

AI Annual Report 2000 on Iran

The Amnesty International June 14, 2000

Death penalty: retentionist

Hundreds of people, including possible prisoners of conscience, were held without charge or trial following student demonstrations in July against the growing restrictions on freedom of expression and the closure of the daily newspaper Salam. Most were released within two months, but hundreds remained in detention at the end of the year and at least four people were sentenced to death.

Numerous publications were forced to close and scores of journalists faced arrest and interrogation. There were continued reports of torture and ill-treatment, and judicial corporal punishments continued to be imposed.

AI recorded 165 executions, although the true number may have been considerably higher. Religious minorities continued to face persecution.

BACKGROUND

Issues relating to freedom of expression dominated the year. Journalists began to address in print the political, economic and social problems facing Iran and broached issues that had previously been taboo. Political debate centred on the permissible level of freedom for the press, accentuating divisions that already existed between the two broad, but opposing, political factions that had supported and opposed President Mohammad Khatami's 1997 election.

The different policy positions taken by various elements of the two opposing factions were vigorously debated both inside and outside the Majles (parliament).

This political tension exacerbated the rivalry for power that already existed between different elements of the administration. It was due in part to the Majles elections scheduled for February 2000 and led to an increasingly inconsistent and arbitrary application of policy and law.

As the year progressed, a pattern of intimidation, harassment and administrative detention emerged as a mechanism for silencing a range of opinion.

The Special Representative of the UN Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran continued to be denied access to the country during the year. A resolution adopted by the UN Commission on Human Rights in April expressed concern at continuing human rights violations in Iran and "the apparent absence of respect for internationally recognized legal safeguards".

STUDENT DEMONSTRATIONS

Widespread student protests in Tehran and other cities in July resulted in serious clashes with the official Law Enforcement Forces (LEF), the basiji (mobilization units) and a militant group Ansar-e Hezbollah, Partisans of the Party of God.

The violence began on 8 July when the students, who had gathered outside their university dormitories in Tehran to protest peacefully against the closure of the daily newspaper Salam, were attacked by armed members of Ansar-e Hezbollah.

Security forces posted at the scene failed to protect the students and some hours later members of Ansar-e Hezbollah and the LEF, having fired teargas, forced their way into the student residences. There was one confirmed death and reports of several others. Hundreds were reportedly wounded.

The scale of the demonstrations changed dramatically in the following days and the levels of violence escalated.

Demonstrations were officially banned in Tehran, but the unrest continued and spread to provincial cities. Hundreds were arrested throughout the country, most of whom were held without charge or trial. The majority had been released by the end of August, but scores of people remained in detention at the end of 1999, where they continued to be at risk of torture.

Four men, whose identities were not disclosed, were reportedly sentenced to death after unfair trials by the Tehran Revolutionary Court, and at least 12 people were sentenced to between three months' and nine years' imprisonment by a Revolutionary Court in Tabriz in September for their role in the protests. One of those sentenced to death was believed to be Akbar Mohammadi, who was reportedly tortured while in detention.

Student activists Manuchehr Mohammadi, the brother of Akbar Mohammadi Gholamreza Mohajeri-Nezhad and Malous Radnia, also known as Maryam Shansi, were arrested in Tehran on 13 July and initially held in incommunicado detention. Manuchehr Mohammadi was accused of having connections with "a fugitive counter-revolutionary element" and of seeking "to initiate and spread disorder and violence". In July Iranian state television broadcast two separate video recordings of his "confessions", which were thought to have been made under duress, and which resulted in the detention of four members of the Hezbe Mellat-e Iran, Iran Nation Party, on similar charges. Manuchehr Mohammadi was reportedly sentenced to 13 years' imprisonment in October.

Gholamreza Mohajeri Nezhad and Malous Radnia were reportedly released in November, possibly on bail.

RESTRICTION OF FREEDOM OF EXPRESSION

Numerous publications were forced to close, particularly those established after President Khatami came to power in 1997.

They included the cultural journals Adineh and Zan, the newspapers Salam, Neshat, Khordad, Rah-e No, Iran-e Farda and the bi-weekly Hoveyat-e Khish. Scores of journalists, editors and publishers were arrested and interrogated, and many were convicted and banned from journalism after unfair trials. Heshmatollah Tabarzadi, editor of Hoveyat-e Khish, was detained in June in connection with articles that were alleged to have insulted "the principles of the Islamic Republic". He was reportedly tortured by having the soles of his feet whipped with cable (see below). He was released on bail in November. Mohammad Musavi Khoeiniha, publisher of Salam, was tried by the Special Court for the Clergy. The jury found him guilty of "publishing classified material" but the judge suspended a prison sentence and punishment of flogging on the grounds that Mohammad Musavi Khoeiniha was a former revolutionary leader.

He was banned from journalism for five years.

UNFAIR TRIALS BY SPECIAL COURTS

Government critics, including Shi'a clerics, journalists and students, were tried and sentenced after trials in which procedures did not conform to international standards for fair trial. The Special Court for the Clergy, the Press and the Revolutionary Courts followed inconsistent and often summary proceedings. Juries in the Press Court were sometimes dismissed prior to trial and on other occasions their decisions were ignored. Press Court judgments were occasionally issued prior to jury consultation.

Defendants were generally tried in camera in the Revolutionary Courts and denied legal representation of their choice.

Public criticism of the special courts was unprecedented and they were widely perceived as a mechanism for silencing criticism. Abdollah Nouri, a former Minister of the Interior and publisher of the daily newspaper Khordad, was tried by the SCC in November on 20 charges, including insulting government officials.

In his defence he reportedly upheld the constitutional rights of a variety of groups and theologians to present their views in his newspaper; he also claimed that the Special Court for the Clergy was "unlawful and incompetent" to try his case. The judge brought the proceedings to an end on 11 November when he prevented Abdollah Nouri from completing his defence and gave him 10 days to submit a written text of the defence. However, on 17 November the jury reportedly found Abdollah Nouri guilty of 15 of the 20 charges against him.

He was sentenced to five years' imprisonment and disqualified from standing in the parliamentary elections in February 2000.

Mashallah Shamsolva'ezin, editor of the daily newspaper Asr-e Azadegan, was tried in November on charges of "insulting Islam" in articles printed in the subsequently banned newspaper, Neshat. The Press Court judge dismissed the jury prior to the trial and sentenced Mashallah Shamsolva'ezin to three years' imprisonment.

Mashallah Shamsolva'ezin questioned the absence of the jury and observed that the Court had "no legal basis".

ABBAS AMIR ENTEZAM

Prisoner of conscience and former Deputy Prime Minister 'Abbas Amir Entezam continued to be held in Evin prison despite the 1998 recommendations of a trial judge that he be released on bail. A hearing to answer charges of defamation was held in February, but 'Abbas Amir Entezam was refused permission to appear in court and his lawyers were excluded from the proceedings. He was released on bail for medical treatment in October, but rearrested in December after the authorities claimed that he violated his bail conditions by giving an interview to a journalist. He remained in Evin prison at the end of 1999.

DEATH PENALTY

The death penalty continued to be passed routinely in connection with charges of murder, drug trafficking and armed robbery. It was occasionally imposed for affiliation with armed opposition groups. AI recorded 165 executions, although the true number may have been considerably higher. Seventeen-year-old Ebrahi Qorbanzadeh was hanged for murder in October. In February the Supreme Court reportedly overturned the death sentence against Helmut Hofer, a German businessman who had been convicted of having illicit sex with an Iranian woman, and ordered a retrial. He was rearrested in August and charged with having "links to foreign elements".

KHODADAD AZIZI TAKES GOOD-WILL TOUR OF UNITED NATIONS

San Jose, Calif. San Jose Earthquakes midfielder Khodadad Azizi, a star with Iran's National Team, has joined the United Nations worldwide "Sports, Not Drugs." international media campaign, it was announced on Wednesday, June 28, 2000 at UN Headquarters in New York.

The Vienna-based UN office for Drug Control and Crime Prevention (ODCCP) and Major League Soccer worked with Azizi to film a 30 second public service announcement in his native Farsi warning young people about the dangers of drug abuse. MLS has an anti-drug control policy that allows zero tolerance for drug and substance abuse and has been actively involved to promote the message at the grassroots level. "Playing soccer taught me the value of determination and team work," Azizi says in the PSA. "Don't play with drugs, play sports and realize your dreams." The message will be shown in Iran later this year and an English dubbed version will be available for broadcast in the United States and Europe. An anti-drug poster featuring the soccer star will also be distributed in Azizi's native Iran.

"Athletes are important role models for young people around the world," said Pino Arlacchi, Executive Director of the ODCCP. "We are thrilled that Khodadad Aziz, who is a hero in Iran and known internationally, is a part of ODCCP's global "Sports, Not drugs" campaign. Prior to filming the PSA, Aziz, spent the day at the United Nations in New York. After taking an informal tour of UN Headquarters, he met with Iran's Ambassador to the UN, Hadi Nejad



Hosseinian, at the Iranian Mission in midtown Manhattan.

Prior to joining the San Jose Earthquakes this year, Azizi was a starter on Iran's 1998 World Cup team. He was Asian Player of the Year in 1996 and has also played for FC Koln in the German Bundesliga. The sports figure is a native of Mashhad, Iran. He joins basketball player Vlade Divac, (Federal republic of Yugoslavia), baseball player Pedro Martinez (Dominican Republic), and cricketer and World Bowling Record Holder, Courtney Walsh (Jamaica) as part of ODCCP's "Sports, Not Drugs." campaign.

Factions Must Distance Themselves From Malicious Elements

The Tehran Times - By Our Staff Writer - June 24, 2000

TEHRAN Political rivalry normally is in the interest of the society if it does not turn into a dirty game. For some time certain figures in both the factions have been trying to fish from the troubled water by troubling the water themselves. The latest case is the story of a cassette which was distributed in the society containing accusations against top officials.

According to the judicial officials, the said cassette in which Farshad Ebrahimi and his colleague make some "confession" was prepared with the collaboration of Shirin Ebadi, a secular political activist, and Mohsen Rahami, a clergy and a lawyer by profession.

The very cooperation between Ebadi who

is an outsider in the circles close to the revolution and Rahami who is considered an insider, indicates that certain elements are prepared to clutch at every straw to achieve their political goals. In other words, for them the ends justifies the means. This kind of trick will turn the healthy political rivalry into a dirty game and not only will not contribute to the political development but will undermine it. Such dirty tricks indeed disturb the public opinion and undermine the people's confidence in the system. Both factions must be very careful and distance themselves from malicious elements who have infiltrated into their ranks.

Else, they themselves will be the future victims of the malicious elements.

RELIGIOUS MINORITIES

Up to 20 members of the Baha'i religious minority detained in previous years continued to be held, and among them five remained under sentence of death. Twenty-one people, including 13 members of Jewish communities in the southern cities of Shiraz and Isfahan, were arrested in March. They were thought to include rabbis, religious teachers and community leaders. No official explanation was provided for the arrests, but news reports citing the Iranian authorities stated that they were accused of spying for Israel and the USA and would be tried for espionage before a Revolutionary Court. Most were denied family visits and access to legal counsel. All 13 remained in detention without charge at the end of 1999.

FLOGGING AND AMPUTATION

AI recorded 26 cases of flogging and 16 cases of amputation, although the true number may have been considerably higher.

Two women, identified only as Jamileh and Zahra, were convicted of theft and murder by a Tehran court in February and sentenced to the amputation of a hand. Jamileh was also sentenced to death by hanging and Zahra to 15 months' imprisonment.

TORTURE AND ILL-TREATMENT

Several defendants facing trial before Revolutionary Courts stated that they were tortured during detention, prior to trial or release on bail.

Methods of torture included repeated beatings, flogging on the soles of the feet with metallic cables and being suspended upside-down from a ceiling (see Akbar Mohammadi and Heshmatollah Tabarzadi above).

INVESTIGATIONS INTO ALLEGATIONS OF TORTURE AND THE 1998 MURDERS

A military court in Tehran tried Brigadier General Gholamreza Naqdi and 10 colleagues on charges of

torture in May, after allegations made by 30 Tehran district mayors who were detained in March 1998 on charges of corruption.

It was believed to be the first time that charges of torture were brought against a serving officer and military personnel since the establishment of the Islamic Republic of Iran in 1979. All were acquitted of torture, but cautioned for ill-treatment of prisoners in custody.

In February the National Security Council, led by President Khatami, established a committee to investigate the 1998 murders of numerous writers and intellectuals. Initial inquiries led to the identification of suspects within the Ministry of Intelligence.

In February the Minister of Intelligence, Qorbanali Dorri-Najafabadi, resigned along with some other senior officials.

Sa'id Emami, one of the officials implicated in the murders, was detained in February and died in custody in June, reportedly due to suicide.

By the end of 1999 no charges had been laid and no one had been brought to trial.

COMMUNICATIONS WITH THE GOVERNMENT

AI wrote to the government on nine occasions in 1999. In February it sought details about the composition of the committee investigating the 1998 murders and the terms of reference. It called for the findings to be made public and sought permission to observe any trial proceedings which may result from these investigations.

In August AI expressed concern about restraints on freedom of opinion and expression and sought information about a number of the students detained in July.

The organization had not received a response to any of its letters by the end of the year. AI was not permitted to visit the country.

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