



Witness Statement of Mahan

Name: Mahan*
Place of Birth: Shiraz, Iran
Date of Birth: February 23, 1984
Occupation: Student

Interviewing Organization: Iran Human Rights Documentation Center (IHRDC)

Date of Interview: September 15, 2012

Interviewer: IHRDC Staff

This statement was prepared pursuant to an interview with Mahan. It was approved by Mahan on December 30, 2013. 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.

*Pseudonym assigned to the witness.

Statement

Background

1. My name is Mahan. I was born in Iran on February 23, 1984. I used to live in Shiraz, but now I live in Toronto. I was studying at the University of Industrial Management and majoring in Tourism. Now I study computer programming in Canada. I left Iran in 2006. I lived in India for three years as a refugee. I came to Canada in 2010.

LGBT Community

2. In August or September 2003 I was invited to a party by one of my friends whom I had met before.¹ That was the second party I attended in which most were LGBT persons. The first was a friend's birthday party. His name was Masoud. These were friends that I met online, so I did not know them very well. Since it was his birthday, and I had been chatting with him for a while, I attended his birthday.
3. Even though I was only there for a little while, I felt that I was comfortable with them. About a week or two after that there was another party hosted by my friend Siamak. On the same night, my uncle was coming back from Mecca, and it was only a short distance between my uncle's house and Siamak's house. When pilgrims come back to Iran their flights are often delayed for a few hours. I was at my uncle's house, and his flight was delayed. I did not plan to go to Siamak's party, and my clothes and appearance were appropriate for a family gathering, not his party. But since I had time for an hour or two, and because my friend had invited me and it was the beginning of my friendship with LGBT individuals, I went to the party. The party was very simple. There were only two transgender guests. There wasn't anything special about the party, except that alcohol was served with dinner.

Arrest

4. There was an Egyptian student at the party. I think he was studying dentistry. He was a student at the University of Tehran, and I was busy talking to him. A couple of my friends were dancing. Siamak, the host, was entertaining the guests. There were two other people that I remember very well: Ahmad-Reza Maxima and Mohammad-Reza. It was said that they were partners. Those people were new to me. I will explain later why the Egyptian man and the two men who were partners stayed in my mind. The lighting was very dim, and everyone was dancing. Some guests had plucked their eyebrows, and I can say that most of the guests had clubbing outfits on.
5. I was talking to the Egyptian man. We were sitting exactly across the entrance door when I saw that the door opened and someone entered the house. Since the lighting was very dim, we thought a guest had entered the room. I was looking around to find out who had entered the house. We were looking around for about thirty seconds. For a moment, I saw his hand go up and saw him turn on the lights with his other hand. He was holding a weapon in the hand he was holding up. His weapon was a handgun. His weapon was not big like an AK-47 or a G3.² They were plainclothes agents accompanied by soldiers serving in the police.³ The first person who entered

¹ Mahan indicated that this party took place in the month of *Shahrivar* in Iranian year 1383, which corresponds to August-September 2003.

² G3 is a rifle first manufactured in the former West Germany in the 1950s.

³ The Iranian police force is staffed through the military draft process

the house was overweight, of medium height, and had a beard. When he came in, he turned on the lights and asked everyone to not move, stop, and lay down on the floor. It was around midnight when they came.

6. He did not show a warrant or an ID card. However, when someone enters a room and asks you, with a weapon, to stop and lay down on the floor, you don't think of checking their warrant or ID card. We were in the house for about an hour or two, lying on the floor. They asked us to empty our pockets and leave our cell phones and other belongings on the table. They said no one could talk, and they searched the entire house. They were about four or five people. They searched and then handcuffed everyone. Some were handcuffed together, and others were handcuffed separately. Then they blindfolded everyone. They took everyone out onto a bus. They took us somewhere we didn't know. I was thinking that my family would get worried about me. I had been with my family and then disappeared in a minute. I had thought to myself that they were busy talking; I could just attend the party for half an hour and then get back to my family. The agents who arrested us had wireless radios. The two soldiers who drove us were serving in the police. Those who first entered the house were plainclothes officers.

Detention and Interrogation

7. At that time there was an office called the Office for Promotion of Virtue and Prevention of Vice. I remember that they would ride around in a Nissan Patrol. Two women in the back of the car, two men in front, they would drive around the streets of Shiraz, such as Mollasadra and Paramount, to confront people wearing clothes they deemed inappropriate. If they made an arrest, they would take that individual to their headquarters on Khalili Street.
8. I remember that one or two of those who arrested us were soldiers serving in the police. I could see them out of the corner of my blindfolds. They had their service uniforms on. They took us, blindfolded and handcuffed, into the car. Their behavior was as though they had arrested a group of criminals and killers. They took everyone into a minibus and took us somewhere; we had no idea where it was. However, later we found out that it was the Office for Promotion of Virtue and Prevention of Vice that was located on Khayyam Avenue. We were standing with our eyes closed facing a wall until ten or eleven o'clock in the morning.
9. They came and interrogated us and took notes in some cases. They checked us one by one. One of the things they checked was our eyebrows. They moved the blindfold on our eyes to the extent that made it possible to check our eyebrows. They made notes regarding whether anyone had cleaned and shaped their eyebrows or not. I remember that everyone at that party was educated. They called that group the "student group" because perhaps only two or three persons in our group were not university students. I was also a university student.
10. They interviewed us one by one until the next morning. The building was an old house in which, when you went downstairs, on the right hand side, there was a room that was like a waiting room. I called my family the next morning from that room. I don't think the center exists any longer because the last time I went to Iran I did not see it. Apparently, the Office for Promotion of Virtue and Prevention of Vice joined other organizations under other names.
11. Downstairs, on the right hand side, was the reception area. Further, across the entrance door, there was a temporary detention room. They did not take us there because there were many people who had been arrested. The interrogation room was small, and we were not yet charged with a specific

crime. There were stairs to the second floor. On its right hand side, there was a hallway between a backyard door and a building door. The door of the building was locked. There was a little door that was not used. Next to it was a small room like a kitchen that was used for making tea. Upstairs, there was another small room. I remember that this room had enough space for three people to lie down. That room was used as a cell. They separated me and two other people from the rest and kept us in that cell until morning. There were three rooms upstairs, one of which was for ladies. There were two female officers. One of the rooms was the office of the colonel in charge. They took people upstairs until the next morning, and I heard them beat and kick some of the guys and pull their hair, asking them about what they had done.

12. There were two interrogators. One of them was a colonel. The other one stood behind us. The two of them asked us questions. The former was a police colonel, but it seemed that he belonged to the Islamic Revolutionary Guard Corps. He wore a professional uniform. Because of what he was wearing, I'd say he was a police colonel, and not because he was called colonel. If I am not mistaken, he had the professional uniform of the police, and he was the only one who was wearing a professional uniform. I never saw him wearing a uniform hat. When you have your hat on, they have to salute you. I never saw anyone salute him, whether the soldier who worked as a doorman or the people who were inside the detention centre. I remember that he did not have more than two stars on his rank insignia. Of course, this was before my military service and I was not very familiar with military ranks. They took off our blindfolds in the morning and kept us in the backyard.
13. I was not beaten, but I heard that four or five other guys were beaten. One of the guys was a son of a [Iran-Iraq war] martyr. He said, "I am the son of a martyr; don't beat me." He was kicked in the stomach, and he begged them, in the name of the Prophet Mohammad's daughter, not to beat him. He was kicked one more time and told him not to mention her name. When we had our blindfolds taken off in the morning, we realized that the two guys that were partners, Ahmad-Reza Maxima and Mohammad-Reza, were not arrested with us. Later on, some people said that Ahmad-Reza's dad is a General, and perhaps Ahmad-Reza had passed on information about the party to his dad. We had four to five days of holidays. They arrested us on a Tuesday. They finished the interrogation on Tuesday. We were waiting for the court.
14. The interrogations were finished on the first day. If I am not mistaken, there was a holiday after the day we were arrested. On Thursday, they were working part-time and could not take us to court. Friday was the weekend, and on Saturday, the judge did not come to the court. We were there for about four to five days. However, since we were not guilty of any crime, they couldn't do anything with us. A day after the arrest, all of our families came to the detention center. Some families came with their lawyers. I did not have a lawyer, however. Among our group, two guys had studied medicine. One person had studied law. Some were not afraid and they defended themselves. All the arrested people were from the middle class or higher middle class. I did not know anyone, but I could guess that eighty percent of them were from the higher middle class. I knew one person that was not well off.
15. That same night, I was invited to a friend's birthday party, and he was informed that the police were planning to raid his home. He cancelled the party. Since I was not in contact with the group, my friend did not know that I knew anyone else and that I was invited to another party. That is why he just called and said that his party was cancelled, but he did not say why it was cancelled. Later on when I told him, he said that he did not think that I would know other people.

16. I could not say that we had a difficult time during the four or five days that we were there. They did not do anything with us. We experienced a bit of humiliation. Our families brought us blankets.
17. They could not keep all of us in the detention room. They only kept Siamak and another person in the temporary detention room since they found a satellite dish, gay pornography and alcohol in his house. The rest of us were in the common areas of the building, and at nights we were sleeping in the hallway on the first floor. Our families brought us food. For a while we feared what could happen in court. When we were sleeping at night, the colonel and his staff would pass by us and make inappropriate comments to us. For example, they would say be careful that no one rapes anyone.
18. The group that they had arrested was different from a normal group. In our group, there were two doctors and another person who had studied law. Therefore, these individuals were defending themselves, saying that there was no reason to detain us and asking what they were charged with. From the family names it was also obvious that those were some of the prominent and respectable names in Shiraz.
19. We were just interrogated one time on the first night. They permitted the families to come and sit and talk to us on the second day. They came for half an hour, talked and left. I remember that the colonel called the families twice and told them that their children were homosexual, and that they had found sex tapes and toys in the house that belonged to the house owner. I remember that one thing that made the judge angry was when he asked the owner of the house why he, who was married and had a child, should have sex tapes and sex toys in his house. He responded that my wife and I bought that when we were visiting Belgium, and that made the judge very angry.
20. We had two transgender individuals among us who apparently had permits for their surgeries. I remember that two female officers detained the two transgender people. They did not allow them to be among us because they were transgender. They had male appearances, but they were females internally. The two female officers came by the stairs of the second floor and called the colonel that was downstairs. They shouted from upstairs saying to the Colonel that the two transgender people were not answering their questions and were turning their faces away instead. The colonel yelled from downstairs and said to the female officers to hit them on their heads. The female officers responded that they could not beat them because they were males.⁴ The colonel said that he was coming upstairs himself. The two transgender people referred to their legal permits for changing their sex and told the colonel that if he touched them, he would face the consequence of his action. The faith and religion of those ladies did not permit them to touch those two transgender people. Meanwhile, the colonel could not touch the two transgender individuals either, because they could also be considered female. It was interesting for me that those officers did not know what to do.

Court Hearing and Sentence

21. We went to court after five days. Our court was the General Court located in Gaz Square, Abrishami Avenue in Shiraz. The Egyptian man who was studying dentistry wanted to call his embassy, but they did not allow him. I remember that when we entered the court, I was behind the judge's office when they said that there was an Egyptian student among us. The judge ordered his immediate release. He asked, "Why did you arrest him? Do you know what could happen if

⁴ According to Islamic laws in place in Iran unrelated male and female individuals are not allowed to touch each other.

he calls his embassy? Why didn't you let him call? Give him anything he wants.” He was released right there.

22. We came back from the court, and the colonel told us that our sentences were not yet issued. We all stated that the party was based on an Internet invitation and that no one knew anyone. We were invited [to the party] via chat-rooms. I said that I went there to get study notes at that party. I said, “Ask my family. My uncle came from Mecca, and his house was only a few houses away from theirs.” Everyone said that they were just curious to know what was going on [at the party].
23. When we got back to the Office for Promotion of Virtue and Prevention of Vice, the Colonel said that they wanted to send us to the Khalili detention center. All of us were afraid of the Khalili detention center. For instance, we had heard that once they kept three women in a room and tied them to chairs and let a mouse in the room. Or, for example, we had heard that they would put you in a container under the summer sun, or that they would hit the container with a stick that would have made it difficult to tolerate its sound. These are examples that we had heard about the Khalili detention center. Everyone was always afraid of it. They told us that they don't have enough space and that they would send us to the Khalili detention center. That was the point at which we begged them not to send us there.
24. When we went to the court the second time it was two or three days after our first hearing. The court decided that everyone could be released with a pledge given by a government employee. The person making the pledge had to give his or her personal information to the court. We were required to present ourselves when they would call us to receive our sentences. We were also allowed to post bail. At the end Siamak and a few others were sentenced to lashes, but they paid a fine instead. It is possible to pay a fine in lieu of some types of flogging sentence. They bought each lash for 1000 tomans.⁵ But, it is not possible to buy *hadd* lashes.⁶ I heard about the sentence for lashes, but I did not get any news about them after that since no one at that party knew anyone.
25. I think Siamak's charge involved corruption, but I don't think it was anything about being a homosexual. The colonel told our families that we were gay. He used the word “gay”. “Gay” was not a common word in Iranian society at that time. Even my family did not realize what gay was. They thought it was something like heavy metal or rap. After that, I went for my military service and thought of leaving the country.
26. My sentence was three years of suspended imprisonment. If they arrested me at another party, no matter what type of gathering it was, if it was gender-mixed, I had to first be imprisoned for three years before being sentenced for the new crime. To prevent any similar incident and to not have a record, I decided to leave the country. At the time I left Iran, not everyone knew what the United Nations was, and not a lot of people were leaving Iran. Now, everyone knows about the UN.

Leaving Iran

27. My suspended imprisonment sentence was based on the charge of being a proponent of corruption and attending an illegal homosexual party in which alcohol was served. I left the country because I was afraid that my reputation could be hurt, or that I could be caught up in

⁵ At the exchange rate of the time, 1000 tomans equaled to approximately US \$1.20.

⁶ *Hadd* is a class of punishment in Islamic jurisprudence in which the punishment is fixed and the judge does not have discretion to modify the sentence.

another incident. I was among the first groups [of LGBT persons] who left the country. I left Iran legally in 2006 and went to India.

28. I was very afraid that I would not be granted refugee status. I didn't know whether my case was one of the cases that the UN accepted or not. The United Nations was a new concept for us, and those who were accepted previously told the new ones about the UN. Now, Iranian gays know about the UN and try to solve their problems through the UN. Those who are in a difficult situation know that there is only one way for them to leave Iran for better conditions, and that way is the UN.
29. After being arrested, I was discriminated against by my family. After I completed and finished my military service, I applied for a passport within a week. It was important to the UN that after I received my passport, it took two weeks to get my visa and just two more weeks to leave the country. It did not take a month between the time I got my passport and the time that I left the country, which made it obvious that I was under a lot of psychological pressure.