁴⁹ However, 1998 UNICEF figures indicate serious shortcomings in the provision of education for Kurdish girls and women – 57 per cent of women compared to 79 per cent of men were literate.⁵⁰ In urban areas of Kordestan, 68 per cent of women were literate compared to 85 per cent of men; in rural areas the figures were 46 per cent and 71 per cent.⁵¹ The differences appear early. In the 1996-97 school year, 56.5 per cent of all primary school pupils were boys while only 43.5 per cent were girls. The gender education gap then widens at every higher level of education. Moreover, according to the UN's Common Country Assessment Report for 2003, the overall literacy rates for the 15-24 age group in

⁴⁸ This is welcomed by the Committee on the Rights of the Child. See para.3 of UN document CRC/C/15/Add.254, 31 March 2005, entitled Consideration of reports submitted by States Parties - Concluding observations: The Islamic Republic of Iran.

⁴⁹ "Shorn of dignity and equality: Special report on women in Iran", *The Economist*, 18 October 2003.

⁵⁰ UNICEF, op cit.

⁵¹ UNICEF, op cit.

Kordestan is significantly below the national average (see table), with rates in Sistan and Baluchistan province the worst in the country.⁵²

In 2005, when reviewing Iran's compliance with the Convention on the Rights of the Child, the UN Committee on the Rights of the Child expressed concern:

*"... about the disparity that continues to exist between boys and girls; the high dropout rates of girls in rural schools upon reaching puberty; the lack of female teachers in rural areas; long distances between homes and schools, which keep girls at home, particularly after primary school and the lack of mobile schools for nomadic children, as well as the remarkable differences in the personal and material equipment between schools in urban and rural areas and between the most and least developed provinces, resulting in unequal educational opportunities."*⁵³

The government of Iran must take concrete steps to address disparities in the realization of the right to education between boys and girls. In particular, the minimum school leaving age should match the minimum age of employment or 15 by requiring the completion of the Middle (Guidance" or Rah-nama'i) cycle and however many years in secondary school are possible prior to the child reaching his or her sixteenth year. This would meet the standards required by ILO Convention 138 on the Minimum Age of Employment, which Iran has not yet ratified.

The government should address other factors that lead to high drop-out rates among Kurdish girls. Such factors include the expectation that primary school girls will work to earn money, particularly in carpet weaving or farming; that they should not attend schools that employ male teachers once they have reached puberty; and that they may be forced to marry.

Early and forced marriage

Forced marriage at a young age remains common for Kurdish girls in Iran. In fact, the practice appears to have become more common in recent years because of growing poverty – families believe that such marriages offer the most secure future for their daughters.

⁵² UN Common Country Assessment for Iran, op cit.

⁵³ See *Consideration of reports submitted by States Parties - Concluding observations: The Islamic Republic of Iran*, UN document CRC/C/15/Add.254, 31 March 2005

In contrast to an arranged marriage, which does not involve compulsion, a forced marriage is any marriage conducted without the free and knowing consent of both parties. It may involve coercion, mental abuse, emotional pressure, and intense family or social pressure. In the most extreme cases, it may also involve physical violence, sexual abuse, abduction, detention and even murder.

Iranian law sanctions marriage for girls as young as 13 (it was nine until recently) and boys as young as 15. Marriages may be contracted for children under these ages with the consent of the parents. All girls and women must have the consent of the father (or, in his absence, the paternal grandfather) to enter into a marriage contract.⁵⁴

Forced marriage is prohibited by international law, including Article 23(3) of the ICCPR which provides that, “No marriage shall be entered into without the free and full consent of the intending spouses.”

Forced marriage is a form of violence against women carried out by family members. It is linked to child marriage, which may constitute forced marriage. Child marriage violates the right of children to freedom from sexual exploitation, as provided in Articles 19 and 24 of the Convention on the Rights of the Child. By marrying at an early age, children are further denied their rights to education and health and, crucially, the freedom to determine the course that they wish their lives to take. Forced marriage also appears to be a major reason for self-immolation (see below).

UNICEF’s 1998 report found extremely high rates of forced marriage, including at an early age, in Kordestan, although it noted that the practice appeared to be declining. Circumstances facilitating forced marriage cited by respondents to UNICEF’s researchers included lack of knowledge (on account of the young age at the time of marriage); threat of a beating by parents if the subject was raised by children; the attractiveness of the proposed husband’s wealth and better living conditions; and the prospect of a good dowry and/or payment of *shirbaha* (bride price), or the money accruing to the parents of the bride.

UNICEF also noted that divorce rates were particularly high in Kordestan, citing as possible explanations the failure of the woman to bear children, incompatibility, drug addiction by husband, neglect of wife and children, wife beating, poverty or homelessness, illness and the age gap.

⁵⁴ See Civil Code Article 1041.

The Iranian government should take legislative and other steps to ensure that all marriages are entered into on the basis of the full and informed consent of both intended spouses. This requires at a minimum that a minimum age of marriage be set and enforced. This age should protect the best interests of the child and should be higher than the minimum age for entry into the labour force and in respect to the completion of compulsory education, which is the end of the Middle, Guidance or *rah-nama'i* cycle of school completing education in addition to however many years of secondary school are possible prior to reaching a child's sixteenth year.

Suicide and 'honour' killings

Inequality, discrimination and the various forms of violence and social deprivation suffered by Kurdish women contribute to complex social problems, including high rates of suicide, notably by self-immolation. Self-immolation is a practice that occurs in all the areas of Kurdish settlement, where it is more common than in other parts of Iran. Some alleged suicides may have been staged to cover up "honour" killings.⁵⁵

International human rights law views "honour" crimes as a form of violence against women in the family or community. These crimes violate, among other rights, the right to life and security of the person; to freedom from torture and cruel, inhuman and degrading treatment; and the rights to equality before the law and to equal protection from the law. They also deprive women of rights assured by the UN Women's Convention, for example the rights to choose a marriage partner, to enter into marriage freely, to enjoy freedom from discrimination, and to be treated as a human being with dignity and equal rights to men.

The apparent increase in the incidence of women and girls attempting to and taking their own life by self-immolation is a result of many, complex factors. Amongst those cited by the authors referred to in this section are divorce and polygamy.⁵⁶

Anecdotal evidence suggests that some of the women do not want to die but have no other way of showing their distress. Many had either suffered violence by family members or did not consent to a marriage. The majority of those who survived were

⁵⁵ Partly as a result of this, there are no reliable statistics for the number of "honour" killings in Kurdish areas in Iran.

⁵⁶ In the 2005 study *Epidemiology of self-immolation in the north-west of Iran*, by S Dastgiri, LR Kalankesh and N Pourafkary, the authors note, "In our study self-immolation incidence rate has increased in 2003 compared to 1998. Some previous studies have shown that incidence of self-immolation has risen by 30-40 percent in Kermanshah and Ilam provinces of Iran over the past few years." See: www.ejgm.org/ejgm05_1/2005_1_4_Dastgiri.pdf.

forced to change their stories when in hospital, once surrounded by family members, saying that they had had accidents in the home or at work.

In February 2006 Mohsen Jan-Ghorbani, a professor of epidemiology at Esfahan University of Medical Sciences, said that “self-immolation is not just a way to end life, but also a way to send a message to their families and to the society”. He added that “women do not want to really commit suicide but they want, in fact, to make their cry for help to be heard and say that they are facing injustice.”⁵⁷

The accounts of self-immolation set out below cover the mainly-Kurdish areas of West Azerbaijan, Kordestan and Ilam provinces.⁵⁸

In early 2006 the Human Rights Organization of Kurdistan (HROK), an NGO with membership in the Kurdish regions and Tehran published the names of more than 150 Kurdish women and girls who had died by self-immolation in West Azerbaijan province.⁵⁹ Mohammad Sadigh Kabudvand said that the victims were young – between 14 and 30 years old – and poorly educated.

A six-year study between 1994-2000, covering 1,089 cases at the then two burn centres in Kordestan province, found that 65.6 per cent of victims of self-immolation were women and girls, and that 58 per cent of all patients were aged under 20. More women than men had over 60 per cent burned body surface, and most burns had been caused by kerosene.⁶⁰

⁵⁷See Golnaz Esfandiari, *Iran: Self-Immolation of Kurdish Women Brings Concern*, RFE/RL, 9 February 2006, accessible at: <http://www.payvand.com/news/06/feb/1067.html>, accessed 19 February 2008.

⁵⁸A 10 July 2006 report, *Kohkiluyeh Has Highest Self-Immolation Rate* (see: <http://www.iran-daily.com/1385/2606/html/panorama.htm>), cited Farajollah Hassan-Zadeh, director of Kohkiluyeh-Boyerahmad (south-western Iran) Governor General's Office for social affairs, who told the Iran Labour News Agency that “98.1 per cent of local women who commit suicide immolate themselves” and that “figures indicate that the number of women who commit self-immolation in the province is three times as high as the rate for men.” He added that six cases of women's self-immolation had been reported in the first quarter of the Iranian year (starting 21 March), and he blamed poverty, drug addiction, population explosion, mental disorders, ethnic prejudices, divorce and polygamy as factors triggering suicide attempts. However, while there are Kurds in the province, it is not clear that the victims were in fact Kurdish.

⁵⁹See Golnaz Esfandiari, *Iran: Self-Immolation of Kurdish Women Brings Concern*, op cit. Moreover, Dastgiri et al's study also shows that rates of self-immolation are very high in the mainly Azerbaijani town of Miyaneh.

⁶⁰Bahram Groohi, Reza Alaghebandan, Abdolaziz Rastegar Lari, *Analysis of 1089 burn patients in the province of Kurdistan, Iran*, in *Burn*, Vol. 28, 2002.

Distribution of patients with self-inflicted burns by age and sex			
Age (years)	Number of males and females	Number of patients	
		Male	Female
16-20	30	4	26
21-25	30	3	27

Source: B Groohi et al, Burns 28 (2002), table 6.

Nasrin Mohammadi, a member of a women's NGO, Marivan Women's Cultural Society, in Kordestan province, described a case of a young woman who set fire to herself to protest against her husband's decision to marry another woman. She said:

*"I know this woman who is illiterate. Her husband became very rich in a very short time and he forced his wife to sign a letter of consent so he could marry another woman... She didn't know what she was signing. Since then she has attempted to commit suicide by self-immolation; 80 per cent of her body is burned and considering her condition I think she will die [soon]."*⁶¹

Nasrin Mohammadi added:

"Women face more pressure in a traditional society and in our region because of deprivations and the rule of [old] traditions this pressure has become much stronger. Women in our region are seen as 'second class' citizens. The economic situation of women is a main factor; they are totally dependent on men and also the laws of our country are such that the courts never protect women."

A study in Ilam province covering 1995-2002 recorded 433 cases of self-immolation by men and women, representing by far the most common method of suicide.⁶² Over 82 per cent of the cases involved women, most in their mid-twenties.

Similarly, the Deputy Governor for the Women's Affairs Office of Ilam province, Heyran Pournajaf, reportedly stated in January 2004 that around 70 per cent of those who commit suicide are women, numbering 182 in the preceding year alone.⁶³

⁶¹ This is cited in Golnaz Esfandiari's report, op cit.

⁶² See the abstract of *The pattern of suicide methods within Ilam province of Iran*, by M Rezaeian and G Sharifirad, Rafsanjan Medical School, taken from the XXIV World Congress of the The International Association for Suicide Prevention (IASP), given at http://www.iasp2007.org/images/IASP_Section2.pdf, accessed 19 February 2008. A more detailed version of the abstract is given in Vol. 12, No. 3 (10.2006) in Persian, in the Iranian Journal of Psychiatry and Clinical Psychology, at: http://www.iums.ac.ir/ijs/ar/browse.php?mag_id=2&slc_lang=en&sid=1.

The high rate of female self-immolation in Ilam was of particular concern to the UN Special Rapporteur on violence against women during her visit to Iran in early 2005. She noted that:

“... some of the cases of self-immolation in the city are linked to the lack of legal protection for women victims of violence, lack of shelters, difficulty in obtaining a divorce, child custody laws that favour the father and pervasive gender discrimination throughout society.”⁶⁴

She also found that self-immolation incidents were related in some cases to “honour” crimes, which were particularly common in Ilam. She reported that in 2001, a total of 565 women lost their lives in “honour” crimes, of which 375 were reportedly staged as self-immolation.⁶⁵

Better protection of women’s rights and economic development in Kurdish areas would help prevent self-immolation, as would better access to education for girls and improved support services for women. The availability of family mental health centres and psychological rehabilitation programmes could also reduce the rate of self-immolation.

5. Targeted for speaking out

The deep-rooted discrimination against Kurds has given rise to generations of activists calling for greater respect for minorities and better protection of the human rights of all Iranians.

A key moment for Kurdish activists in recent times was in July 2005, when Iranian security officials shot dead Kurdish opposition leader Shawan Qaderi and two other men in Mahabad. The security forces tied Shawan Qaderi’s body to a jeep and dragged the corpse through the streets. This sparked violent protests that shattered years of relative peace in Kordestan. The protests also marked the start of a new wave of state repression against Kurds in which those who spoke up for Kurdish rights were targeted.

⁶³ See the excerpt from Hamshahri given at <http://www.womenfreedomforum.org/publications/journal2.pdf>

⁶⁴ See paras 34 and 35 in the report on the Special Rapporteur’s Mission to Iran, UN document E/CN.4/2006/61/Add.3.

⁶⁵ Ibid. Paragraph 35, citing statistics provided by a consultant to the governor of Khuzestan.

Human rights defenders

Roya Toloui, a 40-year-old pro-democracy and women's rights activist, was arbitrarily detained for 66 days beginning in August 2005. She was held on trumped-up charges for helping to organize demonstrations protesting against the killing of Shawan Qaderi, demonstrations that she believed would remain peaceful.⁶⁶ A pathologist and founding member of the Association of Kurdish Women for the Defence of Peace and Human Rights, she was held in solitary confinement and tortured. She says that she only agreed to sign a "confession" because her captors threatened to burn her two children to death in front of her.

Iranian women human rights defenders have often aroused more hostility from the state authorities than their male colleagues because their activities are perceived as defying cultural, religious or social norms about the role of women.⁶⁷ As a result, they face human rights violations not only for their work as human rights defenders but also because of their gender.

Nevertheless, Iran's women are playing a leading role in the struggle for human rights in the country. Among other activities, women's groups are providing education programmes for illiterate women, supporting victims of abuse, and generally raising awareness about women's rights. Many of these women, particularly those in Kurdish areas, do so although they face considerable risks because of their activities.

After Roya Toloui was released on bail in October 2005, she fled the country. She eventually resettled in the USA. Even so, according to her lawyer, in May 2007 an Iranian court sentenced her in her absence to six years in prison for attending two banned rallies and for "propaganda against the system".⁶⁸ In an interview with Radio Farda on 27 January 2006, Roya Toloui said:

"During the night of 6 August [2005], [an official] personally tortured me in the most brutal ways and subjected me to such behaviours that cannot be expressed... They were forcing me to confess. I wrote that I will speak only in the presence of my lawyer and they laughed at me. I wrote that this is against human rights and that I had the right to see my lawyer. They lost their patience and they ordered that my children should be brought in and they

⁶⁶ "Child Abuse – Mullah Style", *The Telegraph*, 30 May 2006.

⁶⁷ For more information on Iranian WHRDs, see *Iran: Women's Rights Defenders Defy Repression* (AI Index MDE 13/018/2008), issued in February 2008.

⁶⁸ Reuters, 23 May 2007.

threatened me and said that they will burn my children alive in front of my eyes."⁶⁹

Many other Kurdish women activists have been targeted and abused by the state authorities. For example, Sarveh Komkar, a member of Human Rights Organisation of Kordestan (HROK) was reportedly arrested in Mahabad on 8 January 2006 by a special intelligence and security unit of the Revolutionary Guards. She was released five hours later, having sustained injuries and bruises from a severe beating. Other HROK members have been imprisoned or are facing prosecution, apparently in connection with their peaceful activities on behalf of the Kurdish minority in Iran.



Ronak Safarzadeh and Hana Abdi, both prisoners of conscience, were being held in the women's section of Sanandaj prison in Kordestan at the time of writing, in May 2008.⁷⁰ Both are members of the Campaign for Equality, an Iranian women's rights initiative that is seeking an end to legalized discrimination against women in Iran.⁷¹

Ronak Safarzadeh

© Campaign for Equality

Ronak Safarzadeh has been detained in Sanandaj since 9 October 2007. The day before her arrest, she attended a meeting in Sanandaj held to mark International Day of the Child, and collected signatures in support of the Campaign for Equality, a broad-based movement of mainly women's rights activists which was initiated in August 2006 in order to campaign for the end to legal discrimination against women. According to the Campaign, when Ronak Safarzadeh's mother went to the local office of the Judiciary on 30 October to inquire

⁶⁹ More details of her testimony about her detention can be read (in English) at: <http://www.abfiran.org/english/document-243-499.php> and <http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2006/05/28/wislam28.xml&sSheet=/news/2006/05/28/ixnews.html>

⁷⁰ More information on her case and that of Hana Abdi, discussed below, see Amnesty International Urgent Action appeal referenced MDE 13/063/2008, at: <http://www.amnesty.org/en/library/asset/MDE13/063/2008/en/fb012108-0b2a-11dd-badf-1352a91852c5/mde130632008eng.html>, or <http://www.amnesty.org/en/news-and-updates/report/women-act-against-repression-and-intimidation-iran-20080228>, and the report, *Iran: Women's rights defenders defy repression* (MDE 13/018/2008), available at: <http://www.amnesty.org/en/library/asset/MDE13/018/2008/en/63dd8933-e16d-11dc-9135-058f98b1fb80/mde130182008eng.pdf>

⁷¹ Both women are also affiliated to the Sanandaj-based women's rights NGO, Azar Mehr. This name could have a variety of meanings or simply be a family name.

about her, she was beaten by officials. Following her arrest, Ronak Safarzadeh was held incommunicado for three months.

In April 2008, one report suggested that she had been tried. In May 2008, however, it was reported that during the course of a court hearing attended by her lawyer, she was charged with *moharebe*, or 'enmity against God'. If so, this could be very serious, as such a charge can result in an accused being sentenced to death. However, by the end of May no further hearings were known to have been held.



Hana Abdi
© Campaign for
Equality

Psychology student Hana Abdi was arrested on 4 November 2007 at her grandfather's home in Sanandaj. She too was held incommunicado for three months. According to her lawyer she faces trial on a "gathering and conspiracy" charge brought under Article 610 of Iran's Penal Code, which says that if two or more people gather to conspire to commit crimes against the security of the nation, they may be punished with two to five years' imprisonment.

At the end of April 2008, her case had been transferred to court for consideration, but no date had been set for her trial.

Fatemeh Goftari, a women's rights activist, also affiliated with the Sanandaj-based women's rights NGO Azar Mehr, was detained for around four months – during three of which she was held incommunicado – prior to being released on bail equivalent to some US\$16,000.⁷² She was reported to be possibly facing trial on politically-motivated charges relating to state security. Her son, Yaser Goli, a student activist and Kurdish rights advocate, has been detained since October 2007.



Sa'id Sa'edi

© Private

In the Kurdish areas, as in other parts of Iran, men who are human rights defenders have also been targets of state repression. For example, Sa'id Sa'edi was arrested on 2 August 2005 for helping organize the protest demonstration against the killing of Shawan Qaderi in July 2005. He was held for eight days in the Ministry of Intelligence detention facility in Sanandaj and beaten, then transferred to Sanandaj Central

⁷² The US dollar figure of Iranian Rial or Toman amounts is taken from a currency conversion website located at: <http://www.xe.com/ucc/full/>

Prison. He was held incommunicado there for two weeks and then permitted visits from his family and lawyer. His case went before Branch 1 of the Revolutionary Court in Sanandaj and on 5 October 2005 he was released on payment of bail equivalent to some US\$114,000. Further charges were added to the original charge sheet against him, including that he was *mohareb*, or *at war with God*, though this accusation was then not included in his bail release warrant.

Sa'id Sa'edi had helped to establish the East Kurdistan Cultural Research Institute (EKCRI or the Rorkhelat Institute), an NGO whose request for a license legally recognising their existence was turned down by the police. Following the killing of Shawan Qaderi, EKCRI called for a peaceful protest demonstration and for the release of political prisoners. At the end of the demonstration, Sa'id Sa'edi, Roya Toloui (see above), Azad Zamani (a member of the Association for the Defence of Children's Rights),⁷³ and two others were allowed to meet Kordestan's provincial governor in Sanandaj. Kurdish opposition groups then called for another demonstration to be held on 1 August 2005 in other towns and cities in Kordestan. EKCRI agreed to participate in the demonstration in Sanandaj on the condition that it was peaceful. However, on the day in question, the demonstration became violent, reportedly after the security forces attacked the protestors.

Sa'id Sa'edi did not participate in this last demonstration as he was appearing in court in Marivan, accused of illegally crossing the border into Iraq. Nevertheless, the authorities accused him of going to Marivan to organize the demonstration there.

Following his release, he received death threats from an organization calling itself the People of the Party of God, or Ommat-e Hezbollah-e Kurdistan (Sanandaj Branch).⁷⁴

In June 2007 Sa'id Sa'edi was sentenced by Branch 1 of the Revolutionary Court in Sanandaj to two years' imprisonment for attending rallies in mid-2005 and to six months' imprisonment for "propaganda against the system". He said that he went to the rallies to report on them as a journalist. This sentence was reduced on appeal to a fine. He was later tried in February 2008 before a branch of the General Court on charges of criminal damage (arson and damage to cars and public and private buildings) relating to the 2005 demonstration, but by May 2008 the verdict was yet to be announced.

⁷³ *Kanoun-e Defa' az Hoqouq-e Koudekan*.

⁷⁴ These threats were included in a statement by Ommat-e Hezbollah on 14 January 2006 which can be read (in Persian) at <http://azad.gooya.name/politics/archives/042527.php>.

Ajlal Qavami, who was arrested at the same time as Sa'id Sa'edi and faced the same charges, was also released on bail on 5 October 2005. While being detained, he was reported to have staged a 22-day hunger strike to protest against his imprisonment and conditions. He alleges that he was tortured during his detention and that prison officials threatened him with death at the hands of other prisoners and rape by prisoners who were HIV positive.



Ajlal Qavami © Private

A board member of HROK and the member of the editorial board of the bilingual weekly *Didgah*, Ajlal Qavami was formerly a journalist working for *Payam-e Mardom-e Kordestan*. He has been repeatedly charged with offences and imprisoned because of his advocacy on behalf of Iran's Kurdish minority. In June 2007, he was sentenced to three years' imprisonment by Branch 1 of the

Revolutionary Court in Sanandaj for his role in organizing the July 2005 demonstration, the sentence later being reduced to one year's imprisonment on appeal. Neither Ajlal Qavami nor his lawyer, however, was told about this reduction in his prison term. Ajlal Qavami was allowed out of prison on medical grounds for 10 days from 25 December 2007. This period was then further extended. As of May 2008 he was not believed to be in prison. He was also tried together with Sa'id Sa'edi in February 2008 on charges of criminal damage and in his case too the verdict was still not known in May 2008.

Ajlal Qavami suffers from eye and other health problems apparently caused or exacerbated by his imprisonment; he says his eyes became infected due to unsanitary conditions at Sanandaj Prison.



Mohammad Sadigh Kabudvand

© DW

Amnesty International July 2008

Prisoner of conscience Mohammad Sadigh Kabudvand was sentenced on 18 August 2005 to 18 months in prison and a five-year ban on working as a journalist for "upsetting public opinion and spreading separatist ideas". The conviction was related to his work as editor of *Payam-e Mardom-e Kordestan*, a weekly that was closed down by the authorities in 2004. The sentence was reduced on appeal to a year in prison, which he has not yet served. He founded HROK in 2005 along with other journalists. HROK is thought to currently have more than 200 members. The authorities have

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persistently refused HROK's request for official recognition as an NGO.

Mohammad Sadigh Kabudvand was rearrested on 1 July 2007 and held in Section 209 of Tehran's Evin Prison. Although he is believed not to have been formally charged, in mid-July 2007 he reportedly said that he was being accused of "acting against national security", "propaganda against the system" and "co-operating with groups opposed to the system". He complained of poor conditions of detention and said that whenever he was interrogated he was blindfolded and bound, hand and foot. His lawyer, Nobel laureate Shirin Ebadi, has not been allowed to see him, and contact with his family has been limited.

Mohammad Sadigh Kabudvand is said, at the time of writing in April 2008, to suffer from high blood pressure, a skin disorder and a kidney complaint. He reportedly needs to be able to urinate frequently and failure to do so adversely affects his kidneys, and this has been used by his jailers to put additional pressure on him - they have told him that he must seek formal permission in writing before being allowed to use toilet facilities. He is also reported to have been told that he will be permitted access to toilet facilities whenever he needs if the three HROK board members who are still at liberty give themselves up voluntarily to the Ministry of Intelligence in Sanandaj.



Sherko Jihani
© www.Rijhilat.info

Sherko Jihani, a HROK member and Mahabad correspondent for the Turkey-based Kurdish news agency Euphrat, was detained on 27 November 2006 in Mahabad.⁷⁵ During his interrogation, he was reportedly accused of involvement in organizing protests against the secret detention on 8 January 2006 by Iranian security officials of a woman human rights activist, Sarveh Komkar (Kamkar), and for giving interviews to foreign media broadcasters about the killing of Shawan Qaderi in July 2005.⁷⁶

Sherko Jihani reportedly refused to pay bail of 50 million rials (about US\$5,500) and on 30 November 2006 began a hunger strike in protest at his arrest and detention. On 4 December 2006 he began refusing to speak. Two days later he was taken from

⁷⁵ See AI Index MDE 13/137/2006, MDE 13/009/2007 and MDE 13/035/2007.

⁷⁶ Sherko Jihani has reportedly been arrested nine times since 1999 and is said to have been tortured during previous periods of detention.

Mahabad Central Prison to an unknown location and held incommunicado. He is believed to have been tortured. On 12 December 2006 a man claiming to be from the Mahabad branch of the Intelligence Services rang Sherko Jihani's family and told them falsely that he had died of a heart attack. On 13 December, Sherko Jihani was allowed to telephone his family briefly.

In January 2007 Sherko Jihani was moved back to Mahabad Central Prison and on 3 February 2007 he was released on payment of bail. He is said to be facing two trials on charges of "disturbing public order" and "acting against state security" respectively, but by May 2008 no date was known to have been set for either of these trials.

The repeated harassment and imprisonment of human rights defenders by the Iranian authorities calls into question their willingness to observe basic principles of respect for human dignity. The government should ensure that human rights defenders can carry out their important work in a climate of respect and in accordance with human rights standards.

Media workers

Following the 1997 election of President Mohammad Khatami, the number of Kurdish-language publications grew. The first of this generation of publications was closed in 2003 and since August 2005, when President Mahmoud Ahmadinejad assumed office, over 40 Kurdish publications have been closed or banned outright.

Kurds seeking to express their views or beliefs in connection with their opposition politics face the same restrictions as all Iranians. However, journalists and news media publishing in Kurdish or covering Kurdish-related issues have been among those particularly targeted, especially since the 2005 unrest.

Bahram Valadbeigi, an editor and journalist, is a leading activist for Kurdish cultural rights.⁷⁷ In 2005 he established *Ashti* (Reconciliation), one of the first bilingual Persian-Kurdish newspapers to be published in Kordestan, which he also edited.

Following the killing of Shawan Qaderi, *Ashti* went to newsstands with only a white cover in protest at the killing. In later editions articles reportedly alleged that the

⁷⁷ In 1993-97 he was cultural counsellor to the Kordestan provincial governor. He was the founder and editor of *Abidar*, the first Kurdish weekly, publishing between 1995-99. In 2000 he established the Kurdistan Institute in Tehran and remains its head.

security forces controlled and sold narcotics to Kurds. The paper was banned, apparently by the Press Court, and then closed by order of the authorities. However, the decision to close the journal was overturned by the Supreme Court in April 2008, and it was expected to resume publication shortly thereafter. Bahram Valadbeigi was charged with “disturbing public opinion”;⁷⁸ “efforts against national unity” and “propaganda for separation of the Kurds”. In May 2008 it still remained to be seen whether the verdict to annul Ashti’s closure would cause the charges against him to be amended.

In another case, three members of the editorial board of the Kurdish-language fortnightly *Rojhelat* – Farhad Aminpour, Reza Alipour and Saman Solaymani – were arrested at the newspaper’s office in Sanandaj in October 2006.⁷⁹ They were charged with “acting against national security” but released a month later on bail equivalent to around US\$54,000.⁸⁰ They presented their final defence to the court in Sanandaj on 31 December 2007. In April 2008 the journal was banned on grounds of receiving money from an outside source, possibly in connection with selling the journal in the Kurdistan region of Iraq. The men were fined.



Aso Saleh © Private

In December 2006, two Kurdistan University students, Aso Saleh, a 25-year-old engineering student, and Tchia (or Chia) Hejazi, were each sentenced to six-month prison terms, suspended for three years, after they were convicted on charges of publishing lies. This followed complaints relating to the publication of a report in the student weekly journal *Deng* about an argument between two members of the Sanandaj City Council.⁸¹ Aso Saleh had previously been suspended from his studies and began working for the dual-language newspaper *Didgah*. In January 2007 he received death threats from an unknown group called the Revolutionary Youth of Kurdistan, which accused him and Ajlal Qavami (see above) of working against the Islamic Republic.

⁷⁸ *Tashvish-e ahzan-e 'omomi*.

⁷⁹ “Arrest of editorial board of Kurdish/Farsi *Rojhelat*”, www.kurdishstudents.com/shownews.aspx?id=1110

⁸⁰ BBC Monitoring research 3 January 2007, quoting ILNA report.

⁸¹ Iranian news website Advar, in Persian, accessed on 26 December 2006.

After he participated in a Women's Day demonstration in Sanandaj on 8 March 2007, called by three local human rights groups,⁸² Aso Saleh was arrested and detained for nine days at Ministry of Intelligence facilities in Sanandaj. He was then reportedly transferred to Sanandaj Prison where he spent a further three days. He was charged with undertaking "acts against national security" and espionage. After being sentenced to one year's imprisonment, he fled the country. On 9 September 2007, he wrote to Amnesty International, and said:

I am Aso Saleh, the student of Electronic Engineering in Kurdistan University. I was the Chief Editor of "Deng" which is a student weekly in university. And I was the correspondent and the member of Editorial Board of "Didgah", an independent weekly which published in Sanandaj.

I have been prevented to continue my studies in university by the authorities, because of my civil activities for one educational term.

Again I have been sentenced to six months jail by revolutionary court in Sanandaj, because of my activities as a journalist in weekly Didgah.

I was arrested by the security forces when I was preparing a report about women activities on 8th March meeting in Sanandaj. And I was in prison (Etela'at Prison) for 11 days. Recently I have been sentenced to one year jail in revolutionary court of Sanandaj for my activities as a journalist in Kurdish-Persian weekly "Didgah".

It is necessary to mention that, the High Education Ministry told me that you can not be graduated forever from any universities in Iran.

So you know in this condition I have no chance to continue my studies in Iran, and even can not have a job.

Tchia Hejazi was able to resume his studies, but if he takes part in any further protest activities before the end of 2009 he risks having to serve the six months' suspended prison sentence.

⁸² These were the Association for the Protection of Children's Rights (*Anjoman-e Defa' az Hoquuq-e Koudakan*), whose then director was Azad Zamani; The Society for Support of Women (*Jame'eh-e Hemayat-e Zanan*), then led by Diba Alikhani; and a culturally-oriented NGO called *Shaho*.

Kaveh Javanmard of the weekly *Kerefto* was arrested on 18 December 2006 and remains held in Sanandaj. In May 2007, he was reportedly sentenced to two years' imprisonment following a secret trial on charges of "inciting revolt" and "acts against national security".

Some of those arrested have suffered torture and other ill-treatment. Madeh Ahmadi, a journalist, worked in Kordestan for national papers such as *Hambastegi*, a now-closed pro-reform publication. He was arrested on 28 July 2005 at a police checkpoint between Marivan and Sanandaj. He was interrogated 11 times while held for two days in Sarvabad. He was subjected to *qapani*,⁸³ a form of torture carried out by handcuffing or binding a person's hands behind the back and then hanging the individual by the secured wrists or arms from either a wall or ceiling. When he was taken to court in Sarouabad on 30 July 2005, a judge reportedly asked him about the blood on his clothing. He replied that he had been tortured but, it appears, the court took no steps to investigate.

Madeh Ahmadi was transferred less than a week later to the Ministry of Intelligence detention facility in Sanandaj where he spent the next eight days. He was repeatedly tortured and otherwise ill-treated, including by beatings, lashes, a reduced food supply and restricted toilet breaks (once a day). He was transferred to Marivan for six days and then back to Sanandaj's Ministry of Intelligence facility for a final 20 days. He was forced to sign or fingerprint notes of his interrogation while blindfolded. He was then compelled to memorize the replies for the purpose of a recorded interview. If he forgot or strayed from what he was supposed to say, he was beaten by the interrogator.

Following another period in Sarouabad Prison, Madeh Ahmadi was sentenced to three months' imprisonment and a fine in connection with an illegal border crossing. When release on bail was denied, he sewed his lips together to protest. Following a hunger strike, Madeh Ahmadi was released on bail in November 2005. In January 2006, following questioning – and possibly threats – from interrogators, he went into hiding in Kordestan for almost one year but then, following a raid on his home, he fled Iran. He was later sentenced in his absence to five years' imprisonment.

⁸³ Also known as "*dastband qapani*", or the "bound qapani".

6. Unlawful killings by security forces

The killing of Shawan Qaderi and two other men in Mahabad in July 2005, described above, marked an extreme failure of the security forces to abide by international standards governing the use of lethal force.⁸⁴ Following the killings, the security forces repeated this failure as they responded harshly to mass protests.

On 15 July, security forces reportedly fired live ammunition into a crowd of demonstrators, and large numbers of troops and helicopter gunships were deployed in the Mahabad region. Up to 20 people were reportedly killed and hundreds more injured during the unrest. The authorities acknowledged that five people were killed, and stated that their deaths were under investigation. The findings were never made known.

In February 2006, clashes between Kurdish demonstrators and the security forces in Maku and other towns reportedly led to at least nine deaths of protestors. The following month, Kurdish members of the Majles wrote to President Ahmadinejad demanding an investigation into the killings and calling for those responsible to be brought to justice. An investigation was reportedly set up, but its findings are not known.

On 16 February 2007, three Kurds were reportedly killed by security forces during a demonstration in Mahabad – 18-year-old Bahman Moradi, a woman called Malihe and one person whose name is not known to Amnesty International. Dozens of others were reported to have been injured.

There have also been suspicious deaths in custody. Student Ebrahim Lotfallahi, 27, was arrested on 6 January 2008 while sitting a university exam in Sanandaj. His parents visited him a few days later but on 15 January they were told that he had committed suicide and that his body had been buried already in a part of Sanandaj cemetery usually reserved for those opposed to the Islamic Republic of Iran. The distraught family asked for the body to be exhumed and examined by an independent pathologist. By May 2008, permission for the exhumation had not been granted.

⁸⁴ For example, Articles 2 and 3 of the UN Code of Conduct for Law Enforcement Officials; and Principle 4 of the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

Outside Iran

In former years, the Iranian authorities are believed to have instigated or carried out extra-territorial acts against opponents, including prominent Kurds. For example, Iranian government agents were suspected of murdering Dr Abdol-Rahman Ghassemlou, former Secretary-General of the KDPI, in July 1989 in Austria. He was attending a meeting arranged by Iranian officials ostensibly to discuss a peace settlement in respect to the post-revolutionary insurgency in the Kurdish regions of Iran.⁸⁵

Three leading KDPI members – Dr Mohammad Sadigh Sharafkandi (Dr Abdol-Rahman Ghassemlou's successor), Fatah Abdoli and Homayoun Ardalan – and an associate, Nourollah Mohammadpour Dehkordi, were killed in September 1992 in Germany, where they were due to take part in the Congress of the Socialist International. The verdict of the trial that resulted from the incident concluded that that the killings had been carried out by personnel of the Iranian Special Operations Council of the Ministry of Intelligence and people recruited by Iranian Ministry of Intelligence agents. The court found that the operation had been authorized by the Iranian government's Special Affairs Committee headed by Supreme Leader Ayatollah Ali Khamenei. After a trial lasting three and a half years, four individuals who had been apprehended by the German authorities – three Lebanese nationals and one Iranian – were sentenced to jail terms for their roles in the attack. All are now believed to have been freed.

The Berlin Court of Appeals verdict on 10 April 1997 concluded that the Iranian government had been directly involved in the killings, assigning responsibility to a state other than Germany for the first time in a murder trial.⁸⁶ The Iranian government condemned the verdict. President Rafsanjani, then in office, asserted that it was a politically-motivated judgement and that it would be remembered as 'shameless'.⁸⁷

In addition to targeted assassinations, the Iranian authorities have been responsible for other unlawful killings outside Iran. In June 2007 Iranian forces shelled Iraqi Kurdish villages in what appeared to be grossly disproportionate attacks. The

⁸⁵ *Murder at Mykonos: Anatomy of a Political Assassination*, Iran Human Rights Documentation Center, March 2007.

⁸⁶ *Murder at Mykonos*, op cit. In December 2007, the Iranian national sentenced to life imprisonment was returned to Iran, as part of an unspecified prisoner exchange.

⁸⁷ *Murder at Mykonos*, op. cit., page 19

operation allegedly killed Iranian Kurds thought to be members of opposition groups, who may have been involved in operations against Iranian security forces. Such attacks on Iraqi villages continued, on and off, for several months, despite protests by the Iraqi authorities. As a result, thousands of Kurdish villagers, Iranians and Iraqis, fled their homes and joined other internally displaced people in Iraq.

In August 2007 Iraqi Kurdish officials expressed concern about the clashes between Kurdish fighters and Iranian forces in the remote border area of north-east Iraq, where the Iranian authorities had deployed thousands of Revolutionary Guards.⁸⁸ The officials said four days of shelling by Iranian forces had hit mountain villages inside Iraq, forcing about 1,000 people from their homes.

7. The death penalty and unfair trials

Abdolwahed (known as Hiwa) Butimar and Adnan Hassanpour, were both imprisoned and facing possible execution in May 2008.⁸⁹ Hiwa Butimar, head of the Green Mountain Society, an environmental organization, was arrested on or around 23 December 2006. Adnan Hassanpour, a Kurdish journalist who had worked with the banned *Asou* publication and an advocate of cultural rights for Iranian Kurds, was detained on 25 January 2007. Both were reportedly held incommunicado in a Ministry of Intelligence facility in Marivan, Kordestan province, and transferred to Marivan Prison on 26 March 2007. They reportedly appeared before a Revolutionary Court in Sanandaj on 12 June 2007.

On 15 July 2007 the men were reportedly taken to an unconfirmed place of detention, possibly the detention facility run by the Ministry of Intelligence in Sanandaj. Two days later they were told that they had been sentenced to death on charges of espionage and *moharebe* ('enmity against God'). In October 2007, the death sentence against Adnan Hassanpour was upheld by the Supreme Court, while that of Hiwa Butimar was overturned and the case sent back to a lower court for reinvestigation.

His lawyer, Saleh Nikbakht, said that Hiwa Butimar had been charged with carrying lethal weapons, although he denied his client had ever done so, and stressed that

⁸⁸ "Kurds flee homes as Iran shells villages in Iraq", *Guardian Unlimited*, 20 August 2007, <http://www.guardian.co.uk/Iraq/Story/0,,2152325,00.html>

⁸⁹ For more information concerning Adnan Hassanpour and Abdolwahed Butimar known as Hiwa, see Urgent Action appeal (AI reference MDE 13/133/2007), 13 November 2007 - <http://www.amnesty.org/en/library/asset/MDE13/133/2007/en/dom-MDE131332007en.html>

Hiwa Butimar had not been in contact with any armed group.⁹⁰ Following a further investigation, in April 2008, his death sentence was upheld by another lower court in Mariwan. The charges against Adnan Hassanpour included “a phone conversation he had with a staff member of Radio Voice of America”, which was deemed to have been contact with the US State Department. He was told that he was sentenced in connection with allegedly revealing the location of military sites and establishing contacts with the US foreign affairs ministry and assisting in the flight from Iran of a person wanted for questioning by the judiciary. Taken together these were considered as amounting to the capital offence of *moharebe* (‘enmity against God’). The Supreme Court upheld this conclusion and therefore upheld the death sentence.



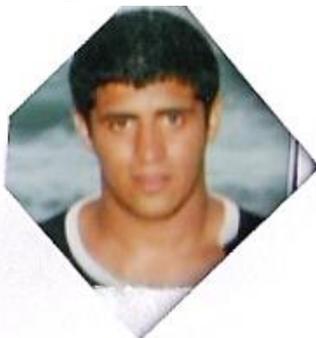
Farzad Kamangar
© Private

Teacher Farzad Kamangar was detained by Ministry of Intelligence officials in May 2006. The exact basis for the arrest is not known. In the course of some four months, his whereabouts, like that of two others, Ali Heydarian and Farhad Vakili, was unknown. Farzad Kamangar’s family then learned that he was held in Evin Prison. After seven months, he was permitted his first visit by a family member, although even then it was not a private visit; prison guards were present and Farzad Kamangar and his relative were required to speak in Persian. Farzad Kamangar (part of whose testimony can be

found in an appendix to this report) was repeatedly and systematically tortured over a period of at least two years prior to being sentenced to death by a lower court on 25 February 2008, following a grossly flawed trial. According to Iranian press reports, in June 2006 he had travelled to Tehran along with two other Kurdish activists and traces of explosive powder and a gun were later found in the house and in a car that they had used. Following this they were arrested.

⁹⁰ <http://www.roozonline.com/english/archives/2007/07/006302.php>.

On 4 December 2007 Makwan Moloudzadeh, an Iranian Kurdish juvenile offender, was executed following a grossly flawed trial for an offence he allegedly committed at the age of 13. He was convicted of the alleged rape of three individuals. The alleged victims withdrew their accusations in July 2007 during the trial, which was held in a criminal court in Kermanshah with sessions held in Paveh. They reportedly stated that they had either lied or had been forced to “confess” in relation to the rape allegations.



Makwan Moloudzadeh
© Private

In sentencing Makwan Moloudzadeh to death, the judge relied not on the evidence but on his “knowledge” that Makwan Moloudzadeh could be tried as an adult and that the alleged offence had been committed. According to Article 120 of the Penal Code, in cases of anal sex between men, the judge “can make his judgement according to his knowledge which is obtained through conventional methods”. Reports suggested that Makwan Moloudzadeh, a Kurdish speaker, did not understand all of the court proceedings, which were conducted in Persian.⁹¹

Iran’s Penal Code distinguishes five types of crime: *hodoud* (crimes against divine will); *qesas* (retribution in kind); *diyeh* (compensation); *ta’zir* (crimes that incur discretionary punishments applied by the state that are not derived from Islamic law); and deterrent punishments, which include fines. The death penalty is provided for certain *hodoud* and *ta’zir* crimes, and is available under *qesas* for murder.

Judges have a wide degree of discretion in deciding whether a particular crime is so serious that it amounts to one of these categories and therefore can be punished by death rather than a term of imprisonment or other penalties.

Under international human rights law, those suspected of, or charged with, crimes punishable by death are entitled to the strictest observance of all fair trial guarantees at all stages of the legal proceedings, including during the investigation stage, as well as to certain additional safeguards such as the right to a commutation of the sentence.⁹²

⁹¹ See, *Iran: The last executioner of children* (AI Index: MDE 13/059/2007) June 2007, and <http://web.amnesty.org/library/index/engmde130592007>

⁹² Article 6 of the ICCPR.

One of the key safeguards for a fair trial, enshrined in international law, is a defendant's right to a lawyer at all stages of the judicial process.⁹³ In Iran, defendants only have the right to a lawyer after investigations have been completed and formal charges lodged. This results in prolonged periods of incommunicado detention as well as interrogation without the presence of a lawyer, both of which facilitate the use of torture or other ill-treatment to obtain confessions.⁹⁴

The Islamic Penal Code specifies that confessions to *hodoud* and *qesas* offences may be used as a sole means of proving an offence,⁹⁵ heightening the risk that defendants will be unfairly convicted on the basis of confessions that were not freely given.

Lawyers may be present during committal proceedings, but are not allowed to speak until the end of proceedings. In "sensitive" cases, the judge has the discretionary power to exclude lawyers from the hearing that decides the sentence.⁹⁶ If a defendant cannot afford a lawyer of their own choice, one is appointed for them by the court.

Other serious failings in Iran's justice system include: lack of access to a lawyer of one's choice; pre-trial detention of suspects, sometimes in unofficial detention centres outside the official prison system, which facilitates the use of torture or ill-treatment to extract confessions; denial of the right to call defence witnesses; failing to give adequate time to the defence to present its case; and imprisoning defence lawyers if they protest against unfair proceedings.⁹⁷

Such failings are particularly serious in capital cases. They also increase the likelihood that defendants from Iran's Kurdish and other minority communities, who face systematic discrimination by the state and may not speak the language of the court, will be victims of miscarriages of justice.

⁹³ For example, Article 14 of the ICCPR.

⁹⁴ The right to communicate with counsel requires that the accused be granted prompt access to counsel. Counsel should be able to meet their clients in private and to communicate with the accused in conditions that fully respect the confidentiality of their communications. Furthermore, lawyers should be able to advise and to represent people charged with a criminal offence in accordance with generally recognized professional ethics without restrictions, influence, pressure or undue interference from any quarter.

⁹⁵ Other means of proving such crimes include testimony of witnesses or the knowledge of the judge "obtained through conventional methods".

⁹⁶ Article 15 of the Code of Criminal Procedure. In cases involving capital punishment, it is axiomatic that the accused must be effectively assisted by a lawyer at all stages of the proceedings (referring to Communications No. 985/2001, *Aliboeva v. Tajikistan*, para. 6.4; No. 964/2001, *Saidova v. Tajikistan*, para. 6.8; No. 781/1997, *Aliev v. Ukraine*, para. 7.3; No. 554/1993, *LaVende v. Trinidad and Tobago*, para. 58.)

⁹⁷ Report of the Working Group on Arbitrary Detention, 27 June 2003, E/CN.4/2004/3/Add.2.

The UN Human Rights Committee has stated that “the death penalty should be quite an exceptional measure” and should only be handed down after a trial that observes all the procedural guarantees for a fair hearing.⁹⁸ Amnesty International opposes the death penalty in all cases because it violates the right to life and the right not to be tortured or subject to any cruel, inhuman and degrading punishment.

8. Recommendations

Amnesty International calls on the Iranian authorities to end discrimination against Kurds and ensure that Kurds and all other members of minority communities in Iran – men, women and children alike – can access and enjoy their full range of human rights.

Specifically, Amnesty International makes the following recommendations to the Iranian government:

On discriminatory laws and practices, including in relation to religion and culture:

- Review all legislation with a view to removing all provisions that discriminate against or have a discriminatory impact on ethnic, religious and other minority communities.
- Issue directives and take effective measures to counter the discriminatory application of laws in order to ensure that all Iran’s minority communities enjoy their full range of civil, political, economic, social and cultural rights.

On employment:

- End the discriminatory *gozinesh* criteria governing employment, including appointment to public office.

On housing:

- End forced evictions and any policy of land expropriation or population transfer that is discriminatory or otherwise contrary to international human rights law and standards.
- Ensure that forced evictions are carried out only as a last resort and in accordance with due process of law, following consultation with those affected, assurance of adequate alternative accommodation, with compensation and in compliance with international human rights law.

On education:

⁹⁸ Human Rights Committee, General Comment No. 6 on the right to life, para. 7.

- Take measures so that members of minority communities can be taught in their mother tongue and have adequate opportunities to learn their mother tongue.

On the rights of girls and women:

- End legal discrimination against women, including by modifying or abolishing laws (such as the Penal Code), regulations, customs and practices that discriminate against women in family matters or which permit such discrimination to exist. Specifically, ensure that women are given legal equality in respect of the right freely to choose a spouse and for the care and custody of children during marriage and its dissolution, as well as in matters relating to inheritance, housing, work and other economic activities.
- Ratify promptly and without reservation the UN Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol.
- Publicly condemn all violence against women and girls, including violence in the family.
- Criminalize discrimination and violence against women, and put in place measures, such as training of state personnel, to ensure the law is implemented.
- Ensure that “honour” crimes and violence in the family are treated as serious criminal offences, and are appropriately investigated and punished.
- Investigate promptly, impartially and thoroughly all murders, attempted murders and apparent suicides of women, with a view to bringing to justice those responsible for violence against women.
- Take concrete steps to reduce self-immolation by Kurdish women and girls.
- Use the findings of women’s rights NGOs on violence against women to plan and implement public education awareness campaigns.
- Ensure women’s human rights defenders are free to act without threat or hindrance by the state or non-state actors when going about their legitimate activities.
- Implement effective measures to ensure gender equality in education, prioritizing the training and recruitment of female teachers and making it compulsory for girls to attend school till the required age of 14.

On the rights of human rights defenders:

- Adopt and take into domestic legislation the measures set out in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

- Translate into Persian and relevant minority languages and disseminate widely within Iran the UN publication *Human Rights Defenders: Protecting the Right to Defend Human Rights*, also known as Factsheet 29, which describes the work of human rights defenders and issues relating to their protection.

On torture and other ill-treatment, including use of lethal force:

- Publicly condemn torture and other forms of ill-treatment.
- Take urgent steps to ensure that no one is tortured or otherwise ill-treated, including by ending the practice of prolonged incommunicado detention.
- Order a thorough and impartial investigation into all allegations of torture and other ill-treatment, bring to justice those responsible for any abuses, and give full reparation to the victims.
- End the use of televised forced “confessions” which breach the right to the presumption of innocence and the right not to be compelled to testify against oneself or to confess guilt.
- Ratify the UN Convention against Torture and its Optional Protocol.

On trials:

- Review the use of all special courts in Iran, including Revolutionary Courts and the Special Court for the Clergy.
- Ensure that all trials, including in capital cases, respect as a minimum the relevant fair trial and due process provisions of the ICCPR.
- Release immediately and unconditionally all prisoners of conscience.
- Order the prompt fair retrial in ordinary courts or release of all those imprisoned for alleged political offences.

On the death penalty:

- Commute all death sentences and order a moratorium on executions in line with the December 2007 UN General Assembly resolution calling for a worldwide moratorium on executions.
- Review all legislation under which a convicted person may be killed by the state, with the immediate aim of reducing the scope of the death penalty and with a view to the eventual abolition of the death penalty.
- Revise legislation to ensure that anyone sentenced to death can seek pardon or commutation of their sentence, in line with Iran’s obligations under Article 6(4) of the ICCPR, and be permitted adequate time and opportunity to do so.
- Review law and practice to ensure that no one aged under 18 at the time of their alleged crime may be sentenced to death.
- Review all pre-trial and trial safeguards set out in the code of Criminal Procedures as they relate to capital crimes with a view to implementing the minimum safeguards set out in the international treaties to which Iran is a

state party, with a view to abolishing subjective criteria such as reliance on the 'judge's knowledge'.

On co-operation with international human rights bodies:

- Facilitate as a matter of priority the outstanding requests to visit Iran made by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, the Working Group on enforced or involuntary disappearances, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on torture, and the Special Rapporteur on the independence of judges and lawyers, and give consideration to inviting the UN Independent Expert on Minorities to visit Iran including Kurdish and other minority areas; and continue dialogue with the Special Rapporteurs on adequate housing and violence against women and work towards the implementation of their recommendations.
- Invite the UN Special Representative of the Secretary-General on the situation of human rights defenders, along with the UN Independent Expert on minority issues, to assess the situation facing Kurdish human rights defenders and to make recommendations to the government.
- Invite other independent bodies, such as Amnesty International, to visit Iran, including Kurdish and other minority areas and to engage in discussion of human rights concerns.

Appendix 1: Prohibition on the building of Ahl-e Haq places of worship

The text below has been entered above the image of the letter to facilitate legibility.



احتراماً به پیوست تعهد نامه شماره 1312/3780 مورخه 1386/6/29 وزارت کشور
وجه در خصوص تحرکات فرقه اهل حق مبنی بر احداث بنای جمعخانه فاقد هر گونه
قانونی شرعی بوده لذا از هر گونه معرفی نامه یا مکاتبه با ادارات وارگانها جداً
خودداری کنید. جهت ملاحظه و دستور اقدام مقتضی ارسال می گردد

سید مصطفی ابتهی
مدیر کل امور شوراهای
کتابخانه

کتابخانه استانی کرمشاه
شماره سند: ۴۸۸۱۱۱۱۱۱۱

کرمشاه
شماره سند: ۴۸۸۱۱۱۱۱۱۱

Kermanshah Governor General

Date: 22/10/07

To: Local [district] Governors

Following instruction made by Ministry of Interior No.1312/3780 dated 20/09/07 regarding the movements and activities of the Ahl-e Haq [community] in respect to the construction of “Jam’e-khane” [Houses of Worship], [it is noted that their] establishment has no basis, legally or with respect to the Shari’a [Islamic Law].

Please refrain from any correspondence and communication with any public authority [on this]. This is sent for [your] observation and instruction for appropriate action.

Seyed Mostafa Abtahi

Director General of the Councils

Appendix 2: Forced reporting on activities of non-recognised minorities in schools

۲۵۰
۷۵ / ۹ / ۱۰

جمهوری اسلامی ایران
وزارت آموزش و پرورش
اداره کل آموزش و پرورش شهرستانی آستان تهران
آموزش و پرورش منطقه شهر قدس

اداره: _____
تاریخ: _____
شماره: _____
پوست: _____

بسمه تعالی

مدیر محترم آموزشگاه

سلام علیکم

با احترام ، مستدعی است چنانچه در آن واحد آموزشی دانش آموزان و احیاناً " همکارانی از فئودال (بهائیان علی الهی ، اهل حق و) اشتغال دارند نرم نسیل را به طور جداگانه (برای دانش آموز و همکار) تکمیل و حداکثر دو هفته پس از دریافت این بخدمت نامه به دفتر حراست اداره ارسال فرمائید .

انگیزه می نمایم هرگونه فعالیت و تبلیغ و جو سازی از سوی افسراد فئودال در آموزشگاه ممنوع می باشد و باید تابع تمامی ضوابط و مقررات مدرسه باشند . /ش

چهارم خرداد
رئیس اداره آموزش و پرورش منطقه شهر قدس

ردیف	نام و نام خانوادگی	نام پدر	شماره شناسنامه	پایه و کلاس	عنوان فرتسه	توضیحات

نام و نام خانوادگی مدیر آموزشگاه
تاریخ و مهر و امضاء

Ministry of Education

Date: 01/12/97

Tehran Province Education Authority / Very Confidential

Shahr e-Ghods Local Education Authority

To the Head of School/ Institute (unnamed):

I am writing to ask you if there are any students and staff from subversive sects (*Feragh e Zalleh*), [such as] the Bahai, Ali-Elahi, Ahl-e Haq etc. in your in your institution, [and to request that you] please report their details individually on the forms provided and send them back to the Security Office of the Department of Education within a maximum of two weeks upon receipt of this directive.

It is necessary to add that any activity and propaganda by the above mentioned individuals is forbidden in your institute/school. These matters should be in compliance with all the regulations and regulation of the institute.

Signed: Jafar Najafi

Head of Education Authority/ Region of Shahr e Ghods

Appendix 3: Further example of reporting on activities of non-recognised minorities in schools


 جمهوری اسلامی ایران
 وزارت آموزش و پرورش
 اداره کل آموزش پرورش شهرستانهای استان تهران
 آموزش پرورش منطقه شرق تهران

ص ۴

به مسائل عبادی همچون نماز ، روزه و قرآن و پرورش روحیه امر به معروف و نهی از منکر با همکاری ستاد تربیتی و مشاورین مدارس صورت پذیرد .

۲۱) مشکلات اخلاقی و رفتاری دانش آموزان حتی الامکان در خود مدرسه با درایت و همفکری لازم مسئولین مدرسه اعم از مدیر و معاونین و ستاد تربیتی و مشاورین محترم مدرسه حل گردد و در صورت حاد شدن و بعد از طی همه مراحل تا دیمی به اداره و مقاطع مربوطه ارجاع گردند . البته گزارش کتبی موارد مربوطه به این واحد ضروری است .

۲۲) لازم است مدیران محترم در جهت شناسایی و معرفی دانش آموزان و احیاناً " همکاران منتسب به فرقه های ضاله و غیرضاله من جمله (مسیحی ، زرتشتی ، کلیسی ، بهائی ، اهل حق ، علی الهی ، سنی ، اتباع خارجی و) در لیستها و فهرستهای جداگانه برابر نمونه فرم پیوستی اقدام و به طور محرمانه به این واحد ارسال نمایند .

۲۳) با توجه به استفاده بعضی همکاران از سرویس سلیمان و بعضاً " رعایت نشدن شیوهای اخلاقی در داخل سرویسها و نارغاهتی همکاران دیگر از نشستن همکاران خواهر در صندلی های ردیف جلو (پشت راننده) غیرمعمولاً کیدات قبلی این واحد مستدعی است مدیران محترم این قضیه را به نحوی به همکاران فوق گوشزد نمایند .

۲۴) مقتضی است مدیران محترم هرگونه اخبار و شایعاتی که حتی در اطراف آموزشگاه مطرح می گردند جهت بهره برداری لازم بطور کتبی به این دفتر منعکس نمایند .

۲۵) بعضاً " مشاهده شده که عده ای از مدیران مدارس و همکاران فرهنگی خارج از وظایف املی و برخلاف حیطه مسئولیتی خویش که باید مختص به مسائل تعلیم و تربیت باشد در ساعات آموزشی و اداری به طور افراطی وارد در مسائل سیاسی ، اجتماعی شده و جوار و چنجالهای خطی و جناحی به راه می اندازند و در نتیجه و تشکیلات مخفیانه ای که مجسوز شرعی و قانونی هم ندارد اقدام به کارهای غیرمسئولانه و غیرفرهنگی می کنند که نتیجه ای جز زیرسؤال رفتن حیثیت شهر فرهنگی ، نامن زدن به مشکلات سیاسی ، اجتماعی و فرهنگی منطقه و ایجاد تفرقه و دودستگی در بین اقمشار فرهنگی نداشته است و خود نوعی جبهه گیری در قبال مسئولین و کارکنان نظام اسلامی بوده است ، لذا از این جهت شنیداً " توصیه می گردد که من بعد شاهد این گونه موارد نباشیم و در صورت وجود طبق مقررات - برخواستورد قانونی صورت می پذیرد .

۲۶) مقتضی است مدیران محترم کلیه بخشنامه های محرمانه موجود و اسالی به آن واحد آموزشی را در

NB: This is an incomplete excerpt of a document

21- Behavioural and moral issues are to be resolved and settled in school, by staff and counsellors and if the case becomes serious, it is referred to the [relevant] department after all disciplinary measures have been implemented.

22- It is essential that all Heads of schools/ institutes identify students and staff affiliated and belonging to subversive and non-subversive sects (*Feragh e Zalleh* and non-Zalleh) including: Christians, Zoroastrians, Jews, Baha'is, Ahl-e Haq, Sunnis, foreign nationals and to report [on] them individually on the form provided, [including] their details and to send back the form to this office, confidentially.

23- It is necessary to alert all staff in connection with Islamic values and codes of behaviour, [...] to comply with these codes and values as some female colleague (sisters) sit in front rows [of buses] just behind the driver despite previous notifications as we had complaints. They should be reminded of these codes by the Head of the institutes.

24- It is necessary for Heads to report to this office in writing any news or ongoing rumours or events happening around school.

25- It has been reported that some colleagues and principles of the schools are participating in political and social debates in working hours. It has been reported that these colleagues also attend illegal meeting which is against their professional code of practice. These will undermine the educational and cultural values and cause separation and polarisation in community. It is confrontation with the government. Therefore it is strongly advisable to avoid these behaviour and those who fail to do so will face serious consequences

26- It is necessary that all the principles of the institutions treat and handle the current and following directive letters and instructions to sent to their institute with [Discontinued]

Appendix 4: Partial testimony of Farzad Kamangar

This text, which has been edited, was widely circulated on the internet in April 2008. Amnesty International does not know who made the translation, for which it does not take responsibility.

I am Farzad Kamangar, also known as Siamand; a teacher who used to work in the Iranian governmental education system in the town of Kamyaran, with 12 years experience of teaching.

One year before my arrest, I was busy teaching at the Karvdanesh institute. I also was a member of the board of directors of the teachers of Kamyaran association in the Kurdistan branch and up to the point of disbandment of the association and just before the activities of the association was banned by the government; I was the head of PR. Also I was a member of the guild writers of a cultural/educational monthly called Royan, which later came to be under the siege of the governmental education system and was later blocked.

For some time I was also a member of the environmental society in Kamyaran and from 2005 onwards I begun with my human rights activities and eventually came to be one of the writers for the human rights association. I travelled to Tehran in August 2006 in order to follow up on the health of my sick brother, who is also a political activist, and there I was arrested.

On the same day I was transferred to an undisclosed location. It was a basement without and ventilation, claustrophobic and dark, the cells didn't have any floor just plain dirt, nothing was there neither a mattress nor a cover or anything else. It was very dark there; I was taken to another room. While they were writing down my details they asked me of my origins as soon as I said "Kurd" they flogged me all over my body with a hose looking whip. Because of [my] religion I had to endure profanities, insults and beating. I was even severely battered because of the Kurdish ringtone that I had on my mobile. They would tie my hands and put me on a chair and put heavy pressure on various sensitive parts of my body...they would remove my clothes with force and threatening me with rape with a baton or sticks.

My left foot was brutally injured at this location and because of the simultaneous hits to my head as I was electrified I passed out and ever since I gained my conscious I

have lost the sense of balance in my body and now shake without any control. They would chain my feet and with electric shocks who was created by small appliances that they had tied to my back, they would shock different sensitive areas of my body, they pain was immensely agonizing.

I was later transferred to the villainous 209 lockup of Evin prison. I was blindfolded as soon as I entered and in the entrance corridor (floor level- left-hand side further up than the room for execution of orders) I was put in a small room where I was battered severely with punches and kicks there as well. The following day, they transferred me to Sanandaj prison until they would arrest my brother. From the moment I entered the lockup I was facing profanities, insults and battering. I was not even allowed the usage of toilet facilities, until I was forced to wet myself. After enduring a lot of the physical and psychological pressure I was once again transferred to the 209 lockup. In the rooms on the first floor (the green interrogation rooms) I was interrogated and battered and tormented.

After all the torture I had to endure, they were forced to take me to a doctor on the Sunday 27 August 2006. His office was connected to the interrogation rooms, where the doctor recorded the bruises from the torture, flogging and battering. They were clearly visible on my back, neck, head, rear, thighs and feet. I spent the two months of August and September in solitary confinement cell number 43. Because of the magnitude of the tortures and torments I had to endure I went on a hunger strike for 33 days, they started to harass and threat my family, in order to free myself from the torture and to demonstrate against the ill treatment and the pressures against my family, I threw myself down the stairs of the first floor in order to commit suicide.

I spent close to a month in solitary isolation, at the end of the first floor, in section 113 [of the prison]. It had a horrible stench. During this period I was not allowed to have visits nor telephone calls with any member of my family. During the 3 months of solitary confinement I was not allowed to go out in the free air. After enduring these months they moved me to a bigger cell, cell number 10, a cell intended for several persons, and I spent close to two months there. Still I was not allowed to have any contact with a lawyer or my family.

In the beginning of January of 2007 I was transferred from the 209 facility in Tehran to the Ministry of Intelligence's detention centre in Kermanshah, situated in Naft Square without any charges or due process. The centre's cells were small and dark and all kinds of crimes were committed there.

[At the Kermanshah facility] they removed all my clothes and after having battered me, they gave me dirty and stinking clothes and with kicks and punches in the hallway of the lockup took me to the room of the security officer in charge and from there to a another corridor which they entered in a small door.

There was a really small cell hidden far away from everybody else and so far that even my screams couldn't reach anybody else. This cell was 1.6m by 0.5m. Two small light bulbs were hanging from the roof. There was no ventilation. The cell used to be a toilet before and was really stinking and cold. There was one really dirty duvet in the cell. Every time I would wake up unexpectedly I would hit my head on the wall. The cell was dreadfully cold. In order to breathe sometimes I was forced to lay my face down on the ground and breathe through the small gap between the door and the floor.

During my sleep or rest the guards would periodically knock hard on the door in order to disturb my rest or they would turn off the lights. Two days after my arrival at the prison I was taken to the interrogation room and without posing one single question they started to kick and punch me. They swore and insulted me however they could. Afterwards I was taken back to my cell; they turned on the radio an put it on the highest volume in order to disturb my rest. I was allowed to go to the toilet two times every 24 hours and permitted to wash myself a few minutes [only] once a month.

The following are examples of the torture that I suffered at the Kermanshah facility:

1. Playing "football" - this was a term used by interrogators when they stripped me of my clothes and four or five persons formed a circle around me. Each one would then pummel, kick and then pass me around, like a football, between each person. If I fell to the ground they would laugh at me and hit me savagely while I was on the floor.
2. They forced me to stand on one leg for hours and hold my hands up high. If I got tired and slouched or dropped my leg or arm they would beat me.
3. During repeated interrogations, I was punched and slapped.
4. In the basement of the centre, whose stairs from the main corridor to free air was covered by trash and breadcrumbs to hide it from others, there was another torture room to which they would take me at night fall and there they would tie my hands and feet to a bed and using a whip which they called "Zolfaghar". Then they would flog the soles of my feet, then my thighs and finally my back. The pain was unbearable and I could not even walk for days.

5. They had a 'cold' room, so called because it was cold and in the winter they would take me there in the morning, saying it was for 'interrogation'. In fact, they [merely] incarcerated me there from morning to the following dawn and there was no interrogation.
6. In the Kermanshah facility they applied electric shocks to the body, especially to various sensitive parts of the body.
7. I was not allowed to use a toothbrush or toothpaste and was given tiny amounts of leftover food which stank and was completely unfit for human consumption.

At the Kermanshah lockup they prohibited me from having any visits and went so far so as to arrest a woman that I was interested in. Problems were created for my brothers and they too were arrested. Because of the filth present in the cell, on the blanket and my dirty, unwashed and stinking, unhygienic clothes, I got skin problems [fungus infection] and I wasn't even allowed to visit a doctor. I undertook a hunger strike lasting 12 days when the torture became more severe.

For the last 15 days, they changed my cell to a cell that was even more foul smelling and even filthier. It had no heating facilities. Every day I had to endure more insults and pummelling to the extent that one day I even passed out. This was because of the injury inflicted to my testicles. One night in the torture room (basement) they stripped me and threatened me that they were going to rape me right there and in order to be released from torture I banged my head hard on the wall. They forced me to confess to emotional matters and relationships [that I simply had to say under duress]. The sound of sighs and screams could be heard from nearby cells where detainees would sometimes commit suicide.

On 18 March 2007 I was transferred back to Evin prison's section 209, in Tehran. Even though I was put in the multi-person cell, number 121, they continued to prohibit me from having any visitors. They still tortured me both physically and psychologically and arrested my family members, whom I was prohibited from contacting, as the profanities and insults and beating persisted.

In May 2007, after months of limbo, my case came before the Branch 30 of the Revolutionary court. The interrogators threatened me that they would seek with all their power to have me executed or imprisoned for a considerable time. In case I was proved innocent, they made it clear I would face their vengeance outside of prison.

They had a strange, singular hatred towards me as a Kurd, journalist and a human rights activist. No matter what was going on they never stopped torturing me.

The revolutionary court in Tehran announced that the case was not going to be heard in Tehran and the case was sent to the court in Sanandaj. When they felt exposed to the support I received from people or from human rights associations against my arrest and detention, the torture worsened as they got more frustrated and then they would increase the pressure on me.

In August 2007 I was transferred to the Ministry of Intelligence's detention facility in Sanandaj. It became my "worst nightmare" and I will never be able to forget it. It will haunt me for the rest of my life.

Even though in law I faced no new accusation, they too launched into both physical and psychological terror as soon I entered the facility.

The Sanandaj facility had a main corridor, off which ran five side corridors. I was initially placed into the last cell, in the last corridor. Then they proceeded to change my cell - all the time - until the day that the head of the centre, along with some others started to beat me without any reason.

They dragged me out of my cell and then pounded the back of my head until I fell to the ground, unconscious. I learned later that they then dragged me down 18 steps to a basement and the interrogation rooms there.

Later I opened my eyes and immediately felt a colossal pain rip through my face and head and through my sides. Regaining consciousness provoked another round of beating and I was punched and kicked all over my body. After approximately one hour of battering, they dragged me back up the stairs and into the second hallway. There they threw me into a small cell where I was once again beaten by two security thugs until I again lost consciousness.

When I came to I heard the evening call to prayer. My face was bloody while my clothes were drenched in filth and my blood. My face was swollen; my whole body was black and blue and I didn't have the power to move. A few hours later they picked me up, stripped me then threw me and the clothes in a shower in an attempt to clean both.

They put me back into my wet clothes but because my health had seriously deteriorated they had me checked over. The following day they took me to a doctor's office outside the prison. Because of the injuries to my teeth and jaw I was not able to eat for several days. During the nights they opened the windows in the cell so the cold would get to me. They refused to give me a blanket so I was forced to wrap the filthy carpet around me to keep warm.

[In Sanandaj] I was not allowed access to the routine periods of 'free air' time, visits or telephone calls and again and again I was beaten in the basement interrogation rooms. I undertook a five day hunger strike in protest but it did not stop them from frequently smashing my head against the basement walls. Still, no accusation had been made against me, whether in Kermanshah or in Sanandaj.

The famous 'chicken kebab' torture was the expression that head of the Sanandaj detention centre used and he would carry it out most nights when he was there. He would tie the hands and feet [of the prisoner], throw [them] on the floor and flog [them].

One could hear the cries and the screeches of the other prisoners, mainly female, and just these sounds themselves damaged one's soul. They left the windows open during the nights [so that the wails could be heard]. They would soak my clothes [while I was] in the basement, following a series of beatings, then return me to my cell, wet, beaten and having to battle the cold. I was forced to wrap myself in the dirty blanket that was in the cell.

I spent close to two months in solidarity confinement in Sanandaj. Yet, in court, my case was once again dismissed and I was once again transferred back to Tehran. After almost eight months of solitary isolation, physical and psychological torment, I had been deeply affected.

[Finally], I was transferred back to Evin Prison in Tehran and placed in section seven. It is a place where drugs are considered a recreational pastime. On 18 November 2007 I was transferred to Reja'i Shahr Prison, in Karaj [west of Tehran]. It is a high security facility accommodating violent criminals, those who have committed murder, kidnapping and armed robbery [etc]...

Kurds in Iran have long suffered deep-rooted discrimination. Their social, political and cultural rights have been repressed, as have their economic aspirations.

Parents are banned from registering their babies with certain Kurdish names and religious minorities that are mainly or partially Kurdish are targeted by measures designed to stigmatize and isolate them.

Discriminated against in their access to employment, adequate housing and political rights, the economic neglect of Kurdish regions has resulted in an entrenched poverty which has further marginalized Kurds.

Kurdish human rights defenders, including community activists and journalists, face arbitrary arrest, ill-treatment and prosecution when they protest against the government's failure to observe international human rights standards.

When they link their human rights work to their Kurdish identity they risk further violations of their rights. Some, including women's rights activists, become prisoners of conscience – people imprisoned for the peaceful expression of their conscientiously held beliefs. Others suffer torture, grossly unfair trials before Revolutionary Courts and the death penalty.

Amnesty International has previously raised many of the human rights abuses and cases in this report with the Iranian authorities, and urged them to take concrete measures to end discrimination and human rights violations against the Kurdish minority and to uphold the rights of human rights defenders.

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