



Witness Statement of Khalegh Hamedzadeh

Name: Khalegh Hamedzadeh
Place of Birth: Mahabad, Iran
Date of Birth: July 7, 1975
Occupation: Employee of the Ministry of Labor and Social Affairs, Iran

Interviewing Organization: Iran Human Rights Documentation Center (IHRDC)

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Interviewer: IHRDC Staff

This statement was prepared pursuant to an interview with Khalegh Hamedzadeh. It was approved by Khalegh Hamedzadeh on May 30, 2012. There are 19 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. I am Khalegh Hamedzadeh, the son of Rahman. I was born on July 7, 1975 in Mahabad, Iran. I have a high school diploma. I worked for an NGO called Shana, a cultural association in Mahabad. I was also a supporter of the Democratic Party of Kurdistan.
2. I was arrested in the early 2004 in Piranshahr. I was charged with cooperating with the Democratic Party of Kurdistan and sentenced to 10 years of imprisonment. After spending 2 years in prisons in Maragheh and Mahabad, I developed a lung infection for which I received sick leave. While on furlough, I fled the country on May 1, 2008.

Cultural Activities

3. I was among the founders of Shana¹, an NGO that staged public gatherings of a cultural nature [where we] collected local folk songs, held meetings with people who were active in these fields, [and staged] exhibitions, and plays. But this was traditional art, not modern art. The license we secured from the Ministry of Interior was also [only for traditional art]. When we held events, [a lot of] people attended, because there is no other cultural activity in that area.
4. Unfortunately, [as a result of our activities] we were often summoned by government agencies such as the Ministry of Intelligence or the Bureau of Premises [*idarih amaken*]², who told us that our work “smelled political” [meaning that it was suspicious]. They alleged that we were affiliated with political parties and organized political groups, but this was not the case at all. In the Intelligence Office they asked where our association got its money. They saw that every now and then our association sold tickets to the audience for its cultural events.
5. In the Kurdish region, people gravitate towards political parties whether or not they wish it. Of course, [Shana’s involvement was more along the lines of] support [rather than active membership]. We were always afraid that we might end up in prison or be exiled. Towards the end of Shana’s period of activity, the pressure increased and fear became the standard. Several of our members, including Ms. Fariba Ghavidel, left Iran and our friend Mostafa was arrested and detained by the Intelligence Office for some time. Neither of them had any connection with political parties.
6. Nonetheless we began to affiliate ourselves with the [Kurdish] political parties and do political work. Not in the sense that the government alleges. We were only [loosely] affiliated with them. [We became affiliated with political parties] because of the increasing wrongdoings we saw and the dark future that seemed to be in store for us as a result of our activities and our interests. I was [affiliated] with the KDPI.³ Our work consisted of gathering news and information or inviting people to join the party as organizers inside the country—not outside the country [where some Kurdish parties maintain military camps].

¹ ‘Breeze’ in Kurdish.

² A government agency that enforces morality codes in workplaces and other public spaces. See, for example, <http://bamdadkhabar.com/2012/05/5055/> (in Persian), regarding the prohibition of the sale of neckties in Tehran as of late May 2012.

³ The Democratic Party of Kurdistan, a social democratic party that advocates increased ethnic rights for Kurdish Iranians and federalism in Iran.

7. The only time I have ever carried a gun was during my military service. I never took up arms to oppose the government. Such actions do not accord with my philosophy. Contrary to the government's claims [about my activities], I have never believed that we ought to use guns or kill people.
8. In [spring] 2001, I was summoned to the Intelligence Office [of Mahabad]. At the time I was a contract employee at the local office of the Ministry of Labor and Social Affairs. I was told that our work had become political and that I had gone too far.
9. In 2003, Mr. Esmail Elhami, the interrogator of the Intelligence Office of Mahabad, summoned me [again] to the Intelligence Office. At the time Mr. Elhami was the interrogator of members of the Democratic Party of Kurdistan, Mr. Sheidaee was the interrogator of PJAK members, and Mr. Hosseini was the interrogator of Komala members. They told me that our operation seemed suspicious to them. They said that they surmised that Shana was controlled and managed by Kurdish political parties and that we should cease our activities or else they would stop them for us. They emphasized that they would arrest me even though I was accused of nothing. Mr. Elhami told me, "Even though you may not have a case file, we can easily make one for you. This is Mahabad, and we can do whatever we want and stick you with whatever [charge] we want."

Arrest

10. In 2004, I went to see one of my friends in Piranshahr on business. I was not a local and so I didn't know the people who were around me on the street, but later on it turned out that they were agents from the [local] Intelligence Office. They were plainclothes agents and they were armed. They came towards me and then without saying anything started beating me up. I had no way to defend myself but my fists. By the time I regained consciousness I saw that I had been handcuffed and taken to the Intelligence Office [of Piranshahr]. When I got there, they said that I had resisted the agents and they beat me [again]. I replied that I hadn't seen any signs that they were agents, and that they were wearing normal clothes and had immediately slapped me in the face and treated me contemptuously and disrespectfully.
11. In the Intelligence Office, the only responses that I would get to my questions were punches and kicks. During the first 48 hours, they just hit me. I asked them if I could ask what crime I was accused of committing. They told me, "You are a proven member of the Democratic Party of Kurdistan and we have the evidence to confirm it. Shut up while you are here; when you are transferred to Mahabad or Orumiyeh you can defend yourself." My beatings consisted of punches, kicks and lashes. While my eyes were blindfolded, they would bind my hands behind my back and then they would start beating me up. But during the interrogations, my eyes were uncovered and hands were not tied. For interrogations they sat me in a corner of a room and then Mr. Elhami or Mr. Hosseini asked me questions. My interrogations had no definite times. Sometimes they were conducted at 3:00 AM and other times at 1:00 PM. They asked me questions about the NGO and its relationships with local government agencies, the mayor and the governor.
12. My family did not know about my arrest. After [being transferred to] the Intelligence Office of Mahabad and spending ten days in solitary confinement, the regular military soldiers⁴ who were

⁴ The witness uses the word 'soldiers' which differentiates them from Intelligence Ministry personnel. It is conceivable that these were citizens serving their mandatory two-year military service terms.

witness to my condition told my family about my situation. I had blood on my body, my skull was fractured and I also had a broken rib. The left side of my chest was wounded as well. I was in a very bad state and one of the soldiers thought that I was dying and got a telephone number from me and informed my family about my whereabouts and condition.

Mahabad Central Prison

13. I was detained in the Intelligence Office of Mahabad for about three months. After that, I was transferred to the public prison of Mahabad. There, I was told that [a man named] Mr. Seyyedi would be my attorney.⁵ He came over one night and told me I had to confess in court. I said I had nothing to confess. How could he be my attorney? One night they took me with handcuffs and shackles to the Branch 2 of the [Revolutionary] Court [of Mahabad] before Judge Abbaszadeh.
14. My trial was held in a cell in the prison. The first question I was asked was about [my relations with] political parties. They didn't say anything about the NGO or my relationship with the mayor, the governor, or the other offices or organizations in the city. Mr. Abbaszadeh told me that I was charged with "collaborating with the Democratic Party of Kurdistan, and being a *muharib* [a Shari'a crime translated as waging war against God, which carries a maximum penalty of death]. You may defend yourself here." I said that I didn't know what to say and that usually in such situations an attorney was required. He cursed and said that: "People like you don't need attorneys. Firstly, you are a *muharib* and secondly your crime concerns national security. You don't need an attorney." That night Mr. Abbaszadeh talked for 10 minutes and then they told me that that had been my trial. I think they considered that as my initial trial.
15. The trial court's verdict in my case was 10 years' imprisonment and the forced amputation of my right hand and left leg. They issued this [second] verdict since I was declared a *muharib*. According to the laws [of the Islamic Republic] I should have been executed, but they lessened my punishment. This lessening could have taken the form of either exile or amputation of the aforementioned limbs. According to one of Imam Khomeini's fatwas, these were appropriate punishments for a *muharib*. According to the text of the judgment, such punishment was to follow my 10 years in prison, but I did not serve the full term.
16. I was in Mahabad Central Prison for eight months. The conditions there were relatively good, other than the nights when I was subjected to interrogations. There were not many addicts and murderers in the prison. Most of the prisoners had been convicted of stealing cars, etc. I shared a cell with Mr. Aziz Mohammadzadeh. He had prostate cancer and the previous year the doctors had given up on him. I don't know if he was released last year or not. At that point, Mr. Mohammad Sharif was enlisted as my attorney through the help of a friend. He came to Mahabad and we talked with each other. When he returned to Tehran he called my family, but it was too late. The confirmed [initial] verdict had gotten back to Mahabad before he even made it back to Tehran. He said that he would try to do something through the Supreme Court, but unfortunately he failed.

Maragheh Prison

⁵ The witness is indicating that this was a court-appointed attorney.

17. After 8 months [in prison in Mahabad] I was exiled to a prison in Maragheh. The conditions were much worse in Maragheh prison. I was in Ward 1, and there were 53 or 54 prisoners there and everybody was an addict. They gave me an injection there that looked like Hepatitis vaccine, but later it turned out it that it wasn't and I got a lung infection. After nearly three years they gave me five days' furlough. When my furlough was over, they were supposed to extend my leave due to the pulmonary complications that I was experiencing, so I returned to the prison to get the extension order. But the prison received a letter declaring that I was prohibited from receiving furlough [so my imprisonment continued].
18. Another year passed and my illness got worse. I even got two shots in prison, but my condition deteriorated. The conditions in that prison were very bad; 78 of the prisoners there had Hepatitis or AIDS. Mr. Ahmadi, the prison's head of the records, said that I had another case [pending] as well and that I would undoubtedly be executed, so it was best to leave Iran. This other charge was the destruction of government property. It was alleged that I had shot at a government car in Piranshahr and it [the case file] even claimed that there was a photo proving this allegation. But at the time in question I was not even in Piranshahr. I was actually in Tehran and have an eye witness who can confirm my alibi. Furthermore, I have never held a gun in my hand. Nonetheless, they went to our house from the Intelligence Office and told my mother about this verdict. The death sentence was also issued in absentia by Mr. Abbaszadeh of the same Branch 2 of the Revolutionary Court of Mahabad.

Escape

19. Due to the severity of my pulmonary illness, the prison doctors declared that I must be treated in a hospital outside of the prison. I was granted sick leave for 80 million Toumans bail [roughly \$80,000 at the time] and was subsequently given a five-day furlough without the knowledge of the Intelligence Office. I left Iran illegally on May 1, 2008 and fled to Iraqi Kurdistan.