



Witness Statement of Kaveh Tahmasebi

Name: Kaveh Tahmasebi
Place of Birth: Sanandaj, Iran
Date of Birth: October 26, 1985
Occupation: Painter

Interviewing Organization: Iran Human Rights Documentation Center (IHRDC)

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Interviewer: IHRDC Staff

This statement was prepared pursuant to an interview with Kaveh Tahmasebi. It was approved by Kaveh Tahmasebi on June 14, 2012. There are 25 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 Kaveh Tahmasebi. I am 27 years old and I am from Sanandaj. I am a high school graduate and owned my own business in Sanandaj. I was arrested in my family's house in Sanandaj on September 4, 2007 by the forces of the Intelligence Ministry. I was arrested on accusations of spreading propaganda against the government of the Islamic Republic.

Activities

2. [I didn't have any affiliation with any of the Kurdish political parties.] I engaged in some cultural and social activities with the Kurdistan Green Association which was founded as an NGO, like the Shahou organization. Later, the licenses of NGOs were revoked as a result of the fears of the Intelligence Office. We used to work with some of these NGOs. They were operating under restrictions, [for example] the overseeing government foundations didn't issue the necessary permits for some memorial ceremonies held in Sanandaj. Because of this, not only [did the government] shut these organizations down, but they also accused me of acting against national security by [distributing] propaganda against the Islamic Republic.
3. The Kurdistan Green Association's activities dealt with the environment, for example we had days for planting trees, and there was also a mountain climbing branch. The Kurdistan Green Association in Sanandaj had the tools to [for example] apply for permits for [gatherings on] special days like Workers' Day [May Day] or March 8th [International Women's Day]. In the past the government used to issue such permits, but when the fundamentalist government of President Ahmadinejad came to power and the atmosphere shifted from that of the reformist era under President Khatami, all the permits for gatherings were revoked. These gatherings were our means to present our civic and cultural ideas in a comprehensive [but simultaneously] legal manner.

Arrest

4. I was arrested on September 4, 2007. Thereafter I was detained for one month in the Intelligence Office in Sanandaj. I was home when they [agents affiliated with the Intelligence Ministry] suddenly raided our house at 10:30 AM with an arrest warrant from the prosecutor's office and arrested me. My parents were also home when they arrested me. They gave my mother a piece of paper to sign, saying that they had arrested me and had confiscated some of our belongings like cell phones, books and my personal CDs. They took these things along with me to the [detention center of the] Intelligence Office. All the individual cells in the Intelligence Office were 3x4 meters with green carpeting. The toilets and the showers were inside the cells. The cells had iron doors too. I was alone in there for a month. Of course, they also had cells for groups of people, and I guess 4 or 5 people were there. After a month I was transferred to Sanandaj Central Prison.
5. During this month [in the detention center] I was interrogated 10 times. All of a sudden they would come to my room and take me to another room for interrogations. The interrogators were named Mr. Hatefi and Mr. Sarshari. I don't know if these were their real names or just nicknames. The main interrogator was Mr. Sarshari, but Mr. Hatefi came during two of the sessions as well. Later on [after I was transferred to the Sanandaj Central Prison] I learned that most political prisoners were interrogated by Mr. Hatefi.

6. The first two or three days after my transfer to the Intelligence Office I was continuously tortured and beaten. They slapped me, hit me in the mouth, and forced me to do squats and squat-jumps while asking me about the advertising efforts of the Kurdistan Green Association. Someone whom they arrested before me made confessions against me. For example, he said that he and I had distributed some counterrevolutionary fliers in Sanandaj on two or three occasions. Indeed I had distributed fliers two or three times, but it was not as significant as they wanted to make it.
7. There is a mountain near Sanandaj called Hassanabad where the ruins of an historical building [Hassanabad Castle] are located. The village near the castle was also called Hassanabad village. The IRGC wanted to build residential buildings in the area. We distributed fliers, encouraging the local people to protest and not to allow the historic site to be despoiled. We also worked to prevent forest fires and [protect] the environment in Kurdistan.

Prosecution

8. The confession that the other individual had made implicating me was used as evidence against in the Revolutionary Court to accuse me of acting against national security by [distributing] propaganda against the government and distributing fliers. I had confessed to the distribution of the flyers myself.
9. After a month, I was transferred to Sanandaj Central Prison and my initial trial in Branch 2 of the Revolutionary Court [of Sanandaj] commenced. I could hire an attorney after I had already been sentenced to a year of imprisonment so that he could appeal the judgment to the [provincial] appellate court. One of the reasons I was not able to hire an attorney in my primary trial was my family's financial hardships. The other reason for not hiring an attorney was that there was this rumor amongst the political prisoners that hiring an attorney would attract more attention to one's case and cause the court to become more sensitive to the case. If I had wanted to, I could have hired an attorney and there would have been no problem.
10. The judge in my primary trial in the second branch of the Revolutionary Court was named Mr. Hassan Tayari. My hearing took place on a Saturday in November 2007. The whole hearing took only 15 minutes. I was only asked two or three questions. They asked me my name and my father's name, and the other question they asked was [based on] the report of the Intelligence Office that I had [spread] propaganda against the regime and participated in illegal gatherings. I accepted the charges. I confirmed that I had [distributed] propaganda against the regime within the framework of the NGO that I worked for, which was trying to preserve the historical and national heritage of the area and trying to dissuade the government from building residential complexes [in historical areas]. He then followed up with a question about my relationship with Kurdish political parties, and I said that I was not affiliated with any of them.
11. After 20 days, I hired an attorney named Mr. Nasrollah Nasri, hoping he would be able to reduce the sentence in the appellate court, but unfortunately the same verdict was finalized by Branch 4 of the Appellate Court of Sanandaj and I remained in Sanandaj Central Prison.
12. Six months into my imprisonment, they opened a [new] case against me under a charge of illegally crossing the border [to Iraq] at Piranshahr. I had never crossed the border illegally. I have a brother named Behrooz Tahmasebi who is currently a political prisoner in Saqqez Central Prison. The Intelligence Office alleged that I had illegally gone to northern Iraq via Piranshahr border to see my brother in 2007, meaning that I had crossed the border illegally, because my

brother lived in Iraq at that time. I was sentenced to 6 months' imprisonment for that charge as well.

Imprisonment

13. While in prison I had the opportunity to visit with my family but the conditions for visits in Sanandaj Central Prison were determined by the officials of the Counter-Intelligence and Political Conscience [Office] of the prison, [which] wanted to keep the political prisoners in their hands. For instance, they wanted us to attend Koran reading gatherings or other gatherings which the heads of prisons held every six months to sing songs and praise Islamic religious characters. They would give us permission for two or three visits if we did these things. This was how they asserted their power [over us].
14. Political prisoners and indeed all general prisoners are treated with contempt by Counter-Intelligence authorities, prison guards and IRGC agents every day. The prison guards did not do their jobs. Every night, at 10 or 10:30 all the lights were turned off and the prisoners had to sleep, meaning you could not read a book or watch television after that. In Sanandaj Central Prison, we were humiliated on a daily basis. For instance, every 20 to 30 days, they would come to our cells and search everywhere. When I was in the Pak 2¹, they would scour the ward for narcotics. They [the prison guards] threw our blankets around and disrupted everything. The prisoners were subjected to humiliation on a daily basis.

Third Case during Prison Term

15. While I was in the prison, they opened another case against me in Branch 4 of the Revolutionary Court on October 12, 2008, and I was sentenced to four more months of imprisonment. Once more they transferred me to solitary confinement in the Intelligence Office for 15 days. One of the charges was their claim that I tried to let the foreign press know about what was going on in the prison. Their other reason was that the political prisoners in Sanandaj [Central Prison] had written two letters to Mr. Shahroudi, the head of the Judiciary, and one additional letter to the human rights activists—making a total of three letters—and had complained about the poor conditions in the prisons, the bad courts, and the lousy judges who imposed unfair punishments on the Kurdish political activists [by convicting them of crimes of] *Muharibih* [waging war against God] and *Ifsad-fil-Arz* [sowing corruption on earth]. At the time, Mr. Shahroudi was on a trip to Kurdistan province, so they wanted to intimidate us. I had these three combined cases against me and I spent 22 months in Sanandaj Central Prison: 1 year of imprisonment in addition to 6 months and yet another 4 months for [crimes of distributing] propaganda against the government and illegally exiting the borders of Iran, respectively.

Release of Kaveh and Arrest of Behrooz Tahmasebi

16. When I was released, I lived with my family in Sanandaj for 2 or 3 years until the authorities arrested my brother in Saqqez on July 30, 2011 and kept him in the cells of the Intelligence Office of Sanandaj for 100 days. My brother's name is Behrooz Tahmasebi. He is 28 years old

¹ According to another witness, Pak 2 was reserved for political prisoners. See Witness Statement of Yaser Goli, on file with IHRDC.

and has been in a prison in Saqqez for 17 months now. He was sentenced to four years of imprisonment in Saqqez prison by a judge named Shayegh in Branch One of the Revolutionary Court [of Saqqez]: three years of imprisonment for membership in PJAK and one year for propaganda against the Islamic Republic regime. We could not speak freely when we visited my brother Behrooz in prison in Saqqez because of the cameras installed in the room. One of the forms of pressure exerted on the prisoners and their families is the presence of these cameras, which have the ability to record voices in cells and visitation halls so we could not talk [freely in the meeting rooms].

17. My brother has never carried weapons. He was arrested by the Intelligence Office in Saqqez for [spreading] propaganda. We didn't know that my brother had been arrested. They called our home 3 months after [his disappearance] and said that they wished to talk to Kaveh. I wasn't home at that time so they told them to ask me to be home at a specific time so that they could talk to me. When I got home they called me from the Intelligence Office and told me to go to the Information Department of Sanandaj [Intelligence Office] the next morning between 9:30 and 10:00. They told me that they needed to ask me some questions and I said that I would be there.
18. I went to the Intelligence Office of Sanandaj [the next morning]. An interrogator, with a masked face, sat in front of me. He asked me some questions about my personal life, like what I did [for a living] and then he asked me if I knew where my brother was. I said that I didn't and we had no information about his whereabouts. He told me that he wanted to tell me something and that I shouldn't be touchy about it, but they had arrested my brother some 3 months earlier and that he was there. I didn't believe him at first, but he asked me if I wanted to see him and I said "Sure, why wouldn't I want to see him?" He went out and after thirty minutes, he came back with two other agents and the three of them had covered their faces as well. They had brought my brother with them. When I saw my brother, his appearance seemed to have changed. They told me that I couldn't talk with him—I could only look at him.
19. Later on, my brother told me that he was tortured in the Intelligence Office. He was slapped and punched. The torture had been both physical and mental. After I saw my brother, my family went to the Sanandaj Intelligence Office for 7 or 8 consecutive days in an effort to see him, and their requests were rejected every time and the authorities kept postponing the visit to the next day. One hundred days passed and my brother finally called and told us that he had been transferred to Saqqez prison and so we went to see him there.
20. His trial took place in the Revolutionary Court of Saqqez under Judge Shayegh. The judge sentenced my brother to 4 years' imprisonment. Mr. Khalil Bahramian was his attorney. My brother didn't suffer from any special ailments while in prison, and I didn't either. My brother is still imprisoned in Saqqez prison. About four months ago some conflicts erupted between PJAK and the government, and they [the government authorities] transferred my brother to the Intelligence Office of Saqqez from the prison for about ten days. They interrogated and tortured him in order to force him to make confessions. It has been 17 months since my brother was first imprisoned. In prison he is allowed to have visitors once a week.

Escape from Iran

21. I had three friends when I came out of prison with whom I had to flee [Iran]: Verya Khosravi, who was a university student, Kamran Rahimi, and Akbar Govili. Along with another friend named Rezgar Roshani, the five of us were forced to escape [Iran]. We currently live in Sulaymaniyah, Iraq. We had to escape and leave our families and jobs. If I had been arrested

again this time, it would be the third case against me in the Revolutionary Court, and I would be sentenced to life imprisonment, if not execution.

22. My activities were of a civic nature. We wanted to form a mountain-climbing team and participate in [the activities of the] Kurdistan Green Association, to encourage the youth or establish an NGO, but they didn't allow us [to do these things]. The pressure and restrictions imposed by the Intelligence Office were intense. Verya and Kamran and I even went to the Ministry of Islamic Guidance to get the license. They told us to go to the National Youth Organization, and when we went there, we were told that licenses would not be issued for such organizations and that we had to go back to the Ministry of Islamic Guidance to get their approval. They did not even let us organize peaceful civic gatherings.
23. On October 23 or 24[, 2010], they raided our home at seven in the morning. Somebody rang our doorbell. When my mother asked who it was, a voice asked if Kaveh was home and introduced himself as a friend of mine. My gut feeling told me [that they were government agents] and I escaped from the roof.
24. Having escaped, I went to Marivan and hid for 1 or 2 days there. The law at that border is that if someone agrees to be my sponsor, I can stay in [Iraqi] Kurdistan for 10 days. With the help of friends and acquaintances, I managed to find a third person who agreed to be my sponsor and I got to Sulaymaniyah. When I got there, I immediately went to the UN office [the UNHCR, or UN refugee agency, office] and told them my story. I told them that I had been in prison and had escaped and that I couldn't go back because if I did, I would have the same problems of prosecution and imprisonment. They opened a file for me and asked me a few questions.

2009 Election

25. During the time of [the last presidential] election, I was in prison. I was released after the election was over we couldn't vote in prison because we did not have the right equipment.²

² By law all citizens of the Islamic Republic, including felons, technically have the right to vote. See <http://www.shora-gc.ir/Portal/Home/ShowPage.aspx?Object=News&ID=cd3c67a2-92b8-4135-a043-d0e5ba88a31e&LayoutID=26486264-caf3-4edb-b140-ba753a5c0890&CategoryID=ff0668dd-649c-4d53-a9ba-23ec1caed3be> (in Persian).