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IRAN

OBSERVATORY FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS
ANNUAL REPORT 2010

Political context

2009 saw an increasing crackdown on civil society in general and human rights defenders in particular and can be considered as the most severe period of repression for 20 years in the Islamic Republic of Iran. The year was indeed marked by a dramatic deterioration of the situation of human rights. While gross violations of human rights remained rampant, a sharp turn occurred in the aftermath of the June 12, 2009 presidential election, when hundreds of thousands of opposition supporters took the streets of Tehran and other cities to dispute the re-election of the incumbent President Mahmoud Ahmadinejad. During the weeks and months that followed, the authorities responded very harshly and brutally to the peaceful protests, resulting in the death¹, injury and arbitrary detention of numerous individuals. Several thousand protesters were arrested in the capital as well as other cities, including hundreds of political activists and leaders, journalists, student activists and human rights defenders, often without arrest warrant, and held in solitary confinement for months without charge and due process, and frequently with no access to their lawyers and families².

On August 1, 2009, a series of “show trials” began against the post-election detainees, during which disregard of the right to fair trial was clearly illustrated. In one session alone, around 100 detainees, including lawyers, journalists and human rights defenders, were put on trial in court. Many reportedly made forced “confessions” to what the prosecution alleged was a foreign-backed attempt to bring about a “velvet revolution” in Iran and were shown on television incriminating themselves even before standing “trial”. No foreign media were allowed to cover the trials. Detainees were

1/ A committee formed by two of the presidential candidates, Messrs. Mir Hossein Mousavi and Mehdi Karubi, former Prime Minister and Parliament Speaker respectively, announced in September that at least 72 peaceful protesters had been killed by armed security forces and plain-clothes Basiji militia members, either on the streets or under torture and ill-treatment in custody.

2/ The repression was internationally condemned. See in particular United Nations Press Releases, July 7 and June 19, 2009, and European Parliament Press Release, June 16, 2009.

reported to be subjected to torture and harsh interrogations³. Allegations of rape and sexual assaults of male and female detainees were also reported.

Other demonstrations were harshly repressed by Government forces and the Revolutionary Guards-controlled Basiji militia in 2009, in particular demonstrations commemorating the tenth anniversary of the student-led protests of July 9, 1999 in Tehran, the *Qods-Day* at the end of the month of Ramadan, the National Student Day demonstrations of December 7 and the December 27 (Shiite Holy day of Ashura) protests⁴.

Moreover, a few months after the disputed elections, the Government intensified its war against the free flow of information and bolstered censorship with the launch of a new Web Crimes Unit tasked with policing the Internet for “insults and lies”, closing down websites and blogs voicing dissent, the *BBC* signal jamming, thereby raising the question of the responsibility of foreign companies exporting censorship technologies and equipment⁵. Dozens of journalists reportedly fled Iran since the election.

Serious obstacles to freedom of association and muzzling strategies against human rights organisations

In 2009, freedom of association was seriously hampered as the authorities increased restriction on human rights non-governmental organisations. Several human rights organisations were closed during the year and many of their members were arrested or harassed by the authorities. Following the closing down in December 2008 of the Defenders of Human Rights Centre (DHRC), established by five lawyers including the 2003 Nobel Peace Laureate **Shirin Ebadi**, on the eve of a ceremony marking the 60th anniversary of the Universal Declaration on Human Rights, a Government-controlled organisation called the “Students Defenders of Human Rights Centre” was established in Iran in January 2009, with the probable objective of creating confusion with the DHRC. Moreover, on August 1, 2009, the Vice-Prosecutor of Tehran publicly accused Ms. Shirin Ebadi and DHRC of having established relations with foreign forces to organise a “velvet revolution” in Iran. As of the end of 2009, the DHRC offices remained closed. Similarly, the offices

3/ See International Campaign for Human Rights in Iran Statement, August 10, 2009. To that extent, Mr. Malick El Hadji Sow, Vice-Chairperson of the UN Working Group on Arbitrary Detention, Mr. Manfred Nowak, Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and Ms. Margaret Sekaggya, Special Rapporteur on the Situation of Human Rights Defenders, expressed their serious concern over such reports. See UN Press Release, August 13, 2009.

4/ See International Campaign for Human Rights in Iran Statement, December 7, 2009.

5/ See League for the Defense of Human Rights in Iran (LDDHI).

of the Centre for the Defence of Prisoners' Rights were sealed by security officials on September 9, without prior warning and with no reason given by the authorities⁶. In December 2009, Mr. **Emad Baghi**, founder of the Centre and laureate of the 2009 Martin Ennals Award, was arrested and put in detention in section 209 of Evin prison, Tehran. The Iranian Writers' Association, to which the authorities have denied registration, has been unable to hold its general assembly for the past seven years and, in August 2009, the Journalists' Association, a legally registered body, was shut down. Members of the central council of the student alumni group ADVAR TAHKIM, an organisation mainly involved in human rights activities but also in political activities as a pro-reform organisation that supported Mr. Mehdi Karrubi as presidential candidate, were also targeted by the authorities. On November 3, 2009, Mr. **Hasan Asadi Zaidabadi**, in charge of ADVAR TAHKIM human rights committee, journalist, and Spokesperson of the Committee to Investigate Arbitrary Detentions, was arrested at his home in Tehran for "gathering" and "conspiracy against the system", "propaganda against the system", "disturbing the public's minds", "insulting the President", "participating in illegal gatherings" and "spreading false information", on the basis of a summons from the Revolutionary Court, and then taken to section 209 of Evin prison. Between November 3 and 4, 2009, Mr. **Mohammad Sadeghi**, member of ADVAR TAHKIM central council, as well as Messrs. **Kouhzad Esma'ili** and **Hojat Sharifi**, members of the group, and Ms. **Nafiseh Zarekohan**, journalist and wife of Mr. Sharifi, were also arrested. Mr. Hasan Asadi Zaidabadi was released on December 12 and his trial was scheduled on August 3, 2010, Mr. Sadeghi was released after 40 days of detention, and Mr. Esma'ili, Mr. Sharifi and Ms. Zarekohan were respectively released on bail on November 15 and in late December. All remained charged at the end of 2009. Prior to those arrests, ADVAR TAHKIM had called for a participation in demonstrations on November 4, 2009 – the anniversary of the students' movement in 1977 and of the attack of the United States embassy in Tehran in 1979 – in a context where the authorities warned Iranian citizens not to use the protests as a pretext for expressing rejection of the June 2009 election proclaimed results and opposition to the Government. Furthermore, as of the end of 2009, Mr. **Ahmad Zaidabadi**, ADVAR TAHKIM Secretary General, and Mr. **Abdollah Momeni**, ADVAR TAHKIM Spokesperson, remained detained since

June and were reportedly subjected to ill-treatment in order to make false confessions⁷.

Human rights lawyers increasingly targeted

Iranian authorities continued to harass and pursue their crackdown against prominent human rights lawyers in 2009, in particular members and founders of DHRC, in an attempt to prevent them from representing political detainees and reform supporters detained following the disputed presidential election. For instance, on June 16, 2009, Mr. **Abdolfattah Soltani**, lawyer at Tehran Bar Association and founding member of DHRC, was arrested by four plain-clothes officers. His whereabouts remained unknown until July 7, when he was located in section 209 of Evin prison. On August 26, he was released on payment of a USD 100,000 bail, following 70 days of arbitrary detention, including 17 days in solitary confinement. However, as of the end of 2009, he remained accused of “having acted against national security” and had not yet faced trial. Furthermore, on October 2, his passport was seized by the authorities in order to prevent him from leaving Iran for Germany to receive the Nuremberg International Human Rights Award. Likewise, on July 8, 2009, Mr. **Mohammad Ali Dadkhah**, a lawyer and founding member of DHRC, was arrested together with three of his colleagues as well as his daughter, by three plain-clothes persons, without any warrant. His law firm was subsequently closed and doors were sealed with lead. His arrest might be related to his public intervention of July 7 on the Prague-based *Farda* radio station, where he opposed the use of death penalty and criticised the hangings of about 20 persons on July 3, allegedly for drug trafficking. Mr. Dadkhah, who was accused of “keeping weapons, opium as well as documents” evidencing links with foreign “enemies”, was released on bail on September 13 and, as of the end of 2009, had not appeared in court for his trial. On July 21, Mr. **Mohammad Seifzadeh**, another leading human rights lawyer and founder of DHRC, was summoned by the Islamic Revolutionary Court and threatened that measures may be taken to prevent him from continuing

7/ In early January 2010, Mr. Ahmad Zaidabadi was sentenced in appeal for, *inter alia*, “collusion to create rioting” and “propaganda against the system” to six years’ imprisonment, then five years’ internal exile to Gonabad and life-long deprivation of all political activities and written or oral political or news analysis or making speeches. He is now held in Raja’i Shahr prison, near the city of Karaj and far from Tehran, where mostly common criminals are imprisoned. In April 2010, Mr. Abdollah Momeni was sentenced in appeal to a total of four years and 11 months in prison. His charges included “propaganda against the system by giving interviews to counter-revolutionary websites”, “gathering and collusion with intent to act against the national security” and “disturbing the minds of the public”. The indictment mentioned his contacts with Amnesty International and Human Rights Watch as propaganda against the regime.

his human rights activities. As of the end of 2009, no further information could be obtained on Mr. Seifzadeh's situation⁸.

In addition, on June 17, the former Head of the Judiciary, Ayatollah Mahmoud Shahroudi, approved revisions to the bylaws of the 1955 Law establishing the independence of the Iranian Bar Association, giving the Government the ability to deny political critics and human rights defenders the right to practice as lawyers. Indeed, implementing those regulations (bylaws) would give the Judiciary, whose head is appointed by the Supreme Leader and which oversees the Justice Ministry, the decisive role in approving lawyers' licensing applications. However, the application of the new regulations was suspended for six months, and the suspension was then renewed for another six months⁹.

Ongoing harassment against women's rights defenders

Women's rights defenders in Iran continued to face threats and harassment in 2009¹⁰. Members of the "One Million Signatures" Campaign, a grassroots campaign to abolish gender discrimination in Iranian laws, were specifically targeted and regularly harassed by the security forces. No less than 50 members of the Campaign were arrested at various times during the year and some of them, including Ms. **Mahboubeh Karami** and **Zaynab Bayazidi**¹¹, as well as other women including some members of a group known as "Mourning Mothers" remained detained as of the end of 2009. A number of women rights' activists also had to find refuge abroad. For instance, on January 29, 2009, Ms. **Alieh Eghdamdoust**, who is currently serving a three-year imprisonment sentence for her activities in the Campaign for Equality, which has been campaigning against legalised gender-based discrimination and as a result of her participation in the June 12, 2006 protest in Haft Tir Square, was incarcerated in Evin prison, where she remained detained as of the end of 2009. In October 2009, Ms. **Ronak Safarzadeh**, a member of the women's rights organisation "Azar Mehr" in Sanandaj (Iranian Kurdistan) and an active member of the Campaign who has been detained since October 2007 in Sanandaj prison, was sentenced in appeal to six years and seven months' imprisonment for

8/ See LDDHI.

9/ *Idem*.

10/ To that extent, the UN Special Rapporteur on Violence Against Women also underlined that women human rights defenders were specifically targeted in Iran. See Human Rights Council, *Report of the Special Rapporteur on violence against women, its causes and consequences - Communications to and from Governments*, UN Document A/HRC/11/6/Add.1, May 26, 2009.

11/ Ms. Bayazidi was arrested in Mahabad in July 2008 for "propaganda against the State", "membership of an illegal organisation" and "acting against national security" and is serving an imprisonment sentence of four years and a half in Zanjan prison.

“spreading propaganda against the State” and for her alleged and unproven membership of the Kurdish opposition group Free Life Party (“Pejak”). On April 14, the sentence against Ms. **Parvin Ardalan**, another active member of the Campaign, was reduced to one year suspended imprisonment over a period of three years for “disruption of public order” and “refusal to obey the order of the police”. Ms. Ardalan had been arrested in March 2007 in front of the Revolutionary Court as she peacefully demonstrated in support of women’s rights activists. On July 17, 2009, Ms. **Shadi Sadr**, a prominent lawyer, women’s rights activist working with the “One Million Signatures” Campaign, Director of “Raahi” (a legal advice centre for women), founder of *Zanan-e Iran* (a website dedicated to the work of Iranian women’s rights activists) and a journalist for *Meydaan* (an online newspaper on women’s issues), was approached in a crowded street by men in plainclothes as she was walking with several other women’s rights activists. They assaulted her without showing any arrest warrant, forced her into a car and beat her as she was struggling to escape. After having been held in section 209 of Evin prison, she was released on July 28 on payment of a USD 50,000 bail. However, she remained accused of “having acted against national security” and “disobey police orders”¹². In October 2009, the “One Million Signatures” Campaign activist Ms. **Jelveh Javaheri** was given a six months’ prison sentence by the Revolutionary Court for her participation in a peaceful protest in 2008. Ms. Javaheri was targeted on numerous occasions as a result of her work, notably on May 1, 2009, for taking part in a demonstration marking the International Workers’ Day, for which she spent over one month in prison, including sixteen days in solitary confinement. This new sentence was based on charges of “gathering and collusion with intent to act against State security” as she joined other women’s rights activists in commemoration of the National Day of Solidarity of Iranian Women¹³. Furthermore, Ms. **Atieh Yousefi**, one of the most active members of the Campaign in the city of Rasht, was arrested on the Shiite Holy day of *Ashura* (December 27), while trying to assist a young man who had been severely injured by plain-clothes agents. As of the end of 2009, she remained in detention, and a judge denied her family permission to visit her¹⁴.

12/ On May 17, 2010, Ms. Sadr was sentenced to six years of imprisonment with 74 lashes on charges of “acting against national security and harming public order” in relation to her participation in a rally within the framework of the “One Million Signatures” Campaign in March 2007 outside a revolutionary court where four fellow feminists were on trial.

13/ See LDDHI.

282 14/ See International Campaign for Human Rights in Iran Statement, January 5, 2010.

Repression of labour rights activists and union leaders

As in previous years, while workers were again denied the right to form free trade unions, trade union activists continued to face harsh repression in 2009. In particular, Mr. **Mansour Osanloo**, President of the Syndicate of Workers of Tehran and Suburbs Bus Company (*Sherkat-e Vahed*), who was arrested in July 2007 by security services and subsequently sentenced to five years' imprisonment on grounds of "propaganda" and "activities against the State", remained detained as of the end of 2009 in the Raja'i Shahr prison, west of Tehran. Throughout the year, his health continuously deteriorated due to pre-existing medical problems as well as new ones provoked by ill-treatments. Despite the prison doctor's referral, Mr. Osanloo was denied a temporary leave to get necessary medical help. In addition, the Tehran Revolutionary Court confirmed his dismissal on October 21. Mr. **Ebrahim Madadi**, Vice-President of the Union, was also still detained, serving a two-year imprisonment term. As of the end of 2009, Mr. **Hashem Khastar**, a teacher's trade unionist, also remained in jail because of his trade union activities, serving a two-year prison term for "acting against the security of the country"¹⁵. Furthermore, on October 11, 2009, five leaders of the Syndicate of Workers of Haft Tapeh Sugar Cane Company, Messrs. **Ali Nejati**, President of the trade union, **Feridoun Nikoufard**, **Mohammad Heydari Mehr**, **Ghorban Alipour** and **Jalil Ahmadi**, were given sentences to up to six months' imprisonment by the Appeal Court of Dezful and six months sentence suspended over five years – during which time they are barred from all trade union activity – for criticising conditions at their workplace and reclaiming wage arrears¹⁶. Messrs. Ali Nejati, Feridoun Nikoufard, Jalil Ahmadi, Ghorban Alipour and Mohammad Heydari were taken to prison during the first half of November. All but Mr. Nejati were released conditionally or on probation at the end of the year.

Furthermore, independent celebrations of the International Workers' Day on May 1 were once again repressed in 2009. In the days prior to the peaceful rally organised by the 2009 May Day Organising Committee in Laleh Park, Tehran, security forces issued court summons, made threaten-

15 / See International Campaign for Human Rights in Iran Statement, November 9, 2009, and International Trade Union Confederation (ITUC), *Annual Survey of Trade Union Rights*, June 9, 2010.

16 / While Mr. Nejati was arrested on March 8, 2009 and held for over a month in solitary confinement, Messrs. Ahmadi, Nikoufard, Alipour, Heydari Mehr were arrested between March 2 and 3, before being released on bail on March 5-7. Mr. Nejati was not released until April 14. All were charged with "acting against national security". They were tried on the one hand in connection with a strike in 2007, and on the other hand with creating a union in 2008. Initially sentenced to one year in prison on April 14, 2009, all but Mr. Nejati were cleared of all charges pertaining to 2008 on appeal on September 25. See International Campaign for Human Rights in Iran Statement, November 9, 2009 and ITUC, *Annual Survey of Trade Union Rights*, June 9, 2010.

ing phone calls and placed workers and labour activists under surveillance. Hours before the start of the celebrations in Laleh Park, hundreds of uniformed police officers as well as plainclothes intelligence officials appeared on the spot. They positioned themselves inside the park and closed all its entrances. Nevertheless, over 2000 workers reportedly showed up for the event. A large number of participants were cornered by the police, beaten to the ground with batons, tear-gassed, punched, kicked and verbally abused. The police also broke cameras and cell phones of anyone trying to document what was happening. There were reports of severe injuries, and an estimated 150 to 200 people were arrested – including other activists such as women's rights defenders, students, and even some passersby – and most of them taken to Evin prison. About 100 activists remained in custody for days or weeks, and the authorities said they would not be released until after the presidential elections. However, almost everybody had been released by the first half of June¹⁷.

Ongoing arbitrary detention of defenders of minorities rights

As of the end of 2009, several defenders of minorities rights, both cultural and religious, remained arbitrarily detained since 2007 as reprisals for their human rights activities, including several notable human rights defenders and journalists who had promoted Kurdish human rights, such as Messrs. **Adnan Hassanpoor**, a member of the Iranian Kurdistan Journalist Association as well as a reporter for the *Aso* newspaper, **Abdoulvahid (aka Hiwa) Boutimar**, an active member of the environmental NGO "Sabzchia"¹⁸, **Mohammad Sadigh Kaboudvand**, Editor-in-chief of the banned weekly *Payam-e mardom-e Kurdistan* (*The Message of the People of Kurdistan*) and President of the Association for the Defence of Human Rights in Kurdistan (RMMK)¹⁹, and **Sa'eed Matinpour**, an Azerbaijani journalist and cultural activist from the city of Zanjan²⁰.

17/ See ITUC, *Annual Survey of Trade Union Rights*, June 9, 2010.

18/ Messrs. Boutimar and Hassanpoor were arrested respectively in December 2006 and January 2007 and were sentenced to death in July 2007 after spending several months incommunicado. Mr. Hassanpoor's death sentence was subsequently commuted to 15 years' imprisonment and that of Mr. Boutimar to eight years' imprisonment.

19/ Mr. Kaboudvand was arrested on July 1, 2007 and has been detained at Evin prison since then. In May 2008, he was sentenced to ten years' imprisonment for "acting against State security by establishing the [RMMK]" and one year in prison for "propaganda against the system". The sentence was later confirmed in appeal in October 2008.

20/ Mr. Matinpour is known for his writings protesting human rights violations by the Iranian authorities and calling for increased political, cultural and linguistic rights of the Azerbaijani people in Iran. Arrested in 2007, he was sentenced in June 2008 to eight years' imprisonment for "propaganda against the Islamic system" and "relations with foreigners".

Urgent Interventions issued by The Observatory in 2009

Names	Violations / Follow-up	Reference	Date of Issuance
Defenders of Human Rights Centre (DHRC) / Centre for the Mine Cleanup Project (CMCP) / Ms. Jinus Sobhani	Arbitrary arrest / Search / Obstacles to freedom of association	Press Release	January 15, 2009
DHRC / Ms. Jinus Sobhani / "One Million Signatures" Campaign members, including Ms. Alieh Eghdamdoust and Ms. Nafiseh Azad	Arbitrary detention / Closing down of an NGO / Obstacles to freedom of association / Sentencing	Press Release	February 3, 2009
Ms. Jinus Sobhani	Release on bail	Press Release	March 12, 2009
"One Million Signatures" Campaign members / Ms. Alieh Eghdamdoust, Mr. Ali Abdi, Ms. Delaram Ali, Ms. Bahara Behravan, Ms. Farkhondeh Ehtesabian, Ms. Shahla Forouzanfar, Mr. Arash Nasiri Eghbali, Ms. Mahboubeh Karami, Ms. Khadijeh Moghaddam, Ms. Leila Nazari, Mr. Amir Rashidi, Mr. Mohammad Shoorab and Ms. Soraya Yousefi	Arbitrary detention / Release on bail / Judicial harassment	Joint Open Letter to the authorities	April 9, 2009
Ms. Ronak Safarzadeh and Ms. Parvin Ardalan	Sentencing / Arbitrary detention / Judicial harassment	Press Release	April 21, 2009
Ms. Silva Harotonian	Sentencing / Arbitrary detention	Urgent Appeal IRN 001/0609/OBS 082	June 12, 2009
Mr. Abdolfattah Soltani	Incommunicado detention / Judicial harassment	Urgent Appeal IRN 002/0609/OBS 084	June 16, 2009
	Enforced disappearance	Press Release	June 22, 2009
	Arbitrary detention	Urgent Appeal IRN 003/0709/OBS 102	July 8, 2009
	Release on bail / Judicial harassment	Urgent Appeal IRN 003/0709/OBS 102.1	August 27, 2009
	Obstacles to freedom of movement / Administrative harassment / Risks of detention	Urgent Appeal IRN 003/0709/OBS 102.2	October 2, 2009
Mr. Ahmad Zaidabadi	Enforced disappearance	Press Release	June 22, 2009
Ms. Jila Baniyaghoob	Arbitrary detention	Press Release	June 22, 2009
Ms. Shirin Ebadi	Harassment / Threats of judicial prosecution	Press Release	June 26, 2009
Ms. Zeynab Peyqambarzardeh	Arbitrary arrest	Urgent Appeal IRN 002/0709/OBS 098	July 7, 2009

Names	Violations / Follow-up	Reference	Date of Issuance
	Release	Urgent Appeal IRN 002/0709/OBS 098.1	July 8, 2009
Mr. Mohammad Ali Dadkhah, Ms. Sara Sabaghian, Ms. Bahareh Davallou and Mr. Amir Raisian / DHRC	Incommunicado detention	Urgent Appeal IRN 004/0709/OBS 103	July 9, 2009
Ms. Shadi Sadr	Arbitrary detention / Risk of ill-treatment and torture	Urgent Appeal IRN 005/0709/OBS 107	July 21, 2009
	Release on bail / Judicial harassment	Urgent Appeal IRN 005/0709/OBS 107.1	July 30, 2009
Ms. Shadi Sadr, Ms. Jila Baniyaghoub, Ms. Shiva Nazarahari, Ms. Mahsa Amrabadi, Ms. Hengameh Shahidi, Ms. Zahra Toudi and Ms. Somayeh Tohidlou	Arbitrary detention / Judicial harassment	Joint Press Release	July 25, 2009
Mr. Mohammad Ali Dadkhah and Ms. Shirin Ebadi	Slander / Harassment / Ongoing arbitrary detention	Press Release	August 5, 2009
Mr. Emad Baghi	Obstacles to freedom of movement / Harassment	Press Release	November 2, 2009
“One Million Signatures” Campaign members / Ms. Elnaz Ansari, Ms. Aida Saadat, Ms. Khadijeh Moghaddam, Ms. Maryam Malek, Ms. Jelveh Javaheri, Mr. Kaveh Mozzafari, Ms. Parisa Kakaee, Ms. Ronak Safarzadeh, Ms. Zeynab Bayazidi and Ms. Alieh Eghdamdoust	Judicial harassment / Obstacles to freedom of movement / Arbitrary detention	Urgent Appeal IRN 006/0911/OBS 163	November 9, 2009
Ms. Shirin Ebadi, Mr. Emad Baghi, Mr. Heshmatollah Tabarzadi, Mr. Mashaollah Shamsolvaezin, Mr. Alireza Beheshti, Mr. Mostafa Izadi, Mr. Morteza Kazemian, Ms. Nasrin Vaziri, Mr. Keyvan Mehregan, Ms. Mahin Fahimi, Mr. Mehdi Arabshahi, Ms. Mansoureh Shojaie, Ms. Haleh Sahabi, Ms. Zohreh Tonkaboni, Mr. Morteza Haji and Mr. Hassan Rasouli	Arbitrary arrest / Harassment	Press Release	December 29, 2009