

IRAN

ISLAMIC REPUBLIC OF IRAN

Leader of the Islamic Republic of Iran: Ayatollah Sayed 'Ali Khamenei

President: Hojjatoleslam val Moslemin Sayed Mohammad Khatami

Capital: Tehran

Population: 67.7 million

Official language: Farsi (Persian)

Death penalty: retentionist

2000 treaty ratifications/signatures: Rome Statute of the International Criminal Court

Scores of political prisoners continued to be held; among them were prisoners of conscience and others sentenced in previous years after unfair trials. A clamp-down on freedom of expression resulted in the arbitrary arrest and imprisonment of scores of journalists. Reports of torture and ill-treatment continued. At least 75 people were executed during 2000; the true number may have been considerably higher.

Background

Parliamentary elections held in two stages in February and April formed the background to the struggle concerning freedom of expression and association. The elections were decisively won by supporters of President Mohammad Khatami. The new authorities set out with an ambitious program of social and political reform although only a few such laws had been passed and implemented by the end of the year.

New parliamentary commissions visited prisons and critically evaluated prison conditions, dealt with judicial reform and addressed implementation of constitutional guarantees concerning freedom of expression.

The Press Law, passed in April by the previous parliament, introduced harsh measures that were used to limit freedom of expression. In August, new deputies introduced legislation to reform the Press Law, but the reform was halted by an unprecedented intervention into parliamentary affairs by the Leader.

Scores of people were arrested and injured in provincial centres throughout the year during civil unrest over social conditions, policing and the allocation of resources.

Student demonstrations occurred throughout the year. In Tehran, Tabriz and elsewhere, scores of students commemorated the anniversary of the July 1999 demonstrations in Tehran, while in Khorramabad, Lorestan, in August, two well-known reformist theologians were prevented from addressing a conference organized by a student group. Dozens of people were reportedly injured and arrested in the disturbances which followed. Many investigations ensued, including by parliament and the

National Security Council, which indicated that actions by Revolutionary Guard officials and *Basij* (Mobilization) forces, among others, precipitated the unrest and injuries.

The People's Mujahideen of Iran (PMOI) continued to undertake military operations against the authorities, including a mortar attack in February targeting offices of the security forces in Tehran which reportedly injured a number of civilians.

Freedom of expression

In an unprecedented clampdown on freedom of expression and association, at least 34 journalists, writers and human rights defenders were questioned, detained and tried; some were tortured. At least 12 were imprisoned, usually after unfair trials. These abuses occurred as a result of complaints filed by individuals and state bodies, often under the control of the Leader, which frequently led to legal action against journalists and commentators. These and other people were tried on the basis of vaguely worded laws before Revolutionary Courts and the Special Court for the Clergy, where procedures often fall far short of international standards for fair trial. They were prisoners of conscience. At least 30 publications, the majority supportive of reformist groups, were closed or suspended by judicial order.

Newspaper articles about the use of the death penalty resulted in the imprisonment of two people. Latif Safari, publisher of *Neshat* (Happiness), was sentenced to two-and-a-half years' imprisonment in April. In October, the sentence of Emaddodin Baqi of the newspaper *Fath* (Victory), was reduced from seven to three years on appeal. He had been detained in May and was not freed during his appeal.

Writers who addressed political and social reform or who were critical of the actions of political leaders were often detained, tried and imprisoned, frequently on vaguely worded charges.

☞ In August, journalists Ahmad Zeydabadi of *Hamshahri* (Citizen), Mohammad Quchani of *Asr-e Azadegan* (Era of the Free), and Massoud Behnoud of *Gunagun* (Variety) were detained by the State Employees Court. Mohammad Quchani was released on bail in September pending trial, and Massoud Behnoud was released on bail in December. Ahmad Zeydabadi continued to be held. By the end of the year their trials had not taken place.

☞ In November, the managing editors of *Abrar* (The Righteous) were tried for "spreading lies" and other charges. In December the managing editor of *Ya Lesarat al-Hosseini* was tried in the Press Court. The outcome of these trials was not known at the end of the year.

☞ Mahmud Salehi, a trade union leader, was reportedly imprisoned in Saqqez for six months in August in connection with trade union activities.

The Berlin Conference

An academic conference held in Berlin in April, in which 17 Iranian intellectuals participated, was disrupted by exiled Iranian political groups. The conference was filmed by Iran's state broadcasting company and shown in Iran, where it

caused controversy. On return to Iran, the participants were summoned for questioning, some were detained, often for prolonged periods, and in October and November participants and translators of conference papers were put on trial for their involvement with the conference. They faced serious but vaguely worded charges concerning "national security", "propaganda against the state" and "insulting Islam". By the end of the year, no verdicts had been announced, but the evidence used in the trials included discourses they had delivered in Berlin, which were legally published and available in Iran.

☞ Journalist Akbar Ganji was detained on 22 April. He was held in solitary confinement for much of the approximately 190 days he was held prior to his trial in November, when he stated he was beaten in prison.

☞ Lawyer Mehrangiz Kar and publisher Shahla Lahiji – both defenders of women's rights – and Ali Afshari, a student leader, were all detained without charge for over two months. In November Mehrangiz Kar was denied permission to seek medical treatment abroad for cancer.

☞ Researcher Hojjatollah Hasan Yousefi Eshkevari was arrested after his return from Europe on 5 August. In October he was convicted after an unfair trial by the Special Court for the Clergy. He faced vague charges relating to "national security", defamation, heresy, and being at war with God and corrupt on earth, which are punishable by death. By the end of the year, his sentence had not been made known.

☞ In December Ali Afshari and Ezzatollah Sahabi were rearrested. Still in detention at the end of the year, they were denied the opportunity to see their family and lawyers.

Unfair trials

Deeply flawed trial procedures, especially in Revolutionary Courts and the Special Court for the Clergy, continued.

☞ On 1 July, the Shiraz Revolutionary Court sentenced 10 Iranian Jews to between three and 13 years' imprisonment on charges relating to spying. Three men were acquitted. Despite repeated public assurances by the authorities that they would be given a fair trial, proceedings took place in secret and fell far short of international standards for fair trial. The prison sentences for the 10 were reduced to between two and nine years on appeal.

There were continued reports that scores, possibly hundreds, of political prisoners, including prisoners of conscience sentenced after unfair trials in previous years, continued to be held. Scores of students detained following demonstrations in July 1999, including those associated with banned or tolerated secular political parties, continued to be held throughout the country.

☞ In December, prisoner of conscience and former Deputy Prime Minister 'Abbas Amir Entezam, aged 68, was rearrested and ordered to sign a confession. His refusal to do so resulted in his renewed imprisonment.

Torture/ill-treatment

Torture and ill-treatment, including the judicial punishments of flogging and amputation, continued.

☞ Akbar Mohammadi and Ahmad Batebi were tortured in the *Towhid* detention centre. *Towhid*, administered by the

Ministry of Intelligence, was closed in August 2000 by order of the judiciary. Akbar Mohammadi stated that his feet were whipped with metal cables and that he was suspended by his limbs and repeatedly beaten. Ahmad Batebi stated that he had been beaten while blindfolded and bound, and ordered to sign a confession. He reportedly wrote that his head was plunged into a drain full of excrement and held under, forcing him to inhale excrement through his nose and into his mouth. The two men were sentenced to 15 and 10 years' imprisonment respectively.

There were continued reports of psychological torture including death threats. No investigation into any allegations of torture – such as those made by journalist Akbar Ganji, who stated in court in November that he had been tortured by prison officials at Evin – was known to have been undertaken.

At least 49 floggings were reported, many for "depraved dancing", and 10 amputations, often in connection with theft. However, the true number may have been considerably higher.

Human rights defenders

Following a closed trial that ended in September, Shirin Ebadi and Mohsen Rahami, human rights defenders and lawyers, received suspended sentences and five years' suspension from practising law in connection with the production and distribution of the videotaped "confessions" of Amir Farshad Ebrahimi. His videotaped testimony included statements concerning his former group, *Ansar-e Hezbollah* (Partisans of the Party of God), and how the group was instructed to break up public meetings and beat up reformist activists. He was sentenced to two years' imprisonment for spreading lies and was believed to be held in conditions amounting to cruel and inhuman punishment.

The 'Serial Murders' and impunity

In December, the trial began of 18 individuals, including former senior Ministry of Intelligence officials, charged in connection with their alleged involvement with the murder of two politicians and two writers in 1998. These cases, which form part of the "Serial Murders" cases, were tried in the Tehran Military Court behind closed doors, allegedly for "security reasons". The specific charges against the accused were not known. At the start of the trial, only five defendants, said to be the main perpetrators of the killings, were in custody, while others, suspected accomplices, were free on bail. By 31 December, one of the defendants, Mostafa Kazemi, had reportedly confessed to having ordered the killings. It was not known where and under what circumstances this confession was made. Shirin Ebadi (see above), a lawyer representing one of the victims' families, had earlier stated that the judiciary had not given her access to the case files and in December, a lawyer for the families of the two writers, Nasser Zarafshan, was detained for suggesting that other unsolved murders formed part of the case and should be investigated and tried simultaneously. The verdicts were expected in January.

In July, Brigadier General Farhad Nazari and 18 officials of the Law Enforcement Forces were acquitted by a military court of disobeying Ministry of the Interior orders in

connection with a raid on student dormitories during the July 1999 student demonstrations. Students injured in the raid, represented by Mohsen Rahami (see above), were, however, compensated by the same court.

Death penalty

At least 75 executions were reported and 16 death sentences imposed, often in connection with murder charges. However, the true number may have been considerably higher. Death sentences passed after the unfair trials of Akbar Mohammadi, Ahmad Batebi and two other students detained following the student demonstrations in July 1999 — Mehrdad Sohrabi and Abbas Deldar — were commuted on 30 April.

Intergovernmental organizations

In February, the UN General Assembly expressed its concern that since 1996 no invitation to visit the country had been extended by the authorities to the Special Representative on the human rights situation in Iran. The General Assembly also expressed serious concern at the "apparent absence of respect for internationally recognized safeguards, the use of national security laws as a basis for derogating from the rights of the individual, cases of torture and cruel, inhuman or degrading treatment or punishment as well as the failure to meet international standards in the administration of justice", along with the restrictions on freedom of expression, opinion, thought and the press.

In May, in its concluding observations to Iran's report on implementation of the UN Children's Convention, the monitoring committee expressed concern at Iran's reservations to the Convention and recommended that Iran review legislation concerning the age of majority to bring it in line with the Convention. It expressed serious concern that the right to life of a person under 18 is not guaranteed and that children can be subjected to a variety of types of cruel, inhuman and degrading treatment and punishment.

AI country statement

- Iran: Open letter from Amnesty International to members of the Sixth *Majles-e Shoura-ye Eslami* (parliament) (AI Index: MDE 13/018/2000)