



## **The Islamic Republic at 31**

**Post-election Abuses Show Serious Human Rights Crisis**

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## Post-election Abuses Show Serious Human Rights Crisis

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## Executive Summary

The nearly nine months since Iran's presidential election sparked widespread popular demonstrations against alleged vote-rigging have been among the most tumultuous in the history of the Islamic Republic, which marks the 31st anniversary of the revolution that paved the way for its establishment on February 11, 2010. This has been a period of repeated serious human rights abuses that include extra-judicial killings, violations of the rights to freedom of assembly and expression, and the prohibition of torture, not to mention arbitrary arrest and detention and countless due process violations.

In the two months immediately following the June 12 election, the government carried out a major campaign of repression that included mass detentions of protestors, political reform figures, and rights activists, culminating in public trials in August. November and December saw renewed attacks on protestors as large demonstrations commemorated significant dates in the history of the Islamic revolution and the Shia Muslim religious calendar.

This report brings together testimonies and information reflecting the continuing human rights crisis since the election and its sharply disputed results. Over the course of 5 months, Human Rights Watch conducted interviews with over two dozen individuals, including ordinary protestors, journalists, political figure and their families, and human rights defenders. The report's findings indicate a widespread governmental crackdown across various sectors of Iranian society. Although the government has acknowledged some abuses and even named responsible individuals, no one has been prosecuted for committing major human rights violations.

On June 12, 2009, Iran's incumbent president, Mahmoud Ahmadinejad, stood for re-election against challengers Mehdi Karroubi, Mir Hossein Mousavi, and Mohsen Rezaei. Although the one-month campaign period produced some notable transparency, such as live televised presidential debates for the first time, the government mobilized its institutions and media resources to promote President Ahmadinejad and harass his opponents. The authorities closed reformist publications, blocked opposition websites, and disrupted SMS services prior to the election. Rival candidates' accusations of official favoritism and electoral meddling by the government came to a head on election day. After the announcement of preliminary results on election day, the three opposition candidates quickly charged that the authorities had rigged the voting in favor of President Ahmadinejad and later filed complaints with the Guardian Council. (The Guardian Council is an unelected body of six

clerics and six jurists whose range of powers includes supervisory authority over presidential elections).

On June 13, following the government's announcement the previous afternoon that preliminary election results showed Ahmadinejad to be the winner, large numbers of protestors took to the streets. They gathered throughout Tehran and other major cities for the next several days. The demonstrations were overwhelmingly peaceful. However, police and security forces confronted protestors, including those who played no part in the occasional acts of vandalism that occurred, with batons, clubs, and in some cases live ammunition. State violence extended beyond demonstrations, with plainclothes and *Basij* paramilitary forces attacking student dormitories and staging nighttime raids in residential areas. Security forces arrested thousands of protestors in the course of these governmental crackdowns during the first week following the election.

In addition to massive detentions of ordinary protestors and peaceful activists, as early as the day after the election, authorities rounded up scores of well-known writers and political figures affiliated with the reform movement. (The reform movement is a term dating to the 1997 election of President Mohammad Khatami, who planned to bring about greater social and political freedoms. Since that time, the term is often broadly applied to include political figures and activists who advocate for change within the framework of the current governmental system.)

The worst abuses against ordinary protestors have taken place at police stations and detention centers, most notoriously at the Kahrizak detention center outside of Tehran. At least three detainees have died due to injuries sustained in Kahrizak. In August, authorities dismissed the director of Kahrizak and said that three guards would be prosecuted for prisoner abuse. In January 2010, a parliamentary panel investigated the deaths and allegations of torture and named former Tehran Prosecutor-General Saeed Mortazavi as the person responsible. Although the panel dismissed allegations of sexual abuse, it found that widespread violations had taken place in the detention center. However, neither Mortazavi nor anyone else implicated in the abuse has yet been prosecuted.

Authorities also abused detainees in Evin, a large prison complex where Human Rights Watch has previously documented systematic abuses. In Evin, authorities held prominent political figures and activists, who gave confessions that appeared to have been coerced incriminating themselves and others of vaguely-worded political offenses. In August, the government held the first mass trial for over 100 reformists, with defendants confessing to having colluded to promote a "velvet revolution." After the first day of the trial, state

television showed two of the defendants, Mohammad Ali Abtahi and Mohammad Atrianfar, denying that their confessions were coerced and claiming to have “changed” their opinions since they were detained. Testimonies collected by Human Rights Watch indicate that authorities coerced the detainees into providing these confessions. Families of detainees told Human Rights Watch that their relatives were put under severe physical and psychological pressure to produce self-incriminating statements.

Despite widespread repression in the weeks following the election, peaceful demonstrations and expressions of opposition continued. Former candidates and their supporters, primarily depending on the internet, have spoken out against human rights violations and called on the government to hold abusers accountable. In response, the government harassed and intimidated activists, journalists, and human rights defenders, detaining many, subjecting some to trials that did not meet international fair trial standards, and convicting others solely for exercising their right to peaceful dissent.

During the fall and winter of 2009, government harassment of peaceful protestors in response to major demonstrations such as those held on November 4 (the anniversary of the takeover of the US embassy in 1979), December 7 (National Student Day), and in conjunction with the Shia religious holiday of Ashura on December 27 continued unabated. Attacks by security forces acting alongside the Basij injured many and killed at least 8. Authorities also arrested scores of additional activists and protestors, and threatened to try some on charges that carry the death penalty. As of February 10, the government had executed 2 persons who had in fact been detained prior to the elections on charges of *moharebe* (enmity with God). In January, the government sentenced 9 others to the death penalty on the same charges and put on trial 16 others on charges that carry the death penalty upon conviction.

### **Key Recommendations to the Government of Iran**

- Establish an independent and impartial fact-finding commission to identify those who ordered the crackdown on post-election protesters and those responsible for serious human rights violations.
- Investigate promptly and impartially all allegations of torture or ill-treatment in detention.
- Ensure that victims of torture or ill-treatment receive appropriate compensation from the government.
- Release all detainees held for exercising their right to free expression, assembly, and association

## Methodology

The Iranian government does not allow independent organizations such as Human Rights Watch to enter the country for the purposes of unimpeded investigations into human rights abuses. Due to such restrictions, Human Rights Watch collected information for this report through extensive telephone and internet based interviews with over two dozen individuals including ordinary protestors, journalists, human rights defenders, as well as political figure and their families. Human Rights Watch relied on a network of trusted human rights defenders to identify and verify the identity of individuals who provided testimonies for this report. Their names, locations and dates of interview have been kept confidential to protect their security.

### Violence against Peaceful Protestors Following the Election

Tehran was the locus of the largest post-election demonstrations, and there protestors faced the biggest show of governmental force. On June 15, three days after the vote, hundreds of thousands of supporters of Mir Hossein Mousavi, the main opposition candidate, turned out for a mass rally at Azadi Square.<sup>1</sup> Although some protestors engaged in acts of vandalism, the demonstrators were overwhelmingly peaceful.<sup>2</sup> Making no distinction between the two, security forces attacked demonstrators aided by motorcyclist in plainclothes, believed to be Basij members. In an account typical of many, a journalist living in Tehran, told Human Rights Watch:

I've seen the Basij when they come through on their motorcycles. There are two guys, one in front and one in the back, and they beat and harass people. People know that they are Basiji. They have batons most of the time. They are in various parts of the city, like in Vanak Square, where there were probably twenty motorcycles. People were walking through peacefully chanting, not provoking the Basijis, but they came and started beating people.

One witness to the June 15 events told Human Rights Watch:

I walked toward Vanak Square. By the time I arrived, crowds were gathering but no one was shouting slogans. People were afraid because there were

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<sup>1</sup> "Protesters Rally for Mousavi in Election Dispute," *MSNBC*, June 15, 2009, <http://www.msnbc.msn.com/id/31365097>, (accessed August 3, 2009).

<sup>2</sup> "Iran: End Violence Against Peaceful Protests," *Human Rights Watch News Release*, June 15, 2010, <http://www.hrw.org/en/news/2009/06/15/iran-end-violence-against-peaceful-protests>.

hundreds of riot police standing around. I started walking north from Vanak Square towards Mirdamad. I saw riot police on motorcycles suddenly come up on the sidewalk in pairs. They were hitting people with batons and hoses. They passed me on the sidewalk and hit me for no reason. They also accidentally hit some Basijis as well, not recognizing friend from foe. This resulted in a small skirmish that was quickly resolved as the Basijis warned the riot police to pay attention not to hit them.

People on the scene implicated individuals in plainclothes, believed to be Basij, in attacks that killed peaceful demonstrators. The shooting of Neda Agha-Soltan was one of the first such incidents. On June 20, Sultan, 26, was on her way to join demonstrations at Azadi Square. She was shot after she and two companions got out of their car on Karegar Street.<sup>3</sup> Some officials blamed her death on protestors, opposition groups, and foreign powers.<sup>4</sup> Authorities forced the family to bury Agha-Soltan without conducting an autopsy or investigation. A relative told Human Rights Watch that authorities told the family they would face terrible consequences if they challenged the government's version of her death. They also prohibited the family from holding a public funeral. The government has not carried out any investigation into the killing of Neda Agha-Soltan.

Sohrab Aarabi, 19, another young protestor, died, apparently after being shot on the day of a protest. Aarabi disappeared on June 15, the day of one of the largest demonstrations in Tehran. According to statements she made to the press, Aarabi's mother said that she searched for her son and authorities at Evin Prison told her he was being held inside. Nearly a month after his disappearance, authorities summoned his mother to identify her son and showed her a coroner's report stating the cause of death as a bullet to the heart.<sup>5</sup>

At least 40 others died during the post-election crackdown in the month of June. Due to the government's lack of transparency, the actual number of casualties – both those killed and injured – remains unknown.<sup>6</sup> Among the confirmed dead, it is not clear how many died as a

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<sup>3</sup> "Iranian Authorities Scramble to Negate Neda Soltan 'martyrdom,'" *Newsweek*, June 23, 2009, [http://www.timesonline.co.uk/tol/news/world/middle\\_east/article6561253.ece](http://www.timesonline.co.uk/tol/news/world/middle_east/article6561253.ece) (accessed August 6, 2009).

<sup>4</sup> "Iranian Leaders Blaming CIA, Protestors, for Killing Neda," *ABC News Blogs*, June 26, 2009, <http://blogs.abcnews.com/politicalpunch/2009/06/iranian-leaders-blaming-cia-protestors-for-killing-neda.html> (accessed August 6, 2009).

<sup>5</sup> "Slain Iranian Teenager Becomes Symbol of Protests," *The Los Angeles Times*, July 14, 2009, <http://articles.latimes.com/2009/jul/14/world/fg-iran-sohrab14> (Accessed February 1, 2010).

<sup>6</sup> In August, Iran's deputy police chief, Gen. Ahmad Reza Radan, said that the police was standing by numbers given in June by the provincial governor of Tehran, who had claimed that 19 were killed that month. In September, a senior commander in the Revolutionary Guards, Abdollah Araghi, placed the number at 36. The Iranian opposition has claimed more than twice those



result of wounds sustained during demonstrations or while in detention. As documented in the discussion below of police raids on university dormitories, unprovoked attacks not related to demonstrations caused other casualties.

On the night of June 14, two days after the election, police and Basij forces attacked Tehran University dormitories, injuring students and damaging buildings. Some students were asleep when the attack occurred. Police arrested a number of students at the dormitory that night and transferred them to different police stations. They took a few dozen students to a basement room four levels below ground at the Ministry of Interior. There, the students said, Basij and police physically and verbally abused them.

One student who spent 48 hours in the ministry basement told Human Rights Watch:

During the attack the plainclothes forces grabbed me and some other students randomly, although we were not chanting or anything. I was blindfolded and could not recognize where we were headed. On the way, they cursed and beat me. In the 48 hours in that place, which I learned from the conversations of the guards was the basement of the Ministry of Interior, they put food in our hands and forced us to eat, and if any food fell on the ground they would beat us with batons. They made harsh noises to terrify us. We had to beg to go to the toilet. Some of the detainees had open wounds and needed medical attention, but they were treated the same way.

On June 15, Ali Larijani, the speaker of the parliament, appointed a six-member panel to investigate the attacks on the dormitories.<sup>7</sup> Although parliamentarian Hamid-Reza Katouzian and other members of the panel gave statements to the press confirming that the panel had found extensive damage to the dormitories, the government has not made available final findings of the panel or held anyone accountable for the attacks.<sup>8</sup>

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numbers, but the claims have been difficult to verify. See, "Iran Election Unrest Killed 69: Opposition," *CBC News*, August 11, 2009, <http://www.cbc.ca/world/story/2009/08/11/iran-opposition-protest-election-death482.html> (accessed February 9, 2010) and "Iran Official Says 36 Killed in Post-Vote Unrest," *AFP*, September 9, 2009, <http://www.google.com/hostednews/afp/article/ALeqM5j8GPoWmrf2qerPWQNHb8Z9eGjT3Q> (accessed February 9, 2010).

<sup>7</sup> "Larijani Orders Inquiry into the Attacks on the Dormitories," *BBC Persian*, June 15, 2009, [http://www.bbc.co.uk/persian/iran/2009/06/090615\\_mm\\_larijani\\_courtorder\\_tuniversity.shtml](http://www.bbc.co.uk/persian/iran/2009/06/090615_mm_larijani_courtorder_tuniversity.shtml), (accessed February 3, 2010).

<sup>8</sup> "Katouzian: the Fact-finding Panel has Not Issued its Report," *Parliament News*, September 28, 2009, <http://www.parlemannews.ir/index.aspx?n=4017>, (accessed February 3, 2010).

## Raids in Residential Areas

In addition to marching through major streets and gathering in city squares, demonstrators took to their rooftops nightly in some residential areas throughout the country, chanting *Allah-o akbar* (God is greatest), recalling one of the emblematic forms of protests during the 1979 revolution that toppled the Pahlavi monarchy. Opposition leaders encouraged supporters to chant such slogans as a form of peaceful protest. With the severe crackdown making street protests increasingly difficult, nightly chanting became one of the remaining forms of mass public protests against the disputed election results.<sup>9</sup>

Plainclothes individuals, believed to be Basij, forcefully disrupted these nighttime chanting sessions by raiding buildings, damaging private property, and intimidating residents. Several witnesses told Human Rights Watch that they received threatening, anonymous phone calls from persons saying that they have seen them chanting on the rooftops.

An eyewitness to one raid by plainclothes officers on a residential home told Human Rights Watch:

On July 30, at 9:00 a.m., several plainclothes officers repeatedly knocked on our door, yelling for us to open it. They were trying to gain the attention of our neighbors, too. My father opened the door to them. They entered our house without any warrants. They said they had identified our address as one of the homes from which the chant of Allah-o-akbar had been heard. Then they showed us that our entry door had been marked on the outside the night before. First, they threatened to arrest my father. They did not have a search warrant, but they went to our rooftop and broke our satellite dish and neighbors' dishes on adjoining properties; as many as they could reach. They also confiscated our satellite receiver. They also threatened my father that if the chant of Allah-o-akbar was heard from our house again, they would arrest his children. Then they left and went to our other neighbors' homes where the doors had also been marked the night before.

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<sup>9</sup>"Iran: Night Raids Terrorize Civilians," *Human Rights Watch News Release*, June 26, 2009.

## **Abuse of Detainees: Beatings, Forced Confessions, and Rape**

On August 13, Judiciary spokesman Ali Reza Jamshidi acknowledged that the authorities detained some 4,000 people in the post-election protests.<sup>10</sup> This number included more than one hundred journalists, prominent political figures, and human rights defenders. Both ordinary and well-known individuals faced harsh treatment and were denied any semblance of due process.

In June and July, Human Rights Watch spoke with 22 protestors from Tehran who reported the circumstances of their arrests and detention. Many said they were beaten once they were taken to detention centers or police stations. Authorities refused to provide information on the number of arrests made, the condition of detainees, or where protestors were kept. Some were released in the middle of the night, far from where they were detained.

A woman who was apprehended near Baharestan Square on June 17 and later taken to Shapour police station described the conditions of her detention:

There was a fluorescent lamp that didn't really help us to distinguish day from night. There was no soap. They confiscated all our personal belongings. It was hard to lay down or sleep. We were not allowed to use restrooms when we needed to. In Tehran's hot weather, we were deprived of a fan or water. They interrogated us. If anyone had a green scarf, shawl, or bracelet indicating that they were Mousavi supporters, their situation was worse. On the last day, I was feeling sick and a female guard came and kicked me a few times to stop me from crying.

Protesters sent to Evin prison faced similar situation. Three released detainees told Human Rights Watch that due to lack of space, every small solitary confinement cell held five prisoners. One detainee who spent nine days in Evin told Human Rights Watch:

I was interrogated three times ... and most of the questions related to my personal and political beliefs. During the interrogation I was beaten by baton and insulted verbally. Once the interrogator told me, "If you die here nobody will know because no-one knows that you have been arrested."

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<sup>10</sup> "Iran admits 4,000 June detentions," *BBC*, August 11, 2009, [http://news.bbc.co.uk/2/hi/middle\\_east/8195586.stm](http://news.bbc.co.uk/2/hi/middle_east/8195586.stm) (accessed August 13, 2009).

A journalist who was detained a few days after the election and held for 35 days described his situation to Human Rights Watch:

Six officers entered our house and collected all of my work and personal items. We then went to my office, and they collected all my belongings there, too. They transferred me to a military base in southeastern Tehran. It was like hell. For the first three days they didn't feed us. They said they had "forgotten." I asked why they hadn't forgotten to beat us. I was blindfolded even in solitary confinement. It was so hot I couldn't move. The interrogators kept coming in and cursing me. On the second night they came and started beating and cursing me. They hit my body, my back, and my feet with kicks and wire cables, telling me that I wouldn't survive. On the [third] day, they brought me my meal and told me to eat with my hands. I said I hadn't washed my hands in three days, having had to wipe my butt with my hands. "This is your problem," they said.

After four days the authorities transferred him to Evin prison:

While arguing with my interrogator over his questions, they hit me with cables several times. They also put pens between my fingers [and squeezed my hands] several times. In solitary confinement, I kept thinking that they would come and take me to interrogation any minute. Several times they came and woke me up violently in the middle of the night and took me to the interrogation room. I was going crazy.

Some of the worst violations documented by Human Rights Watch occurred at Kahrizak Prison, a detention center outside of Tehran. At least three detainees died due to injuries sustained in Kahrizak.<sup>11</sup> The severity of abuses reported at Kahrizak prompted Supreme Leader Ali Khamenei to order the center's closing on July 27.<sup>12</sup> The government also carried out two separate inquiries involving the center, one of which found Tehran's former

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<sup>11</sup> "Iran: Prosecute Mortazavi for Detention Deaths," *Human Rights Watch News Release*, January 13, 2010, <http://www.hrw.org/en/news/2010/01/13/iran-prosecute-mortazavi-detention-deaths>.

<sup>12</sup> "Reports of Prison Abuse and Deaths Anger Iranians," *New York Times*, July 28, 2009, <http://www.nytimes.com/2009/07/29/world/middleeast/29iran.html>, (accessed February 3, 2010). Iran's Judiciary authorities had ordered the Kahrizak detention facilities closed two years ago, citing "nonconformance to standards," but it remained open until the end of July, when Ayatollah Khamenei ordered it to be closed.

prosecutor general, Saeed Mortazavi, directly responsible for the ill treatment of detainees there.<sup>13</sup>

One former Kahrizak detainee, Ebrahim Sharifi, had to flee the country after publicly revealing abuses he had suffered in the detention center. He spoke with Human Rights Watch about his experiences:

On June 23, three men in a car arrested me near my father's house and took me to an unknown location blindfolded and in handcuffs. On June 24, guards beat me violently with something that felt thicker than a whip, possibly a hose. I was not given any food or water. On June 25, fake execution sessions started. They gave us a piece of bread and water that tasted foul. We were randomly selected and beaten. On June 26, prison guards one more time set up fake executions, cursing and randomly beating people who asked for water or to use the toilet.

I said, "Execute me if you want and get it over with." I received a kick to my stomach and when I fell to the ground more kicks in the stomach, until I started throwing up blood. Another man said, "Take this faggot and make him pregnant, so he won't be a smartass again." That man grabbed me violently and pulled me to another location. He tied my hands and feet and pulled down my underwear and [...] while he was raping me he said, "I was so wrong to enjoy 12 and 13-year-old girls before. You little faggots are so much better. You can't even defend your own ass, how do you want to start a velvet revolution?" I threw up blood and passed out.

When I regained consciousness I found myself in what looked like a clinic. I was throwing up blood and I was bleeding with excruciating pain in my anus. It took 16 or 17 hours until someone came and said to the doctor, "Doctor, is he going to die by himself or should we waste him ourselves?" That guy replied, "He is in a very bad shape. Let him go or he will become trouble for us, like the other two did." They transferred me to a location, which I believe

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<sup>13</sup> The first inquiry was carried out by a six member parliamentary panel tasked by the Parliament Speaker Ali Larijani for investigating the June attacks on university dormitories. The second inquiry was completed by another Larijani appointed panel, the Special Parliamentary Committee to Investigate the Status of Post-Election Arrestees. Further information about both can be found at "Iran: Prosecute Mortazavi for Detention Deaths," *Human Rights Watch News Release*, January 13, 2010, <http://www.hrw.org/en/news/2010/01/13/iran-prosecute-mortazavi-detention-deaths>.

was the same room as the one I had been in before. On June 30 they left me on Sabalan highway after driving me around blindfolded for a few hours.

At Evin prison the most serious abuses Human Rights Watch documented were directed against well-known political figures and human rights defenders. As early as June 13, the day after the election, authorities set out to arrest scores of leading figures in the reform movement. Mostafa Tajzadeh, former deputy at the Ministry of Interior under President Mohamed Khatami, was among them. Saeed Hajarian, former editor of the banned daily *Sobh-e Emrooz* and a well-known theoretician of the reform movement who was gravely wounded in an assassination attempt in 2000, was arrested and detained without charge on June 16.<sup>14</sup> Also on June 16, authorities arrested Mohammad Ali Abtahi, a former vice president under President Khatami and advisor to reformist presidential candidate Mehdi Karroubi. In statements to Human Rights Watch, the families of all three detainees said that the authorities were severely pressuring the detainees to make false confessions.

The families' fears were realized on August 1, when the government started public trials of over 100 of those detained after the election. A visibly thinner Abtahi recited statements implicating key reformist figures, including former president Khatami and leading presidential candidate Mir Hossein Mousavi, as being involved in behind-the-scenes plots to foment unrest after the election.<sup>15</sup> Prior to this court session, Abtahi's wife told Human Rights Watch that in her last prison visit he looked very agitated and had lost more than 30 pounds. "He told me he is taking pills which help him forget everything, and stop him from thinking good or bad thoughts," she said. A released political prisoner told Human Rights Watch that during his interrogations he could hear Abtahi being interrogated in the next cell and practicing his confession with his interrogators: "During the few days that I was interrogated in that room, sometimes I could hear the voices of Abtahi and his interrogators," this person said. "Most of the discussion was around his personal life and his professional relations with others." He also told Human Rights Watch that he had been briefly in the same room with Abtahi, who told him that he had been brought to the court to practice his confessions.

On September 20, during his Eid-e Fetr sermon, Supreme Leader Ali Khamenei stated that confessions of one detainee against others were not admissible in court or permissible from a Sharia point of view. However, he noted that confessions against oneself in court or in

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<sup>14</sup> "Iran: Release Disabled Reformist," *Human Rights Watch News Release*, July 1, 2009, <http://www.hrw.org/en/news/2009/07/01/iran-release-disabled-reformist>.

<sup>15</sup> "The Details of Abtahi's Court Confession," *Fars ["Farsi"?) News*, August 1, 2009, <http://www.farsnews.com/newstext.php?nn=8805100778>, (Accessed February 2, 2010).

“front of cameras and an audience of millions” are “admissible, sufficient, and acceptable.”

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In addition to detaining ordinary protestors and well-known political reform figures, the government targeted prominent human rights activists. On June 16, security officers claiming to be clients entered the law offices of Abdolfatah Soltani, confiscated his computer and documents, and arrested him.<sup>17</sup> Soltani, along with Nobel Laureate Shirin Ebadi and others, co-founded the Tehran-based Center for Defense of Human Rights, which defends victims of human rights abuses.<sup>18</sup> At the time of his arrest, Soltani was serving as the senior member of the legal team representing seven Baha’i leaders imprisoned since May 2008.<sup>19</sup> He was released on August 28, after 72 days of confinement. In an interview with Human Rights Watch, Soltani listed the human rights violations he endured in the course of his arrest and detention:

I was in solitary confinement for 18 days with no access to my lawyer or to my family, no shower, and harsh physical conditions. I had no access to books, television, radio, or a pen...According to Article 32 of Iranian Constitution, a detainee is entitled to two things within 24 hours: the reading of the charges against him, and the reasons for those charges. After 27 hours in solitary confinement, I was charged with things that weren't even crimes. They told me, “You have raised doubts about the election.” They regarded this as a crime. I had not shared an opinion about the elections with anyone. They told me to separate myself from the Center for Defenders of Human Rights and from other civil society groups. They told me I was pursuing a velvet revolution and a soft overthrow and as such I wasn't allowed to continue my activities. They said I couldn't have an organization.

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<sup>16</sup>“Sunday Eid-e Fetr Prayers Carried Out by Ayatollah Khamenei,” *BBC Persian Service*, September 20, 2009, [http://www.bbc.co.uk/persian/world/2009/09/090920\\_ba-khamenei-eid-fitr.shtml](http://www.bbc.co.uk/persian/world/2009/09/090920_ba-khamenei-eid-fitr.shtml), (accessed February 4, 2010).

<sup>17</sup> “Iran's Human Rights Activists Being Arrested, Nobel Prize Winner Tells NPR,” *NPR*, June 16, 2009, <http://www.npr.org/blogs/thetwo-way/2009/06/ebadi.html> (accessed August 17, 2009).

<sup>18</sup> “Iran: Harassment of Rights Defenders Escalates,” Human Rights Watch News Release, August 2, 2005, <http://www.hrw.org/en/news/2005/08/02/iran-harassment-rights-defenders-escalates>. The Center for Defense of Human Rights, based in Tehran, has a record of taking up high profile cases involving serious human rights violations, such as the case of Iranian-Canadian Zahra Kazemi who died in detention in 2003, the serial murders of intellectuals in the 1990s, and the imprisonment of the Baha’i leadership.

<sup>19</sup> “Trial of Seven Imprisoned Baha’i Leaders Postponed,” *Baha’i World News Service*, August 17, 2009, <http://news.bahai.org/story/727> (accessed August 17, 2009).

Soltani said that his interrogators threatened to flog and beat him if he didn't answer them. The security forces also threatened to re-arrest him if he spoke publicly about his imprisonment.

On July 15, plainclothes security forces seized human rights lawyer and women's rights advocate Shadi Sadr while she was walking to attend Friday prayers. According to a friend who witnessed her arrest, two men in civilian clothes approached them on motorcycles as a green Peugeot with three passengers stopped in front of them; the men pushed Sadr into the car. When Sadr managed to get out, after her friend opened the car door, one of the men beat her with a cable and threw her back into the car.<sup>20</sup>

After authorities released Sadr nearly two weeks later, on July 28, she told Human Rights Watch:

I was in jail for 12 days without a warrant. On the second day, they took me to the office of Judge Haddad's representative at Unit 209 [in Evin prison]. Mr. Sobhani, Judge of 2nd Branch was there and he issued the 50 million Toman bail order [approximately \$50,000 USD]. By noon, all steps were completed for my freedom. Later I realized this all was a psychological game because they never informed my family to post my bail.

They took away my glasses and only gave them back to me during interrogations. I am almost blind without my glasses. I refrained from eating for two days to get my glasses back. [I also experienced] what others have also said about [Unit] 209: solitary confinement, blindfolds, forced chadors, personal questions, questions unrelated to charges, questions about my beliefs. Since my release, the intelligence service keeps calling. They must have called a thousand times, saying they want to interview me, and that unless I show up in person to answer their questions they will not return my personal belongings.

On July 6, 2009, security forces arrested Mohammad Ali Dadkhah, a prominent human rights lawyer and founding member of the Center for Defense of Human Rights, in his law office. Nasrin Sotoudeh, Dadkhah's attorney, after meeting him on August 28, told Human Rights Watch:

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<sup>20</sup> "Iran: Stop Arresting, Intimidating Rights Lawyers," Human Rights Watch News Release, July 27, 2009, <http://www.hrw.org/en/news/2009/07/27/iran-stop-arresting-intimidating-rights-lawyers>.



He has been under pressure in prison to confess. For example, they kept him on top of a high staircase and pushed him, catching him just before he went tumbling down. When he was arrested, he wasn't fed for 48 hours. They wouldn't let him use a bathroom. They told him to denounce Shirin Ebadi and other attorneys with Center for the Defense of Human Rights as traitors.

On September 14, authorities released Dadkhah on a bail of 500 million Toman [approximately 500,000 USD].

## Major Attacks on Peaceful Protestors since August

After August, authorities did not let up on their campaign to silence peaceful critics of the Ahmadinejad government and its policies. Security forces and Basij militias continue to detain, and courts continue to convict activists, journalists, and human rights defenders following unfair trials. The harshest crackdowns in the months since the mass summer protests have been in response to large street demonstrations or efforts to organize them.

On November 4, protestors in Tehran and other cities such as Shiraz and Tabriz, gathered to hold alternative demonstrations in response to officially sanctioned demonstrations commemorating the take-over of the US embassy in 1979. The alternative demonstrations were the largest opposition street protests since those that immediately followed the June election.<sup>21</sup> Riot police and members of the Basij attacked protestors, attempting to disperse crowds by beating demonstrators and firing tear gas.<sup>22</sup>

One month later, students used the occasion of National Student Day on December 7 to stage protests throughout the country.<sup>23</sup> Students on the campuses of major universities in Tehran, Mashad, Tabriz, Isfahan and other cities participated. Police and Basij forces clashed with protestors, with major confrontations occurring on the campus of Tehran University, where security forces blocked all entrances to the university.<sup>24</sup> According to press

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<sup>21</sup> "Dissidents Mass in Tehran to Subvert an Anti-U.S. Rally," *New York Times*, November 4, 2009, <http://www.nytimes.com/2009/11/05/world/middleeast/05iran.html> (accessed January 29, 2010).

<sup>22</sup> "Protesters Injured and Arrested During Peaceful Demonstrations," *International Campaign for Human Rights in Iran*, November 4, 2009. <http://www.iranhumanrights.org/2009/11/4novprotests/>, (accessed January 29, 2010).

<sup>23</sup> National Student Day commemorates the December 7, 1953 killing of 3 Tehran University students during demonstrations against Mohammad Reza Shah Pahlavi and his recent return to power after a coup d'état.

<sup>24</sup> "Students Day Protests Sweep Campuses Across Iran," *Tehran Bureau*, December 8, 2009, <http://www.pbs.org/wgbh/pages/frontline/tehranbureau/2009/12/student-protests-mark-16-azar-all-over-iran.html>, (accessed January 29, 2010).

reports, confrontations with students extended beyond the campuses to streets where police tear-gassed demonstrators.<sup>25</sup>

One witness to the clashes near Tehran's Amir Kabir University told Radio Farda:

As soon as the crowd begins to gain momentum the police attack, and the Basijis, or security forces, or plainclothesmen – or whatever they are – disperse them. At the moment I am close to the Vali Asr gate at Amir Kabir University. Students have broken down the door and people are going in and out. Some people have entered the university. The situation is very tense at the moment. Those students who are trying to get out of the [university] are encountering difficulty because they could be arrested. It looks as if they've arrested several people who have exited ... There are clashes all the way from the intersection of Vali Asr to the side streets and people are running toward Enqelab Square.<sup>26</sup>

On December 20, Grand Ayatollah Hossein Ali Montazeri, the highest-ranking clerical critic of the government, died. His death occurred one week before the day of public mourning on the Shia calendar known as Ashura. In Shia Muslim mourning rituals, the seventh day after a death is a significant day of commemoration. Demonstrators used the occasion of Montazeri's death, and its proximity to the Ashura rituals, to mourn him publicly and show their opposition to the government's policies after the election. On December 27, demonstrators gathered in major cities throughout the country, including Tehran, Qom, Isfahan, and Mashhad. Clashes between demonstrators and riot police plus Basij resulted in the death of at least 8 demonstrators.<sup>27</sup> Ali Habibi Mousavi, a nephew of former presidential candidate Mir Hossein Mousavi, was among those killed.<sup>28</sup>

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<sup>25</sup> "Protests and Confrontations on Student Day," *Deutsche Welle Persian Website*, December 7, 2009, <http://www.dw-world.de/dw/article/0,,4972852,00.html> (accessed January 29, 2009).

<sup>26</sup> "Eyewitness to Clashes on Vali Asr Street, the Breaking of the Door of Amir Kabir University, and People Entering the Campus," *Interview on Radio Farda*, December 7, 2009, audio file available at [http://www.radiofarda.com/content/f2\\_Iran\\_postelection\\_Azar\\_Student\\_Day/1896864.html](http://www.radiofarda.com/content/f2_Iran_postelection_Azar_Student_Day/1896864.html), (accessed February 3, 2010).

<sup>27</sup> "Iran tries 16 people over Ashura Day protests," *BBC News Service*, January 30, 2010, [http://news.bbc.co.uk/2/hi/middle\\_east/8489012.stm](http://news.bbc.co.uk/2/hi/middle_east/8489012.stm) (accessed February 1, 2010).

<sup>28</sup> "Iran Clamps Down on Protests," *The Los Angeles Times*, December 29, 2009, <http://articles.latimes.com/2009/dec/29/world/la-fg-iran-protests29-2009dec29> (accessed February 1, 2010).

One witness in Tehran reported to the BBC that a police car deliberately ran over a protestor:

We entered from Palestine Street, and we headed east toward the Vali Asr intersection. Plainclothes forces were waiting for us at the Vali Asr intersection. They forced the crowd to disperse in different directions and prevented us from gathering ... When the crowd reached Vali Asr Square it split apart. One group headed toward Haft-e Tir, and the other toward Keshavarz Boulevard ... I was standing at the corner of [Vali Asr] Square. From Keshavarz Boulevard, [we witnessed] a Law Enforcement Forces pickup truck that had the word “police” written on it run over [one of the protesters]. The man had walked past me only 2 to 3 minutes earlier. He was a 40-year-old guy with long hair. He lost a lot of blood. When the crowd reached him he no longer had a pulse. The truck was speeding around as if it wanted to run over the whole crowd.

Over the following week authorities arrested hundreds of demonstrators and activists in conjunction with the Ashura gatherings.<sup>29</sup> Authorities claimed once again that foreign governments and media outlets were fomenting unrest in the country. Ten members of the Baha’i community were among those the government arrested in connection with the Ashura protests. On January 12, 2010, Abbas Jafari Dolatabadi, the General Prosecutor of Tehran, told the Iranian press that the ten Baha’is detained on January 3 faced charges of “organizing the unrest on Ashura [December 27] and sending photos of the unrest abroad.” He also claimed that authorities had found arms and ammunition in the homes of some of the ten detainees.<sup>30</sup>

On January 28, the Iranian government hanged Mohammad-Reza Ali-Zamani, 37, and Arash Rahmanipour, 20.<sup>31</sup> Although both men had been arrested prior to the presidential election, they were tried as part of the mass trials in August, where they reportedly confessed to membership in the illegal Kingdom Assembly Party and to having planned a deadly 2008 bombing of a mosque in Shiraz.<sup>32</sup> The lawyer for Rahmanipour, well-known human rights

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<sup>29</sup> “Eight killed and hundreds detained in fresh clashes in Tehran,” *Deutsche Welle Persian Website, Deutsche Welle Persian Website*, December 28, 2009, <http://www.dw-world.de/dw/article/0,,5060406,00.html> (accessed February 1, 2010).

<sup>30</sup> “Baha’i Arrested in Connection With Ashura to be Tried Next Week,” *Fars News Agency*, January 9, 2010, <http://www.farsnews.com/newstext.php?nn=8810190440>, (accessed February 1, 2010).

<sup>31</sup> “Shocking Execution of Iran Protesters Condemned,” *Amnesty International*, January 28, 2010, <http://www.amnestyusa.org/document.php?id=ENGPREE010282010> (accessed February 4, 2010).

<sup>32</sup> “Iran Executes 2 Alleged Government Opponents,” *Los Angeles Times*, January 29, 2010, <http://www.latimes.com/news/nation-and-world/la-fg-iran-executions29-2010jan29,0,6488228.story> (accessed February 4, 2010).

defender Nasrin Soutoudeh, has said that her client's conviction was based on a coerced confession and that authorities prevented her from adequately defending him.<sup>33</sup>

It appeared that the government was attempting to associate those detained in connection with peaceful post-election protests with persons accused of armed terrorist attacks. On the same day, the government sentenced nine people to death on charges of "enmity with God" and accused them of "counterrevolutionary and norm-breaking acts and rioting" during demonstrations linked to Ashura and other post-election protests.<sup>34</sup>

In the context of Iranian laws, the vaguely defined charge of "being at enmity with God" can be applied to membership in or support for an organization that seeks to overthrow the Islamic Republic.

On January 30, the trial of 16 individuals arrested in connection with the Ashura protests began in a branch of the Revolutionary Court of Tehran, with Judge Abul Qasim Salavati presiding; the prosecutor claimed in court that the defendants were working to achieve the "regime change" interests of foreign states – a charge that can also result in death sentences.<sup>35</sup>

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<sup>33</sup> "Iran Lawyer Haunted by Young Man's Execution," *The Los Angeles Times*, February 8, 2010. <http://www.latimes.com/news/nation-and-world/la-fg-iran-lawyer8-2010febo8,0,1951270.story> (accessed February 9, 2010).

<sup>34</sup> "Iran Executes 2, Sentences 9 Protesters to Die," *San Francisco Chronicle*, January 29, 2010, [http://articles.sfgate.com/2010-01-29/news/17840912\\_1\\_iranian-cities-protesters-president-mahmoud-ahmadinejad](http://articles.sfgate.com/2010-01-29/news/17840912_1_iranian-cities-protesters-president-mahmoud-ahmadinejad) (accessed February 4, 2010).

<sup>35</sup> "Trial of 16 Ashura Riot Detainees Begins in Iran," *Tehran Times*, [http://www.tehrantimes.com/index\\_View.asp?code=213354](http://www.tehrantimes.com/index_View.asp?code=213354), (accessed February 1, 2010).

## Conclusion

As the rulers of the Islamic Republic commemorate the 31<sup>st</sup> anniversary of the overthrow of the Shah, they confront the results of their continuing efforts to suppress the extensive peaceful protests provoked by alleged official vote-rigging in the June 12 presidential election. Their attacks have left scores dead, untold hundreds injured, and thousands arbitrarily arrested. Show trials of ordinary protestors and prominent reformist figures have displayed to Iranians and the world a flagrant disregard for the rule of law. Nearly 9 months after the disputed election, the government has not acted to investigate and hold accountable those responsible for ordering or carrying out these serious human rights abuses. Instead, authorities continue their campaigns of intimidating, arresting, and convicting individuals for peacefully exercising their opposition to the government and protesting its policies.

### Recommendations to the Government of Iran

- Establish an independent and impartial fact-finding commission to identify those who ordered the crackdown on post-election protesters and those responsible for serious human rights violations.
- Investigate promptly and impartially all allegations of torture or ill-treatment in detention.
- Ensure that victims of torture or ill-treatment receive appropriate compensation from the government.
- In accordance with the findings of the Special Parliamentary Committee to Investigate the Status of Post-Election Arrestees, prosecute former Tehran Prosecutor General Saeed Mortazavi for abuses at Kahrizak prison, including the deaths of three detainees.
- Investigate and hold accountable all persons implicated in abuses in prisons and detention facilities, including Evin and Kahrizak prisons and police detention centers.
- Re-open investigations into allegations of rape and sexual abuse at Kahrizak detention center.
- Close down all illegal detention centers, including ward 209 of Evin prison.
- Release all detainees held for exercising their right to free expression, assembly, and association.

## **Recommendations to members of the United Nations including the Human Rights Council**

- Urge the Iranian government to carry out transparent and comprehensive investigations into the killings of peaceful protestors and arbitrary detentions of thousands of demonstrators and civil society advocates following the disputed June 12 presidential election.
- Call on the Iranian government to investigate, prosecute, and punish government and security officials as well as Basij members implicated in unlawful killings, arbitrary arrests and detention, and other serious human rights abuses in connection with events since the disputed presidential election.
- Call on the Iranian government to release immediately persons who have not been charged with a recognizable criminal offense, and provide due process protections for persons charged with recognizable crimes.
- Urge the Iranian government to fulfill its previous invitations to the Office of the High Commissioner of Human Rights and special rapporteurs to visit Iran.