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REPORT ON THE SITUATION OF HUMAN RIGHTS IN THE ISLAMIC REPUBLIC OF IRAN

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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD,
WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES.

Pursuant to Commission resolution 1990/79

Like to inform you that we are prepared to meet with you agreed places and times which may be convenient to you. I must add that the possibility of direct telephone contacts are also most desirable."

INTRODUCTION

1-At its forty-sixth session, the Commission on Human Rights decided by its resolution 1990/79 of 7 March 1990, to extend the mandate of the Special Representative, as contained in commission resolution 1984/54 of 14 March 1984, for a further year and requested the Special Representative to submit an inter report to the general Assembly at its forty-fifth session on the human rights situation in the Islamic Republic of Iran, including the situation of minority groups, such as the 'is, and a final report to the Commission at its forty-seventh session. By its decision 1990/243 of 25 May 1990, the Economic and Social Council endorsed that resolution.

2-Previously, the general Assembly had decided, by its resolution 44/163 of 15 December 1989, to continue its examination of the situation of human rights in the Islamic Republic of Iran during its forty-fifth session in light of additional elements provided by the Commission for Human Rights and the Economic and Social Council.

3-In response to General Assembly resolution 44/163 and Commission on Human Rights resolution 1990/79, the Special Representative presented his interim report (A/45/697) to the forty-fifth session of the General Assembly. By its resolution 45/173, the General Assembly took note with appreciation of the reports by the Special Representative presented in 1990, including the observations contained therein, noted with concern the allegations of violations of human rights contained in these reports, and further noted that the Commission on Human Rights would consider the situation of human rights in the Islamic Republic of Iran at its forty-seventh session would refer the question, as appropriated, to the General Assembly at its forty-sixth session.

4-In compliance with paragraph 14 of Commission resolution 1990/79, the Special Representative submits herewith his final report to the Commission. This report updated the situation as reflected in the interim report on the basis of information that the special Representative continued to receive from October 1990 to January 1991. Such information includes replies received from the Iranian government to allegations transmitted to it by the Special Representative during the entire year; it was, therefore, necessary to reproduce at least in summary from the contents of these allegations so that the answers of the government can be properly assessed. The account on the second visit, which the Special Representative made to the Islamic Republic of Iran from 9 to 15 October 1990 (A/45/697, chapter IV) and the observations of the Government on that visits, are also reproduced as chapter III of the present report. However, due to the length of the present report, the appendices III and IV of

the interim report have not been reproduced and may be consulted in document A/45/697.

5-The structure of this report follows previous patterns and is accordingly divided into four chapters, plus and introduction: I. Communications between the Government of the Islamic Republic of Iran and the Special Representative since the interim report to the General; II. Information received by the Special representative; III. Report of the second visit to the Islamic Republic of Iran; IV. Conclusions and recommendations. As in previous reports, various annexes are attached containing information on events and allegations referred to in the main body of the report.

I. COMMUNICATIONS BETWEEN THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN AND THE SPECIAL REPRESENTATIVE SINCE THE INTERIM REPORT TO THE GENERAL ASSEMBLY

Written communications of a general nature

6-By letter dated 16 January 1991, the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva informed the Special Representative that, on 31 December 1990, the Iranian Parliament had approved new legal provisions concerning the right to legal counsel in all courts (for the text see para. 148).

7-On 5 February 1991, the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva addressed the following letter to the Special Representative:

"We wish, through this formal letter, to raise with you a basic and important issue which has been the subject of discussion between us in a number of formal as well as informal meetings and on which, most regrettably, we have not been able to arrive at a conclusion or understanding as of yet.

"It is our hope that this letter, which we request to be included in the conclusion of your report, shall encourage you to look into this essential matter with more attention and provide us with an answer that is clear and unambiguous. We also hope that the Special Representative will avoid the casual replies, which he has so far presented and which only leave things more obscure.

"The issue at hand is but a simple, straightforward question:

"What is the basis and criteria for the Special Representative's conclusions whether or not monitoring the situation of human rights should continue?

"The Special Representative has, different times so far, provided the following replies which we shall make an effort to reproduce:

"1. The Special Representative makes that conclusion on the basis of the report.

"2. Iran should become (the Special Representative wishes to make Iran) a model country for human rights.

"3. In the Special Representative's view monitoring is a procedure that should be applied to most countries of the world in a non-selective manner indefinitely and on the basis of co-operation with States concerned.

"4. Response by Iran to the recommendations and replies to the allegations, is the basis for such conclusion.

"The first reply is indeed vague and extremely general as the report is a compilation of communications and information which cannot by themselves yield a particular conclusion. The conclusion is made by the Special Representative and, in order to avoid personal judgment, he must have available to him a criterion which shall serve as the basis for making a suggestion on whether or not monitoring of a State's human rights situation is useful and appropriate.

"The second reply presents the Special Representative's personal desire and is evident that it cannot serve as the criterion to suggest continued monitoring. To change Iran and make it a model, however good may be intended, is far beyond the mandate; monitoring on this basis cannot be described as appropriate.

"The third reply is what may constitute a criterion for monitoring. But this does not correspond to the present situation, as most countries of the world are not monitored. As long as this criterion is not adopted and applied by the Commission and is not appropriate, nor is it just, to continue to apply it to Iran.

"On the basis of the above, there remains no doubt the suggestions by the Special Representative on continuation

of monitoring stem from a personal judgment and indeed the criteria that he uses the basis (3 and 4 about) yield to the conclusion that monitoring Iran should stop."

8-By letter dated 6 February 1991, the Permanent Representative of the Islamic Republic of Iran to the Office at Geneva transmitted in written form information he has presented to the Special Representative during a meeting on 30 January 1991 and requested that it be included in the report that he be informed of observations and recommendations as well as the course of action the Special Representative intended to take on these matters. The information has been reproduced in paragraph 28(b) to (d).

9-By a further letter dated 6 February 1991, the Permanent Representative referred to another matter raised during the about-mentioned conversation. The content of that letter is reproduced in paragraph 28 (a) below.

Written communications concerning allegations received by the Special Representative and transmitted to the government

10-On 8 November 1990 the Special Representative sent the following letter to the Minister for Foreign Affairs of the Islamic Republic of Iran:

"... I should, indeed, be most grateful if you could intercede in a case which, for purely humanitarian reasons, I felt I should bring to your personal attention. According to information available to me, Mr. Badiullah Sobhani, a former official of the Ministry of Education, adhering to the Bahai' faith, is being held at Evin prison for the sole reason of not being able to repay his retirement pension received during the past 14 years. To my knowledge he has not been charged with any offence punishable under Iranian law. In view of these circumstances and given the advanced age of Mr. Sobhani, I am taking the liberty of requesting your intervention with the competent authorities with a view to obtaining his release."

11-By letter dated 22 November 1990, the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva communicated to the Special Representative that Mr. Badiullah Sobhani was sent free on 15 November 1990

12-On 17 December 1990 the Special Representative wrote the following letter to the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva:

"... I recall with appreciation that, during my recent visit to Tehran, the Deputy Foreign Minister, Mr. M. Mottaki, expressed your Government's willingness to reply to the allegations which I transmitted to it in the past. As you know I noted in my interim report to the General Assembly the fact that your Government has started providing such replies and cannot but emphasize again the importance I attach to its comments and observations on the various allegations.

"Since I intend to finalize my report by mid-January 1991, I would be most grateful if any further replies your Government might wish to submit could be communicated to the Centre for Human Rights not later than 10 January 1991, so that they may be included in my report and be taken into consideration in the conclusions and recommendations I intend to place before the Commission."

13-By letter dated 28 December 1990, the Special Representative transmitted to the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva, the latest allegations received subsequent to his interim report to the forty-fifth session of the General Assembly, reiterating his request for comments or observations.

14-On 10 January 1991, the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva addressed to the Special Representative the following letter:

"... [I] would like to draw your attention to the fact that the deadline for submission of replies set forth for 10 January 1991 is absolutely impractical to meet as investigations of this nature are time consuming. The time, therefore, needs to be extended to a reasonable date.

"Moreover, as we have always mentioned in the past, the nature of your work requires continuous or at least frequent direct contacts with you before preparation of any report in order to accomplish the most from our full co-operation. We, therefore, request that you propose a number of dates that we can meet together from now until the time of the preparation of the report and its subsequent presentation to the forty-seventh session of the

Commission on Human Rights.

"We are aware, of course, that because of your other preoccupations it may not be possible for you to come to Geneva as frequently as this sensitive, complicated and extensive task requires. Therefore, we would

15-By letter dated 11 January 1991, the Permanent Representative of the Islamic Republic of Iran to the United Nations office at Geneva transmitted replies to the letters dated 27 June and 9 July 1990 addressed to him by the Special Representative, as follows:

"... I have the pleasure to inform you that since 10 December 1990, the following persons have been released: Reza Sad, Ayatollah Sahabi, Farhad behbahani, Abbas Ghaem Al-Sabahi, Mahmoud Naimpoor, Ali Tabandeh and Hossein ShahHosseini."

"With regard to the other detainees, as soon as the judicial proceedings are concluded, you will be informed of the final results."

16-By letter dated 14 January 1991, the Special Representative replied to the letter of the Permanent Representative dated 10 January 1991 as follows:

"While I appreciate the difficulty of investigating fully the most recent allegations transmitted by letter dated 28 December 1990, I have to remind you that the majority of the allegations received in 1990 were communicated to you by letters dated 20 August and 8 October 1990 and for certain individuals cases even earlier. In addition, replies are still outstanding for allegations sent to you in previous years. I also wish to recall that during my last visit to Tehran in October 1990, the Deputy Foreign Minister, Mr. M. Mottaki, informed that investigations on the allegations transmitted so far were already under way and replies would be made available to me shortly."

"In an effort to meet your concerns as well as your wish for further consultations with me, I have decided to delay the submission of my report for two weeks in order to allow us to meet before its finalization. Such a meeting could take place at Geneva on 28 or 29 January 1991. Any written material your Government might wish to present for inclusion in the report would, however have to reach the Center for human Rights in one of the working languages of the Organization on 22 January at latest.

"In view of the fact that the forty-seventh session of the Commission is scheduled to begin its work on 28 January 1991 and that by delaying my report I am already placing a considerable burden on the translation services of the United Nation, I hope that I can count on understanding with regard to the dates indicated."

17-By letter dated 15 January 1991, the Special Representative transmitted to the Permanent Representative of the Islamic Republic of Iran to the United Nations office at Geneva, the following letter:

"... In the framework of the co-operation which your Government accords to my mandate I should like to bring to your attention that I have received reports concerning Mrs. Takbarnia and her six-year old son Amir, both residents of Overland Park, Kansas, United States of America. According to the information provided, Mrs. Akbarinia has resided in the United States for 16 years holds a permanent immigrant visa. Both persons are said to have recently been arrested at Tehran airport upon returning to the United States from a family visit. It was reported that Mrs. Akbarnia has been charged with denouncing the Muslim faith and that she is scheduled to stand trial on 19 January 1991."

"I would be most grateful if you could provide me with full information on this case and in particular advise me of the precise charges brought against Mrs. Akbarnia. I would further appreciate receiving assurances that the above-mentioned persons receive humane treatment while in detention and can benefit of all procedural safeguards provided for in the international Covenant on Civil and Political Rights, including access to legal assistance."

18-On 21 January 1991, the Permanent Representative of the Islamic Republic of Iran to the United Nations office at Geneva addressed the following letter to the Special Representative:

"I wish to refer to your letter of 14 January 1991 and indicate that my Government shall make every effort to prepare the replies as soon as possible. But this process is time consuming and more time would be needed than your new suggested deadline. We understand the burden of the Human Rights center but we believe for matters of importance such as this that will not limit, by any means, the possibilities for receiving as much information as

possible by the Special Representative from the Government, even if it comes at the eleventh hour. With regard to necessity for direct contact, the dates proposed would, based on your timetable, follow your preparation of this report. We have requested direct contact both prior and following the finalization of the report. As we mentioned earlier, the sensitive and complicated nature of this task requires constant contact, consultation and discussion so that our full co-operation can be properly utilized. A report drafted merely on the basis of some formal correspondence cannot be as objective and reliable as the task calls for. Since the monitoring is done on a continuous basis, consultations and contacts should also be possible at any time, at least on many occasions and not just one.

"We wish to reiterate our readiness, in the spirit and pursuance of our full co-operation, to meet you any time and place prior to, during and following the preparation of the report. We are aware of your other preoccupation, which limits the time you may allow for our task and possibility to travel. We therefore state that we are ready to shoulder the extra burden to travel to the place desirable for you, including your current place of residence. We also await to receive your telephone number so as to enable us to contact you by phone."

19-By letter dated 22 January 1991, the Permanent Representative of the Islamic Republic of Iran to the United Nations office at Geneva strongly protested against the contents of paragraphs 44 and 45 of the interim report (A/45/697) and demanded immediate rectification (for the substantive content of this letter see para. 50)

21-By letter dated 22 January 1991, the Permanent Representative of the Islamic Republic of Iran to the United Nations office at Geneva transmitted replies of the Iranian Government to allegations contained in the interim report (A/45/697). For the substantive of the replies see chapter II and III below. By the same letter the Permanent Representative also provided answers concerning the fate and/or whereabouts of 157 prisoners whose names were included in a list of 202 which the Special Representative handed to the Deputy Minister for Foreign Affairs during his second visit to Tehran. The list of the Special Representative is reproduced in appendix II of the interim report (A/45/697) and the replies thereto are reflected in annex III of the present report.

By note verbale dated 22 January 1991, the Permanent Mission of the Islamic Republic of Iran to the United Nations office at Geneva made available to the Special Representative the text of a communication which the Conseil Apostolique des Armeniens de Teheran had addressed to the Ministry of Foreign Affairs (for the text of this communication see para. 458).

22-By letter dated 1 February 1991 the Permanent Representative of the Islamic Republic of Iran the United Nations office at Geneva again referred to the death of Mr. Kazem Rajavi. The text of the letter is reproduced in paragraph 52.

C. Conversations with representatives of the Islamic Republic of Iran

23-Before orally introducing his interim report before the General Assembly, the Special Representative had a long, detailed conversation in New York with the deputy Permanent Representative of the Islamic Republic of Iran to the United Nations, Ambassador Javad Zarif. The discussion concentrated on the items in the interim report which the Government of the Islamic Republic of Iran found objectionable for various reason, notably the prominence given to criticism originating from sources which in its view were partial and given spreading disinformation, but also because the report, in its opinion, ignored positive aspects of the situation, and its lack of balance put the Iranian Government in a bad light.

24-In Geneva, the special Representative had two conversations with Ambassador Syrous Nasserli who also brought up the subject of the interim report- both its tenor, which he described as negative, and various specific features which he considered to be lacking in balance. He paid especial attention to the questions of freedom to voice one's opinions and the authorization of new political parties. As regards freedom of expression, the Ambassador stated that the report made no mention of the complete freedom of expression enjoyed in the Iranian Parliament, which was unmatched in any other country in the region. The Special Representative pointed out that, whatever took place in Parliament, where divergent views were expressed and the Government was on occasion fiercely criticized, during his second visit to the country, he had received information from press sources which led him to believe that freedom of expression was subject to restriction and steps should thus be taken to enable journalists to do their job of reporting and analyzing the news, and allow newspapers to publish their articles in complete safety. He added that he could see no reason for the delay in authorizing new political parties, which had now lasted several years; while some had indeed been authorized, others were de facto being denied legalization

through simple foot-dragging, and there had been no official ruling on the subject.

25-The Ambassador stated that, to his mind, all allegations were incorporated into the reports without first being evaluated for their degree of credibility, and it was that that gave the appearance that human rights violations were taking place in Iran. His view was that the sources and credibility of allegations should be considered before they were included in reports. The Special Representative did not share that view and referred to the report he had submitted to the Commission on Human Rights at its forty-fourth session (E/CN.4/1988/24), paragraphs 61 to 65 of which explained in detail the method followed in handling allegations received.

26-The ambassador raised the subject of the criteria for the continuation or suspension of international monitoring and it was agreed that he would submit a note because, on such an important matter, it was preferable for the Commission on Human Rights to know exactly what the Government's thinking was. The note was received on 5 February 1991 and has been incorporated into chapter I.

27-The Ambassador questioned the inclusion in the interim report of references to the killing of Mr. Kazem Rajavi and the Rushdie affair. The Special Representative replied that he was unable to omit the information he had received on those two matters. As regards the Rajavi case, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in resolution 1990/8 of 30 August 1990, had expressly invited him to include in his report "information available to him on this investigation". In reference to the Rushdie affair, the ambassador added that the report ought to have mentioned the hundreds of persons in different countries, chiefly Pakistan and India, who had died as a result of Rushdie's book.

28-The Ambassador asked for the final report to mention a number of matters which he felt had a bearing on human rights. He later submitted his suggestions in writing, as follows:

"I would like to draw your attention to a humanitarian and complicated issue linked with the destiny of more than 3 million Afghan and 65000 Iraqi Kurd refugees residing in the Islamic Republic of Iran.

"Your attention is drawn to the fact that on the basis of humanitarian principles, the responsibilities for refugees is an international one and should not be left burdened on the host country alone.

"The Government of the Islamic Republic of Iran has provided all the facilities and accommodated the needs for all refugees to the best of its potentialities. Nevertheless, they cannot fully enjoy their rights stipulated in the provisions of the international covenants, as the result of others not sharing this international responsibility.

"This issue is becoming more complicated and worse after the occurrence of the recent crisis in the Persian Gulf. On the basis of the United Nations information, there might be more influxes of refugees of different nationalities pouring into Iran in days to come.

"Therefore, the Special Representative should pay special attention to the issue of refugees in Iran from the standpoint of their human rights, in order to improve their situation pending the final resolution of the issue. We request that this matter be fully investigated by the Special Representative and to report his findings and observations to the Commission on Human Rights."

"We have received numerous letters from many individuals who have stated that they or members of their families have been displaced from their cities of residence as a result of the occupation and destruction of their cities. This has led to their deprivation of many basic rights enshrined in the [Universal Declaration] of Human Rights and the two Covenants. Their situation has still not been returned to normal. They also state that there are millions of individuals or families with the same grievances.

" Given the magnitude of the problem, they request that the Special Representative look into this matter noting the fact that such deprivation of human rights have been the result, about all, of the persistent military assistance provided by some western countries to enable the military occupation and destruction of their cities."

"A number of persons have written to us to inform us of their grievances and requested that the Special Representative examine the situation and report on it accordingly.

"They have informed us that they represent tens of thousands of individuals or the families of those who have lost their lives or have otherwise been severely impaired as the result of indiscriminate bombing of civilian population centers in the course of the war. They have reminded us that these bombings, which have resulted in the

extensive violations of the human rights and particularly the right to life of many, have been made possible due to sustained and open-handed assistance and provision of weapons or the sophisticated means to deliver weapons against the population by a number of western countries. They have also noted that at the time the United Nations reports had established the fact that weapons provided by their countries were being used against civilians population against the norms of the international humanitarian laws."

"A number of individuals have requested us in writing to convey to you that they represent tens of thousands of people in Iran who themselves, or members of their family, have lost their lives or have been seriously injured, in many occasions for life, as the result of chemical bombardments against military and civilian personnel. The said representative individuals have demanded immediate investigation by the Special Representative into this matter and to present his observations and recommendations on the issue on the basis of the following:

"1. Use of chemical weapons against both military and civilian populations is prohibited by international law and international humanitarian law;

"2. The chemical weapons and the technology to sustain its manufacture have been provided by a number of western countries;

"3. Such material was provided with full knowledge that they had been and would continue to be used against human beings;

"4. As thousands have been deprived of their right to life and other most fundamental human rights, the matter should be dealt with by the Special Representative with the priority and attention that violations to such catastrophic human rights consequences require."

II. INFORMATION RECEIVED BY THE SPECIAL REPRESENTATIVE

29-The following paragraphs contain allegations of human rights violation received by the Special Representative and transmitted to the Government of the Islamic Republic of Iran by memoranda dated 20 August, 8 October, 28 December 1990 and 29 January 1991. Replies received from the Government with regard to the alleged incidents and cases have also been reflected in this section. It should be understood that as regards the allegations transmitted on 28 December 1990 and 29 January 1991, the Government did not have sufficient time to examine them in detail and submit its observations.

A. Right to life

30-According to a report by the daily Abrar, a man condemned for fornication was publicly executed in Mashad in early 1990. Agence France Presse reported on 16 January that a 31 year-old woman convicted of prostitution had been stoned to death in Bandar Anzali. On 31 January Jomhuri Islami published a declaration of the Komiteh Commander of the Province of West Azerbaijan, according to which five persons engaged in prostitution and corruption had been stoned to death. According to a report by Ressalat on 15 February 1990 Gholam Reza Masouri was hanged in Arak for pederasty.

31-jomhuri Islmai reporte on 17 February 1990 that Bolouch Ismael Zehi had been executed for drug-trafficking. On 10 January Radio Tehran announced that 31 persons convicted of drug-trafficking had been executed, 23 of them in Tehran, 3 at Shiraz, 3 at Sabzevar and 2 at Saveh. According to Ressalat of 11 February, a married couple accused of drug-trafficking was sentenced to death in Saveh.

32-Dailies from various countries published the statement of Mitra Moazez (21), claiming she had been forced to witness the death by burning of a 37-year-old woman and two 18-year-old men in an Iranian prison. According to these reports she had been imprisoned from 1981 to 1984. When she was freed, she visited the family of one of the young men, named Asghar Ghorbani Maleki, who told her that prison guards had brought them a box containing Asghar's ashes and that , as consequence of the shock this had caused, the young mans father had committed suicide.

33-Abbas Raissi, a navy officer stationed at Chah Bahar, was said to have been arrested around September 1989 in Chah Bahar on unknown charges. The source of the information presumed that his arrest, as well as the arrest of a group of other persons, related to an incident in which a Government opponent, of whom Mr. Raissi was a close friend and distant relative, was smuggled out of the Islamic Republic of Iran. The group arrested at the same time included two of the opponent's nephews as well as his brother, Mohammed Karim naroui, who was the

Head Postmaster at Chah Bahar, and was executed at Zaheden on 28 January 1990 (8 Bahman 1368), reportedly having been sentenced to death at a trial the previous day. Mr. Raissi, who was detained at either Chah Bahar or Zahedan prison, was said to be at risk of imminent execution; the charges brought against him were not known and no information was available as to whether he had been tried. By a letter dated 12 March 1990, the Special Representative requested information about the charges brought against Mr. Raissi, whether he had been tried and, if so, asked that all relevant details concerning his trial and sentence be provided to him. The Special Representative also appealed to the government, in case Mr. Raissi had been sentenced to death, to consider granting clemency or at least to ensure that all safeguards stipulated in the International Covenant on Civil and Political Rights, particularly in its article 14, had been fully respected in the preceding trial.

34-By a letter dated 26 April 1990, the Permanent Representative of the Islamic Republic of Iran to the United Nations office at Geneva replied that Mr. Raissi had been tried on spying charges for collaborating with Iraq during the war and had been condemned to death. The death sentence was carried out after due judicial process and all solemn rites were performed. The Permanent Representative added that the relevant judicial file would be made available upon request.

35-By a letter dated 7 May 1990, the Special Representative thanked the Government for its reply and requested the relevant judicial file concerning this case. He reiterated his interest in examining the files in the meeting with the Deputy Minister for Foreign Affairs, Mr. M. Mottaki, held at Tehran on 9 October 1990.

36-On 28 April 1990, the newspaper Kayhan published a report by the Islamic Republic

news Agency to the effect that the Prosecutor General of the Tehran Revolutionary Court had announced that 10 persons accused of espionage would be executed in the next few days. Other sources reported directly to the Special Representative that Mr. Jamsheed Amiry Bigvand, former Director of the Marodasht Shiraz Petrochemical Laboratory, and 13 other persons had allegedly been convicted on the charge of espionage for the United States of America, and offence for which capital punishment might be applied. Reportedly these persons had been held for months in solitary confinement at Evin prison, and had not been allowed to avail themselves of legal assistance of their own choosing. It was further alleged that confessions had been extracted under torture and that some of them had been compelled to make extra judicial confessions, which were broadcast by Iranian television. The special Representative requested the Government, a letter dated 8 May 1990, to enable all 14 persons to benefit from all the procedural safeguards provided for in articles 6 and 14 of the International Covenant of Civil and Political Rights and also safeguards 5 and 6 of the annex to Economic and social Council resolution 1984/50 of 25 May 1984, entitled "Implementation of safeguards guaranteeing the rights of those facing the death penalty". The special Representative further requested the information on the precise charges brought against these persons and all relevant details of their trials. Finally the Special Representative appealed to the Government that, in the event that all legal remedies had been fully exhausted, every possible consideration be given to the granting of clemency to those persons.

37-On 11 May 1990, the Special Representative, pursuant to his letter dated 8 May 1990 and reiterating the requests expressed therein, communicated to the Permanent Representative 10 more names of persons allegedly belonging to the above-mentioned group of 14, as follows: Dr. n Agahy, legal Advisor of thee Iranian Foreign Ministry; Hooshang Amjadi Deadehvar, General Adreshear Ashraf; Manochehr Azar, Attorney; Masoud Deadehvar, Planning Advisor for the Iranian Oil Company; Navy Captain Kyanoosh hakeamy; Colnoel Bahram Ikany; Heshmatolah Magsoody, Clergyman/Attorney; Captain Gahraman Malekzadeh and Colonel Masoud Payaby.

38-By a letter dated 5 June 1990 the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva forwarded to the Special Representative the following response of the judicial authorities of the Islamic Republic of Iran:

"According to the article 37 of the Constitution of the Islamic Republic of Iran, and as contained in the second paragraph of article 14 of the International Covenant on Civil and Political Rights, no person shall be considered guilty by law unless the accusation against him is proved by a competent court and the courts are naturally obliged to act accordingly;

"In the light of information received by the Islamic Revolutionary Court, those people were arrested and tried in accordance with the law. In addition, they we entitled to appoint a legal counsel and they duly and freely defended themselves during the trial;

"With regard to the right of the accused to resort to higher court, it should be mentioned that the sentences issued in accordance with law could be reviewed in the Supreme Court. Consequently, after the issuance of the verdicts all the accused requested a review by the court of appeal. Investigation therefore was conducted at their request and the verdicts of the two of the accused were referred to an other court for re-examination."

39-On 19 February Radio Tehran announced that 31 persons had been executed for drug-trafficking and organizing prostitution in the cities of Tehran, Sabzevar, Karaj, Arak, Kerman, Bousheher, Sari, Qom, Htaran, and Rashat. Radio Tehran supplied the names of those executed in each of those cities. Other sources stated that the charges were formation of and participation in international drug-trafficking bands, importing, transporting, purchase and sale of opium, heroin and hashish; corruption and establishment of prostitution centers, preventing girls and married women and corrupting the younger generation.

40-It has also been reported that 18 prisoners were executed on 17 and 27 April 1990 in the City of Sanandaj. It was asserted that they were militants who attended May Day celebrations in Sanandaj last year. The names of 14 persons belonging to this group were given as follows:

Mehdis Bolur-Forush, Jamal Cheragh-Disi, Nader Fat'hi, Seid Saleh Hossieni, Naser Jalali, Ahmad Mohamadi, Ali Ashraf Moradi, Mohsen Othman Pour, Ahmad Parvizi, Mohamad Rozaii, Naser Sobhani, Anvar Shariati, Roya Bakhtiari.

41- By a letter dated 22 January 1991, the Government of the Islamic Republic of Iran stated that:

"(a) Mr. Jamal Cherag-Vasi, because of terrorist activities and participation in several murderous operations and abduction in the Kurdistan region, was executed under the verdict of the court; (b) Mr. Anvar Shariati, because of participation in many military operations against ordinary people, causing death and injury to more than 50 people, was executed under the verdict of the court; (c) no judicial record was found on Mr. Mehdi rforosh and Mrs. Roya Bakhtiyari. There were also no evidence of their executions because of non-political offences in Iran; (d) Mr. Naser Sobhani and Mr. Mohsen Osaman-pour were executed under the verdict of the court of their act of espionage in military region and providing top secret military information to alien (e) Mr. Mohamad Rezai, Mr. Ahmad Parvizi and Mr. Seyed Saleh Hosseini are all alive and going about their normal duties; (f) Mr. Nasser Djala and Mr. Nader Fathi, during the years 1985 to 1988, were involved in rebellious activities in the western part of the country, killing tens innocent people, demolishing public premises such as bridges, roads connecting villages to cities, kidnapping wives and children of people and blackmailing their families. He was arrested in 1988 and executed in 1989 under the verdict of the court; (g) Mr. Ahmad Mohammadi was killed in armed clashes wit military forces along the western borders of the country. He was involved in smuggling foodstuffs across the Iran-Iraq borders; (h) Mr. Ali Ashraf Moradi was executed under the verdict of the court for the act of murder committed by him intentionally. One can therefore note that none of the about persons were executed for first of May celebrations, as was alleged."

42- It has further been reported that on 14 February 1990 a judicial panel sent to Hamadan on behalf of the head of the judiciary issued the following sentences:

Gholamhossein Golzar, 27 years old, discharged employee of the Agricultural Bank of Hamadan: 74 lashes for committing robber; 92 lashes for participation in a forbidden act, and decapitation by the just sword of the Imam Ali;

Gholamhassan Golzar, aged 28, discharged employee of Hamdan Municipality: 74 lashes fro committing robber; 74 lashes for participation in a forbidden act, and decapitation by the just sword of the Imam Ali;

Reza Khanian, 23 year, fruit and vegetable center clerk: 74 lashes fro committing robbery; 50 lashes fro participation in a forbidden act; amputation of hand for committing assault and battery and hanging by scaffold.

43- The newspaper Kayhan announced on 3 January 1990 that Khodakaram Zamani given a tributary death sentence for the murder of Morad-Ali Rezai, was executed in the main square of Khorramabad.

44- The newspaper Ettelaat announced the following executions:

Gholam Zanbgian and Rashid Noor-Mohammadi, in Bahaman, on 6 January 1990, for murder; Ahmad Souri, for murder, on 9 January; two persons whose names were not announced, in Mashad on 1 January 1990, for murder; and the murderer of a 13-year-old girl, hanged in Ahwaz.

45- On 22 January 1991, the Government of the Islamic Republic of Iran stated, with regard to the three preceding paragraphs, that "it is necessary to realize that all verdicts issued from the courts are based on Islamic Sharariat."

46- The Special Representative referred to the assassination of Mr. Kazem Rajavi in his interim report to the General Assembly (A/45/697, paras. 43 and 44). On 30 August 1990, the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted resolution 1990/8, in which it: "expresses the sincere wish that all facts and circumstances will be fully investigated and revealed with respect to this serious crime;" and, in its Paragraph 4, "Also expresses the wish that the Special Representative on the situation of human rights in the Islamic Republic of Iran, Mr. Galindo Pohl, will include information available to him on this investigation in his next report: The Special Representative therefore would be able to make available to him with regard to the investigation of the case.

47- By a letter dated 31 January 1991, the Permanent Observer of Switzerland to the Nation Office at Geneva replied as follows:

"On instructions from my Government, I have the honor to communicate the following in response to your letter dated 19 September 1990 about killing of Mr. Kazem Rajavi, the contents of which were disclosed to me by the Centre for Human Rights.

Mr. Kazem Rajavi was assassinated on 24 April 1990, on the open street in the village of Tannay, near Coppet. The criminal investigation of this matter is being handled by the examining magistrate of the Canton of Vaud. Mr. R. Chatelain has issued warrants for the arrest of 13 Iranians who appear to be implicated in this appalling crime and has transmitted a list of questions to the Iranian authorities through the judicial assistance system.

The outcome of these inquiries must be kept secret while the investigation proceeds. The examining magistrate of the Canton of Vaud, who is in charge for the investigation, is the only person authorized to disclose the information obtained.

The Swiss Federal Council is nevertheless extremely concerned that all aspects of this attack should be brought to light. As stated in the press communiqué issued on 22 June 1990 (copy attached), the Federal Department of Foreign Affairs notified the Embassy of the Islamic Republic of Iran in Switzerland in June 1990 that the Federal Council would draw the appropriate conclusions if it should transpire that Iranian diplomats accredited to Switzerland or Iranian officials working in Switzerland were implicated in this affair."

"Press communiqué issued by the Federal Department of Foreign Affairs:

Ambassador Pierre-Yves Simonin, the Head of the second Political division at the Federal Department of Foreign Affairs, this afternoon, Friday 22 June 1990, summoned Mr. Hman Agharazi Darmani, the secretary of the Embassy of the Islamic Republic of Iran in Bern, in the absence of the head of Mission, ambassador Seyyed Mohammad Hossein Malack, to convey to him Switzerland's extreme concern following the publication of the press release issued by the examining magistrate of the Canton of Vaud leading the investigation into the killing of Mr. Kazem Rajavi.

Ambassador Simonin gave the Iranian diplomat to understand that the Federal Council will consider the accusations leveled at some official Iranian services and will, where appropriate, take the steps which such cases require.

Ambassador Simonin further informed Mr. Darmani that the Federal Council would not hesitate to draw the appropriate conclusion should it transpire that accredited diplomats and/or Iranian officials stationed in Switzerland were implicated in this affair."

48-The examining magistrate of the Canton of Vaud, Mr. N. Chatelain, to whom the Permanent Observer refers in his letter, previously had issued a press release, dated 22 June 1990, stating, inter alia, the following:

"... As of now, although the investigation has not been completed, it appears that several people are closely implicated in this affair. It was established early on that individuals Yadollah Samadi and Mohammad Said Rezavani were possibly associated with this killing, but research has shown 13 people to be implicated.

The 13 implicated all justified their presence in Switzerland by means of Iranian official passports bearing the

words "on official business". Some of these documents had been issued on the same days as each other in Tehran. Most of these individuals entered Switzerland together on direct Iran Air flights from Tehran to Geneva, and possessed airline tickets bearing consecutive serial numbers. They all stayed in hotels in or on the outskirts of Geneva. It has been established that sundry persons had made three trips to Switzerland, but that they were accompanied by different accomplices on each occasion.

The police officers conducting the investigation have now assembled a number of clues which make it possible to state that one or more official Iranian services are directly involved in the killing of Mr. Kazem Rajavi.

The Federal authorities have been informed of this development and the outcome this inquires. The inquiries are not yet complete, however, and the Vaud Security Police is continuing its investigation."

49-The assassination of Mr. Rajavi generated fear in person visiting the Palais des Nations to give information about human rights in the Islamic Republic of Iran. They took extraordinary precautions so as not to draw attention to their lives and their beliefs and asked for special police protection, in some cases notifying the competent authorities in advance of their movements in Geneva or requesting interviews outside the Palais des Nations.

50-By letter dated 22 January 1991, the Permanent Representative of the Islamic Republic of Iran strongly protested against the reference to the assassination of Mr. Kazem Rajavi included in the interim report to the General Assembly (A/45/697, paras. 43 and 44). He stated:

" In paragraph 44 you have referred to assassination of Mr. Kazem Rajavi in a manner that tends to allege involvement of the Iranian Government. In doing so, you may have been misguided by some slanderous reporting reflected in some media. I wish to remind you that criminal charges have been pressed against those reporters on the basis of the Swiss Law. It is inappropriate for the Special Representative, however, to repeat such serious slanders on the basis of unfounded information.

" Moreover, the Special Representative should pay greater attention and reflect as thoroughly on thousands of cases of assassinations committed by the group that the deceased represented; bloody and cruel assassination that has included men and women, old or young. Total sympathy should also be presented to the families of those assassinated by the notorious group the deceased represented. Such attention and sympathy is, unfortunately and suspiciously, absent despite the fact that the terrorist activities and assassination of this group and despite his own condemnation of such terrorist activities in the past.

"My Government, for its, share condemns all acts of terrorism and assassinations and believes that, like other murders committed by this notorious terrorist group against their own members, the killing of Mr. Kazem Rajavi is also the result of infighting within the group orchestrated by their headquarters in Iraq. ..."

51- With regard to paragraph 49 above, the Government of the Islamic Republic added that "there have not been any threats of non-co-operation with the Special Representative on the part of the authorities of the Islamic Republic of Iran. On the other hand, the Islamic Republic of Iran has taken measures to have the different NGOs meet the Special Representative and during his two trips has taken necessary precautionary measures for the convenience of those who wish to see the Special Representative".

52- By letter dated 1 February 1991, the Permanent Representative added the following:

"following the protest in my letter dated 22 January 1991, in connection to the death of Mr. Kazem Rajavi and your comments presented orally in a formal meeting on 30 January 1991, citing a Sub-Commission resolution as the reason for such reference, I wish to state that your explanation is not justified, and hereby reiterate our protest and demand for full rectification of the matter. In this connection, while referring you once again to the text of our previous letter, I would add the following:

"1. Your mandate for examining the human rights is decide no by the Sub-commission but by the Commission on human Rights and, as such, you are by no means legally bound to pursue any matter on behalf of the Sub-Commission unless you simply choose to do so.

"2. The resolution at the Sub-Commission was the result of a letter dated 4 May 1990 which, in breach of most basic norms of the United Nations, was issued and signed by the Under-Secretary-General for Human Rights. The United Nations Secretary-General did, later, issue to us a letter of apology and regret. The damage, however, had

already been done, as the Sub-Commission drafted its resolution on the basis of the letter by the Under-Secretary-General, copies of which were provided through the members of the MKO terrorist group.

"3. Thus, it is all too clear that one wrong act has led to others. This must come to an immediate halt."

53- It has also been widely reported that the Iranian Government has endorsed the death sentence against the British author Salman Rushdie. On 5 June 1990, the Leader of the Islamic Republic of Iran reportedly stated that the fatwa (religious verdict) of the late Imam Khomeini concerning the author was based on divine ruling and remained irrevocable. On 26 December 1990 the leader of the Islamic Republic of Iran reiterated that the fatwa cannot be revised or repealed by anyone at any time.

54-By a letter of 22 January 1991, the Permanent Representative of the Islamic Republic of Iran also referred to the Rushdie, as follows:

"... It should be pointed out that as a result of the criminal act of Mr. Rushdie which was a direct insult to the most sacred values of Muslim, tens of people lost their lives in different parts of the world. It is very surprising to note that the Special Representative addressed this political issue under the humanitarian mandate without making any reference whatsoever to those whose blood was spilled in protest to this criminal act. The Special Representative is expected to show as much sensitivity to the right to life of those Muslims who lost their lives as that which he extends to the culprit."

55-It has further been reported that on 22 October 1990 Professor Cyrus Elahi, a member of the flag of Freedom Organization of Iran, was found dead with numerous bullet wounds at his Paris home. It was alleged that the assassination was carried out by agents of the Iranian Government. By a letter dated 11 January 1991, the Special Representative requested the charge d'affaires of the Permanent Mission of France to the United Nations Office at Geneva that he be provided with any information that her Government would be able to make available to him on the results of the investigation into the case.

56-The charge d'Affaires of the Permanent Mission of France to the United Nation Office at Geneva replied, in a letter dated 29 January 1991, that "... the investigation has not yet been completed. Accordingly we cannot at present provide any information on the case, which is still sub judice. I undertake to keep you informed of any developments."

57-In many communications the Special Representative has received , it has been asserted that the families had never been officially notified that their relatives had been executed. In addition, those that were notified that they're relative had been buried.

58-By a letter dated 22 January 1991, the Government of the Islamic Republic of Iran has answered this allegation, stating that, "as the Special Representative was informed previously, there are special procedures for the implementation of the verdicts.

59-It has been reported that as of January 1990 persons have been executed in the Islamic Republic of Iran for their homosexual or lesbian tendency.

60-In its reply of 22 January 1991, the Government of the Islamic Republic of Iran stated that "according to the Islamic Shariat, homosexuals who confess to their acts and insist on that are condemned to death."

61-Other individual cases were reported as follows.

62-Mr. Bizhan Ahmadian reportedly was shot in a street in Babol and that the authorities refused to return his body to the family. Subsequently, his parents and some other members of his family were allegedly arrested.

63-In its reply of 22 January 1991, The government of the Islamic Republic of Iran stated that "Mr. Bizhan Ahmadian fought along with others, armed with hand grenades and light weapons, in an attack on a shop belonging to a citizen; he clashed with officers of the law and order and consequently was killed. It is worth mentioning that in this street clash, two security agents were also wounded and killed. Two others who were arrested said that they have launched their operation on the order of the so called Peoples Mojahedin Khalq Organization of Iran".

64-Mr. Mohammad Fadaii was reportedly sentenced to five years imprisonment. At the end of his prison term,

which was spent in Meshed prison, he was released. In 1988, allegedly without any reason, he was again arrested, subjected to several kinds of torture, and executed.

65-In the same reply of 22 January 1991, the government of the Islamic Republic of Iran stated that "Mr. Mohammad Fadaii had been arrested because of co-operation with terrorists and was released after serving his prison term. He is now with his family".

66-Mr. Amir Taavoni-Ganji, his wife and daughter left Iran in 1987 out of fear for their safety and liberty. When he returned for a short visit in 1988, he was immediately arrested and taken to Evin prison. In November 1989, the prison authorities asked his family to collect his clothes and other belongings, as he had been executed.

67-In its reply of 22 January 1991, the Government of the Islamic Republic of Iran stated that "no judicial report or arrest document is available on Mr. Amir Taavoni Ganji".

68-Mr. Mohammad Amin Danesh was reportedly executed on 12 January 1986 in Iranshahr and that his body was burned by the Guardians of the Islamic Revolution.

69-In its reply of 22 January 1991, the Government of the Islamic Republic of Iran declared that "Mr. Mohammad Amin Danesh was kidnapped in 1986 by the armed bandits who demanded a ransom for his release. Since these bandits were in operation on Afghan soil, it was not possible to pursue them and he has apparently been killed because of failure to pay the ransom. The allegation in this respect, therefore is denied."

70-Mr. Davoud Mohammadi, a former veterinarian working in the Veterinary Office of Arak city, was reportedly executed in October 1989 on charges of drug-trafficking, but that the real reason for his execution was to be found in his political activities opposing the Government.

71-In its reply of 22 January 1991, the Government of the Islamic Republic of Iran stated that "Mr. Davoud Mohammadi was arrested under charges of possessing and distributing opium and other illicit drugs, and based upon the verdict of the court, was sentenced to death. He has no security record."

72-Subsequent to his interim report to the g=General Assembly the Special Representative has received the following further allegation concerning the rights to life:

It has been reported that tow members of the :Flag of Freedom Organization of Iran" were executed at Evin prison: Mr. Hamid Amir Ansari, around 18 January 1990 and Colonel Mojtaba Shaffii Khazaneh around February 1990. no information was available as to whether they had been presented to a court before execution. It was also reported that the fate of 11 other members of the Organization was unknown and fear was expressed that they might also have been executed. The names were given as follows: Davoud Mir Rahimi, Mrs. Zaman Jafapour, Ahmad Roudaki, Khalil Ghiassi, Farokhi, Davoud Mozaffar, Mohammad Amin Alreaya, Nader Ashore, Dr. Assai, Moocher Mother. All aforementioned persons were said to be political opponents of the Government but had not engaged in any violent activities;

Davoud Nasserri, a supposed political prisoner, reportedly was executed in April 1990 in Tehran;

In September 1990, a hundred people convicted of drug-trafficking were said to have seen executed within two weeks;

On 3 October 1990, Mahniyd Khan-Darabi reportedly was executed in Kermanshah;

On 10 October 1990, 37 persons were reported to have been executed in Torbat-E-Jaam;

In October 1990, Massiyd Keshavarz and Davood Salahshour, allegedly political prisoners, were said to have been executed in Karaj's Qezel-Hessar prison and Tehran, respectively;

In October 1990, Javad Rahmanian reportedly was executed in Jahrom (Fars province), allegedly after having been severely tortured;

Seyyed Mohammad Ali Shahbukhari, reportedly processed under charges of being a member of an espionage networks affiliated with a foreign intelligence agency and sentenced to death in a military tribunal, was executed on 12 November 1990;

On 13 November 1990, Mr. Saber Esmail-Zadeh and Mr. Panahi, two supposed political prisoners, were said to have been executed in Tehran. Reportedly they had been arrested several years ago and were serving prison sentences;

in the first two weeks of November 1990, nine persons were said to have been executed on non-political charges in Tehran, Arad, Bushehr, Karaj, Khorramabad, and Zahedan;

On 19 November 1990, Mr. Ahmad Reza'I, Mr. Mohammad Reza'I and Ms. Barazandeh, all of them alleged political prisoners, reportedly were executed in Gachsaran;

On 23 November 1990, eight persons were said to have been executed in Hamedan, one person in Ahwaz and one in Zahedan, on various charges, including drug-trafficking;

Two drug traffickers reportedly were hanged in Zahedan on 28 November 1990, after being sentenced to death by the Islamic Revolutionary Court of the city. The two were said to have been found guilty of possessing 4.5 kg. of heroin;

On 3 December 1990, four persons were said to have been executed in Karaj and another person in Khalkal;

On 4 December 1990, 27 persons were said to have been hanged in Dizelabad prison in Bakhataran. They allegedly had been involved in buying and selling narcotics in Bahaman and Zahedan;

It has been reported that Mr. Manoucher Afghani Dazeky was executed in the city of Kermanshah, subsequent to his arrest by the Guards of the Islamic Revolution. It was added that at the time of delivering his corpse, the Islamic Guards told his relatives not to mourn and not to wear black dresses;

It was reported that Mr. Mohammad-Mehdi Saleiman-Nejad, born in 1969 and bearer of identification card NO. 4025, was arrested on 4 August 1988 in Zahedan and put at the disposition of the Islamic Revolution's Court of the city. Reportedly on 17 August 1988, only 13 days after his arrest, he was executed and his grave was shown to his parents; his belongings were given to them but in spite of repeated requests, the authorities have not disclosed the reason for the execution.

It was reported that Reverend Hossein Soodmand, aged 55, a Muslim convert to Christianity and minister of the church of the Assembly of God in Gorgan, was arrested in October 1990 in Mashad, his home town, on charges of apostasy from Islam, propagating Christianity, distributing Christian literature and setting up an illegal church in Mashad. On 3 December 1990 he was hanged in Mashad. His family was allegedly not informed of his situation until after the execution had taken place. It is not known whether he was tried. Rev. Soodmand converted to Christianity from Islam more than 20 years ago, but was ordained minister only about 2 years ago. Before then he worked for the Bible Society and in a hospital for the blind, where he met his wife, who is blind. He leaves her with four children. Pastors who visited his grave have reportedly said that it is not in a cemetery but in a location which cannot be considered a respectable place for burials.

The Iranian press reportedly published articles on a total of 93 public executions during the period 1 to 29 January 1991. It was said that the executed persons have been sentenced on charges of common crime, in particular, related to drug-trafficking. Details were given as follows: 18 executions in Baktaran; 2 more in Bandar Abbas; 24 including 2 women in Mashad; 7 in Torbat Jam; 5 in Neishabour; 4 in Qouchan; 20 in Hamadan; 1 in Oromieh; 1 in Andimeshk; 8 in Khorasan; and 3 in Chah Bahar.

B. Enforced or involuntary disappearances

73-The Special Representative wishes to refer to the report of Working Group of Enforced or Involuntary Disappearances (E/CN.4/1991/20), which has transmitted to the Government of the Islamic Republic of Iran 451 cases of missing persons, 7 of which were reported to have occurred in 1990. So far only one case has been clarified by information received from non-governmental sources.

C. Right to freedom from torture or cruel, inhuman or degrading treatment or punishment

74-Reports on torture and ill-treatment during imprisonment have continued to be received since the first visit of the Special Representative to the Islamic Republic of Iran. It was also alleged that mutilations and corporal punishment were used. A report from Agence France Presse reports that, according to Kayhan, a person convicted of robbery suffered the amputation of

four fingers on his right hand in Ghasr prison in Tehran. On 20 January 1990, the same news agency reported that two persons condemned for robbery had suffered the amputation of four fingers on their right hands. The sentenced was reportedly executed in front of a large crowd that had assembled for Friday prayers.

75-In the letter of 22 January 1991, the Government of the Islamic Republic of Iran stated that "any physical abuse or torture under any name is dined in the prisons and they are totally baseless. But in regard to amputations, it is worth mentioning that the divine religion of Islam permits certain punishments for certain crimes and in the field of Qesas which entails amputations".

76-By a letter dated 23 May 1990, the Special Representative inquired about the situation of Dr. Alireza Nasiri, reportedly being detained on unknown charges at a prison situated at 21, Mohsangi/Asadi Street in Mashad and suffering from an acute eye disease, resulting from diabetes, which urgently required surgery. According to the information received by the Special Representative, Dr. Nasiri was arrested by the Pasdaran in Mashad in 1989. The special Representative asked to be informed of the charges brought against Dr. Nasiri, as well as of the relevant details of his trial proceedings. He also requested the Government to ensure that Dr. Nasiri receives every medical treatment required for his condition.

77-On 22 January 1991, the Government reported that "Mr. Alireza Nasiri has been arrested with court verdict on charges of propagation of corruption and his case is under judicial study. The allegation is groundless, since the location cited is not a prison and he is now enjoying good health".

78- By a letter dated 15 June 1990, the Special Representative inquired about the situation of Mr. Nouredine Kinaouri, former First Secretary of the Tudeh Party, whom he met at Evin prison during his first visit to the Islamic Republic of Iran. According to the allegations received, Mr. Kianouri had been placed in solitary confinement shortly after the departure of the special Representative from Tehran had no longer been allowed to receive visits.

79-The Special Representative has also been informed that Mr. Kianouri's wife, Mrs. Meriam Feirous, was placed in solitary confinement, despite her advanced age and poor health.

80-During his second visit to the Islamic Republic of Iran, the Special Representative met with Mr. Kianouri and Mrs. Feirouz. Both denied allegations of solitary confinement, maltreatment and suspension of visits in recent months.

81-With respect to these allegations, the Government, by letter dated 22 January 1991, informed the following: "(a) None of those who met with the Special Representative has been subjected to intimidation or maltreatment by the agents affiliated to the Islamic Republic of Iran; (b) Mr. Kianouri and his wife Meriam Firouz have preferred to live in a separate location from the public prison, and in this regard , a suitable place has been arranged for them. This was the case, even during the first visit of the especial Representative to the Evin prison in which he was separated from the others; (c) Due to efforts rendered by the National Prisons Organization, special suites have been provided in the prisons for the married inmates. These suites are put at the disposal of those who do not have the possibility of having two or three days leave outside the prison. These individuals stay with their families for one or tow days in these suites without the presence of any guard. Mr. Kianouri and Mrs. Meriam Firouz also used these public facilities; (d) The two inmates, due to their old age, are under special supervision by the health authorities of the prison. They are constantly checked by the specialized doctors who come to see them for this purpose; (e) Any allegations are categorically denied.

82-In this connection, the Government also stated the following: "What the Special Representative mentions I para. 291 [erroneous reference] of his interim report that he has found in meeting with Mr. Kianouri. Meriam Feirouz are contradictory to paras. 53 and 54 of his report".

83-In addition, the Special Representative received the following allegations.

84-Jamshid Amiri-Bigvand, 52 years old, former Director of Marodasht Shiraz Petrochemical Laboratory, was arrested on 18 September 1988 in front of the above-mentioned laboratory. Mr. Amiri was placed in solitary confinement in Evin prison and was allegedly tortured.

85-Houshang Amjadi Bigvand, 51 years old, self-employed, was arrested in November 1988 at his residence in the city of West Kots. His children and his wife were also arrested at the same time. He was placed in solitary confinement at Evin prison where he was allegedly tortured. Although his general condition of health was

reportedly poor, owing to a bleeding stomach ulcer, Mr. Amjadi had reportedly not been permitted to receive medication from outside the prison.

86-On 13 October 1990, during his visit to Evin prison, the Special Representative spoke with Mr. Jamshid Amiri Bigvand and Mr. Houshang Amjadi Bigvand.

87-In connection with these allegations, on 22 January 1991, the government stated in his letter that "Mr. Jamshid Amiri Bigvand and Houshand Amjadi Bigvand, who were arrested on charges of espionage for disclosing sensitive military information, are now awaiting the verdict of the court of appeal. They have not been subject to any maltreatment and the allegation of their torture is denied."

88-Parvom Amiri Bigvand, 51 years old, wife of Houshang Amjadi Bigvand, was arrested in November 1988 at her residence in the city of West Kots with her husband and her children. Who was placed in solitary confinement for eight months and then released. She was allegedly tortured during her stay in solitary confinement.

89-With regard to this allegation, the Government has stated that "Mrs. Parvin Amiri Bigvand, who was arrested briefly for having links with the United States spy network activity in Iran, was later released on bail. She has not been subjected to any maltreatment during her imprisonment. Any allegation, therefore, of her having been tortured is denied."

90-Reza Arbabi, 38 years old, was reportedly arrested in 1983 and kept in Mashad prison. On 22 June 1984, he was sentenced to 15 years' imprisonment by the Mashad court. Later he was transferred to Gohardasht prison, allegedly in a serious condition. Since 1988, his family have had no news about him.

91-The Government of the Islamic Republic of Iran replied by letter of 22 January 1991 that "Mr. Reza Arbadi had been sentenced to 25 years' imprisonment for his involvement in terrorist activities, but later on was pardoned since the prison authorities were pleased with his exemplary conduct.. he was consequently released in 1988".

92-Mr. Yagoub Bahramy was reportedly subjected to repeated beatings in Ghasr prison, resulting in mental problems.

93-Mr. Asdollah Bayat reportedly was repeatedly beaten with cables in Ghasr prison, resulting in mental problems.

94-In connection with these two allegations, the Government of the Islamic Republic of Iran stated, on 22 January 1991 that "there is no judicial record or conviction verdict available on Mr. Yagoub Bahramy and Mr. Asdollah Bayat and no document showing their imprisonment in the Qaser Prison".

95-Mr. Ardeshir Bonyani reportedly was arrested in December 1989 for refusing military service. He was reportedly beaten up and his jaw broken.

96-Mr. Ardeshir Bonyani reportedly had distributed pictures of the late Shah and displayed the former Iranian flag in Valiah Square and pole-Seyyed Khandan. Reportedly, he had been arrested by the revolutionary guards at the house of a certain Mr. Misahieh at Sehmiran and taken to the komiteh in Jamarn district, where he was allegedly tortured; as a result, his jaw and teeth were broken.

97-On the two preceding cases, on 22 January 1991 the Government stated the following: "According to the police department in Tehran, Mr. Ardeshir and Kamran Bonyani molested the wife of one of the inhabitants of Vali-Asr Avenue and on her complaint, they were arrested. These two individuals have previous records of theft and molestation of women. They were later released by acquiring contention of the lady and providing commitment not to repeat their misbehavior."

98-Mr. Aslan Fadavy reportedly suffered severe beating at Evin prison.

99-On 22 January 1991, the government stated that "Mr. Aslan Fadavy, who was imprisoned in Gohar-Dasht, had been released in 1988. He was arrested in 1983 on terrorist activities and had been sentenced to 15 years' imprisonment. But due to his good conduct, he was pardoned before his term of prison was due".

100-Mr. Masood Farjad, an engineer, reportedly was tortured by security officers who allegedly used burning cigarette butts to inscribe on his back "death to opponents of Velayate Faghieh" (religious guide).

101-With regard to this allegation, on 22 January 1991, the Government stated that "there is no judicial record

available on Mr. Masood Farjad. It is worth mentioning that based upon documents, the so-called People's Fadaeyan Organization of Iran, in a bid to provoke public opinion would have burnt the bodies of some of their own newspaper. In this regard one of the members of this organization who confessed to have burnt himself with cigarette butts revealed the tricks of the organization through the mass media."

102-Mr. Navab-Ali Ghaem-Maghami reportedly was subjected to various forms of sexual abuse and psychological torture in Ghom prison. He was allegedly forced to watch other prisoners being tortured. Several times, his clothes were reportedly soiled with the urine and excrement of other prisoners.

103-By letter dated 22 January 1991, the Government stated that "Mr. Navab-Ali Ghaem-Maghami has no judicial or conviction record. The governmental records that show that no person of such name has been born in Qom. In addition, the municipality of this city has announced that no person of such name has lived in Qom.

104-Mrs. Tahere Hadadian-Zanjani, aged 53, reportedly spent more than five years in prison, partly in solitary confinement. As a result of being flogged on the soles of her feet with cables, and other kinds of alleged torture, she had to undergo surgical operations.

105-On 22 January 1991 Government stated the following:

106-"Tahere Hadadian Zanjani, who had been sentenced to 20 years' imprisonment for collaborating with and hiding terrorists, enjoyed clemency and is now free."

107-Ms. Soraya Haghshenas was reportedly ordered arrested by the procurator of Tabriz prison when she refused his sexual advances. In prison she was allegedly flogged and forced to witness other prisoners being tortured.

108-Mr. Ahmad Khanzampour reportedly was imprisoned from 1981 to 1986 in Evin, Gohardasht and Ghezel-Hesar prisons. Despite the fact that she has epilepsy, he was allegedly subjected to different kinds of torture. In particular, it was reported that he was beaten with cables, that his genital organs were connected to electric wires and that he was forced to witness other prisoners being tortured.

109-with regard to these two allegations, on 22 January 1991 the Government of the Islamic Republic of Iran declared that "there is no judicial record on Ms. Soraya Haghshenas and Mr. Ahmad Khan Zamapoor."

110-Mr. Habib Maffi reportedly had teeth broken by prison guards in Tabriz and suffers from severe mental problems as a result of torture.

111-In the same letter of 22 January 1991, the government stated that "Mr. Habib Maffi, who had been sentenced to six months' imprisonment for unintentional homicide while driving, collided into one of his inmates and broke his teeth; he also got injured on the face. He was later treated and was released after serving his term."

112-Mr. Ebrahim Mozroii was allegedly unlawfully imprisoned and tortured. He reportedly filed a complaint with the authorities, but to no avail.

113-Mr. Afrasiab Pakzadegan reportedly, on two occasions at Ghom prison, was tied to a chair while dogs were incited to attack him

114-Mr. Rahim Rahseparian was allegedly forced to perform various sexual acts in Tabriz prison.

115-Mr. Mostafa Salehyar was reportedly sexually abused by four prison guards and was beaten on his genitals.

116-Mohammad Reza Sedaghat, former manager at one of the Government offices, was reportedly in prison without any charge or trial, and reportedly suffered from torture many times, resulting in serious damage to his feet.

117-On the five preceding cases, on 22 January 1991, the Government replied as follows: "there is no judicial records on Mr. Ebrahim Mozroii, Mr. Afrasiab Pakzadegan, Mr. Rahim Rahseparian, Moustafa Salehyar and Mohammad Reza Sedaghat.

118-John Pattis, citizen of the United States of America, has reportedly been held in Evin prison for four years. The prison doctors have allegedly stated that he is suffering from severe anemia due to malnutrition, from weight loss, loss of hair and that his skin has a green hue.

119-With regard to this case, the Government stated in its letter of 22 January 1991 that "Mr. John Pattis who was arrested on charges of spying served his prison terms like other inmates in a satisfactory condition. Loss of weight and hair are attributed by doctors to psychological stress resulting from failure in carrying out his espionage activities and his intolerance of his life imprisonment. His anemia case due to malnutrition does not have any basis."

120-Ahmad Rashed-Morandi, 32 years old, was arrested in 1981 in Tehran and sent to Evin prison, where he allegedly was under constant torture. In 1983, he was sent to Ghasr prison at Tehran. Since 1989, the prison guards have not allowed any meetings with him. Since then there has been no news of Mr. Rashed-Morandi.

121-On 22 January 1991, the government stated that "there is no judicial record on Mr. Ahmad Rashed-Morandi."

122-Ms. Fatemeh Taati Asil was reportedly arrested in 1981 on the accusation of being a Mojahedin sympathizer. While in prison, she was allegedly subjected to torture, resulting in serious mental disorder. She was released in 1988, after six years' imprisonment.

123-On this case, the Government indicated on 22 January 1991 that "Mrs. Fatemeh Taati Asil was sentenced to life imprisonment in 1981 for terrorist activities, involvement in plundering the wealth of the people, intimidating the people and indirect involvement in the assassination of four people. She was, however, released in 1988 due to her good conduct."

124-Jamshid Torabi, 37 years old, was arrested in 1982 and taken to Evin prison. There he was given a brief trial; reportedly without the presence of a lawyer of his defense. He was sentenced to an undefined period, from 15 to 17 years. Later he was transferred to Gohardasht prison where he was held until the spring of 1989, when he was transferred back to Evin prison. Allegedly, he has been severely tortured several times during his years of imprisonment.

125-On this matter, the Government stated on 22 January 1991 that "Jamshid Torabi during the time of his imprisonment was never subjected to torture or harassment. He, however, declined to accept a defense lawyer, saying that since his crime was axiomatic, which he confessed, there was no need for a lawyer. He is now free and lives normally."

126-Ms. Mehrangiz Yeganeh was reportedly arrested in 1981 and charged with being a Mojahedin sympathizer. She was imprisoned for 2 years in Tabriz prison. It was asserted that in prison she was subjected to different kinds of torture and rape. Allegedly as a result of having been raped repeatedly, her intestines were damaged and she had to undergo a surgical operation. She was in the hospital of Tabriz prison and then in an ordinary hospital. It is alleged that she has not yet fully recovered.

127-On 22 January 1991, the Government informed the Special Representative that "Mrs. Mehrangize Yeganeh who was active in supporting efforts of terrorist groups was sentenced to 15 years' imprisonment. She had been suffering from an ulcer before her arrest and underwent medical treatment during the time of her imprisonment. She is now free."

128-Since the publication of the interim report it has been reported that different types of torture, mainly flogging with whips or cables, suspension by the wrist, sleep deprivation and psychological torture including mock executions were being commonly applied in many prisons. Such methods of torture were reportedly used in order to force detainees to confess to suspected offences or to reveal information, in particular about the names of supporters of opposition political groups or the whereabouts individuals wanted by the authorities.

129-It was reported that in recent years no member of the security forces or no prison official has been brought to justice for torturing or ill-treating prisoners.

130-A former prisoner reported to the Special Representative that he had personally witnessed that a fellow prisoner had died as a result of an enforced blood transfusion; that he also saw prison officers pouring hot water on the face of another prisoner; and that he had witnessed the rape of a young woman by prison investigators. The witness requested that his name should not be revealed.

131-Another former prisoner informed the special Representative that she was tortured during her captivity at Evin prison between 1982 and 1987 and that torture marks still remained on the sole of her right foot. She also reported having witnessed the torture of Mariam Saghari and Ghodsi Hava-Keshian, two women who were

allegedly executed in the second half of 1988. she also alleged that another fellow prisoner, Ms. Rafat kholdi, had committed suicide after having been tortured by prison guards. The witness requested that her name should be revealed.

132-It has been reported that Mr. Kiomars Shahi was arrested in 1982 and imprisoned in Evin prison in Tehran. He was reported to have been severely tortured before his execution in May 1987.

133-It has also been reported that Mr., Bahzad Naziri, aged 26, a former translator for AFP news agency, was said to have suffered flogging with flex over the soles of his feet for days at a time, while he was in prison in Tehran in June 1985.

134-It was said that Dr. Ahmed Danesh, a surgeon imprisoned since 1983 because of his support for the Tudeh Party, was tortured and reportedly had witnessed others being tortured, before his execution in 1988 in Evin prison.

135-It has been reported that Javad Rahmanian, a supposed political prisoner, was said to have been severely tortured in October 1990 and denied visitation rights before his execution in Jahrom (Fars Province).

136-It has also been reported that Mr. Mohammad Heydari was subject to severe torture, including the flaying of arts of his arms and legs and burning of his fingers, before his execution on 19 November 1990 in Gachsaran.

137-It was said that Mr. Mehdi Dibaj, who converted to Christianity some 25 years, reportedly has been in prison and systematically tortured since 1983 in Tehran, in attempts to force him to renounce Christianity and reconvert to Islam.

138-It was also said that Mrs. Malek Taj Hakimi was said to have been tortured in prison. Her daughter, Soodabeh Sharifi, was 13 years old when she allegedly was forced to witness the torture of her mother.

139-It has been reported that Mr. Hassan Mojarrabi-Tabrizi was arrested eight years ago in relation to his activities in the Tudeh Party. Since then he has allegedly been subjected to physical and psychological tortures in Tabriz prison with negative consequences to his health. He is said to be held in section 9 of Tabriz prison.

140-A number of allegations were also received concerning sentences of physical punishment which constitute forms of torture or cruel, inhuman or degrading treatment, prohibited under article 7 of the International Covenant on Civil and Political Rights. In this connection, reference was made to article 115 of the Penal Code prescribing that "... a man, while standing and his body naked except for a cover of his private parts, is whipped all over the body except on his head, face and private parts. A woman, however, is whipped while sitting with her dress tied to her body".

141-The attention of the Special Representative was also drawn to the law of Hodoud and Oesas. That law prescribes flogging for the following offences adultery (article 100-104), taking alcohol (articles 123-136), sodomy (article 152), lesbianism (articles 176,178,187), fornication by a man or a woman who is not qualified as married (article 102) and drinking liquor, whether by a man or a woman (article 131). Article 178 prescribes flogging for a discerning minor who maliciously accuses someone. It was further stressed that the Ta'Azirat provisions of the Islamic Penal Code contain more than 50 articles prescribing lashing of up to 74 strokes.

142-Reference was also make to the provisions of the law of Hodoud and Oesas calling for amputation of limbs and mutilation of other parts of the body (article 218). In this connection, specific cases were alleged as follows:

On 6 February 1985, Mahmoud Karimi suffered the amputation of his fingers in Quasr prison;

On 7 February 1985, Naser Hosseinpour, Abdullah Hashemi and Bahram Ali Eftekhazi suffered the amputation of fingers in Quasr prison;

On 27 February 1986, four convicted thieves had the four fingers of their right hand cut off in Shiraz;

For the year 1989, nine cases of amputation for theft were reported. The number of cases of amputation reported for 1990 amounts to 12;

On 16 January 1990, Kayhan reported that in Ghasr prison in Tehran, four fingers were amputated from the right of a man convicted of theft;

On January 1990, a convicted thief had four fingers of his right hand amputated in Tehran, after being sentenced by a court in Shahrud;

On 20 January 1990, the Iranian press reported that the four fingers on the right hands of two Iranians convicted of theft were amputated in Baktaran. The sentences were reportedly carried out in front of a crowd after the Friday prayer service;

Jomhuri-islami newspaper reported on 9 May 1990 that three persons accused of theft had their fingers amputated in Ahwaz.

143-It has been reported that, although the Administrative Regulations Governing the Revolutionary Court should be presided over by a religious judge and that it should be composed of as many as five members, in practice, such courts have consisted of only one judge discharging his duties in a summary fashion. Allegedly, hearing before such court have in many instances been a matter of minutes only.

144-It has also been reported that trials before Islamic revolutionary courts have usually taken place in secret, sometimes inside prisons, that defendants have not enjoyed the right to be represented by a lawyer, and often have not even been made aware that the proceedings were in fact a trial and an interrogation session.

145-It has been reported that prisoners may be held in indefinite pre-trial detention. The principles of presumption of innocence is allegedly not respected, particularly when the subject is accused of being a member of an armed opposition group. It was said that lawyers generally do not accept cases of such a nature in order not to be suspected of being armed opposition sympathizers themselves. The absence of a lawyers in political trials has been considered as on major shortcoming in the procedures of revolutionary court. Others were said to consist in the denial of the right of the accused to call witnesses in their own defense, and in the absence of the right of appeal against verdict and sentence. In this connection, it may be recalled that , during his first visit, the Special Representative was informed by the President of the Supreme Court of Justice that the right of appeal is recognized and that no exception is made in cases under jurisdiction of the revolutionary courts. However article 11/2 of the Administrative Regulations Governing the Revolutionary Courts and Public Prosecutor's offices precludes the possibility of any revision being made to the judgment of Islamic revolutionary courts. (For the explanations received from the authorities in this regard, see para. 401).

146-It was also said that, in the proceedings of revolutionary courts, the requirement for adequate time and facilities for the preparation of a defense is generally not met. Reportedly, during the period of investigation, persons to be tried before revolutionary courts have frequently been held in solitary confinement and incommunicado and have not been informed sufficiently in advance of the date of their trial. It was further alleged that in practice the Islamic revolutionary courts give greater priority to handing out exemplary punishments than to ensuring that the accused receive a fair trial.

147-Other reports alleged disregard of court sentences by arbitrary extension of the terms of imprisonment, execution of inmates sentenced to life or imprisonment of various durations or re-arrests of persons who already completed their prison terms.

148-By letter dated 22 January 1991, the Government of the Islamic Republic of Iran stated that all allegations embodied in the five preceding paragraphs "are totally groundless". The Government added:

"The court after listening to the representative of the attorney general and based on the file compiled in this regard, stands up to his defense. The timing of the trial depends upon the statements of the defendant, the witnesses and the evidences of the crime. In the court, like other tribunals and according to article 35 of the constitutional law, the defendant has the right to get a lawyer and if not the court itself is to provide the lawyer. The defendant has the right to oppose the verdict and call for appeal, in which case the file will be sent to the other tribunal. Articles 2 and 11 have been abrogated two years ago and revolutionary courts based upon 166 of the constitutional meet openly where the public and the representatives of the media are allowed to participate;

"With respect to the term of arrest ... As stipulated in article 37 of the constitutional law, the criterion is the innocence of the defendant until otherwise proved; none of those arrested are kept in custody unless they possessed sensitive security information, in which case the arrestation will be limited to some few days. The defendants after receiving the verdict of the court and accepting the decision will spend their term of imprisonment in one of the prisons of the country. The authorities of the prison are authorized to include the

names of those respecting the rules of the prison (obeying orders and having good conduct) so that on special occasions, they may enjoy the clemency of the leader of the Islamic Republic of Iran.

"None of the prison officials or judicial authorities has the right to change the verdict of the court. They cannot increase or decrease the term of imprisonment themselves."

149-By letter dated 16 January 1991, the Government informed the rights to Special Representative that the following provisions regarding the rights to legal counsel in all courts had been adopted by the Iranian Parliament:

"Single Article- The parties to a lawsuit have the right to appoint a legal counsel and all the courts including the Legal, Penal, Revolutionary, Military, the Special Courts for the clergy and others are obliged to receive counsel in all stages of interrogation and court process;

"Sub-article 1 - Failure to comply with the provisions of the above article for the first time shall be punishable according to the third degree of disciplinary punishment and for the second time, the dismissal from judicial post. If a court denies the right of a party to appoint a counsel, without the presence of the latter issues its verdict, it shall be considered as null and void;

"Sub-article 2- A legal counsel in its position of defending a case enjoys all the honors and privileges which are accorded to other judicial authorities."

150-With regard to the administration of justice in cases of drug trafficking, it has been reported by the newspaper Abrar that, in conformity with instructions given by the Deputy Chief of Intelligence of the General Committees Command, since the entry into force of a new law against drug trafficking, 50,000 drug addicts have been arrested, including 19,822 heroin addicts, 22,963 opium addicts, and 7,215 hashish addicts. According to figures provided by radio Tehran on 10 January 1990, out of a total number of 800,000 drug addicts in the country, 50,000 have been arrested. On 24 January 1990, Radio Tehran announced that 335 drug traffickers and pushers had been arrested on 21 January, as well as 2,231 addicts, and that all had been handed over to the judicial authorities.

151-Subsequent to his interim report, the Special Representative's attention was again drawn to the absence of judicial or other supervision over the detention process. It was said that members of the security forces, including the police, the gendarmerie, the Islamic Revolution Committees and agents of the Ministry of Intelligence proceed to arrest and detain person, often only under their subjective conviction or suspicions and in cases of minor offences. Several sources affirmed that in political cases, the arrested persons are not brought before a judicial authority shortly after arrest and that such prisoners in many cases have not been informed of the offence for which they have been arrested.

152-The Special Representative has been apprised of the following specific cases of alleged irregularities in the administration of justice, which were reported as follows.

153-Ms. Mitra Ameli, aged 36 widow, medical doctor, daughter of Ziaedin and Aghdas, was reportedly arrested on 9 October 1984 and sentenced to seven years' imprisonment. Her husband, Mr. Anoushirvan Lotfi, one of the leaders of the Organization of Iranian People's Fedeyan, was arrested in 1983 and executed in 1988. Her daughter, Khatereh, was born in prison on 30 March 1984. On 28 April 1984, the child was given to Mitra Ameli's mother for care outside the prison. It was reported that Ms. Ameli's release, due in 1990, had been made contingent upon her publicly denouncing the activities her late husband.

154-On this allegation, the Government of the Islamic Republic of Iran, by letter dated 22 January 1991, stated that "Mrs. Mitra Ameli, due to her terrorist activities, and collaborating with her husband, Mr. Anoushirvan Lotfi, in armed operation to create intimidation and public terror was imprisoned. She was released in 1990 before her term of imprisonment was due. Her husband was sentenced to death because he led number of armed operations and was involved in a number of assassinations. The verdict was carried out."

155-Mr. Roger Cooper, British, aged 55, businessman, was reportedly arrested on 7 December 1985, apparently for overstaying his visa. He was allegedly held without charges and was refused any consular visit until August 1986. During the early months his detention he was described publicly as a British spy and was portrayed in a television interview as confessing to vague spying charges. However, no charges have ever been announced and no public trial held. Consular access has allegedly been inadequate. He has received only six consular visits from

members of the British Interests Section and four from members of his family since his detention. His right to send and receive mail has reportedly been seriously limited, although this was said to have improved in recent months. Rumors were reported according to which he had been sentenced to two terms of imprisonment on spying charges, with the result that he would not be eligible for release until about 2003.

156-On this case, the Government stated on 22 January 1991 the following: "Based upon undisputable evidence. And his own confession, Mr. Roger Cooper during his stay in Iran before and after the Islamic Revolution, was involved in espionage activities. His case is under study in the court. The reason for prolongation of this process can be attributed to the fact that he had committed other crimes in addition to espionage. All the requests made by the committed other crimes in addition to espionage. All the requests made by the Embassy or the interest section of the United Kingdom in Iran with respect to visits by the counsel or his family has been agreed upon. Based on his legal right he has so far written quite a few letters to the members of his family and his friends and in addition he has written articles in the Iranian press."

157-Jamshid Fadec was reportedly executed in the city of Mashed Solaiman after four months of imprisonment and without a trial. During his time in prison his family was not permitted to visit him.

158-Mehrdad Fadec was reportedly executed in the city of Masjed Solaiman after four months of imprisonment and without a trial. During his detention his family was not permitted to visit him.

159-On these two allegations, the Government of the Islamic Republic of Iran replied, on 22 January 1991, that "no judicial record is available on Mr. Jamshid and Mehrdad Fadec. According to the police department of the city of Masjed Solymanan an individual named Jamshid Fadakpoor who attempted with two others and armed robbery of one to that city's banks was killed by security forces."

160-Mr. Saeed Firooz, accountant in the Office of the Justice Ministry in Tonekabon. It was reported that on 3 December 1989, 10 Guardians of the Islamic Revolution went to his house, took away some of his private documents and intimidated his wife and children. Later in the day, two Guardians of the Islamic Revolution came to his office and took him to Nashtaroud prison, blindfolded and handcuffed. The Guardians told him that his arrest warrant had been issued by Mr. Ramazanipour, Public Prosecutor of the Islamic Revolution in Tonekabon. In prison, Mr. Firooz was asked to sign some prepared texts incriminating certain officials of the Justice Ministry and secular judges in Tonekabon who had sentenced some Guardians of the Islamic Revolution to death for having carried out assassinations. Mr. Firooz refused to sign the papers and as a consequence was allegedly tortured. His wife reported the matter to the Office of the Inspectorate General at Tehran. Two inspectors came from Tehran and reportedly confirmed that the prison authorities had tortured Mr. Firooz and other prisoners. However, later the inspectors returned to Tehran as a result of pressure exercised by higher religious authorities without concluding their investigation. When Mr. Firooz tried to pursue the matter in Tehran with the Office of the Inspectorate General, Guardians attacked and confiscated her car. Mr. Firooz subsequently managed to escape from prison.

161-On this matter the Government stated on 22 January 1991 that "no judicial record is available on the arrest of Mr. Saeed Firooz. It has been also clarified that any record of such a person has not existed in the justice department of the city of Tonekabon".

162-Ms. Hura Fuladpour, aged 38, married, teacher, daughter of Ghasem and Sedigheh, was reportedly arrested in February 1983 in Tehran and sent to Evin prison. She has allegedly not been informed of the reasons and duration of her imprisonment.

163-On 22 January 1991, the Government informed that "Mrs. Hura Fuladpour was arrested on charges of operating terrorist activities and was consequently sentenced to imprisonment. She has served her term and is now free."

164-Ms. Zohreh Gaeni, aged about 35, widow, high school teacher and editor of a young women's newspaper of the Youth Organization of the Tudeh Party, Azarakhsh, was reportedly detained as she was going to a meeting at the party's offices in Tehran in early 1983. Her husband, Mr. Kiumars Zarshenas, and another 50 people were arrested on the same day. For about six months after Zohreh Gaeni's arrest, there was no news of her whereabouts and no one was able to see her. Subsequent to televised confessions by several Tudeh Party leaders, she was able to telephone her family. Two or three months later, the authorities at Evin prison notified her family that they tried until about 3 ± years after her arrest. Her trial reportedly consisted of her being brought before a

mullah who sentenced her to eight years' imprisonment. This sentence was to run from the date of trial and did not take into account the period of pre-trial detention. The precise charge against her is allegedly still not known. Reportedly, she was told by the prison authorities that she must divorce her husband, as he was a communist and an atheist. She refused to comply and her husband was executed in autumn 1988. during the time of the Government of the Shah, Ms. Ghaeni spent 1 ± years in prison as a result of her political activities.

165-On this allegation, by letter of 22 January 1991 the Government stated that "Mrs. Zohreh Gaeni was arrested on espionage charges along with her husband and was imprisoned. She is now free."

166-Ms. Fatemeh Izadi, aged approximately 40, widow, medical doctor, was reportedly a political prisoner under the Shah's regime and was again arrested in February 1983, at the same time as her husband, Mr. Fariborz Salehi, for activities in support of the Organization of Iranian People's Fedeyan. Her husband was executed in 1988. she was sentenced to 20 years' imprisonment after a summary trial. While in prison, she allegedly contracted tuberculosis.

167-Ms. Maijeh Riazi, aged 36, married, student, daughter of Jaber, was reportedly arrested in June 1981, sent to Evin prison and sentenced to two years' imprisonment. At the end of the two years, she was again questioned but not released. She has allegedly not been told why and she must remain in prison.