



**Witness Statement of Mojtaba (Pseudonym)**

**Name:** Mojtaba (Pseudonym)

**Place of Birth:** Baneh, Iran

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**Interviewing Organization:** Iran Human Rights Documentation Center (IHRDC)

**Date of Interview:** Sept. 12, 2013

**Interviewer:** IHRDC Staff

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This statement was prepared pursuant to an interview with Mojtaba (Pseudonym). There are 52 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

### Introduction

1. My name is [Mojtaba]. I'm speaking to you from inside Saqqez Central Prison. I was born in the city of Baneh. I was politically and socially active and worked with the Komala Party.<sup>1</sup> I had never been arrested before this. This was the first time I was arrested.

### Arrest

2. In 2010 I was ordered by the Komala to go to Sardasht, a border town, and help promote the party. The next day, after I entered Iran, as I was resting, Islamic Revolutionary Guard Corps (IRGC) intelligence officers arrested me. They were plainclothes agents, and they were all armed. I was in Iranian territory, about 15 kilometers from the border and 10 kilometers from an IRGC base. When they arrested me, they said, "We are from the IRGC. Why are you here and what are you doing?" I had no gun or any other military gear. I only had a two-way radio and a notebook. They arrested me and took me to the information headquarters of the Ministry of Intelligence and National Security (MOI) office in Sardasht. That facility has a detention center with solitary cells. I was there for ten days. They interrogated me there.
3. From the moment they arrested me until we got to the road and into the car, they tortured me. They knew who I was. I don't know if they had received information about me from someone, but they had identified me. The very first day at the Intelligence [Ministry office] they gave me a letter and told me that I was a Komala member and that I had entered Iran to engage in sabotage and carry out a military operation. I denied everything. I was blindfolded during the interrogation. When I was in my cell my hands and feet were bound. I was interrogated in another room. In the interrogation room they tortured and beat me severely.

### Torture and Interrogation

4. One of the ways they tortured [me] was by hanging my feet from the ceiling fan. Then for a while, for example 40-50 minutes, they would have the fan slowly spinning; to the point that I would pass out. Then they would bring me down, and splash a bucket of water on me. They would repeat this process again. If you didn't confess they would repeat it once again. They would tie you to a bed and beat you with cables, wooden sticks or whatever else they could find. They didn't care what happened. While I was at the MOI office in Sardasht, two of my ribs were fractured.
5. [My rib cage] was swollen and I was in a lot of pain, to the point that I couldn't even breathe [easily]. When they first arrested me I lost two or three teeth because they punched, kicked and hit me. There was no access to medical services.
6. My eyes were blindfolded. I couldn't see anything. I couldn't see what was happening to me, where were they taking me, how were they beating me, who was beating me, and why he was beating me. At the same time they had given me a piece of paper and asked me to sign it. Sometimes they would beat me so much that I would pass out. I don't remember [what happened] when I was passed out. I don't know if I signed anything or not. This continued for ten days.

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<sup>1</sup> A Maoist opposition party active in Iran's Kurdish region. See Maziar Behrooz, *Rebels with a Cause: The Failure of the Left in Iran* (1999), 122-26.

7. The questions they asked me were, “How many times have you entered Iran? Why did you leave? What was your reason for leaving? Why did you come back? Where did you carry out your terrorist activities? Have you plotted terrorist acts? Where is your gun? Where have you hidden your gun? Who in Iran are you in contact with?” Overall, the questions were about terrorist activities and sabotage. They didn’t even ask a single question about what I actually wanted to do.
8. I had left Iran in 2005.<sup>2</sup> At that time, for some reason and without my knowledge, they had opened an investigation into my activities. When they arrested me and took me to the MOI office, they had a file on me. The file was about 300 to 400 pages long. I was surprised that I had a file and I didn’t know why. They told me that I had entered Iran in 2005, 2006, 2007, and 2008 for 10 to 15 times, and they also told me where I had come from in those instances. They said things that made no sense to me. They said that I had contacts. There was bombing in Mahabad in the summer that I was arrested. I think it happened in a military base. They wanted to connect me to that [attack] and say that I had a role in it. They said that my group [the Komala] was responsible. I wasn’t even aware that such an attack had taken place. I didn’t know why or where the bombing had taken place.
9. During the first 11 days, they kept interrogating and torturing me. I think that every day I was only able to rest 5 or 6 hours. [Otherwise] it was constant interrogation and torture. Even if one interrogator got tired another one would come. They didn’t want to let me sleep. They wouldn’t even allow me to shut my eyes. They wouldn’t allow me to rest. Overall, each day I was interrogated six or seven times. I never saw my interrogators. I could only tell how many of them there were when, for example, someone sat down, someone hit me, or when someone questioned me. When they weren’t asking questions they would beat me.

### **Transfer to Ministry of Intelligence Office in Saqqez**

10. After 10 days, one morning they put me in a car and drove me outside the city. I could tell that we were leaving the city and going towards Baneh. At first I thought we were going to the Ministry of Intelligence (MOI) office in Orumiyeh. But when the car began moving towards Baneh I became suspicious. I asked myself, “Why would they want to take me to Baneh?” We passed Baneh, however. The car got into an unpaved road and another car pulled up next to us. They transferred me from one car to another. I was blindfolded the entire time. As soon as I got in the car they began punching, slapping, kicking and cursing me. They said that I had been involved in the clashes that had occurred in Saqqez and Kamyaran as well as other places. They kept repeating the nonsense that they had made up and had in my file. When I opened my eyes I was in the MOI office in Saqqez. Back then I didn’t know if the people holding me were from the Revolutionary Guard intelligence or the MOI. I had no idea which organ I was dealing with. All I knew was that at the time of my arrest they said they were Revolutionary Guards. But I didn’t know in whose custody I was.
11. During the first two days at the MOI office in Saqqez they left me alone [and did not interrogate me]. But [afterwards] they treated me somewhat more harshly than before. In the summer of 2010 one of their officers had been killed in a clash. They told me, “You types have come to kill our brothers.” I went through a military interrogation. [During the interrogation one of them] said, “In August-September 2010 you were in Saqqez and you were involved in a clash [against the government forces].” He told me that he had some evidence against me. I said, “If you have evidence let me see it. If I see that it is believable, I will accept. You just accused me of killing someone, clashing with government forces, being involved in an uprising and acting against national security [without offering any evidence.]” I

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<sup>2</sup> The witness stated that he left Iran in the Iranian year 1384, which corresponds to the year from March 21, 2005 to March 20, 2006.

have never seen a single document [against me]. They refused to show me their evidence. I was in Saqqez for about a week.

### **MOI Office in Sanandaj**

12. After a week, one evening they put me in a car and drove off. As soon as I got out of the car I was punched and kicked and fell to the ground. They said to me, “From now on you are in the custody of the MOI.” I realized that my ordeal had just begun.
13. I was imprisoned for about five months before I was taken to court. For three of those five months I was held at the MOI office in Sanandaj. In Sanandaj, I was interrogated every day or every other day.
14. I was tortured severely at the MOI office in Sanandaj. They even electrocuted me on two occasions. They wanted me to confess to [being involved in] three assassinations in Kamyaran, Dehgolan, and Sanandaj. When I gained consciousness I was in my cell.
15. I still have health issues [as a result of torture]. In the MOI office in Sanandaj they kicked me in my testicles, and now I have problems with my reproductive organs. I have a great deal of pain and a burning sensation in my genitals. Sometimes I’m in so much pain that they come to my cell and give me a shot to reduce the pain. One of my legs has gotten shorter. I cannot put pressure on it. My leg was injured. They pulled on my leg. I don’t know what they used, [but they pulled it].
16. My legs were really swollen. The skin on my legs was cracked in some areas. My face was severely damaged. I had a broken tooth. My gums had become infected and bled. I didn’t have any access to medical care. When I first moved to prison, during the first one hundred days, I was held at a suite.<sup>3</sup> Even there I had no access to a doctor.
17. During these five months I did not have access to a lawyer. I was not allowed to call my family or get a lawyer until after I was sentenced.
18. After five months of imprisonment, during which I was interrogated about once every two days and was tortured for a long period, I met with the investigator for the first time. The investigator told me, “You are a *muharib*, which is punishable by death.<sup>4</sup> What do you have to say in your defense?” I said, “I don’t understand why I’m considered a *muharib*. I don’t really understand what it means. I have heard some things [about what it means], but I don’t have a good understanding.” He said, “What do you have to say in your final defense?” As soon as I wanted to talk he said, “Forget it. You’ll be able to talk during your trial.”

### **Trial**

19. Less than a month later I received my sentence. My case was finalized. I went to court and the judge handed out my sentence. This was my only court appearance. The judge’s name was Shayan. [My trial was] at the first branch of the Saqqez Revolutionary Court.
20. They didn’t even allow me to defend myself. I didn’t even get a chance to greet the court. As soon as I said “Hello” he began cursing me. He told me to shut up. I sat down. He said, “You are charged with

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<sup>3</sup> The term “suite” is used to refer cells that are designed to hold more than one inmate at a time.

<sup>4</sup> The term *muharib* means someone who engages in *muharibih*. *Muharibih*, which means waging war on God, is a crime punishable by death, and is imposed on individuals accused of armed rebellion against the Islamic Republic.

being a *muharib* and also with sowing corruption on earth. You are sentenced to death. Please leave the court so that the court can issue its opinion.”

21. While I was in prison, I sent a number of letters to the head of the prison, the prosecutor and the judge. I told them that I had a legal right, and that I was entitled to having an attorney. The head of the prison came to me and said, “The judge says that he is going to find a lawyer for you. It will be a court-appointed lawyer.” Here [in Iran] court-appointed lawyers get 20,000 tomans [\$18] for every court appearance.<sup>5</sup> The court picks the lawyer from those that have contracts with the court or otherwise cooperate with them. My court-appointed lawyer was Mr. Eshghi.
22. During my trial, Mr. Eshghi didn’t even say a word. He just greeted others at the court. That’s all he said. His first and last word was “hello.”

### **Conditions in MOI Detention Centers**

23. I was in held in a solitary cell during the initial phase of my interrogation at the MOI detention facility. This cell was one-and-a-half meters long and one meter wide. It was dark. In the second phase, after the questioning was over, they sent me to a suite. That room had a bathroom and was a bit bigger. It was about three meters long and two-and-a-half meters wide. It was also dark.
24. Those who are charged with political crimes are sent to solitary cells until they receive their final judgment. [They are held in solitary confinement] so that their cases do not attract media attention, and that they are not able to retain counsel.
25. I was transferred from Sanandaj to Saqqez Central Prison before receiving my sentence. I was placed in a solitary cell again in Saqqez. I was in solitary confinement for 100 days. When I was transferred to the general ward, I had already received my sentence. The Supreme Court had already confirmed it. The prosecutor had objected to my sentence, saying it was too lenient. He asked the court to sentence me to death.
26. My final sentence, [30 years of exile] was delivered and confirmed while I was in Minab Prison. At that time I was in a solitary cell, with no access to phone calls, family visitation or furlough.
27. When my sentence was confirmed the prosecutor objected. The case was sent to Tehran. The prosecutor was asking for the death penalty. At that time I got a lawyer. His name was [redacted]. He was introduced to me by local human rights organizations. I retained him. He is still working on my case. He was able to reduce my sentence. When the prosecutor objected for the third time and asked for the death penalty at Branch 14 of the Supreme Court, my lawyer immediately filed a complaint and did not allow my case to be remanded. He was able to have my 30-year exile sentence confirmed.

### **Harassment of Relatives**

28. After I was transferred to Saqqez Central Prison I went on a hunger strike. After that the prosecutor allowed me to make phone calls and allowed my family to come and visit me. I’m allowed to have one visit per month. Occasionally I’m allowed visitation once every two weeks.
29. My family is under pressure. They have summoned my mother to court a number of times and have asked her for money. They want money to cover the cost of my exile. They have told her that she needs

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<sup>5</sup> This is an estimate based on the exchange rate in 2010.

to deposit money into the judiciary's account so they can send me to exile. She has told them that she has no money. They are still calling my mother.

30. Currently I am in the prison's general ward, in a section where they keep people with convictions for security and financial crimes, or crimes like murder.
31. When I was first arrested, they also detained my brother and my brothers-in-law. They sentenced my brother to 15 months in prison and my brother-in-law to six months in prison.
32. They didn't have lawyers until they were convicted. After they were found guilty they appealed and that's when they got a lawyer. Their lawyer was able to have the court agree to release them on bail. However, the Baneh prosecutor's office would not allow them to post bail. They were forced to go to Sanandaj [and act from there]. In Sanandaj they posted bail and were released. They went to prison to serve their sentences in 2011.
33. When I was in Iraq, I never had a phone conversation with my brother-in-law. I had called my brother a few times to say hello to him, or I had talked to him because my mother was at his house and I had called to talk to her. But we weren't really in touch.
34. The charges against them are fabricated. [The prosecutor only charged them] to put pressure on me. When I was at the MOI office in Sanandaj they told me that they had arrested my brother and my brother-in-law and that I should make a confession. I said, "What should I confess to? I have nothing to confess. I haven't even heard of the things you are talking about. This is the first time I'm hearing about them. I belong to a group [Komala] that opposes assassinations, killings and bombings." They said that if [I did not confess], they were going to convict my brother and brother-in-law. I told them, "Go ahead." I thought they were bluffing. I didn't even know that they had actually been arrested and they would be convicted.
35. Almost eight months after I was transferred to the general ward, I was allowed to call my family. Almost a year had passed before I was able to make my first phone call to my family. It was then that my family told me that my brother and brother-in-law had been arrested and convicted, and that they were serving time in Baneh Prison. Their sentences are over and they are free now.
36. I was arrested on October 3, 2010, and about eight months later I was transferred to the general ward. I have been in the prison's general ward for more than two years now. Over all, I have been in prison for about three years.

### **Health Problems and Lack of Access to Medical Care**

37. Currently, I am in poor physical health. My sexual organs and my legs are in bad shape. My back hurts. I have sent a number of letters to the head of the prison. I have told him that I'm in pain and I need to have a physical therapist or a doctor examine me. He says that they don't have enough people to take me to an outside doctor. He says that I could have a doctor come and examine me inside the prison. But I need a specialist. The doctors that I need won't come to prison. They are specialists and will not have the equipment that they need in prison. So for now I'm just living in pain.

### **Prison Conditions**

38. Something called Methadone [is common here]. There are lots of drugs in prison, so much so that I think more drugs are available inside the prison than outside. You can find any drug that you want here.
39. Psychologically there is more pressure every day. Some days, the guards tell you to get out of the cell because they want to search the room. Sometimes in the middle of the night they come in and search your bed. They accuse prisoners of bringing [prohibited] items to the prison. For example they accuse us of having laptops or mobile phones. Every day they have a new excuse for harassment. Some of the guards are nice and some are very unpleasant. Those whom the authorities describe as specialists, those who have been trained, are cruel. The guards who are from the local community are better.
40. In the general ward a lot of people catch the common cold. At some point there was a cholera outbreak. The prison looked like a cemetery. Everyone was sick and lying in bed. But fortunately it went away.
41. Prison food is very bad. If you put the food that they serve in prison in front of any family outside the prison, the head of the household would throw it out for sure. The food is bad and it smells awful. The meat that they serve smells so bad that when we remove the top of the cooking pot, you feel like you are going to pass out. It smells like ink. Even the pickles smell. The only decent food that they sometimes serve is eggs and potatoes. Some days they give us cucumbers and tomatoes. Those are ok. Those are the healthiest things that they serve and they [taste] the best.
42. I don't feel safe anywhere in the general ward, where I'm currently being held. Even outside the prison [we] don't feel safe, let alone inside. The guards have a new excuse every day. For example, some days they force you to use the bathroom. Another time the head of the prison was insisting to the political prisoners that they must perform their daily prayers. One of the political prisoners told him that he wasn't the praying type, and that he didn't have clean clothes to pray in. The head of the prison said, "That's ok. Just pretending that you are praying is good enough. You don't need to clean or change clothes." The prisoner refused and he was sent to a solitary cell for 15 days.
43. All political prisoners are forced to do things they don't want. They are forced to read the Quran, forced to do their daily prayers, forced to stay up, forced to sleep. Everything is forced. You are not allowed to do anything that you want. For example, you cannot say that you don't want to do something because you're tired or sick. For example, you cannot say that you do not believe in the lessons that they teach in a class. They don't accept such reasons. This is specially the case for political prisoners and those imprisoned on national security charges.
44. I was only able to see my lawyer once. There were two guards and two officers in the room with us. My lawyer was given visitation only once and [after that] they wouldn't allow him to come and see me again.

### **Psychological Pressures of Prison Life**

45. My mental health situation is quite bad. Sometimes I don't have any appetite. My physical condition has made my psychological state much worse. Some days I'm in so much pain that I can't even get out of bed. For example I can't get myself to go outside and get some fresh air or to take a shower. Sometimes I stay in bed for four or five days. Other times, I stay in bed because I'm in pain--not because I don't want to get out of bed, but because I can't. The guards and the prison officials don't leave us alone. They keep harassing us. They've been able to find excuses to send me to solitary confinement a number of times.
46. I do woodwork in the prison workshop. Once as I was coming back from the workshop [I saw] a guard speaking with [someone from] the security office. As soon he came out of the security office, he wanted

to arrest me. He told me that I have to take off my pants. I said, "Why? What do you mean?" He said, "You have to take them off." I asked one more time why I needed to take my pants off and he told me, "You have drugs on you." I said, "I'm completely against drugs. But if that's what you think, I will take my pants off so you could search me." I realized that he was trying to get a reaction out of me. When he saw that he could not get a reaction from me, he got close to me and said some nonsense. This time, I couldn't take it and I talked back. He put me in a solitary cell for 25 days. They find excuses like these. I don't know if it's because the prosecutor has told them to give me a hard time or if there's another reason. They are quite sensitive to my [conduct]. They give me such a difficult time that sometimes I feel like I don't want to continue living anymore. I'm strong enough to survive this but I'm under a great deal of psychological pressure.

47. I was arrested on October 10, 2010. In about 20 days, it will be three years [since I've been imprisoned].

### **Deaths in Prison**

48. About ten days ago Salah [redacted], a prisoner from section one, which is the section for drug addicts, received drugs from a guard. He swallowed the drugs. He had them wrapped in plastic or something like that. However the plastic ripped open. [Salah] got very sick. They wasted so much time at the prison clinic that when they transferred him out he died. This was the fifth death that I have seen during the last three years.

49. In another case, a prisoner died in his cell. In the middle of the night, two guards went to his cell and beat him. [Prior to that] they had thrown him into solitary confinement because he had gotten into a fight with one of his cellmates. Later on they went into his cell and beat him with batons, punched and kicked him. The next day, they found him dead. Later they said he had committed suicide by overdosing on drugs.

50. There was another man named Rasoul who also died in his cell. He used to say that he had been set up. He said that they had planted drugs in his house. He had two wives, and according to him, one of his wives had conspired with a guard and planted drugs in his house. That man was a prison guard. [Later when Rasoul was in prison] the guard went to his cell and cursed him out. He sent Rasoul to solitary confinement. Rasoul died there. He committed suicide. I don't know if he committed suicide on his own or whether he was pressured into it.

51. Another man had a heart attack in his cell. His name was Farhad Fallahi. He had used drugs outside the prison. Three days after he was brought in, he was transferred to the general ward. There, he got sick. They took him to the clinic a few times but the clinic said there was nothing wrong with him. When they brought him back to his cell, he had a heart attack and died.

52. I witnessed the death of the prisoner who had a heart attack in his cell [myself]. I also saw the prisoner who had swallowed the bag of drugs. I saw him in the clinic. The clinic here really waits for you to almost die before they are willing to take you out for treatment.