



Witness Statement of Amir Babakri

Name: Amir Babakri
Place of Birth: Piranshahr, Iran
Date of Birth: June 15, 1977
Occupation: Teacher

Interviewing Organization: Iran Human Rights Documentation Center (IHRDC)

Date of Interview: January 6, 2012

Interviewer: IHRDC Staff

This statement was prepared pursuant to an interview with Amir Babakri. It was approved by Amir Babakri on May 15, 2012. There are 29 paragraphs in the statement.

The views and opinions of the witness expressed herein do not necessarily reflect those of the Iran Human Rights Documentation Center.

Statement

Background

1. My name is Amir Babakri. I was born in 1977 in the city of Piranshahr in Iranian Kurdistan [in the province of Western Azerbaijan]. I was first detained in the [Persian calendar] month of Azar in 1386 [November/December 2007]. I was a member of the Human Rights Organization of Kurdistan (HROK) and the editor-in-chief of *Ravan*, a Farsi- and Kurdish-language publication printed in Piranshahr. I worked as a teacher for 11 years from 1997 until I was imprisoned. I escaped Iran and lived in Iraqi Kurdistan from 2009, and in January 2012, I moved to Sweden.

Human Rights Activism

2. In 2004, I was active in an organization called the Yalda Youth Society which was overseen by the [state-sanctioned] National Youth Organization. The organization put out a publication called *Ravan*, which discussed social and cultural issues. The government shut down our publication in 2005 after two editions, and I received [disciplinary] summons several times. I had no organizational ties with any political party.
3. In 2005, I began working with HROK--which was based in Tehran and headed by Mr. Kaboudvand--on the issue of human rights violations in Iranian Kurdistan. I reported [violations] occurring in the region to the organization. In 2007, I was imprisoned on charges of [spreading] anti-regime propaganda and membership in an illicit organization.

Arrest and Interrogation

4. In November/December 2007, I was at school giving a lesson. After the last period, as I left the school, a number of plainclothes agents who were local members of the Islamic Revolutionary Guard Corps (IRGC) came forth and forced me into a car and took me away. They took me to the IRGC Intelligence [Division] Office in Piranshahr for interrogation. When civil activists are arrested, a series of loaded questions are typically asked: "Whom do you work for? Have you been working on any publications? From where do you get funding? Which country do you work for?" Some of the questions contain implicit accusations, such as, "Which anti-regime opposition party do you belong to?" They had no evidence and I denied the charges.
5. They threatened that if I did not confess to membership in an opposition party, anti-regime activities, and reveal the foreign country that was funding those activities they would send me to Orumiyeh [Central] Prison because they had evidence against me. I replied, "Go ahead and imprison me. Where is this evidence proving that I am a member of an opposition party?" After three days they sent me to the IRGC Intelligence [Division] Office in Orumiyeh, where I was kept in solitary confinement for 18 days--until the 29th of Azar [December 20, 2007]--and tortured. They had no evidence, and the only charge was my membership in and collaboration with the HROK, and my role in publishing [*Ravan*], which covered issues that they could not tolerate.
6. During those two nights at Piranshahr, my eyes would be left uncovered until I could tell that we had entered an IRGC area. After that I was blindfolded. I spent two nights there, during which I was threatened and beaten. My jailers attempted to lure me into confession of membership in

Kurdish opposition parties in whatever way they could. They kept asking whom I worked for. I told them that I worked in a legal organization called the Youth Society, that the publication [was published] by that same organization and that we operated with a permit. It had nothing to do with political parties, espionage, or foreigners.

7. They interrogated me on these points, but not for long. On the second night they said, “We’re sending you to Orumiyeh; they’ll know what to do [with you] there.” This was a threat meant to intimidate me into giving the type of confession that they wanted—that is, one labeling civil activists or activists working for human rights organizations as affiliates of political parties in order to curb their activism. I refused to accept [the charges]. They kept me there in poor conditions. There was some roughing up, but nothing too serious.

Transfer to Orumiyeh

8. After that they took me to [the IRGC Intelligence Division’s detention center in] Orumiyeh. Midway there, they opened my blindfold. They kept it off until we entered Orumiyeh, after which [they put it back on and] I couldn’t determine exactly where in the city they took me until the day they put me in a car back to Piranshahr. During this time in Orumiyeh, I didn’t know where I was or who was interrogating me. I could only tell that I was in a place overseen by the Revolutionary Guards from the interrogation sheets they put in front of me, which bore the IRGC logo.
9. [The IRGC Intelligence Division’s detention center in] Orumiyeh was a horrific place. I was not there alone. At first, it was just me; then after a couple of days they brought in another [detainee] whom I did not know. It seemed that there were many cells there. When they called us in for interrogation, they would take us [elsewhere], and although there were a large number of us, we never saw each other. All that we could tell was that they were transporting us by car. It was a 4- or 5-minute drive to a ghastly place permeated by the constant sounds of screams and sobs and the stench of blood. It was a grisly place, but I could not see anything during my entire 17 days there aside from the elderly man who brought me tea and took me to the bathroom. Besides that, I had no idea where I was being tortured or where I was staying at night.
10. They took us in groups in a car for interrogations; but there was only one other person [prisoner] in the room where I was interrogated. His charges were not related to mine. He was charged with political offenses and was a member of a party. He is presently in prison. When they concluded our interrogations, the evening prayer call would sound and we gathered for prayers. We were not allowed to ask anyone [i.e., other detainees], who they were or where they came from. There were always a few people supervising us. I could hear noises from other rooms, and when I was taken to the bathroom I could tell there were other detainees present. The place where I was kept at nights was slightly cleaner, but I’d go somewhere else when called for interrogation. My theory is that they kept us in the cleaner place in case anyone came to inspect prison conditions. But I don’t know where they took us to be tortured and couldn’t tell whether it was underground.
11. During those 18 days [of detention at Orumiyeh], I was usually interrogated every other day. In total, I was interrogated 7 or 8 times. Their treatment of me during the interrogations was unfortunately very inhumane and unlawful. They told me, “Someone came forth and confessed that you are involved with political parties.” Incidentally, when they said this to me in Piranshahr, I suggested that they bring that person and let me see him, to which they replied that I eventually would. But I never saw such a person. They made false accusations such as this for the purpose of intimidation so that I’d take the blame for whatever charges they wanted to make against me.

Torture

12. The torture was very severe. It was winter and sometimes they'd leave me out in the snow and ice for 4 or 5 hours from afternoon to night. Then they'd bring me inside and resume the electric shocks. They'd hang me up by my handcuffs with my arms crossed behind my back. Twice they left me out on the snow for 3 to 4 hours saying, "Sit here, we'll be right back." Handcuffed and blindfolded for 3 to 4 hours like that, it was quite painful. Of course there were the beatings as well, but being hung up like that was worse. Sometimes they would beat me with batons in the cold as well.
13. Torture in prison is primarily psychological: one thing they kept saying was "We won't let you get out of here in good health." They emphasized this point, and this made me afraid that they'd give me some form of injection or that they'd torture me systematically to give me diseases. This psychological torture caused more pain for me than physical torture.

Preliminary Hearing and Transfer to Police Custody

14. After these 18 days, I returned from [the IRGC detention center in] Orumiyeh. At my [subsequent] hearing at the Piranshahr [Revolutionary] Court, the procurator told me, "You are charged with opposition against *velayat faqih*¹, [spreading] propaganda against the Islamic Republic, and collaboration with the Human Rights Organization of Kurdistan." I admitted that I had not only collaborated with the HROK, but that in fact I was a member of the organization. [The HROK] produced a publication that was completely legal, the content of which reflected the views of our writers. We wrote about Western philosophy and law and we did not consider our actions to be criminal. Yet later, when my sentence was issued, the reason provided for it was "collaboration with atheist groups." I was imprisoned for [a total of] 15 months.
15. When they took me back to Piranshahr, I was taken to court, [where I was] transferred to police custody and subsequently taken to prison by the police all in the same day. My family had no news of me up until that point. All of their inquiries about my case had been denied. For instance, when my family inquired after me at the local Ministry of Education *herasat* (security division) office, which is run by Basij personnel, they said that they too were irritated at not having been informed where I'd been taken. The people who first seized me did so in the usual manner of local mercenary paramilitary agents [in plainclothes]. My friends and colleagues had seen them take me away, but they denied having seen it. Finally, when I arrived at the police station [in Piranshahr], I was able to contact my family through the soldiers stationed there.
16. When the authorities transfer you to regular police custody, there is a less intense security climate there. I asked a soldier at the regular prison to call my house and tell them to bring money for me. They made the call and [told my family] that I needed money and a tea thermos because I was going to prison. My brother came, and we saw each other there [at the police station]. Then I went to Naghadeh [Central] Prison. Afterwards I had visitation on a weekly or biweekly basis.

Charges and Continuation of Pretrial Detention

¹ "Guardianship of the Jurist", the political theory underpinning the theocratic elements of the government of the Islamic Republic of Iran. See <http://www.law.harvard.edu/programs/ilsp/publications/buchta.pdf>, 5-6.

17. [As mentioned above,] in Piranshahr I was taken before a procurator. The IRGC officer who took me there was friends with the procurator. As the residents of Piranshahr know, this procurator himself is also an IRGC agent. There he reasserted [that the charges against me were] collaboration with HROK, opposition to the system of *velayat faqih*, and enmity against the Islamic Republic [*muharibih*]. I denied the charges of *muharibih* but admitted that I was a member of HROK and that my intentions were [completely] humanitarian. He said that I could be released if I posted 50 million Toumans [at the time the equivalent of roughly \$US 50,000] bail, but that I had to go to prison for the time being. They took me to prison in police custody, and from that point on I was no longer under IRGC control but instead under the supervision of the Organization of Prisons. They took me to Naghadeh [Central Prison], and I was kept there in limbo for four-and-a-half months. In prison they told me that I could hire an attorney but they did not permit me to post bail for release. This was because the IRGC Intelligence Division had to [first] grant permission for me to get out by leaving [property] deeds, but they refused to do so. I was interrogated one more time while in prison.
18. For four months, I was kept there without a decision being made about my case. I hired an attorney, Mr. Ahmad Seyyed Amini, but attorneys defending political prisoners are typically very circumscribed [in their activities on behalf of their clients], and only parts of the case are given to the attorney based on the approval of the judge or official in charge of the case. Thus the attorney cannot access the case in its entirety. For example, I remember that on the last day, they blindfolded me and took my fingerprints about 30 times, pressing my fingers onto different papers. I had no idea what was written on these papers. They just wanted signatures. At my trial, however, I disavowed whatever was on them.
19. I languished in [that] prison for four months while my case remained undecided. During this time, my access to visitation was limited. One time, a [government] agent from outside the prison came and took my warden into a room and a man entered and interrogated me. I repeated the same statements I had made before: that I was a member of HROK and the editor-in-chief of its publication.
20. The facilities at [Naghadeh Central] Prison were as bad as can be imagined. They put me in a prison full of drug addicts. I was not afforded any privileges as a political prisoner. The medical facilities were rudimentary. [As with the other] political prisoners, [I was] completely deprived of furlough, employment and other privileges that were afforded to [non-political] prisoners, although this was my legal right. None of the other political prisoners were allowed to go on furlough, [either,] not even on condition of leaving bail. Access to visitation during those four months was limited and [always] occurred from behind glass.
21. After my sentence was issued—a 15-month term of which I had already served a significant portion—my status gradually normalized. This was because [Naghadeh Central] Prison was not like Orumiyeh Prison or Diesel-Abad Prison [in Kermanshah], where the focus is on political prisoners. This was a common prison with only a few political prisoners, and since we did not have any behavioral problems the prison guards did not trouble us. This was not one of those notorious prisons where political prisoners suffer great psychological stress. That was the positive aspect of that place [Naghadeh Central Prison] for me. Political prisoners are more restricted at other prisons like Ghazalhesar and Orumiyeh, but we did not have these restrictions.

Trial and Sentencing

22. My trial took place in early February of 2008. The judge assigned to my case was named Haj Agha Rokhi. The prison informed me that I was being taken to the Revolutionary Court in Orumiyeh in the morning, without notifying my attorney [of this sudden change]. They also would not let me call and notify him. I gave my brother's phone number to a prisoner with whom I had become acquainted during my time there and he called my brother so he could inform my attorney. My attorney arrived at the courthouse 20 minutes after I did. They read my charges. I stated that I had [previously] been involved in activism and that my motives had been humanitarian and that "I do view membership in the HROK as an act opposing you [the government]."
23. I was acquitted of the charge of *muharibih*. In my sentence they wrote that the *muharibih* charge against me was cancelled due to a lack of sufficient documents proving previous participation in a political party. However [the judge] sentenced me to ten months in prison for [spreading] anti-regime propaganda and another five months for [illegally] crossing the country's borders—an offense I had never committed. My sentence was issued after an initial hearing in Piranshahr. I appealed the judgment in the hopes of having my sentence reduced to a monetary fine, but the sentence issued by the trial court was confirmed.

Continued Harassment

24. After my sentence was over, I was summoned to court again, this time by a panel called the Court for Administrative Infractions.² Since I was a civil servant in Orumiyeh [before my arrest], this court [had jurisdiction to] charge me [and impose professional sanctions]. Since I had served out my sentence, they claimed that the charges against me were already proven and consequently I was exiled to the town of Shahin Dej.
25. I was not involved [in the 2009 elections]. I'd just been released from prison, so I couldn't be involved directly. I did vote, but I did not work on any campaign.
26. Since my ID papers and personal belongings such as my cell phone and computer had been seized by the IRGC, I went to recover them. They told me to go to Orumiyeh to get a letter. But when I brought a letter from there notifying them to return my belongings since I had served my sentence the IRGC officer there said "No! The courts don't understand this but we do—we will return your ID papers, but [only if] you become our friend and collaborate with us. Since you were a teacher, you must identify people who work in human rights or in opposition to the regime." I was summoned to the IRGC Intelligence [Division] Office several times: four times in Piranshahr and twice in Orumiyeh. The last time, I promised them that if they returned my documents, within ten days I'd pay them a visit and discuss [these matters] at length.

Flight

27. When I realized they would never leave me alone, and that I could not have any further involvement with journalism or the [HROK] organization, and [furthermore] since I faced constant threats and the pressure on political prisoners was increasing day by day, [combined with] the issue of the 2009 [presidential] elections, I promised them I'd collaborate with them as

² These disciplinary bodies were established by the Law of Administrative Infractions (Dec. 1993) to standardize professional penalties imposed on government employees. See <http://www.ghavanin.ir/detail.asp?id=7944> (in Persian).

long as they returned my documents to me. [Although] I promised that I'd visit them in ten days [after receiving my documents], I did not go and instead I left for Iraq immediately.

28. Our hometown [in Iran] was a border town. Taking my wife and our one child with me, I made arrangements with one of the villagers who lived near the border who was a sheep-herding nomad. I gave [the villager] some money, and [the villager] helped us cross the border illegally. We came to Iraqi Kurdistan and introduced ourselves to the UN in Erbil on July 21, 2009.
29. In prison there were others [i.e., political prisoners], but unfortunately I had no chance to investigate [their situation]. I was eager to learn who they were and where they came from, but I was unable to gain any particular information about them.