

Human Rights in Iran Briefing

Lantos Human Rights Commission

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I would like to thank the Lantos Human Rights Commission for giving me the opportunity to talk to you today. Iran's treatment of its own citizens needs to be discussed, because for too long, the international community has focused on Iran's nuclear ambitions, more recently on business and trade, and not enough on the country's appalling human rights situation. What happens to citizens and foreigners in any country, and the pervasive violence they are subjected to, is relevant not only because we should care as fellow human beings and because governments should take international human rights obligations as seriously as other international obligations, but because it helps the understanding of a society as a whole.

The new context created by the easing of tensions with Iran offers opportunities and challenges. If Iran becomes more open to the world and foreign business, as it clearly desires, it will be difficult for the Islamic Republic's leaders to hide or carry on egregious violations of the rule of law, mass executions, and political repression. But unless the international community, including Iran's friends, holds those responsible to account and persists in calling on Iran to respect its international obligations, establish the rule of law, and stop denying its citizens justice, it will be business as usual at the risk of long term stability and prosperity for Iran, its neighbors, and its partners.

What my organization has done for the past 13 years, through monitoring close to two hundred official and non-official sources and interviewing victims, witnesses, and experts, is to document executions, extra-judicial killings, deaths in detention and the cases of death in confrontations with security forces that have occurred since 1979. We also try to monitor other forms of violence that harm citizens such as floggings and amputations, which are under-reported but have a serious impact on victims and their families. We try to do this monitoring as systematically as possible, recording every single case.

In many areas of our work, the facts have not changed: we have collected more than 900 reports of executions so far in 2015. Iran has the highest known per capita execution rate in the world. The penal code prescribes the death penalty for more than 100 crimes including adultery, sodomy, drug possession, and robbery.

Based on the available information, which only allows estimates, the highest percentage of executions reported in 2015 is related to drug offenses. 12 executions in 2015 are believed to have been politically motivated, and 49 took place in public. Due to the steady increase in the rate of drug addiction in Iran and the fact that possession of small amounts of drugs carries a mandatory death penalty, prisons are filled with addicts, petty drug dealers, and poor people who carried drugs just to earn a living. According to a statement last year by a Judiciary Crime Prevention official, 70% of prisoners in Iran are incarcerated for crimes related directly or indirectly to drugs. In the past few years, in an attempt to address the serious overcrowding of prisons, the authorities have decided to speed up the processing of cases, including those involving the death penalty. In the absence of due process, and with thousands of prisoners on death row, the new policy may lead to thousands of executions in the years to come.

Revolutionary Islamic Courts, established after the fall of the monarchy in 1979 as extraordinary tribunals, are responsible for many of these executions. 36 years ago, the goal of these ad-hoc courts was not to dispense justice but to exact revenge, punish those deemed to oppose the revolution and its moral values,

and to spread fear among the population. 36 years later, by persisting in doing away with due process of law and, in particular, the right to defense, Revolutionary Courts continue to silence dissent and to spread fear. For many judges in these courts, defense lawyers are a nuisance. When lawyers defend their clients in courts by asserting their legal rights and when they persist in publicizing due process violations in their cases, the Revolutionary Courts have no qualms against [intimidating](#) them.

Over the past decades, authorities have punished lawyers including with heavy prison sentences, loss of license, and sometimes by forcing them into exile. Today many lawyers, including the Nobel Laureate Shirin Ebadi, live outside Iran. Others such as Abdolfattah Soltani, Mostafa Daneshjoo, Farshid Yadollahi Farsi, Amir Eslami, and Omid Behruzi are serving heavy prison sentences for “propaganda against the state and acting against national security.” In such circumstances, many lawyers are deterred from taking on sensitive cases or carrying out an aggressive defense for their clients, which also contributes to the rising death toll.

Consider the following cases:

[Reyhaneh Jabbari](#)

Ms. Jabbari was a computer software student working part-time for a company of interior decorators. In the spring of 2007, when she was 19 years old, she met Mr. Morteza Abolali Sarbandi, a 47-year-old doctor and former Intelligence Ministry employee, at an ice cream parlour. Their conversation led her to meet Mr. Sarbandi a while later and accompany him to an apartment for an interior design job appraisal. At the apartment Mr. Sarbandi attempted to sedate and rape Ms. Jabbari. She stabbed him in the shoulder with a knife she found there and fled his apartment while a friend of Mr. Sarbandi entered the apartment. After leaving the apartment she called for an ambulance and returned home when it arrived. Mr. Sarbandi was subsequently heard in the stairway calling for the arrest of a thief and died of his wound.

Ms. Jabbari was arrested and charged with the first degree murder of Mr. Sarbandi. While in prison she was repeatedly subjected to physical and mental torture. At her trial she was represented by a series of lawyers, some of whom did not attend trial sessions. Evidence against her included several acquaintances’ and co-workers’ statements made during interrogation that they had sexual relations with Ms. Jabbari, though they subsequently recanted these statements. Evidence to support her defense, such as Mr. Sarbandi’s purchase of a condom and sedatives immediately prior to the incident, and the police’s finding of the sedative in one of the two glasses of fruit juice in the apartment, were ignored and no attempt was made to find the man who entered the apartment after the incident. The judge, who found no motive for the murder, convicted her based on her “masculine spirit, narcissism, lack of stable personality, psychological state, and abnormal relationship with her family.” Reyhaneh Jabbari was executed by hanging, at dawn on 25 October 2014.

[Mohsen Amir Aslani](#)

Mr. Aslani held a bachelor’s degree in psychology and owned a psychology institute named Soroush Parsian, where he provided consultation and conducted classes in “Inner Path” (spirituality), dream analysis, and the Qur’an. Many of his teachings criticized traditional beliefs and prevailing superstitions. As Mr. Aslani’s classes grew in popularity, he attracted the attention of the authorities who told him to cease his teaching. When he did not, he was arrested at his home on May 2, 2006, along with his wife and a number of his students, by plainclothes armed security agents who did not show an arrest warrant.

Mr. Aslani was first accused of apostasy and of claiming to be the Twelfth Imam and a few months after his arrest, he was accused of rape by two of his students. While in prison, he was interrogated, beaten, repeatedly transferred between prisons and denied access to his family or an attorney. Mr. Aslani was convicted and sentenced to flogging, imprisonment and a monetary fine. However, while he was appealing this decision from prison, he was charged with forcible rape and spreading corruption on earth. Mr. Aslani denied the accusations throughout his prosecution. The evidence against Mr. Aslani consisted largely of statements made against him by individuals under police pressure and from a government informant. The charge of forcible rape was based on one plaintiff's inconsistent statements and accusations that lacked evidence to back them. The supreme court voided the judgement and sent it back for re-trial three times. Nevertheless, Mr. Mohsen Amir Aslani was convicted and hanged in Rajai Shahr Prison in Karaj on Wednesday, September 24, 2014.

[Bahram Ahmadi](#)

Mr. Ahmadi was a Sunni student who was active in trying to draw attention to the government's mistreatment of Sunnis. While he was politically active, he did not appear to be associated with any specific group. His main activity was reportedly distributing religious books and CDs. Mr. Ahmadi was arrested on September 19, 2009, at the age of seventeen. His older brother had been arrested four months earlier. He was held for seventeen months in solitary confinement, during which he was frequently tortured. He told his cellmates that his interrogators used electric shocks, lashing, food deprivation, and threats against his family, in order to get him to confess to having links to extremist groups whose goal was to overthrow the regime. He was denied access to an attorney throughout this period and was only allowed a few visits from his family.

Mr. Ahmadi was tried with nine other co-defendants on February 12, 2011. They met their attorney less than a half hour before the hearing, who encouraged them to plead guilty to all the charges against them so that they would be imprisoned near their hometowns. The trial lasted 10 minutes, and the judge did not question the defendants nor allow them to make statements in their own defense. Mr. Ahmadi and his co-defendants were accused of "waging war against God," through "links to Salafi mini-groups" and "propaganda against the regime, through participating in ideological and political classes, possessing, selling, and buying books and CDs of speeches related to Sunni beliefs." The evidence used against them were their statements coerced under torture. Mr. Ahmadi was executed secretly, along with five co-defendants on December 28, 2012, in Qezelhesar Prison. The family was not informed, and Mr. Ahmadi was not allowed a last visit with them. His parents heard about his execution from Sanandaj's Majless deputy.

Today, his brother Shahram, a Sunni activist who was arrested a few days after calling for a demonstration during a visit by Ayatollah Khamenei to Sanandaj, is at imminent risk of execution.

[Mehdi Qasemzadeh](#)

The events resulting in the arrest, torture, and execution of many Ahl-e Haq followers started in August, 2000 when a commanding officer insisted an Ahl-e Haq soldier shave his mustache and he refused. Ahl-e Haq followers wrote letters to officials asking for their beliefs to be respected, including that of not shaving their mustaches, but in response they only received more pressure.

Mr. Mehdi Qasemzadeh was a single, 27-year-old high school graduate, a Turk from Miandoab village. He used to work at a cattle farming complex and was a follower of the Atashbeigi Branch of Ahl-e Haq. He was arrested in September 2004 along with his father and brother after confronting the security forces. He was subjected to physical and psychological torture from the moment of his arrest. He was kept in solitary

confinement for 85 days in the Orumieh Information Administration and was later transferred to Orumieh Central Prison where Ahl-e Haq prisoners were forced to shave their moustaches.

Mr. Qasemzadeh was tried in the Mahabad Islamic Revolutionary Court in two sessions. He was represented by a court-appointed attorney but he was deprived of the right to hire an attorney of his own choosing. He was charged with armed uprising against the Islamic Republic, the illegal carrying of war weaponry and publishing and distributing leaflets against the regime and the Supreme Leader of the Revolution. There are no details available about his defense, but he later objected to the court decision as “unfounded, nonsensical, and ridiculous.” The court sentenced Mr. Qasemzadeh to death in January 2005. He was hanged in Orumieh Prison on the morning of March 1, 2009. None of his family members knew about the implementation of the sentence and he had not had a visitation for five months. A day before his execution, all phones at the prison were disconnected and he was transferred to solitary confinement. His body was not turned over to the family and they were not even informed of where he was buried.

Behnud Shoja’i

Behnud was 17 years old at the time of arrest. His mother had passed away when he was only 14. When he got involved in a street fight when he tried to stop two boys from fighting, Behnud stabbed another boy who had insulted his mother with a broken glass bottle. The other boy died from his injury. Behnud, who didn’t know the victim, claimed several times later on that it was only an accident and he had no intention of killing the boy. Further there were two stab wounds on the victim’s chest which, according to the available information, one of which was not caused by a broken glass.

Behnud’s father surrendered his son to the police after the incident. He was kept in the Juvenile Correction Center until the age of 18 and was then transferred to prison where he spent 4.5 years. He had regular visitations with his family via phone and in person. He was first tried by the Criminal Court of Tehran in February 2006. He had a lawyer and was allowed to defend himself. He was told that the parents of the child killed had requested the death penalty for him. He was charged with “premeditated murder” and sentenced to death in October 2006.

Due to his young age, Behnud’s case attracted attention inside and outside the county. The European Union issued a statement in defense of people who commit a crime before age 18 and pointing out that sentencing them to death is against the International Convention On The Rights Of The Child to which Iran is a signatory. A group of artists, journalists, and social activists also tried to stop his execution, but to no avail. Behnud was twice taken for the implementation of his sentence but brought back due to the intervention of lawyers and activists and an order by the head of the judiciary so that the family of the boy killed could forgive him and commute his sentence. They were unwilling to do so, however, and Behnud was finally hanged in Evin Prison on October 11, 2009 in the presence of his lawyers and the family of the killed boy. Before his execution, he said in an interview that the hardest part for him was to wait for death.

Hadi Rashedi

Mr. Rashedi was an Arab cultural activist and founder of the *Al-Hiwar Scientific and Cultural Organization*. After the Khuzestan protests, *Al-Hiwar* was declared illegal, but Mr. Rashedi and several other members continued their activities. Between 2006 and 2009, Mr. Rashedi and the other members of *Al-Hiwar* were summoned and interrogated numerous times by the Ministry of Information, which accused them of promoting ethnic thinking and demanded an end to their activities.

Mr. Rashedi was arrested on February 28, 2011 along with a number of other members of *Al-Hiwar* and imprisoned in one of the Information Administration’s secret detention centers in Ahvaz. He spent

spent seven months in solitary confinement there and was subjected to extreme physical and mental torture. He was released to Karun prison only after being forced to make a televised confession. There were two sessions for Mr. Rashedi's trial, the second of which was closed to the public. The charges against him were crimes against God, spreading corruption on earth, "spreading propaganda against the Islamic Republic," and "acting against the country's national security." Mr. Rashedi did not have access to all of the evidence against him, which included his coerced confession that he later retracted. Rashedi and his co-defendants were sentenced to death. They protested the sentence with a hunger strike and an international campaign was launched on their behalf, but sometime in December 2013 or January 2014, they were hanged.

Ata'ollah Rezvani

Mr. Rezvani was an active member of the Baha'i Community in Bandar Abbas and was popular in this city because of his assistance to Baha'is and non-Baha'is. He was shot dead in Bandar Abbas on August 24, 2013. The authorities concluded that he had committed suicide, even though there was no gun powder on his hand and he was left handed but the bullet entered him from the top right side of the back of his head.

Prior to his death, Mr. Rezvani had criticized the influential Friday Imam of Bandar, Abbas Ayatollah Gholam'ali Na'imabadi, for making powerful speeches attacking Baha'is [including one in which he stated:](#)

"Unfortunately, due to society's lack of awareness, Baha'is have a powerful presence in many sectors, especially in the economic [and financial] sector. Wretched are those who do business with them out of ignorance. I told you that not only are these people [the Baha'is] not Muslim, they are Kafer ("Infidels"). Worse yet, they are hard-core Infidels who are thoroughly and completely in fundamental conflict with Islam. They introduce and present themselves as Muslim and their pretense is, 'We accept whatever you accept; our only difference is about the Imam of Time (Twelfth Imam in Shi'a Islam, who is absent but will appear someday and establish true Islam).' They lie.

They believe neither in our Koran, nor in the Holy Prophet Mohammad (Peace Be upon Him and His Descendants), nor in Ali (First Imam in Shi'a Islam and Mohammad's son-in-law and rightful successor). They consider all of this to be in the past (and irrelevant): the Koran has passed, the Imam has passed, and the Prophet has passed; meaning that their time has gone." The Friday Imam then prayed: "Almighty God, protect our society from these germs!"

Mr. Rezvani sent a letter to Ayatollah Gholam'ali Na'imabadi requesting that the rights of Baha'i citizens be respected and asking him not to provoke people against Baha'is during his Friday sermons. Mr. Rezvani and his friends also filed a complaint with security and military authorities explaining that such speech could cause tension and bloodshed. In fact, no investigations seem to have been launched after the physical harassment of several Baha'is in Bandar Abbas.

There are many indications that Mr. Rezvani's death was an extra-judicial execution, motivated by his advocacy for the rights of Baha'is. Mr. Rezvani was one of three members of the Baha'i Community Servers and was harassed by authorities both personally and professionally. He had been repeatedly threatened by unknown individuals and summoned and interrogated by security agents. In spite of the evidence to the contrary, the authorities refused to consider that his death was anything other than a suicide, and the lack of a thorough official investigation is indicative of the lack of an official will to find out the truth. Attempts by his relatives to take his case to authorities in Tehran have been left without a response.

Iran's judiciary, which fails to report most of these executions, is accountable to neither the Iranian citizens it is supposed to protect nor the international community. [Iranians who try to bring visibility](#) to the lack of due process, including torture and coerced confessions, are persecuted and authorities bar access to United Nations monitors.

The common denominator of the executions my organization documents is a blatant disregard for the rights of the accused and a violation of the right to a proper defense. The use of torture to coerce confessions and the use of confessions by judges without regard for due process are common practices.

The use of torture is not confined only to interrogations. Torture is written into the Iranian legal system through the imposition of severe physical punishments such as flogging. At least 148 crimes are punishable by flogging. The laws related to flogging are broad and encompass a wide array of acts recognized as crimes. The criminal code recognizes corporal punishment (hadd and ta'zir) for offenses such as: consumption of alcohol, drug use and petty drug dealing, theft, adultery, "flouting" of public morals, illegitimate relationships, and mixing of the sexes in public. ABF maintains a [database of cases of flogging](#) and has records of more than 7,400 cases since 2000, including the [flogging of children](#).

At the beginning of the fasting month of Ramadan in June, authorities, such as the Public Prosecutor in Kerman, reminded Iranians that drinking, eating, or smoking in public can be punished with 74 lashes and up to two months in prison. Last year, the Prosecutor in Qazvin announced that 200 people had been flogged for eating during Ramadan.

Flogging is not the only brutal punishment inflicted by the Iranian state. Consider the case of Reza Safari. Safari was the victim of amputations twice, both for the crime of theft. In 1997, Safari had four fingers amputated from his right hand. It is not easy to find a job when the punishment you have received deprives you of several fingers and indicates your crime. So, a year after his release, Mr. Safari stole again and was arrested again. This time, part of his left foot was amputated and he was sentenced to 3 years in prison. In both cases, the amputations were performed with electric wire cutters without the use of local anesthesia or sterile equipment. Mr. Safari had not harmed anyone while stealing and the total value of what he had stolen in 20 instances of theft was a little more than \$3,000. Stealing because of poverty and unable to pay the plaintiffs for what he stole, he was kept in jail limping and without recourse years after finishing his 3-year sentence.

These prosecutions and executions expose an opaque judicial system that does not value life, encourages revenge in lieu of justice, and discriminates and punishes the weak and the poor. They also draw attention to a leadership that sees violence and physical elimination of problematic individuals as a means to hide citizens' discontent, deal with instability, protect its supporters, and solve a systemic drug problem. Rather than attributing the resources necessary to seriously address the underlying causes of these troubling problems, the state simply eliminates the symptoms.

The excessive use of capital punishment and summary justice in Iran has been a major obstacle to the establishment of the rule of law for more than three decades. Iranian authorities try to hide their crimes or justify them with unconvincing religious and cultural justifications. There is no religious necessity for it: Many countries with a majority Muslim population have abandoned the death penalty.

Ignoring the gravity of the ongoing massacre in Iranian prisons makes little sense for those who believe in the rule of law and are hoping to see more accountability from the Iranian government. It makes even less sense for those who hope for a more prosperous Iran respected and treated as an equal by the international community. Ignoring the truth does not eliminate it. But it reassures and emboldens human rights violators. It is not pragmatic to look the other way. The problem must be addressed and addressing it begins with acknowledging it.

Today, the international community and the US have hopes of engaging Iran in a more positive dialogue. Iranian leaders are also showing interest in engagement, but they have to do more than give proud and impassioned speeches or try to convince diplomats of their respectability in private conversations. They must work hard for real and fundamental changes to establish the rule of law and end impunity. If the international community believes in the values entrenched in the United Nations Charter and other international treaties, if they hope for long-term cooperation with Iran and stability in the region, they should hold the Islamic Republic's leaders accountable for ignoring their human rights obligations and call on them to revise their laws and practices and to cooperate with United Nations experts. **The international community must increase the political cost of the ongoing death race and bring it to an end.**