



IRAN HUMAN RIGHTS DOCUMENTATION CENTER NEWSLETTER

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Universal Periodic Review of Iran

During the 7th session of the Universal Periodic Review, Iran's human rights record was reviewed by the United Nation's Human Rights Council in Geneva. On Monday, February 15, the Iranian delegation not only failed to address many concerns of members of the Council but often lied about the human rights situation in Iran.

Mohammad Javad Larijani, Secretary General of Iran's High Council for Human Rights, led Iran's delegation. Others in the delegation who addressed the Council included Judge Seyyed Ali Raeis Sadati, Deputy Minister of Justice; Abbaszadeh Meshkini, Director General of Ministry of Interior; Yonathan Betkolia, the Christian Member of Parliament, and Mahboubeh Mobasher, Chancellor of Al-Zahra University.

Judge Sadati spoke of the independence of the judiciary in Iran, cited constitutional provisions including those protecting the right of the accused and the presumption of innocence and noted that under Iranian law, the police may hold a suspect in custody for 24 hours without charge. In response to concerns expressed by members of the Council about the status of Baha'is in Iran, Sadati admitted that "Baha'ism" is not a recognized religion in Iran but claimed that Baha'is enjoy "full citizenship rights." He stated that Baha'i students are denied entrance to university because they do not meet the entrance requirements and are members of a "cult."

Meshkini characterized the recent presidential election as an exemplary "exposition of democracy." He blamed "imperialist powers" for interfering in Iran's domestic affairs, and dismissed the demonstrators as "insurgents and law-breakers" whose cases were "duly addressed in competent courts." He noted there were some

Mohammad Javad Larijani, Secretary General of Iran's High Council for Human Rights (Source unknown)



"minor illegal actions" taken against detainees, and assured the Council that all defendants had access to the attorneys of their choice.

Many of the Iranian delegation's claims are contradicted by evidence found in IHRDC's reports on prison conditions, treatment of Baha'is, and the post-election suppression of dissent in Iran.

On Wednesday February 17, the Human Rights Council voted to accept the report of Iran's responses to recommendations made by member nations. Prior to the vote, several nations noted that Iran had disingenuously rejected the recommendations by some nations that United Nations representatives visit the country but accepted the same recommendations made by other countries. The next step in the process will take place in June when the Council will consider the outcome of the review.

In the News: Executions

On January 28, Arash Rahmanipour and Mohammad Reza Ali Zamani were executed by order of Tehran's Public Prosecutor. The two young men were accused of *muharibih* and attempting to overthrow the government as well as membership in the Royalist Society.

According to their attorneys, both Rahmanipour and Ali Zamani were arrested months prior to the June 12 election and their case files were not related to the demonstrations that followed the election. Yet, both men were initially tried with the first group of post-election defendants in August 2009.

Arash Rahmanipour was arrested in April 2009. In the aftermath of the election, he was coerced to confess to being trained by the Royalist Society to use protests and demonstrations to weaken the bases of the regime. Similarly, Ali Zamani confessed to having relations with the Royalist Society.

In an interview in Geneva while representing Iran at the UN Universal Periodic Review, Mohammad Javad Larijani denied that Ali Zamani and Rahmanipour were executed in connection with the election and claimed that both men were arrested in connection to an April 2008 bombing at a mosque in Shiraz in which 14 people died.

In February, the Iranian government announced that nine other individuals, who had been sentenced to execution for their involvement in the post-election unrest, were to be executed soon. Ebrahim Ra'isi, Deputy Judiciary Head, stated that they participated in the unrest with the intention of overthrowing the regime but that their names would not be released by the Iranian government until the completion of their appeals.

Prior to this, the Islamic Revolutionary Court tried sixteen individuals arrested during Ashura (December 27.) Five were charged with *muharibih* and sowing corruption on earth and the rest were charged with "conspiring against national security, propaganda against the regime, and causing unrest in the country through coercing individuals to revolt." The indictment charged that they

intended to "finish off the regime" on Ashura with the aid of terror groups such as Mojahedin-e Khalq (MEK) and the Royalist Society as well as the collaboration of the Bahá'ís. If convicted on all charges, the defendants can face execution.

Kurds Are Targeted

In late February, the Ministry of Intelligence announced that a four member team belonging to Komeleh, a Kurdish leftist party, who had allegedly killed three law enforcement officers in late January, were discovered and killed. A week later, the Ministry announced the arrest of a three member team associated with Komeleh that allegedly intended to bomb a Defense Ministry factory. Komeleh has categorically denied any affiliation with the individuals.



Arash Rahmanipour in court
(Source Associated Press)

BBC Releases Video of June 14 Raid

In late February, the BBC published a video allegedly depicting the events of the June 14 raid on Tehran University dormitories. The video shows special forces and plainclothed individuals repeatedly trying to enter the university in the late hours of June 14, and violently kicking and beating students with batons. Aside from damages to the compound and student property, the raid left four students dead and many wounded. Eight months after the election, tens of students are still in detention pending trials and some have been sentenced to long term imprisonment. The video is available on IHRDC's website at <http://www.iranhrdc.org/httpdocs/English/videos2.htm>.

Iran Amends Family Law to Further Discriminate against Women

In February 2010, the Judicial Commission of the Majlis amended the Family Protection Act to include Articles 23 and 25. Article 23 lists specific conditions for a married man under which he can take a second wife. The conditions are 1) consent of the first wife, 2) inability of the first wife to perform matrimonial duties, 3) refusal of wife to be obedient to her husband as described in a court order, 4) wife suffering from insanity or other incurable diseases, 5) sentencing of wife to up to a year in prison in a voluntary crime or to fines that due to inability to pay result in imprisonment, 6) suffering of wife from addiction to any narcotic that can be damaging to the family, 7) improper behavior and isolation on the side of the wife rendering it impossible to coexist with her, 8) abandoning of the family life by the wife for the period of six months, 9) inability of wife to bear children, and 10) disappearance of the wife for the period of one year.

When the Act was initially introduced to the Majlis

in 2008, Article 23 was controversial and so was taken out. This article was reintroduced in February with the addition of the aforementioned list of grounds for taking a second wife. Iranian human and women's rights activists protested the discriminatory nature of the amendment and demanded its complete removal. They pointed out that in examples such as numbers 5 and 8, if the situation were reversed, the wife would not even have the right to divorce her absent or imprisoned husband.

When initially proposed in 2008, Article 25 proposed taxing of *mihriyyih*, property given to the wife at the time of marriage. The article as amended taxes *mihriyyih* if it is uncustomary or unreasonably high. Critics of the provision note that under Islamic law, the minimum compensation a wife is guaranteed at the time of marriage and in the case of divorce is the *mihriyyih* and taxing it is exceptionally discriminatory against women.

Majlis Committee Issues Report on Kahrizak

The committee appointed by the *Majlis* to investigate Kahrizak released its report on January 10, 2010. It reported that, in an interview on July 28, Judge Mortazavi claimed that, at the time, there were 390 detainees arrested at the protests and 50 "non-field" detainees. He claimed that law enforcement had brought the arrestees to Kahrizak because there was no room at Evin Prison. However, the committee concluded that there was room at Evin and that Kahrizak was full before the arrestees arrived.

The committee found that, even if there was no room at Evin, housing the arrestees in the detention center was unacceptable. It also noted that Kahrizak was an official detention facility and all law enforcement officials and prison officials knew of its existence. Therefore "the warding off of responsibility done by some judicial officials in certain interviews is in no way acceptable." It stated that the judiciary more than any body "must be responsive to the weaknesses and shortcomings of this detention center."

It also found that the "existence of an issue such as meningitis was refuted" and that the three deceased detainees had died from "lack of space, weakness of health services, inappropriate nutrition, lack of air conditioner ... and as a result of beating and neglect of the officers" to their physical condition.

The committee called on the judiciary to speed processing detainees and prepare so that such events do not happen again. However, it placed the fundamental blame for Kahrizak on Mir-Hossein Mousavi and Mehdi Karroubi: "If everyone had traveled their paths within the legal framework, and if the two presidential candidates did not attempt to break the law and incite the emotions of the people, we would not be observing such bitter events today that led to disrespect of the IRI regime and weakening of the precious opportunity of the presence of 40 million people at the ballot posts. They must, without a doubt, be accountable and the judicial system must not be dismissive of such criminal acts."

IHRDC: Releases Report on Post-Election Suppression of Dissent

On February 12, IHRDC released its latest report *Violent Aftermath: The 2009 Election and Suppression of Dissent in Iran*. The report is the most comprehensive record to date of human rights abuses committed in Iran since last summer's disputed presidential election.

The report documents in detail dozens of human rights abuses of Iranians and foreigners, including beatings, kidnappings, rapes and murders, and analyzes the perpetrators' liability under Iranian and international law.

It identifies unambiguous cases of the use of excessive force, failure to protect rights to life, and murder by members of the Iranian government who are named in the report. Given the Iranian government's concerted efforts to hide and distort the record, this report also analyzes and compares witness testimony with reports in the official Iranian and the international press.

Violent Aftermath: The 2009 Election and Suppression of Dissent in Iran is available in English on IHRDC's Website at www.iranhrdc.org. The Persian version will be available in March.

The report was issued at a panel discussion hosted

by Hughes, Hubbard and Reed LLC in New York City. During the event, Shadi Sadr, the well-known Iranian attorney and women's rights activist, Dr. Payam Akhavan, well-known international human rights attorney and one of the founders of IHRDC, and Renee Redman, Executive Director of IHRDC spoke of Iran's human rights record and the events following the recent election.

Shadi Sadr highlighted the violations of Iranian law by the government during the post-election unrest and cited examples of similar violations that had taken place prior to the election. Dr. Payam Akhavan spoke of the responsibilities Iran has to uphold the rights enshrined in the ICCPR as well as the potential ramifications of the current harsh suppression by Iran. Renee Redman spoke of the work of IHRDC and its effort in ensuring that the violations of human rights in Iran are properly documented. The panelists called upon the international community to remind Iran of its responsibilities and to send the message that committing violations of human rights will not be tolerated.

Video of the conference is available in both Persian and English on IHRDC's Website at www.iranhrdc.org.

In Memoriam: 1979 Revolution

February 11, 2010 marks the 31st anniversary of the Islamic Revolution of Iran. On February 1st 1979, Ayatollah Khomeini returned to Iran after spending 14 years in exile. Every year, the Islamic Republic of Iran celebrates the ten days between the anniversary of Khomeini's return and the official victory of the revolution. During that period, the Iranian regime holds festivities and mass rallies, as well as arts and film festivals.

This year, prior to the celebrations and in anticipation of opposition protests, the government arrested hundreds of students, opposition party members, and activists. The

government also issued official statements warning the opposition about staging protests. In a show of force, the government also sentenced nine protestors arrested after the election to execution and executed two young men who were arrested before the election (see page 2). On February 11, the government shut down cell phone reception and internet in Iran and agents did not allow Mehdi Karrubi or Mir Hossein Mousavi to reach the demonstrations that were to take place in Azadi Square in Tehran. According to eyewitness accounts, the police used teargas and batons to disperse the demonstrators and paintball guns to mark them for arrest.