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Human rights situations that require the Council's attention

Written statement* submitted by Amnesty International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Iran: Lift the shroud of secrecy; engage with international human rights bodies

A year after the most serious human rights violations Iran has witnessed in 20 years, the Iranian authorities continue to shroud the country's human rights situation in secrecy by avoiding repeated requests made by UN human rights experts and NGO to visit Iran in order to make independent assessments of the situation.

The aftermath of the June 2009 election witnessed disturbing displays of excessive use of force to disperse peaceful demonstrations. Mass "show trials" followed sweeping and arbitrary arrests of thousands of protesters and individuals critical of the Iranian government. Some were later sentenced to death; others received prolonged prison terms.

Between June 2009 and the end of the year, the authorities acknowledged over 40 deaths; Amnesty International believes the true number of people killed unlawfully to be much higher.

The government gave a grossly distorted account of the situation when addressing the UN Human Rights Council in February 2010, during the examination of the human rights situation in Iran under the Universal Periodic Review.

It ignored global disquiet expressed concerning the unrest in 2009, including by the UN General Assembly, symbolized by a video circulated worldwide of a young woman who was shot dead during a largely peaceful protest in Tehran and concern over repressive measures.

The government held itself above scrutiny as it rejected recommendations by many Human Rights Council members to implement international human rights standards, describing them as politically motivated, while at the same time ensuring that any voices of dissent in Iran were smothered, ensuring no return to the demonstrations of mid-2009.

The Human Rights Council must not allow the government of Iran to pretend to cooperate with the Council's procedures while in reality and in spite of a standing invitation to the Special Procedures, Iran shows no sign of receiving any of the seven Special Procedures that have requested to visit the country. It has not received a visit from a Special Procedure since 2005.

Amnesty International calls on members of the Human Rights Council to take measures aimed at ensuring that the Special Procedures of the Council are able to fulfil their mandates and to gather first-hand information about human rights violations in Iran.

Recent developments in Iran again make the requested visits more urgent than ever.

Promotion and protection of the right to freedom of opinion and expression

Independent scrutiny of the measures put in place by the Iranian government to curb the rights to freedom of assembly and expression in print or via the electronic media is urgently needed. In the aftermath of the 2009 election, new laws and stricter practices were implemented that served to tighten freedom of expression, especially on the internet.

For example, In May 2010, the Head of the Judiciary talked of measures to prevent private SMS messages from creating sedition in society, suggesting that all private communications may be subject to scrutiny, without specifying criteria for investigation.

Students taking part in demonstrations or perceived as critical of the authorities may be expelled from universities, and academics who have expressed views considered unacceptable by the government face removal from their jobs, creating a climate in which scholarship is under attack.

A human rights lawyer who publicly criticized the execution of a juvenile offender in foreign news media is serving a one year prison sentence.

Torture and other cruel, inhuman or degrading treatment or punishment

Amnesty International has documented the systematic use of incommunicado detention which heightens the risk of torture or other ill-treatment. Detainees are subjected to torture or other ill-treatment to extract “confessions”. Methods reported include beatings, rape, death threats, and prolonged solitary confinement.

Publicly-aired “confessions” made by detainees deprived of access to a lawyer or their family for weeks or months are far too common.

Most recently, Farzad Kamangar, a teacher and Kurdish rights activist was executed on 9 May 2010. His conviction followed repeated acts of torture. In a 2008 letter he described how, when being interrogated in Tehran, he was asked of his origins. He wrote, “...[A]s soon as I said ‘Kurd’, they flogged me all over my body with a hose-like whip.” He added that his hands and feet were tied to a bed and his feet, thighs and back were whipped and that he was electrocuted.

Extrajudicial, summary and arbitrary executions

The expertise of the Special Rapporteur on extrajudicial, summary and arbitrary executions is urgently needed to assess the circumstances that resulted in at least 40 killings according to official figures which took place in the course of demonstrations in the latter half of 2009 and to determine, independently, whether the security forces had any role in the killings, as many Iranians believe.

Evidence arising from the dozens of unmarked graves in cemeteries across Iran and reports that the authorities had shown photo albums containing images of scores of corpses in makeshift morgues to the families of those who had gone missing both suggest that the true number of killings exceed official estimates.

The legal proceedings that led to the executions in January and May 2010 of seven political prisoners, including four Kurds, two of whom were connected to the election unrest demand independent scrutiny.

Individuals continue to be sentenced to death for vaguely worded charge such as “*moharebeh*” (enmity against God). The authorities seem to use to death penalty as a means to threaten and intimidate demonstrators.

Freedom of religion and belief; minority issues

Religious and ethnic minorities face discrimination in law and in practice. In the aftermath of the election, they have faced renewed repression as the Iranian authorities have sought scapegoats for the unrest.

Baha’is, targeted in the past, have come in for renewed repression. Around 13 Baha’is were arrested in January in connection with the Ashoura demonstrations, and two of them continue to be held. A further eight were arrested on the anniversary of Iran’s revolution, on 10 February but have been released.

High numbers of Baha’is across the country continue to face persecution in connection with their faith, such as nine reportedly sentenced to prison terms in Mashhad in early May. Meanwhile Baha’i community leaders, detained since 2008, remain in detention pending the conclusion of flawed proceedings before the Revolutionary Court.

The arrest of Ajlal Qavami, the spokesperson of Human Rights Organization of Kurdistan on 13 May 2010, reminds the world that Iran’s ethnic minorities, some of whom did not take an active role in the post-election protests in 2009, continue to face repression through

arrests of their leaders, bans on their gatherings and – as in the case of the Azerbaijani minority - refusal to allow the use of their language.

Enforced and involuntary disappearance

Arrests and detention by Iranian security forces are often arbitrary and are conducted in circumstances which amount to enforced disappearances. Between June and end of 2009, some 5000 people were arrested.

Families are typically not informed of the arrests or whereabouts of their relative in a timely manner. In the latter part of 2009, some were not told for months of the fate of their relatives. Amnesty International received complaints from family members forced to travel between Evin Prison and the Tehran court offices and to pour over the lists of those detained or scheduled for arraignment in order to find their loved ones.

The systemic failure to inform family members or legal representatives was at the core of the situation in the Kahrizak detention facility in mid-2009 which led to several deaths in custody. When the detention of individuals is not acknowledged and detainees do not have access to the outside world, this can give rise to abuses. The Iranian authorities opened an investigation into the Kahrizak deaths, but it remained opaque and did not provide families with even the promise of truth, justice or reparation.

In the absence of effective safeguards for detainees, reports that the Kahrizak facility has re-opened under the name Soroush 111, calls into question whether it ever closed. Independent scrutiny of such practices of unacknowledged and incommunicado detention is urgently needed.

Amnesty International urges the Human Rights Council to ensure that Iran's commitment to international human rights mechanisms includes specific arrangements for visits to Iran in the near future and that state bodies extend full cooperation to visiting UN mechanisms.