

IRAN

**OFFICIAL
DISTORTION AND
DISINFORMATION**

**A GUIDE TO IRAN'S
HUMAN RIGHTS CRISIS**

MARCH 2011



**INTERNATIONAL CAMPAIGN
FOR HUMAN RIGHTS IN IRAN**

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www.iranhumanrights.org

Cover photograph of Mohammad-Javad
Larijani © Ehsan Norouzi

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The mission of the International Campaign for Human Rights in Iran is to gather support for Iranian human rights activists and defenders who are advocating for their civil, political, social, and economic rights within the framework of international treaties and standards that define Iran's obligations.

The Campaign is founded on these principles: that human rights in Iran, and in every country, are a matter of legitimate international concern and essential to establishing international peace and security; that human rights in Iran can only be implemented with the assistance of civil society, whose role must be protected and sustained; that human rights compliance in Iran should be approached from a non-partisan perspective, and detached from political objectives; and that solidarity with any and all peoples prevented from enjoying their human rights is a moral imperative of our time.

ABOUT US

In order to encourage and assist state authorities to respect and abide by international standards and law, the Campaign will document Iran's compliance with its international human rights obligations, and publicize this and other relevant information to help provide a basis for accurate evaluations and constructive recommendations for improvements.

The Campaign works to inform civil society actors and media from around the world on the situation of human rights in Iran, urging them to support their Iranian colleagues. The Campaign advocates in international institutions, promoting recommendations put forward by human rights and social movements in Iran, and providing a platform for their views. The Campaign reaches out across the world to build a network devoted to its principles, and ready to contribute to the realization of its goals.

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INTRODUCTION

Iran as a founding member of the United Nations, and party to the major international human rights instruments, while upholding the promotion of principles enshrined in its constitution, and while ensuring its full compliance with the relevant international commitments, has taken a genuine and long-term approach to safeguard human rights.

– Mohammad-Javad Larijani during Iran's Universal Periodic Review, 15 February 2010

Two years after the disputed presidential election of 2009, the human rights situation in Iran continues to deteriorate. The country has become enveloped in a profound human rights crisis marked by systematic violations of both international law and the rights protected by Iran's own constitution. The government has been engaged in a binge of executions, routine torture, and mass arbitrary detentions. Journalists, human rights defenders, civil society activists, as well as, minority ethnic and religious groups face growing repression. Authorities, moreover, repeatedly silence domestic efforts to hold the government accountable.

Amidst this deepening crisis, Iranian officials are doing all they can to prevent outside scrutiny of human rights conditions in the country, while proclaiming to respect their international obligations. Mohammad-Javad Larijani, head of Iran's High Council for Human Rights, along with other officials representing Iran abroad, consistently obfuscate any serious international discussion of the country's deteriorating human rights record by engaging in distortion or misrepresentation of facts and by diverting criticism with discussion of issues extraneous to their record.

In this guide, the *International Campaign for Human Rights in Iran* examines statements made publicly by Larijani and other officials regarding the Iranian government's human rights record, and compares those statements to the actual record as documented by international human rights organizations and United Nations human rights bodies.

Despite the Iranian government's attempts to publically sanitize its human rights record, realities on the ground paint an increasingly grim picture.

Throughout 2009 and 2010, authorities tried hundreds of activists, opposition figures, journalists and human rights defenders, many in "show trials," and gave them lengthy sentences on vaguely worded offences including "acts against national security," "insulting Islam," and "enmity against God." The Iranian judiciary has generally become a tool of the state security establishment and an estimated 500 persons remain arbitrarily detained for peaceful activities or the exercise of free expression. Nearly all of these detainees have little to no access to their lawyers or case files and trials often fall below international due process standards.

Authorities have sentenced several human rights advocates to lengthy prison terms, such as Emad Baghi

of the Association for Prisoner's Rights who is serving six years in prison and Shiva Nazar Ahari of the Committee of Human Rights Reporters, sentenced to four years and 74 lashes.

Authorities have even prosecuted a number of lawyers who represent political detainees including Nasrin Sotoudeh and Mohammad Seifzadeh, sentenced in 2010 to eleven years and nine years respectively. These convictions are part of an ongoing purge of the legal defense community by the Judiciary, which is effectively criminalizing human rights-based representation.

Judges routinely ignore allegations of coercion and torture used to solicit confessions from political and criminal detainees alike. Numerous detainees have come forward with personal accounts of rape, severe beatings, sleep deprivation, verbal threats and other ill treatment by interrogators. Cruel and inhumane punishments including stoning, limb amputations and floggings are also on the rise.

Since the start of 2011 Iran has been on an execution binge. In January 2011 alone, Iran executed 85 persons, compared to 86 in all of 2005, the year Mahmoud Ahmadinejad assumed the presidency. Included in this count are three post-election protestors: Zahra Bahrami (a Dutch-Iranian dual national), Jafar Kazemi, and Mohammad Haj Aghaee. In all of 2010, Iran executed at least 542 people, 242 officially announced and over 300 reportedly put to death in secret executions inside Vakilabad Prison in Mashad. Iran continues to execute more people per capita than any other country.

The government imposes increasingly severe restrictions on freedom of expression, association and assembly, including widespread censorship of newspapers and the Internet, and closure of human rights organizations and trade unions. Authorities have imprisoned several Iranian journalists including Bahman Ahmadi Amouee and Issa Saharkhiz. Iranian cities are under a virtual security lockdown that makes the exercise of basic internationally-protected freedoms impossible.

Religious and ethnic minorities continue to face discrimination. Authorities repeatedly detained and prosecuted members of the Shi'a Muslim Sufi order Nematollahi Gonabadi and several of the order's prayer centers have been demolished. In December 2010, Iranian courts sentenced Christian pastor Youcef Nadarkhani to death for "apostasy," an offense that has no basis in Iranian law. Authorities continued broad scale discrimination against members of the Baha'i Faith including sentencing seven Baha'i leaders to ten years in prison each on baseless espionage charges in August 2010 and denying Baha'is access to higher education.

As Iran's human rights crisis unfolds, international NGOs within UN human rights institutions and from member states have expressed repeated concern. According to the Democracy Coalition Project, between 2009 and 2010, Iran received 212 recommendations, more than almost any other country during the Universal Periodic Review (UPR).

Iranian officials, nonetheless, continue to fail to cooperate with UN human rights bodies and mechanisms. Moreover, no special procedure has been permitted to visit since 2005 and Iran is effectively blocking seven Special Rapporteurs who have outstanding requests to visit.

Despite evidence of wide scale rights violations by the government, Iranian officials continue to misrepresent their human rights record and block any attempt by traditional human rights mechanisms to address the crisis in Iran. As such, the International Campaign for Human Rights in Iran urges the Human Rights Council (HRC) to adopt a special mechanism on Iran in order to provide transparency and accountability for Iran's human rights record.

1. COOPERATION WITH UN HUMAN RIGHTS SPECIAL MECHANISMS

The Islamic Republic of Iran has extended continuous and full cooperation [with international human rights mechanisms]. To this end, a general standing invitation has been forwarded to all thematic rapporteurs, working groups as well as independent experts of the Human Rights Council. ... Also, providing thorough and timely responses to communications which have been delivered by mandate holders has constantly been followed by the Islamic Republic of Iran, in the mentioned field.¹

– Mohammad-Javad Larijani during Iran's UPR, 15 February 2010

Contrary to Larijani's public statements, Iran has not allowed any visits from Special Rapporteurs since 2005, despite numerous and repeated requests for visas.

Iran's standing invitation for all special mechanisms, issued in 2002, coincided with the end of the Iran-specific mandate at the United Nations Human Rights Commission. While Iran has technically agreed to visits by the Special Rapporteurs on extrajudicial, summary and arbitrary executions and freedom of religion and belief, and the Working Group on enforced and involuntary disappearances, Iranian officials have failed to suggest or agree to dates for their visits. Iran has also failed to respond to formal requests from the Special Rapporteurs on torture and the independence of judges and lawyers, and the Independent Expert on minority issues, for visits to Iran.

Iran explicitly rejected recommendations made during its February 2010 UPR calling for visits by the Special Rapporteur on torture.²

Furthermore, in December 2010, the U.N. General Assembly's resolution on human rights in Iran noted that Iran "has left unanswered the vast majority of the numerous and repeated communications of [the] special mechanisms."³



Human Rights Council during Iran's Universal Periodic Review, February 2010

¹ Human Rights Council, Seventh Universal Periodic Review. opening comments by Mohammad-Javad Larijani, 15 February 2010, <http://un.org/webcast/unhrc/archive.asp?go=100215> (accessed 3 February, 2011).

² Human Rights Council, Fourteenth Session, Report of the Working group on the Universal Periodic Review, Addendum, U.N. Doc A/HRC/14/12/Add.1, 3 June 2010, para 92. available at: <http://www.ohchr.org/EN/HRBodies/UPR%5CPAGES%5CIRSession7.aspx> (accessed 8 February 2011).

³ United Nations General Assembly Resolution, Situation of human rights in the Islamic Republic of Iran. U.N. Doc. A/C.3/65/L.49, 29 October 2010.

2. EXECUTIONS

With regard to execution, given that execution is recognized in international law and in the legal system of many countries, and according to Article 6 of the ICCPR, the sentence of execution is permissible in case of most serious crimes. The Islamic Republic of Iran considers execution as permissible only in the above cases and after due process, presence of attorneys and a multi-stage process which includes reviews by the Supreme Court.⁴

- Seyed Ali Raeis Sadati, Deputy Minister of Justice, during Iran's UPR, 15 February 2010

In the context of capital punishment in Iran, 65 percent of that is not a public responsibility. It is private responsibility. What it means. It means that when the judge rules that this person should get capital punishment, it is left to the [victim's] first-degree family.⁵

- Mohammad-Javad Larijani, interview with Public Broadcasting Service (PBS), 16 December 2010

As of December 2010, Iran has been engaged in an execution binge. In December 2010 authorities executed 48 people. In January 2011, official media reported 85 executions, averaging one execution every 9 hours. If rates continue, Iran will execute over 900 persons by the end the year.⁶



Already the world's leading executioner on a per capita basis, there is credible evidence from multiple sources of secret, mass executions taking place at Vakilabad Prison in Mashad that would dramatically increase known totals.⁷ Although Iran does not publish reliable information and statistics, local sources and family members of executed prisoners have told the Campaign that the majority of these executions are for drug-related crimes.⁸ According to Christof Heyns UN Special Rapporteur on extrajudicial, summary, or arbitrary executions, and the Human Rights Committee, drug related-crimes are not punishable by death as they do not satisfy the condition of being a "most serious crime" under international law.⁹ On 2 February 2011, Special Rapporteur Heyns and

⁴ Human Rights Council, Seventh Universal Periodic Review. Comments by Seyed Ali Raeis Sadati, 15 February, 2010, <http://un.org/webcast/unhrc/archive.asp?go=100215> (accessed 3 February, 2011).

⁵ PBS interview with Mohammad-Javad Larijani, 26 November 2010.

⁶ "Iran on 'Execution Binge,' Immediate Moratorium Urged," International Campaign for Human Rights in Iran, 16 January 2011, <http://www.iranhumanrights.org/2011/01/iran-on-execution-binge-immediate-moratorium-urged> (accessed 3 February 2011).

⁷ Human Rights Watch interviews with anonymous sources on Vakilabad prison, 25 October 2010; "Multiple Reports of Secret Group Executions in Vakilabad Prison," International Campaign for Human Rights in Iran, 25 October 2010 (accessed 8 February 2011).

⁸ Ibid.

⁹ International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), Article 6 (2).

Gabriela Knaul, Special Rapporteur on the independence of judges and lawyers, urged “the Iranian Government to immediately declare a moratorium on the death penalty in view of the gravity of the situation and the regular disregard of due process guarantees.”¹⁰

Iran executed at least 346 persons in 2008; at least 388 in 2009; and over 542 in 2010, including 242 officially announced, and over 300 secret executions reportedly taken place at Vakilabad Prison.¹¹ For example, the Campaign documented credible allegations of group executions in 2010 of 67 inmates on 12 August, 13 inmates on 5 October, and 10 inmates on 12 October inside Vakilabad.¹² Vakilabad officials, in violation of Iranian law, reportedly carried out these executions without the knowledge or presence of the inmates’ lawyers or families and without prior notification of those executed.

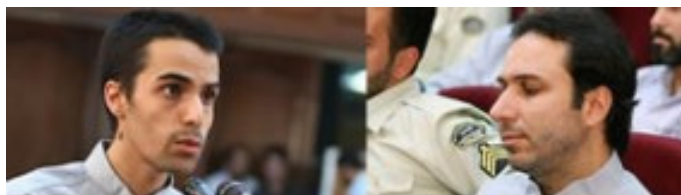
These executions have also included foreign nationals. On 26 October 2010, Paul Chindo, a citizen of Nigeria, was executed with nine other Iranian men, while on 18 August 2010, a Ghanaian citizen, Aquasi Aquwabe, was put to death in another group execution.¹³ Reportedly, these executions were carried out without informing the staffs of embassies, lawyers, or families of the inmates.¹⁴

2.1 Political Executions

*Nobody’s executed because of demonstration.*¹⁵

- Mohammad-Javad Larijani, interview with CNN, 16 February 2010

Since October 2009, at least 13 political prisoners, including 5 convicted during post-election trials, have been executed.¹⁶



Arash Rahmanipour and Mohammad Reza Ali Zamani’s lawyer responded to charges that they participated in protests by saying, “Both of these men were arrested 2 months before the elections, and they were in prison until their sentences were carried out. So how can someone who’s in prison take part in protests?”

On 25 January 2011, Jafar Kazemi and Mohammad Ali Haji Aghaee convicted of moharebeh, or “enmity against God,” for their participation in post-election protests and alleged membership in the *Mojahedin-e Khalgh Organization* (MEK) were hung inside Tehran’s Evin Prison without their family or lawyers being notified. Kazemi’s wife, Roudabeh Akbari, reported that authorities forced her husband to make a confession under torture and his only contact with the MEK is the presence of his son at the

¹⁰ “UN experts call for a moratorium on death penalty in the Islamic Republic of Iran,” International Campaign for Human Rights in Iran, 2 February 2011, <http://www.iranhumanrights.org/2011/02/uh-ohchr-moratorium-death-penalty/> (accessed 3 February 2011).

¹¹ Human Rights in Islamic Republic of Iran, Report 2009, Amnesty International, available at: <http://amnesty.org/en/region/iran/report-2009> (accessed 8 February 2011); Human Rights in Islamic Republic of Iran, Report 2010, Amnesty International, available at: <http://amnesty.org/en/region/iran/report-2010> (accessed 8 February 2011); “Iran Uses Media Stunts in Lieu of Fair Trials,” International Campaign for Human Rights in Iran, 3 February 2011, <http://www.iranhumanrights.org/2011/02/iran-media-stunts-no-fair-trials/>, (accessed 3 February 2011).

¹² “More Secret Executions in Mashad: 23 Executed in October,” International Campaign for Human Rights in Iran, 3 November 2010, <http://www.iranhumanrights.org/2010/11/mashad-executions-october/> (accessed 3 February 2011).

¹³ “Citizens of Nigeria and Ghana Reportedly Put to Death in Secret Group Executions Inside Iran,” International Campaign for Human Rights in Iran, 11 November 2010, <http://www.iranhumanrights.org/2010/11/nigeria-ghana-citizens-executed/> (accessed 3 February 2011).

¹⁴ *Ibid.*

¹⁵ CNN interview with Mohammad-Javad Larijani, 16 February 2010, <http://archives.cnn.com/TRANSCRIPTS/1002/16/ampr.01.html> (accessed 3 February, 2011).

¹⁶

paramilitary group's Camp Ashraf in Iraq.¹⁷

On 29 January 2011, Zahra Bahrami, a Dutch-Iranian dual national who was arrested during a protest, was executed. She was originally charged with security-related crimes but was hanged under allegations of drug-trafficking. Bahrami's daughter has vehemently denied these charges and said her mother told her she was forced to make false confessions under coercion.¹⁸

Authorities executed Arash Rahmanipour and Mohammad Reza Ali Zamani on 28 January 2010. They were convicted during the post-election mass-trials held in August 2009. Although arrested months before the presidential election, authorities accused Rahmanipour and Zamani of involvement in post-election protests.¹⁹

2.2 Enmity with God



Mohammad Amin Valian's lawyer on his charges: "If the arrested individual is a member or a supporter of an armed group, or commits actions on behalf of that group, the law can treat him as a *moharebeh*. When an individual vandalizes or injures another person the law should punish him, but these actions do not constitute *moharebeh*."

*[The death penalty is for] terrorist activities. ... You should not be mistaken. [Enmity with God] is legal word. Those who start – indulge themselves in terrorist activities, in the – with the aim of changing the regime or the government or – or killing and bringing and damaging the security of the people. This is a legal term. This is a kind of war with God. If you damage the life of the people, it is a war that is against the will of God. So definitely those indulge in terrorist activities, they are pursued by law. They will face a very harsh sentence, if it is proved by the court, in fact.*²⁰

- Mohammad-Javad Larijani, interview with CNN, 16 February 2010

In practice, the Iranian Judiciary arbitrarily applies the charge of *moharebeh* in an egregiously broad set of cases, including against demonstrators who have done nothing except thrown rocks during demonstrations. Mohammad Amin Valian, a 20-year-old student, was charged with *moharebeh* [i.e. enmity with God] and sentenced to death in February 2010, based on photos showing him throwing rocks into empty space at a demonstration.²¹ In May 2010, following intense international protests, as well as widespread outrage inside Iran, Valian's death sentence was commuted to a three and a half year prison sentence and a fine of 3 million Rials (\$300).²²

¹⁷ International Campaign for Human Rights in Iran interview with Roudabeh Akbari, available at: "Two Post-Election Protestors Hanged," International Campaign for Human Rights in Iran, 24 January 2011, www.iranhumanrights.org/2011/01/two-protestors-hanged/ (accessed 3 February 2011).

¹⁸ International Campaign for Human Rights in Iran interview with Banafsheh Nayeypour, available at: "Distraught, Bahrami's Daughter Demands: 'How is it possible that she was executed?!'" International Campaign for Human Rights in Iran, 30 January 2011, www.iranhumanrights.org/2011/01/zahra_bahrami_daughter_jan_29 (accessed 3 February 2011).

¹⁹ "Pace of Political Executions Accelerating," International Campaign for Human Rights in Iran, 28 January 2010, <http://www.iranhumanrights.org/2010/01/accelerating-executions/> (accessed 3 February 2011).

²⁰ CNN interview with Mohammad-Javad Larijani, 16 February 2010, <http://archives.cnn.com/TRANSCRIPTS/1002/16/ampr.01.html> (accessed 3 February, 2011).

²¹ "Protestor in Danger as Iran Flouts Human Rights Standards," International Campaign for Human Rights in Iran, 3 March 2010, <http://www.iranhumanrights.org/2010/03/protestor-danger-execution/> (accessed 4 February 2011).

²² "Student's Death Sentence for Throwing Rocks Reversed," International Campaign for Human Rights in Iran, 16 May 2010, <http://www.iranhumanrights.org/2010/05/student-s-death-sentence-for-throwing-rocks-reversed/> (accessed 4 February 2011).

Article 183 of the Islamic Penal Code stipulates that: “whoever resorts to arms to cause terror, fear or to violate public security and liberty will be considered as a *mohareb* and be corrupt on earth.” Armed activity is an essential element of legally charging someone with *moharebeh*. Prosecutors specifically charged several post-election defendants, including human rights advocates and political activists, under Article 186 of Iran’s penal code under which anyone taking up arms against the state, or belonging to any group taking up arms against the state, may be considered guilty of *moharebeh* and sentenced to death.²³

2.3 Juveniles Executions

*As far as the juveniles, the death penalty, it is not death penalty in the legal sense. It is called qisas. It means that, first of all, the age, if it is between 15 and 18 years, this is the area of dispute. If their age is less than 15, well, we consider them – they should not get any capital punishment. Between 15 and 18, there is a dispute among the legal experts in Iran that, are they held responsible for their action or not?*²⁴

- Mohammad-Javad Larijani, interview with CNN, 16 February 2010

Iranian officials often try to displace their responsibility for the country’s numerous juvenile execution by noting that under Iranian law the punishment for some crimes, including homicide, is construed as the private right of the victim or, in the case of death, their next of kin, under the law of retribution, or *qisas*.²⁵ Regardless of this legal construction, these death sentences are governed by Iranian law, imposed by court orders, and implemented by authorities.

Furthermore, under Article 49 the Islamic Penal Code, the age of criminal liability is 9 years old for girls and 15 years old for boys and they are treated as adult offenders for receiving the capital punishment.²⁶

While one may blithely call juveniles, as they are defined by the Convention on the Right to the Child, adults, and call the state action of taking an individual’s life “*qisas*,” instead of the death penalty, the fact is that Iran is one of the few countries in the world that executes persons for crimes they have committed under the age of 18. More than a hundred juvenile offenders are currently on death row.²⁷

2.4 Stoning

*Miss [Sakineh Ashtiani] Mohammadi was never sentenced to stoning. This was news that was produced and incorrect... there was no sentence of stoning issued in the first place... this was the news that was made up.*²⁸

- Mahmoud Ahmadinejad, interview with ABC, 19 September 2010

²³ “Student Facing Execution for Throwing Rocks,” International Campaign for Human Rights in Iran, 8 February 2010, <http://www.iranhumanrights.org/2010/02/valian-student-sentenced-to-death/> (accessed 3 February 2011).

²⁴ CNN interview with Mohammad-Javad Larijani, 16 February 2010, <http://archives.cnn.com/TRANSCRIPTS/1002/16/ampr.01.html> (accessed 3 February, 2011).

²⁵ *Islamic Republic’s Penal Code*, translated by Dr. Sayyid Ali Raza Naqvi, 1985, available at: <http://www.iranrights.org/english/document-139.php> (accessed 3 February 2011).

²⁶ *Ibid.*

²⁷ *World Report 2011*, Human Rights Watch, 2010, p. 526. <http://www.hrw.org/en/world-report-2011> (accessed 3 February 2011).

²⁸ ABC Interview with Mahmoud Ahmadinejad, 19 September 2010, <http://abcnews.go.com/ThisWeek/week-transcript-clinton-ahmadinejad/story?id=11674085&page=3> (accessed 3 February 2011).

As far as stoning is concerned, it is a rare judgment passed in extreme cases of adultery combined with criminality. Stoning is considered by some judges less harsh than execution. Stoning means to throw a limited number of stones with limited intensity to the accused. There is more than a 50 percent chance he can survive.²⁹

- Mohammad-Javad Larijani, interview with Newsweek, December 2010

Cruelty is a notion which is very much culturally relative.³⁰

- Mohammad-Javad Larijani, interview with CNN, 21 November 2010

Despite Ahmadinejad's claim to the contrary, Sakineh Ashtiani was sentenced to death by stoning for the crime of adultery by the 6th Branch of the Criminal Court of Eastern Azerbaijan Province on 10 September 2006.³¹ After international outcry authorities suspended Ashtiani's stoning sentence on 8 September 2010.³² Currently, at least three men and eleven women remain on death row in Iran waiting stoning sentences.³³

Under Iran's penal code, death by stoning is mandated for most forms of adultery.³⁴ For some scenarios, such as if the convicted party is not married, the punishment is flogging.³⁵ Article 102 and 104 of the penal code state that:

[Convicted male adulterers] should be buried up to their waists and women up to their breasts for the purpose of execution by stoning.³⁶

The stones used should not be large enough to kill the person by one or two strikes; nor should they be so small that they could not be defined as stones.³⁷

If a convicted person manages to dig him or herself out of the ground and escape during the implementation of the stoning, they are set free.³⁸

²⁹ Newsweek Interview with Mohammad-Javad Larijani, 21 December 2010, <http://www.newsweek.com/2010/12/03/torture-is-forbidden-in-iran-says-larijani.html> (accessed 3 February 2011).

³⁰ CNN Interview with Mohammad-Javad Larijani, 21 November 2010, <http://archives.cnn.com/TRANSCRIPTS/1011/21/fzgps.01.html> (accessed 3 February 2011).

³¹ "Stand up to Ahmadinejad's Falsehoods," International Campaign for Human Rights in Iran, 20 September 2010, <http://www.iranhumanrights.org/2010/09/ahmadinejad-lies/> (accessed 3 February 2011).

³² "Iran woman's stoning suspended after global outcry," Reuters, 8 September 2010, <http://www.reuters.com/article/2010/09/08/us-iran-stoning-sentence-idUSTRE68723D20100908> (accessed 3 February 2011).

³³ "The world condemns stoning in Iran," International Campaign for Human Rights in Iran, 12 July 2010, <http://www.iranhumanrights.org/2010/07/el-pais-article-stoning-condemned/> (accessed 3 February 2011).

³⁴ *Islamic Penal Code of Iran*, Chapter 3, article 83.

³⁵ *Islamic Penal Code of Iran*, Chapter 18, article 637.

³⁶ *Islamic Penal Code of Iran*, available at: <http://www.unhcr.org/refworld/pdfid/4d384ae32.pdf> (accessed 3 February 2011).

³⁷ *Ibid.*

³⁸ *Ibid.*

3. TORTURE

I should stress again that torture is against our constitution, article 38, very explicitly. It is rarely in the constitutions of the country, torture is addressed. In our constitution, very explicitly it's forbidden, it is a criminal act if it is done by any person, according to articles 570, 578, 598, of Islamic penal code. They will be pursued under the criminal act. We don't have any difficulty with joining the convention banning torture. ... There is only one point of reservation: that some of our punishment according to the law is considered by the convention as torture. Legal experts and legislative people in Iran, they consider that totally different. Torture is one thing and punishment is another thing. We are trying to work that out, to put some replacement for these punishments. But this needs legal process.³⁹

- Mohammad-Javad Larijani at the HRC, 10 June 2010



Mohammad Nourizad addressed Supreme Leader Khamenei in a letter saying, "I suggest next time you comb your hair in front of a mirror, and when you spray yourself with cologne, you think about the heads of your country's political prisoners, shoved into the toilets in their cells."

The International Campaign for Human Rights in Iran has collected dozens of eyewitness and personal accounts of torture carried out by the Iranian government.⁴⁰ Security forces reportedly resorted to torture during interrogations of detainees carried out after the post-election protests to coerce confessions. These confessions were often the only evidence used to convict detainees.⁴¹

Four protesters held in Kahrizak Detention Center died as a result of wounds they suffered under torture.⁴² Reported methods of torture include rape, severe beatings, sleep deprivation, threats of harm to family members, pouring ice cold water on prisoners with heart conditions after they have been subjected to intense heat, prolonged periods of solitary confinement, and deprivation of health care, basic necessities and toilet use.⁴³ Iran explicitly rejected recommendations to ratify the Convention Against Torture during its February 2010 UPR citing Iran's culturally

³⁹ Human Rights Council, Fourteenth Session & Organizational Session of the Human Rights Council for its 5th Cycle, 24th Plenary Meeting. Comments by Mohammad-Javad Larijani, 10 June 2010. Available at: <http://www.un.org/webcast/unhrc/archive.asp?go=100610> (Accessed 3 February 2011).

⁴⁰ See: Accounts of Torture, Abuse and Prisoner Rights Violations in Iran, International Campaign for Human Rights in Iran, 25 January 2011.

⁴¹ "Campaign Report on Human Rights in Iran since 12 June, 2009 – Accelerating Slide into Dictatorship," International Campaign for Human Rights in Iran, 20 September 2009, <http://www.iranhumanrights.org/2009/09/report09/> (accessed 3 February 2011).

⁴² "Investigate Suspicious Death of Medical Doctor Witness to Torture at Kahrizak," International Campaign for Human Rights in Iran, 14 September 2009, <http://www.iranhumanrights.org/2009/11/doctor-death/>, (accessed 3 February 2011).

⁴³ "Campaign's UPR Submission," International Campaign for Human Rights in Iran, 14 September 2009, <http://www.iranhumanrights.org/2009/09/upr-submission/> (accessed 3 February 2011).

relevant and differing domestic legal definitions of torture.⁴⁴

On 18 November 2010, Mohammad Nourizad, a filmmaker imprisoned for his critical writings, wrote a letter to the head of the Judiciary, Sadegh Amoli Larijani, that interrogators spat in his eyes, beat him with shoes on his back and chest, shoved his head in a toilet bowl, cursed his wife and family while punching and kicking him, and “sexually defamed” his family.⁴⁵

Gholamhossein Arshi was detained after the Muslim holy day of Ashura in December 2009. Arshi alleges that during interrogations security officers punched and kicked him, handcuffed him to a chair and beat him with wires and cables in an apparent attempt to coerce a confession.⁴⁶ Arshi was charged with setting fire to police vehicles during protests, a charge he vehemently denied. A trial court sentenced Arshi to four years in prison; on appeal, his sentence was reduced to one year.⁴⁷

On August 19 2009, several officers, believed to be from the Revolutionary Guards, abducted Ebrahim Mehtari and took him to a location in eastern Tehran. He reported that while detained, his captors severely and repeatedly beat him, as well as, sodomizing him with a baton. Mehtari said that after five days, he was dropped off somewhere in Tehran. People found him, semi-conscious, bleeding, with his hands and feet tied, and took him to a hospital. The medical examiner’s office, which reports to the judiciary, concluded he had injuries “caused by being hit with a hard object”; bruises on his head; deep scratches on his wrists and ankles; second degree burns around his head, neck, shoulder, and on both hands; and bruises on his buttocks and anus caused by being hit with a hard object.”⁴⁸

Abdollah Momeni, spokesperson for the student group *Advar Tahkim Vahdat*, was arrested on 21 June 2009 and sentenced to four years and eleven months in prison.⁴⁹ Momeni was placed in solitary confinement for nearly 200 days, subjected to physical and psychological abuse, and forced to make a televised confession. In a letter to Iran’s Supreme Leader Ayatollah Khamenei, he wrote that his interrogators “shoved my head so far down the toilet that I swallowed feces and began to choke... on several occasions the interrogator in charge of my case strangled me to the point of me losing consciousness and falling to the ground. For days following ... I suffered such severe pain in the neck and throat area... eating and drinking became unbearable.”⁵⁰

Hamzeh Karami, a former commander in the Revolutionary Guard and chief editor of a reformist



“They frequently beat me in the face; I was burned with cigarettes under my eyes, on the neck, head. I was beat all over my body including arms and legs. They threatened to execute me and humiliate me,” *Ebrahim Mehtari* told Amnesty International.

⁴⁴ United Nations Human Rights Council 7th Universal Periodic Review, 15 February 2010, Addendum, U.N. Doc A/HRC/14/12/Add.1, para 92., available at: <http://www.ohchr.org/EN/HRBodies/UPR/5CPAGES%5CIRSession7.aspx> (accessed 5 February 2011).

⁴⁵ International Campaign for Human Rights in Iran interview with Fatemeh Maleki, “Latest News About Prisoner of Conscience Mohammad Nourizad,” International Campaign for Human Rights in Iran, 11 January 2011, <https://www.iranhumanrights.org/2011/01/latest-news-nourizad/> (accessed 3 February 2011).

⁴⁶ International Campaign for Human Rights in Iran interview with an anonymous associate, available at: “Another Tale of Torture Recounted in a Letter by Political Prisoner,” International Campaign for Human Rights in Iran, 31 January 2011, <https://www.iranhumanrights.org/2011/01/another-tale-of-torture-recounted-in-a-letter-by-political-prisoner/> (accessed 3 February 2011).

⁴⁷ Ibid.

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⁴⁹ “Release Unjustly Imprisoned Student Leaders,” International Campaign for Human Rights in Iran, 6 October 2010, <http://www.iranhumanrights.org/2010/10/release-student-leaders/> (accessed 4 February 2011).

⁵⁰ “Letter of Prominent Prisoner of Conscience Abdollah Momeni to Ayatollah Khamenei,” International Campaign for Human Rights in Iran, 9 September 2010, <http://www.iranhumanrights.org/2010/09/letter-momeni-khamenei/> (accessed 4 February 2011).



Subjected to mock executions, *Ebrahim Sharifi* was told by interrogators: “If you can’t protect your [expletive] how do you want to bring about a Velvet Revolution?” He was then sexually assaulted and raped.

website, published an open letter to the Iranian Prosecutor General alleging that after his detention in June 2009, interrogators tortured him to coerce a confession of illicit sexual relations with relatives of prominent opposition leaders. Karami said, “They put my head in a dirty toilet 20 times to make me give a false confession. When I screamed ‘Ya Allah’ [by God] they said, ‘We are your God today and will do to you whatever we want.’”⁵¹

Ebrahim Sharifi, a student and campaign worker for Mehdi Karroubi, told the Campaign that he was detained in June 2009 by authorities who took him blindfolded to an unknown location where they made him strip alongside other men, whipped his back and subjected him and others to two mock executions. After protesting the mock executions, he was told, “If you can’t protect your [expletive] how do you want to bring about a Velvet Revolution?” That person then sexually assaulted and raped Sharifi. Afterward he was taken to a medical ward, and then blindfolded and dropped off on the street.⁵²

3.1 Impunity

*We got a report that in one of our prisons, the Kahrizak Prison, there were maltreatment of our people, and the detainees were beaten, and even three of them were injured and later on they died. But it took us only 48 hours to close that prison, put everybody on trial, the offices in charge.*⁵³

- Mohammad-Javad Larijani, interview with NBC, 19 November 2010

*We are not claiming that wrongdoing is not happening in Iran, it is happening everywhere. ... While wrongdoing is done and you can find it here and there, but the issue is that whether it is a policy, whether wrongdoing is just ignored, or it is pursued by legal procedure.*⁵⁴

- Mohammad-Javad Larijani during Iran’s UPR, 15 February 2010

On 28 July 2009, authorities admitted to widespread use of torture and cruel treatment at Kahrizak Detention Center and closed it after news went public that the son of Abdolhussein Rouhahamini, a high-ranking Revolutionary Guard commander, was amongst those killed under torture in the facility.⁵⁵ Despite a June 2010⁵⁶ conviction of two Kahrizak guards, no commanding officer or ranking official has

⁵¹ *Reporter’s Guide*, International Campaign for Human Rights in Iran, September 2010, p. 28., <http://www.iranhumanrights.org/wp-content/uploads/Guide-Final-Web.pdf> (accessed 3 February 2011).

⁵² Testimony of Ebrahim Sharifi, available at: *Accelerating Slide into Dictatorship*, International Campaign for Human Rights in Iran, 21 September 2009, www.iranhumanrights.org/2009/09/report09/ (accessed 3 February 2011).

⁵³ NBC Interview with Mohammad-Javad Larijani, 19 November, 2010, available at: http://www.msnbc.msn.com/id/40276864/ns/world_news-mideast/n_africa/ (accessed 8 February 2011).

⁵⁴ Human Rights Council, Seventh Universal Periodic Review. opening comments by Mohammad-Javad Larijani, 15 February 2010, <http://un.org/webcast/unhrc/archive.asp?go=100215> (accessed 3 February, 2011).

⁵⁵ “Iran blocks opposition memorial,” BBC News, 28 July 2009, <http://news.bbc.co.uk/2/hi/8172516.stm> (accessed 3 February 2011). Men of Violence, International Campaign for Human Rights in Iran, June 2010, <http://www.iranhumanrights.org/wp-content/wp-content/menofviolence/Men-of-Violence-English.pdf> (accessed 3 February 2011).

⁵⁶ “Death penalty for Iran jail abuse,” BBC News, 30 June 2010, <http://www.bbc.co.uk/news/10466595> (accessed 3 February 2011).

been prosecuted for the tortures, including former Tehran Prosecutor Saeed Mortazavi. A January 2010 parliamentary report found that Mortazavi was primarily responsible for abuses at Kahrizak and although he was indicted by a special Judge's Court, he never faced trial.⁵⁷

Furthermore, officials have ignored or failed to adequately investigate credible allegations of extensive torture and ill treatment at other prisons, including Evin Prison, Rajaee Shahr Prison, and other prisons in the provinces, as well as several secret detention centers controlled by the Revolutionary Guards and the Intelligence Ministry. In August 2009, when former speaker of the parliament Mehdi Karroubi presented Iranian officials with several documents detailing multiple reports of rape and sexual abuse of detainees by security personnel, a parliamentary investigation dismissed the allegation after less than 48 hours.⁵⁸



Former Prosecutor of Tehran *Saeed Mortazavi* was indicted but never tried for his role in torture and deaths that took place at Kahrizak Detention Center.

⁵⁷ "Ambiguity in Kahrizak case- no judges have been suspended," International Campaign for Human Rights in Iran, 21 February 2010, <http://www.iranhumanrights.org/2010/02/ambiguity-in-kahrizak-case-no-judges-have-been-suspended/> (accessed 3 February 2011); "Authorities Absent; Supervisors Acquitted," Fereshteh Gahazi, Rooz Online, 13 July 2010, <http://www.roozonline.com/english/news3/newsitem/article/authorities-absent-supervisors-acquitted.html> (accessed 4 February 2011).

⁵⁸ Mehdi Karroubi's letter to the head of the Judiciary, Ayatollah Shahroudi, 9 November 2009, available at <http://www.dw-world.de/dw/article/0,,4677374,00.html> (accessed 3 February 2011); "Karroubi hits back at Parliament over rape claim," PressTV, 14 August 2009, available at <http://www.payvand.com/news/09/aug/1114.html> (accessed 8 February 2011).

4. ARBITRARY DETENTION OF GOVERNMENT CRITICS

4.1 Mass Post-Election Detentions

Nobody is jailed because of the protest. The only reason for jailing is the violence which was attached with the protests, a violence which got the life of more than 20 policemen and 13 civilians and, also, damage to the properties and also people's life and health.⁵⁹

- Mohammad-Javad Larijani, interview with CNN, 16 February 2010



Evin Prison in Tehran where authorities hold a large number of political prisoners and prisoners of conscience.

Iranian authorities revealed that security forces arrested more than 6,000 individuals following the June 2009 presidential election.⁶⁰ The Campaign has specifically documented the names of 385 people detained by authorities for peaceful activities or their exercise of free expression. This number includes 52 journalists, 65 rights defenders, 74 students and 15 campaign staffers.⁶¹ Many were detained either without a specific charge or on unfounded charges that do not meet international human rights standards, and without warrants or on the basis of generic warrants enabling authorities to detain anyone.⁶² Many reported being detained by unidentified persons and removed to unknown locations, and held incommunicado for long periods.⁶³

The Judiciary announced that it has prosecuted at least 500 people arrested after the June elections.⁶⁴ Currently, the Campaign estimates at least 500 people remain arbitrarily detained in Iranian prisons for peaceful activities and exercise of free expression, with hundreds more out on bail facing arbitrary prosecutions.

⁵⁹ CNN interview with Mohammad-Javad Larijani, 16 February 2010, <http://archives.cnn.com/TRANSCRIPTS/1002/16/ampr01.html> (accessed 3 February, 2011).

⁶⁰ "A Brief Summary of Major Human Rights Violations in Iran," International Campaign for Human Rights in Iran, 14 September 2010, <http://www.iranhumanrights.org/2010/09/guide-violation-summary/> (accessed 3 February 2011); Human Rights in Islamic Republic of Iran, Report 2010, Amnesty International, available at: <http://amnesty.org/en/region/iran/report-2010> (accessed 8 February 2011).

⁶¹ International Campaign for Human Rights in Iran, List of Prisoners of Conscience, <http://www.iranhumanrights.org/list/> (accessed 3 February 2011).

⁶² See: "A Brief Summary of Major Human Rights Violations in Iran," International Campaign for Human Rights in Iran, 14 September 2010, <http://www.iranhumanrights.org/2010/09/guide-violation-summary/> (accessed 3 February 2011); "Members of Committee of Human Rights Reporters Under Pressure to Make Forced Confessions," International Campaign for Human Rights in Iran, 29 January 2010, <http://www.iranhumanrights.org/2010/01/members-of-committee-of-human-rights-reporters-under-pressure-for-forced-confessions/> (accessed 8 February 2011).

⁶³ See: Accelerating Slide into Dictatorship, (Appendix IV- Testimony of Ebrahim Sharifi), International Campaign for Human Rights in Iran, 21 September, 2009, <http://www.iranhumanrights.org/2009/09/report09/> (accessed 8 February 2011).

⁶⁴ "Ahmadinejad's Media Blitz Unfolds as Young Activists Receive Harsh Sentences," International Campaign for Human Rights in Iran, 21 September 2010, <http://www.iranhumanrights.org/2010/09/young-activists-harsh-sentences/> (accessed 5 February 2011).

4.2 Human Rights Lawyers

Lawyers, as far as the professional act is considered, as far as they are pursuing the support and defense of their client, nobody will put them in jail for that purpose.

Offending Islam is another issue.⁶⁵

- Mohammad-Javad Larijani, interview with PBS, 26 November 2010



“Before her arrest, intelligence agents called her husband, and told him that [Nasrin] Sotoudeh must stop representing me or else she will regret it,” said Nobel Peace Prize Laureate, Shirin Ebadi. “Sotoudeh responded to them by saying her actions are within the legal framework and she is only doing her job and will not stop her representation.”

Over the last two years, Iranian authorities have sentenced several lawyers to lengthy prison terms solely for defending their clients and advocating for human rights. Most all of these lawyers have been accused of vague and arbitrary charges such as “acting against national security” or “offending Islam.” Generally, the evidence against these lawyers comprises of talking to international media about their clients’ cases or associating with one of Iran’s major human rights NGOs.

On 6 February 2011 Branch 28 of Tehran’s Revolutionary Court, presided by Judge Moghisseh, sentenced Iranian human rights lawyer Khalil Bahramian to 18 months in prison and a 10-year ban on practicing law. Bahramian, who is being charged with “propaganda against the regime” and “insulting the head of the Judiciary,” often represents political and Kurdish activists. Bahramian is awaiting appeal as of 14 February.⁶⁶

On 9 January 2011, Nasrin Sotoudeh, defense attorney for Nobel Peace Laureate Shirin Ebadi as well as for several post-election detainees, was sentenced to 11 years in jail, and banned from practicing law and traveling outside the country for 20 years. Her conviction was for “acting against national security,” “not wearing hejab (Islamic dress) during a videotaped message,” and for “propaganda against the regime.”⁶⁷

On 30 October 2010, Tehran’s Revolutionary Court sentenced Mohammad Seifzadeh, co-founder of the Defenders of Human Rights Center in Iran, to nine years in prison and a ten-year ban from practicing law for “acting against national security” by “establishing the Defenders of Human Rights Center.”⁶⁸

Mohammad Oliaifar, of the Committee for the Defense of Political Prisoners in Iran, has been serving a one-year prison sentence since March 2010 solely for conducting interviews with international media outlets regarding the case of one of his clients, a juvenile facing execution.⁶⁹

⁶⁵ PBS interview with Mohammad-Javad Larijani, 26 November 2010. <http://www.charlieroose.com/view/interview/11315> (accessed 3 February 2011).

⁶⁶ “Another Human Rights Lawyer Sentenced,” International Campaign for Human Rights in Iran, 6 February 2011, <http://www.iranhumanrights.org/2011/02/another-human-rights-lawyer-sentenced/> (accessed 7 February 2011).

⁶⁷ International Campaign for Human Rights in Iran interview with Reza Khandan, available at: “Top Iranian Lawyer Unjustly Sentenced to 11 years in Prison,” International Campaign for Human Rights in Iran, 9 January 2011, <http://www.iranhumanrights.org/2011/01/top-iranian-lawyer-unjustly-sentenced-to-11-years-in-prison/> (accessed 3 February 2011).

⁶⁸ International Campaign for Human Rights in Iran interview with Mohammad Seifzadeh, available at: “Ebadi Calls on UN High Commissioner for Human Rights to Act,” International Campaign for Human Rights in Iran, 23 July 2010, <http://www.iranhumanrights.org/2010/10/iddhi-campaign-seifzadeh/> (accessed 3 February 2011).

⁶⁹ International Campaign for Human Rights in Iran interview with Shohreh Taghati, available at: “Oliaifar’s Wife: My Husband’s Verdict

On 24 July 2010, authorities attempted to arrest Mohammad Mostafae, the lawyer of high-profile defendant Sakineh Ashtiani, a woman sentenced to be stoned to death for adultery. Mostafae was forced to flee the country in July 2010 to avoid arrest.⁷⁰

4.3 Journalists

*No – no – no journalist is put in jail because of being journalists, while for inciting violence, yes, they are pursued by the legal structure.*⁷¹

- Mohammad-Javad Larijani, interview with CNN, 16 February 2010



“During my arrest, I was beaten so harshly that my sides and wrists became swollen and turned purple, a tendon in my left shoulder was damaged, my ribs were broken, and the cartilage in a part of the lower left bones in my ribcage became detached,” said Issa Saharkhiz.

In December 2010, Reporters Without Borders called Iran’s prison system the “world’s biggest prison for journalists,” counting 37 imprisoned journalists.⁷² Authorities consistently target journalists and bloggers writing for newspapers and websites critical of the government (see Section 5.3 on newspapers and websites). Among these journalists are:

Issa Saharkhiz, a freelance journalist, columnist for the reformist news websites *Rooz Online* and *Norooz*, and a founding member of the Association of Iranian Journalists, was sentenced to 15 months in prison and a lifetime ban on journalistic activities on 30 July 2010. Saharkhiz has publicly complained about his inhumane conditions inside prison, where he was denied medical treatment for broken ribs sustained during his arrest.⁷³

Hengameh Shahidi, an adviser to defeated presidential candidate Mehdi Karroubi, as well as a blogger and contributor to reformist newspapers such as *Etemad e Melli*, was sentenced to six years and three months in prison, a sentence an appeals court quickly upheld in May 2010.⁷⁴

Hossein Derakhshan, a prominent blogger, received a nineteen-and-a-half year prison sentence for espionage, “propaganda against the regime,” “insulting sanctities,” and managing an obscene website on 28 September 2010. Sources close to Derakhshan’s family told the Campaign that the evidence

Was Not Served So He Can’t Appeal,” International Campaign for Human Rights in Iran, 27 August 2010, <http://www.iranhumanrights.org/2010/08/oliaifars-wife-my-husbands-verdict-was-not-served-so-he-cant-appeal/> (accessed 5 February 2011).

⁷⁰ International Campaign for Human Rights in Iran interview with Mohammad Mostafae, available at: “Halt Arrest of Lawyer in Stoning Case,” International Campaign for Human Rights in Iran, 27 July 2010, <http://www.iranhumanrights.org/2010/07/mostafee-arrest-family-targeted/> (accessed 3 February 2011). “Ebadi and Prominent International Organizations Call for Release of Nasrin Sotoudeh,” International Campaign for Human Rights in Iran, 2 October 2010, <http://www.iranhumanrights.org/2010/10/release-sotoudeh-statement/> (accessed 3 February 2011).

⁷¹ CNN interview with Mohammad Javad Larijani, 16 February 2010, <http://archives.cnn.com/TRANSCRIPTS/1002/16/ampr:01.html> (accessed 3 February, 2011).

⁷² “World’s biggest prison for journalists,” Reporters without Borders, 20 December 2010, <http://en.rsf.org/iran-world-s-biggest-prison-for-20-12-2010,39112.html> (accessed 3 February 2011).

⁷³ International Campaign for Human Rights in Iran interview with Mehdi Saharkhiz, available at: “Issa Saharkhiz Remains in Prison Despite Medical Leave Authorization,” International Campaign for Human Rights in Iran, 17 November 2010, <http://www.iranhumanrights.org/2010/11/saharkhiz-prison-medical/> (accessed 3 February 2011). Reporter’s Guide, International Campaign for Human Rights in Iran, September 2010, p. 25., <http://www.iranhumanrights.org/wp-content/uploads/Guide-Final-Web.pdf> (accessed 3 February 2011).

⁷⁴ Reporter’s Guide, International Campaign for Human Rights in Iran, September 2010, p. 25., <http://www.iranhumanrights.org/wp-content/uploads/Guide-Final-Web.pdf> (accessed 3 February 2011).

used in his sentencing included a letter of recommendation for university admission written by Gary Sick, a Columbia University faculty member, and Derakhshan's participation in Gulf2000, an online forum managed by Sick, which includes over 1500 academics, journalists, diplomats, and experts from across the world.⁷⁵

Massoud Bastani, a young journalist arrested on 5 July 2009, is serving a six-year prison term because of his reporting for the *Jomhuriat* website.⁷⁶

Ahmad Zeidabadi, a prominent journalist and columnist for *Rooz* Online, detained in June 2009, is serving his six-year prison term for "attempting to implement a velvet revolution," because he wrote an open letter criticizing the Iranian president.⁷⁷ Additionally, Zeidabadi has been sentenced to five years' exile to the town of Gonabad, and a lifetime ban on political, social, and journalistic activities, interviews or analysis, whether in verbal or written form.⁷⁸

Bahman Ahmadi Amouee, a contributor to reformist newspapers and the author of a blog, arrested in June 2009, is serving a five-year prison term for "actions against national security."⁷⁹ Amouee's wife Jila Baniyaghoub, editor-in-chief of the women's rights website Iranian Women's Club, was sentenced to one year in prison and a 30-year ban from journalism after also being arrested in June 2009.⁸⁰



"During an interrogation...they beat him violently and told him to write down all his moral and financial crimes," said *Ahmad Zeidabadi's* wife. "They tried to force all those charges on him, but he didn't accept them. He told them that he is a journalist and his records are clear. They pulled the sheet of paper away and fired a shot inside his cell. He told me that he felt like his face was numb."

⁷⁵ International Campaign for Human Rights in Iran interview with an anonymous associate to the Derakshan family, available at: "Iranian Blogger Hossein Derakshan Sentenced to Over 19 Years in Prison," International Campaign for Human Rights in Iran, 28 September 2010, <http://www.iranhumanrights.org/2010/09/iranian-blogger-hossein-derakshan-receives-19-5-years-in-prison/> (accessed 3 February 2011). International Campaign for Human Rights in Iran interview with an anonymous associate to the Derakshan family, available at: "Blogger's Conviction Not Supported by Evidence," International Campaign for Human Rights in Iran, 29 September 2010, <http://www.iranhumanrights.org/2010/09/derakshan-no-evidence/> (accessed 3 February 2011).

⁷⁶ International Campaign for Human Rights in Iran interview with Mahsa Amrabadi, available at: "Massoud Bastani: 500 Days in Prison Without a Single Hour of Furlough," International Campaign for Human Rights in Iran, 29 November 2010, <https://www.iranhumanrights.org/2010/11/bastani-no-leave/> (accessed 3 February, 2011).

⁷⁷ International Campaign for Human Rights in Iran interview with Mahdieh Mohammadi, "AIDS Danger at Prison Infirmary; Says Zeidabadi's Wife," International Campaign for Human Rights in Iran, 6 May 2010, <http://www.iranhumanrights.org/2010/05/danger-of-aids-at-prison-infirmary-says-zeidabadi-wife/> (accessed 3 February 2011).

⁷⁸ International Campaign for Human Rights in Iran interview with Mahdieh Mohammadi, available at: "Still no Furlough for Ahmad Zeidabadi," International Campaign for Human Rights in Iran, 8 December 2010, <http://www.iranhumanrights.org/2010/12/no-furlough-zeidabadi/> (accessed 3 February 2011).

⁷⁹ "The Systematic Repression of the Women's Rights Movement – May 2008," International Campaign for Human Rights in Iran, 14 January 2009, <http://www.iranhumanrights.org/2009/01/repression-women/> (accessed 3 February 2011).

⁸⁰ International Campaign for Human Rights in Iran interview with Farideh Gheirat, available at: "Journalist's Lawyer: My Client Was Convicted of 'Writing'" International Campaign for Human Rights in Iran, 2 November 2010, <http://www.iranhumanrights.org/2010/11/jila-baniyaghoub-sentence/> (accessed 5 February 2011).

5. FREEDOM OF EXPRESSION AND ASSOCIATION

5.1 Criticizing Government Officials

*Charlie Rose: Is anybody challenging the leader [Ayatollah Ali Khamenei] in Iran?
Larijani: Oh, definitely yes. Definitely. I mean, nobody is immune from challenge.⁸¹*

- Mohammad-Javad Larijani, interview with PBS, 16 December 2010

[Criticizing the] government does not have any trouble. I mean, against government every day there are hundreds of different claims.⁸²

- Mohammad-Javad Larijani, interview with NBC News, 19 November 2010

Despite Larijani's assertions, authorities routinely suppress free speech, undermine press freedom, and punish public criticism of the government and high-ranking state officials. Dozens of newspapers and websites have been banned and scores of Iranian journalists and bloggers have been arrested since June 2009, mostly after criticizing government officials or official policy.

As Ali Motahari, a conservative Member of Parliament, said to *Soroush Weekly* in August 2010 about freedom of speech in Iran:

Right now, if you criticize high-ranking officials of the government, it won't get published. Whichever newspaper wants to publish this criticism will be banned or if a website wishes to publish this kind of talk, it will get into trouble. For the past several months, none of the interviews I have done have been published in full. ... Wherever there is the probability that the President or his cabinet might feel insulted, the content is taken out. We ask [the publications] "Why did you take it out?" They say, "If we print it, they'll ban our newspaper." ... Unfortunately, the atmosphere is closed. There is an atmosphere of suffocation. Up until a year ago, things could be said more freely, but now the circumstances have changed.⁸³

Activists are often specifically charged and sentenced under vague offences such as "insulting the leader," "insulting the president," or "insulting authorities."

⁸¹ PBS interview with Mohammad-Javad Larijani, 26 November 2010. <http://www.charlierose.com/view/interview/11315> (accessed 3 February 2011).

⁸² NBC News Interview with Mohammad-Javad Larijani, 19 November 2010, <http://www.msnbc.msn.com/id/21134540/vp/40262011#40262011> (accessed 10 February 2011)

⁸³ "Interview with Ali Motahari as reported in: Ahmadinejad and his followers are like the Criterion group," Haghghat News, 13 August 2010, <http://haghghatnews21.wordpress.com/2010/08/13/alimotahari-ahmadineja/> (accessed 8 February 2011).

Veteran political activist Heshmatollah Tabarzadi was sentenced to nine years and 74 lashes for “gathering and colluding against national security,” and “insulting the Supreme Leader,” in October 2010.⁸⁴



“Regarding insulting the President, there were no reasons provided in the ruling. Ms. Hedayat had merely quoted statements made by others, said Bahareh Hedayat’s lawyer. “This could not be construed as her opinion or viewed as her insult on a particular individual.”

Branch 28 of the Revolutionary Court of Tehran sentenced student activist Bahareh Hedayat in May 2010 to nine-and-a-half years in prison, five years for “assembly and collusion against the regime,” two years for “insulting the Supreme Leader,” and six months for “insulting the President.” The court also reactivated an earlier two-year suspended sentence for participating in a 2006 gathering to protest laws discriminating against women.⁸⁵

Former Parliament Member Ali Tajernia was sentenced to five years in prison for “assembly and collusion with the intent to disrupt public security,” and to one year in prison for “propagating activities against the regime,” and to 74 lashes for “insulting the country’s authorities (the President and his cabinet).”⁸⁶

Journalist and member of *Advar Tahkim-e Vahdat* Alumni Association, Ali Malihi was sentenced to four years in prison for “acting against national security,” and payment of a cash fine for “insulting the president.”⁸⁷

Authorities tried three student activists, Majid Tavakoli, Ehsan Mansouri, and Ahmad Ghassaban, in a closed trial, for “publishing and distributing student publications in which sanctities and the President were insulted.”⁸⁸

5.2. Attacks on Human Rights Organizations

*We very much appreciate and welcome this kind, this form of civil society engagement, and I should point out that after the revolution, more than 7,000, please note, 7,000, NGOs mushroomed in Iran. And unfortunately, very few of them had the opportunity to participate in the debate in here.*⁸⁹

- Mohammad-Javad Larijani during Iran’s UPR, 15 February 2010

⁸⁴ “Intelligence Agents Influence Nine Year Sentence for Heshmatollah Tabarzadi,” International Campaign for Human Rights in Iran, <http://www.iranhumanrights.org/2010/10/intelligence-and-security-organizations-influenced-the-nine-year-sentence-2/> (accessed 3 February 2011).

⁸⁵ International Campaign for Human Rights in Iran interview with Mehdi Hojjati, available at: “Bahareh Hedayat’s Defense Went Unnoticed – She Received the Maximum Sentence; Says Lawyer,” International Campaign for Human Rights in Iran, 28 July 2010, www.iranhumanrights.org/2010/07/bahareh-hedayat-max-sentence-lawyer/ (accessed 3 February 2011).

⁸⁶ Ibid.

⁸⁷ Ibid., 22.

⁸⁸ *Reporter’s Guide*, International Campaign for Human Rights in Iran, September 2010, 21, <http://www.iranhumanrights.org/wp-content/uploads/Guide-Final-Web.pdf> (accessed 3 February 2011).

⁸⁹ Human Rights Council, Seventh Universal Periodic Review. opening comments by Mohammad-Javad Larijani, 15 February 2010, <http://un.org/webcast/unhrc/archive.asp?go=100215> (accessed 3 February, 2011).



DEFENDERS OF HUMAN RIGHTS CENTER

"I asked them to produce a search warrant [when the Center was raided], but instead the commander told me, 'My uniform is the legal basis. I don't need to give you any warrant,'" said Narges Mohammadi, DHRC spokesperson. "Plainclothes agents attacked and intimidated guests. In one instance, they beat a member of the DHRC, on his chest and head and took his mobile telephone."

While Iranian officials tout the growth of the NGO sector in Iran, authorities have in actuality repressed many independent NGOs such as student groups and labor unions, whose work has been critical of the Iranian government and government policy.⁹⁰

Human Rights organizations are an increasingly common target of state repression. In December 2008 security officials closed the Defenders of Human Rights Center (DHRC), founded by Nobel Peace Prize Laureate Shirin Ebadi and several other prominent Iranian human rights lawyers, just a few hours before the Center planned to hold a 60th anniversary celebration of the Universal Declaration of Human Rights at its Tehran office. In 2010, authorities prosecuted and convicted several lawyers associated with the DHRC (see Section 4.2). In more than one of these cases, prosecutors used the lawyer's affiliation with the DHRC as evidence of criminality. Mohammad Seifzadeh has been sentenced to nine years in prison for co-founding the DHRC and Mohammad Ali Dadkhah and Abdolfattah Soltani, both charged with co-founding the DHRC, have open prosecutions against them.⁹¹

In September 2009, authorities shut down the Association for the Defense of Prisoners' Rights, which monitors the ill-treatment of detainees in Iran. On 21 September 2010, Branch 26 of the Revolutionary Court

sentenced Emad Baghi, founder of the Association, to a six-year prison term and five years of "civil deprivation" on charges of "engaging in propaganda against the system" and "colluding against the security of the regime." The basis for his conviction was an interview he conducted seven years prior with dissident cleric Grand Ayatollah Montazeri.⁹² Emad Baghi received the highly prestigious Martin Ennals Award for human rights defenders in 2009.⁹³

In 2009 and 2010 Iran authorities cracked down on the Committee of Human Rights Reporters (CHRR) arresting at least seven of its members by means of a "group arrest warrant."⁹⁴ In an attempt to pursue charges of *moharebeh* (enmity with God), which could carry a death sentence, Tehran's prosecutor has made the highly unsubstantiated claim that CHRR is associated with the



"The Martin Ennals [award] to Emad Baghi for his courageous efforts helps to keep the eyes of the world on the difficult human rights situation in Iran," said Joe Stork, deputy Middle East director at Human Rights Watch. "

⁹⁰ "Reverse Closure of Nobel Laureate's Rights Group," International Campaign for Human Rights in Iran, 30 December 2008, <http://www.iranhumanrights.org/2008/12/reverse-closure-of-nobel-laureate%E2%80%99s-rights-group/> (accessed 7 February 2011).

⁹¹ "Ebadi and Prominent International Organizations Call for Release of Nasrin Sotoudeh," International Campaign for Human Rights in Iran, 2 October 2010, <http://www.iranhumanrights.org/2010/10/release-sotoudeh-statement/> (accessed 7 February 2010).

⁹² "Ahmadinejad's Media Blitz Unfolds as Young Activists Receive Harsh Sentences," International Campaign for Human Rights in Iran, 21 September 2010, <http://www.iranhumanrights.org/2010/09/young-activists-harsh-sentences/> (accessed 3 February 2011); "Iranian rights campaigner sentenced over BBC work," BBC News, 22 September, 2010, <http://www.bbc.co.uk/news/world-middle-east-11392331> (accessed 3 February 2011); "Sentencing to prison of Mr. Emadeddin Baghi - IRN 009/0910 / OBS 115," International Federation for Human Rights, 22 September, 2010, <http://www.fidh.org/Sentencing-to-prison-of-Mr-Emadeddin-Baghi-IRN> (accessed 3 February 2011).

⁹³ "Iranian rights campaigner sentenced over BBC work," BBC News, 22 September, 2010, <http://www.bbc.co.uk/news/world-middle-east-11392331> (accessed 3 February 2011).

⁹⁴ "Members of Committee of Human Rights Reporters Under Pressure to Make Forced Confessions," International Campaign for Human Rights in Iran, 29 January 2010, <http://www.iranhumanrights.org/2010/01/members-of-committee-of-human-rights-reporters-under-pressure-for-forced-confessions/> (accessed 4 February 2011).

militant opposition group, *Mojahedin Khalq Organization*.⁹⁵



Shiva Nazar Ahari's lawyer said, "I have not been officially served the verdict and unfortunately ... I learned about the ruling through the press."

Branch 26 of the Revolutionary Court in Tehran sentenced Navid Khanjani of the CHRR, on 31 January 2011, to 12 years in prison and cash fines on charges of "propagating falsehoods," "creating public anxiety," and "propagating against the regime through publishing news and reports and interviewing with foreign TV and radio outlets," and "membership in the Central Council of the Committee of Human Rights Reporters." The court also convicted Khanjani for "formation of a group for those banned from education," for his participation in the Council for the Defense of the Right to Education (see Section 8 for more on education bans).⁹⁶

Shiva Nazar Ahari, a member of the CHRR, received a sentence of six years in prison and 76 lashes on 4 September 2010. She was convicted of *moharebeh*, a charge her lawyer, Mohammad Sharif, says was not supported by any evidence in her case file. In January 2011, Branch 36 of Tehran's Appeals Court reduced the sentence to 4 years and 74 lashes. Currently, Ahari is free on bail awaiting a prison recall.⁹⁷

On 7 February 2010, Ali Kalaei, a member of CHRR, was arrested and released on 14 February. On 27 April 2010, Branch 3 of the Revolutionary Courts summoned him to appear in order to continue investigations and he has been sentenced to six years in prison.⁹⁸

The Iranian government has also prosecuted members of Iran's most prominent Kurdish human rights organization. Arrested in June 2007, Mohammad Sadiq Kaboudvand, founder of the Human Rights Organization of Kurdistan (HROK), is carrying out a 10-year sentence in Evin Prison on charges of "acting against national security by establishing the Human Rights Organization of Kurdistan," "widespread propaganda against the system by disseminating news," "opposing Islamic penal laws by publicizing punishments such as stoning and executions," and "advocating on behalf of political prisoners."⁹⁹ On 30 January 2011, Branch 1 of the Revolutionary



Mohammad Sadiq Kaboudvand's daughter said, "My father was involved in human rights work and invited everyone to peaceful conduct. What has he done to be denied the least of rights?"

⁹⁵ "Members of Committee of Human Rights Reporters Under Pressure to Make Forced Confessions," International Campaign for Human Rights in Iran, 29 January 2010, <http://www.iranhumanrights.org/2010/01/members-of-committee-of-human-rights-reporters-under-pressure-for-forced-confessions/> (accessed 7 February 2011).

⁹⁶ "Twelve Years in Prison for Human Rights Activist and Banned Student," International Campaign for Human Rights in Iran, 31 January 2011, <http://www.iranhumanrights.org/2011/01/twelve-years-in-prison-for-human-rights-activist-and-banned-student/> (accessed 3 February 2011).

⁹⁷ "Shiva Nazar Ahari's Four Year Sentence is Final, Says Lawyer," International Campaign for Human Rights in Iran, 9 January 2011, <http://www.iranhumanrights.org/2011/01/shiva-nazar-aharis-four-year-sentence-is-final-says-lawyer/> (accessed 3 February 2011). "Ahmadinejad's Media Blitz Unfolds as Young Activists Receive Harsh Sentences," International Campaign for Human Rights in Iran, 21 September 2010, <http://www.iranhumanrights.org/2010/09/young-activists-harsh-sentences/> (accessed 3 February 2011).

⁹⁸ "Shiva Nazar Ahari's Mother: 'My Daughter Has Denied the Charges Against Her,'" International Campaign for Human Rights in Iran, 28 April 2010, www.iranhumanrights.org/2010/04/shiva-nazar-aharis-mother-my-daughter-has-denied-the-charges-against-her/ (accessed 3 February 2011); "Mass arrests of journalist: Akbar Montajabi, Ehsan Mehrabi, Jalali Farahani, Ali Kalaei, and Somayeh Momeni in Prison," International Campaign for Human Rights in Iran, 8 February 2010 www.iranhumanrights.org/2010/02/mass-arrests-of-journalist-akbar-montajabi-ehsan-mehrabi-jalali-farahani-ali-kalaei-and-somayeh-momeni-in-prison/ (accessed 3 February 2011).

⁹⁹ "Mohammad Sadiq Kaboudvand," International Campaign for Human Rights in Iran, 26 January 2009, www.iranhumanrights.org/2009/01/mohammad-sadiq-kaboudvand/ (accessed 3 February 2011); International Campaign for Human Rights in Iran interview with Parinaz Baghbani Hassani, "Life of Imprisoned Human Rights Defender in Danger," International Campaign for Human Rights in Iran, 19 December 2008, <http://www.iranhumanrights.org/2008/12/kaboudvand-in-danger/> (accessed 3 February 2011).

Court in Kermanshah sentenced Kaveh Ghasemi Kermanshahi, a member of the HROK central council, to five years in prison. Kermanshahi was tried on charges of “acting against national security” because of his membership in the HROK. He was also charged with “propagating against the regime” for news articles he wrote and interviews he gave with the media, as well as for “contacting families of political prisoners and those executed.”¹⁰⁰

5.3 Press and Internet Freedoms

Charlie Rose: Do you feel [the] people who live in the state of Iran ... should be allowed to be free, to express themselves, to enjoy human rights and to be able to protest their government and to speak against their government?

Larijani: Exactly.

Rose: All of those things, you stand for.

*Larijani: All of those things. Yes.*¹⁰¹

- Mohammad-Javad Larijani, interview with PBS, 16 December 2010

*“I personally believe that it is not good to close a newspaper. Closure of newspapers in our country is an ugly phenomenon ... This is a very bad phenomenon.”*¹⁰²

- Mohammad-Javad Larijani, interview with Tunisia’s Nawaat, 7 February 2005

*With regard to free access to information, we are of the view that the access to the electronic technologies such as Internet with broad access, should be defined in a way that prevent dissemination of racist and xenophobic ideas as well as harmful materials such as child pornography and abuse.*¹⁰³

- Mohammad Reza Ghaebi, delegate of the Islamic Republic of Iran at the HRC, 4 June 2010

In 2009 and 2010 authorities banned several independent newspapers, particularly reformists publications. Many journalists working for these publications were also arrested, some sentenced to prison terms and bans from journalistic activities (see Section 4.3).

On 1 March 2010, the Press Supervisory Board shut down *Etemaad*, a well-known reformist publication, citing violations of Iran’s press law.¹⁰⁴

¹⁰⁰ “Human Rights Activist, Kaveh Kermanshahi, Sentenced to Five Years,” International Campaign for Human Rights in Iran, 31 January 2011, www.iranhumanrights.org/2011/01/kermanshahi-five-year-sentence/ (accessed 3 February 2011); “Leading Human Rights Activist Arrested,” International Campaign for Human Rights in Iran, 3 February 2010, www.iranhumanrights.org/2010/02/kermanshahi-arrest/ (accessed 3 February 2011).

¹⁰¹ PBS interview with Mohammad-Javad Larijani, 26 November 2010. <http://www.charlierose.com/view/interview/11315> (accessed 3 February 2011)

¹⁰² Nawaat Interview with Mohammad-Javad Larijani, Nawaat, 7 February 2005, <http://nawaat.org/portail/2005/02/07/democracy-is-closer-to-islam-than-other-models-of-governance/> (accessed 5 February 2011).

¹⁰³ Human Rights Council, Fourteenth Session & Organizational Session of the Human Rights Council for its 5th Cycle, 24th Plenary Meeting. Comments by Mohammad Reza Ghaebi, 4 June, 2010. Available at: <http://www.un.org/webcast/unhrc/archive.asp?go=100604> (Accessed 3 February 2011).

¹⁰⁴ “Iran steps up pressure on journalists,” Reuters, 8 March 2010, <http://www.guardian.co.uk/media/2010/mar/08/iran-pressure-journalists> (accessed 5 February 2011); “Iran closes newspaper and magazine critical of government,” The Washington Post, 2 March 2010, <http://www.washingtonpost.com/archive/local/localnews/2010/03/02/>

On 21 December 2009, the Press Board banned *Andisheh-No*, a reformist daily run by Hojjatollah Hajebi. The publication received several warnings for insufficient reporting of certain political events, and was closed for “questioning general policies of the Islamic Republic,” as well as “a constant effort to deepen differences among people after the presidential election.”¹⁰⁵

In November 2009, Iran's Ministry of Culture shut down *Sarmayeh*, a leading reformist newspaper that covered news about opposition leaders, citing article 6 of the Press Law, which prohibits dishonoring the Islamic Republic and insulting senior clergy.¹⁰⁶

Prosecutor Saeed Mortazavi also shut down the newspaper *Etemaad-e Melli*, belonging to presidential candidate Mehdi Karrubi, in August 2009.¹⁰⁷ Authorities accused *Etemaad-e Melli* of breaching Iran's media laws.¹⁰⁸ The Prosecutor's office told the publishing manager that “the newspaper's interview with Mr. Karrubi as the head of *Etemaad Melli* party and its interviews with the head of the national Expediency Council [former president Hashemi Rafsanjani] were violations of ... the Press Law as a result of which the publication of the newspaper had to be suspended.”¹⁰⁹

On 14 June 2009, Tehran Prosecutor Mortazavi banned *Kalame Sabz*, the newspaper licensed to presidential candidate Mir Hossein Mousavi.¹¹⁰ Despite the ban, *Kalame Sabz* continued its publications, and authorities stormed its offices on 22 June 2009, arresting almost all of its reporters and staff.¹¹¹

The Iranian government also engages in broad internet censorship aimed, in part, at blocking websites containing information and opinion critical of the government. In 2009 and 2010 Iranian authorities blocked dozens of blogs, political websites, and online news outlets. The websites of former president Mohammad Khatami, former prime minister Mir Hossein Mousavi and former speaker of the parliament Mehdi Karrubi have been blocked.¹¹² Authorities continue to block several independent news sources, such as *Gooya Online* and *Rooz Online*.



Prominent reformist newspaper *Etemaad-e Melli*, closed in August 2009. The publication was known for exposing many government abuses including the rape of detainees in Kahrizak Detention Center and discriminatory exclusion of students from universities.

washingtonpost.com/wp-dyn/content/article/2010/03/01/AR2010030101470.html (accessed 7 February 2011).

¹⁰⁵ “Andisheh-ye-No daily banned,” *Tehran Times*, 22 December 2009, http://www.tehrantimes.com/index_View.asp?code=210443 (accessed 7 February 2011); “In Iran, restrictive media landscape further deteriorates,” Committee to Protect Journalists, 23 December 2009, <http://cpj.org/2009/12/in-iran-restrictive-media-landscape-further-deteri.php> (accessed 7 February 2011).

¹⁰⁶ “Tehran shuts second reformist paper,” *Financial Times*, 2 November 2009, <http://www.ft.com/cms/s/0/1abf9502-c7be-11de-8ba8-00144feab49a.html#axzz1DjfgBWUQ>, (accessed 7 February 2011).

¹⁰⁷ “Iran: Reformist paper shut down,” *CNN News*, 17 August 2009, http://articles.cnn.com/2009-08-17/world/iran.crackdown_1_mehdi-karrubi-detainees-reformist?_s=PM:WORLD (accessed 5 February 2011).

¹⁰⁸ “Iran: Reformist paper shut down,” *CNN News*, 17 August 2009, http://articles.cnn.com/2009-08-17/world/iran.crackdown_1_mehdi-karrubi-detainees-reformist?_s=PM:WORLD (accessed 5 February 2011).

¹⁰⁹ “Etemad Melli Newspaper Banned,” *Rooz Online*, 19 August 2009, <http://www.roozonline.com/english/news3/newsitem/article/etemad-melli-newspaper-banned.html> (accessed 11 February 2011).

¹¹⁰ “Iran Forcing Media to Shut Down,” *Radio Free Europe/Radio Liberty*, 15 June 2009, http://www.rferl.org/content/Iran_Forcing_Media_To_Shut_Down/1754655.html (accessed 5 February 2011).

¹¹¹ “Iranian newspaper raided, employees detained,” Committee to Protect Journalists, 23 June 2009, <http://cpj.org/2009/06/iranian-newspaper-raided-25-employees-detained.php> (accessed 10 February 2009).

¹¹² See: “Former President Khatami's Website Blocked,” International Campaign for Human Rights in Iran, 20 October 2010, <http://www.iranhumanrights.org/2010/10/khatami-website-blocked/> (accessed 7 February 2011)

6. ETHNIC DISCRIMINATION

Under the constitution of the Islamic Republic of Iran, race, ethnicity and religion do not distinguish among people, bestowing superiority to one group over another. For this reason, there is no discriminatory approach in laws, legislations or policy-making processes of the IRI.¹¹³

- Yonathan Betkolia, member of Parliament, during Iran's UPR, 15 February 2010

On 27 August 2010, the UN Committee on the Elimination of Racial Discrimination urged the Iranian government to bring its domestic laws into full conformity with the CERD Convention on racial discrimination, particularly with regards to the definition of racial discrimination in the Constitution.¹¹⁴

The committee expressed concern with:

The limited enjoyment of political, economic, social and cultural rights by, inter alia, Arab, Azeri, Baluchi, Kurdish communities and some communities of non-citizens, in particular with regard to housing, education, freedom of expression and religion, health and employment, despite the economic growth in [the country].¹¹⁵

Amongst the committee's concerns were "the low level of participation" of persons from various ethnic and religious minorities and barriers to their employment by the state.¹¹⁶ The committee also highlighted a "lack of sufficient measures to enable persons belonging to minorities to have adequate opportunities to learn their mother tongue and to have it used as a medium of instruction."¹¹⁷

¹¹³ Human Rights Council, Seventh Universal Periodic Review. Yonathan Betkolia during interactive dialogue, 15 February, 2010, <http://un.org/webcast/unhrc/archive.asp?go=100215> (accessed 3 February, 2011).

¹¹⁴ United Nations International Convention on the Elimination of All Forms of Racial Discrimination, Concluding observations of the Committee on the Elimination of Racial Discrimination, Islamic Republic of Iran. U.N. Doc CERD/C/IRN/CO/18-19 (20 September 2010).

¹¹⁵ Ibid, para 15.

¹¹⁶ Ibid, para 17.

¹¹⁷ Ibid, para 12.

7. FREEDOM OF RELIGION

No Baha'i in Iran is prosecuted because he is a Baha'i, and there are about 200 students, Baha'i students at universities. There are plenty of big firms and companies owned by Baha'is in Iran. The sensitive area is the cult type of activity. Cult means that a group that people can enter in that but they cannot get out by their will. It is against the law, even cults based on Shiite thinking are forbidden by law and they are pursued. So, Baha'is who are pursued in Tehran through legal structure are those who are involved in cult type of activity. Cult type of activity is against all the basic human rights of the people.¹¹⁸

- Mohammad-Javad Larijani during Iran's UPR, 15 February 2010



Seven imprisoned Baha'i leaders, are, front row, Behrouz Tavakkoli and Saeid Rezaie, and, standing, Fariba Kamalabadi, Vahid Tizfahm, Jamaloddin Khanjani, Afif Naeimi, and Mahvash Sabet.

Authorities have detained hundreds of members Shia sufi order, Nematollahi Gonabadi over the past few years, sentencing many to imprisonment, fines, and floggings including Gholam-Abbas Zare-Haqiqi, who authorities sentenced to four years in prison in October 2009, for allowing a burial at Sufi cemeteries, a banned practice. Since 2006 several of the order's prayer centers have been demolished or attacked including the demolition of a center in Isfahan in February 2009 and a June 2010 attack on a center by Ministry of Intelligence agents.

Authorities are increasingly detaining and prosecution evangelical and protestant Christians. Authorities arrested around 60 Christians in the Tehran Province in late December 2010.¹¹⁹ On 22 September 2010, the 11th Circuit

Criminal Court of Appeals for the Gilan Province upheld the death sentence and conviction of Youcef Nadarkhani for apostasy, a crime with no basis in Iranian law. Another pastor, Behrouz Sadeq Khanjani of Shiraz, still faces an apostasy charge.

Authorities continue broad discrimination against members of the Baha'i Faith, including detaining hundreds of them in 2009 and 2010. In August 2010, authorities sentenced seven Baha'i leaders to ten years in prison each, on baseless espionage charges. Baha'i cemeteries are regularly attacked and demolished including demolitions in Mashad in June 2010 and Damavand in April 2010. Baha'i students are also consistently barred from university admission or expelled (more on education: see Section 8).

¹¹⁸ Human Rights Council, Seventh Universal Periodic Review. opening comments by Mohammad-Javad Larijani, 15 February 2010, <http://un.org/webcast/unhrc/archive.asp?go=100215> (accessed 3 February, 2011).

¹¹⁹ "Minister of Jama'ate Rabbani Church of Esfahan detained," Radio Farda News, 6 January 2011, www.radiofarda.com/archive/news/20110106/143/143.html?id=2268250 (accessed 5 February 2011).

8. RIGHT TO EDUCATION

*We have made arrangements so that no applicants would face any problems with star markings or any other markings, which might show a conditional selection, and so that examination applicants know their situation before the results are announced.*¹²⁰

- Abdolrasool Pourabbas, head of testing for the Ministry of Education, 1 March 2007

*The claim about expelling of some of these students is... Limitations against some of these Baha'i university students have nothing to do with their religious beliefs. This limitation is because they have failed to meet the entrance requirements to the university and the fact that they have been members of an illegal cult with anti-Human Rights activities.*¹²¹

- Seyed Ali Raeis Sadati during Iran's UPR, 15 February 2010



Puyan Mahmoudian, received the sixth highest score on graduate entrance exams in polymer chemical engineering, but was barred from continuing his education due to his activities and being critical of the government.

During the past five years, hundreds of students have been barred from higher education in Iran. Authorities tasked with managing the country's institutions of higher education, flag the academic records of student activists and government critics, as well as students of the Baha'i Faith, barring applicants from gaining admission to bachelor degree programs or from continuing their education in graduate programs.¹²²

The Campaign interviewed 27 students barred from higher education and compiled a list of 217 students. The true numbers are believed to be much higher, as many targeted students have preferred not to make their case public, fearing further persecution, or hoping that they can reverse their education bans by giving written guarantees to cease their activism.¹²³

Excluding these students from higher education has had nothing to do with academic performance or rankings in highly competitive entrance university examinations. Indeed, in all cases reviewed by the Campaign, students ranked high enough on entrance exams to gain admissions. Nonetheless these students, including some of the best and brightest in Iran, faced systematic, politically and religiously motivated discrimination and

¹²⁰ "Results of the 2007 Graduate Entrance Examination Will Be Announced Without Stars Or Any Other Markings," 1 March 2007; <http://www.mehrnews.com/fa/NewsTextOnlyVersion.aspx?NewsID=455067>

¹²¹ Human Rights Council, Seventh Universal Periodic Review. Comments by Seyed Ali Raeis Sadati, 15 February, 2010, <http://un.org/webcast/unhrc/archive.asp?go=100215> (accessed 3 February, 2011).

¹²² *Punishing Stars: Systematic Discrimination and Exclusion in Higher Education*, International Campaign for Human Rights in Iran, December 2010, <http://www.iranhumanrights.org/wp-content/uploads/punishing-stars-english.pdf> (accessed February 3 2011).

¹²³ *Ibid.*

exclusion.¹²⁴

Two regulations issued by the Supreme Cultural Revolution Council: the Moral Selection Regulations for University Entrance Applicants, adopted in 1987, and the Student Selection Criteria, adopted in 1988, require that the national university selection committee to gain approval for student admissions from non-academic government organs, including the Ministry of Intelligence and the Prosecutor of the General and Revolutionary Courts.¹²⁵ These agencies can block, or make conditional, an applicant's admission irrespective of his or her performance on standardized examinations or academic merits.

Under the regulations, authorities can reject a university applicant if they are "reputed to be morally corrupt," "enemies" of the Islamic Republic or do not belong to "Islam or other recognized religions (i.e. Christianity, Judaism, and Zoroastrianism)."¹²⁶



Student activist and member of the Council for the Defense of the Right to Education, *Mahdieh Golroo* who was barred from education in 2007 as a result of her student and civic activities.

¹²⁴ Ibid.

¹²⁵ Moral Selection Regulations for University Entrance Applicants, <http://www.ghavanin.ir/detail.asp?id=6918>. Student Selection Criteria, <http://rc.majlis.ir/fa/law/show/99898>.

¹²⁶ Moral Selection Regulations for University Entrance Applicants, <http://www.ghavanin.ir/detail.asp?id=6918>.

Official Distortion and Disinformation: A Guide to Iran's Human Rights Crisis

Two years after the disputed presidential election of 2009, the human rights situation in Iran continues to deteriorate. The country has become enveloped in a profound human rights crisis marked by systematic violations of both international law and the rights protected by Iran's own constitution. The government has been engaged in a binge of executions, routine torture, and mass arbitrary detentions. Journalists, human rights defenders, civil society activists, as well as, minority ethnic and religious groups face growing repression. Authorities, moreover, repeatedly silence domestic efforts to hold the government accountable.

Amidst this deepening human right crisis, Iranian officials are doing all they can to prevent outside scrutiny of human rights conditions in the country, while proclaiming to respect their international obligations. Mohammad-Javad Larijani, head of Iran's High Council for Human Rights, along with other officials representing Iran abroad, consistently obfuscate any serious international discussion of the country's deteriorating human rights record by engaging in distortion or misrepresentation of facts and by diverting criticism with discussion of issues extraneous to their record.

Official Distortion and Disinformation examines statements made publicly by Larijani and other officials regarding the Iranian government's human rights record, and compares those statements to the actual record as documented by international human rights organizations and UN human rights bodies.



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