



# General Assembly

Distr.: General  
6 March 2012

Original: English

---

## Human Rights Council

Nineteenth session

Agenda item 4

Human rights situations that require the Council's attention

## Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran\*\*\*

### *Summary*

The present report, the first to be submitted to the Human Rights Council, is submitted pursuant to Council resolution 16/9 and covers the human rights developments since the commencement of the mandate of the Special Rapporteur on 1 August 2011. The Special Rapporteur presented his first interim report to the General Assembly (A/66/374) in October 2011.

The present report outlines the Special Rapporteur's proposed methodology and highlights the recent trends in the human rights situation in the Islamic Republic of Iran. While listing some of the most recent human rights concerns, the Special Rapporteur focuses on some of the cases that emerged during post-election unrest in 2009. Although the report does not cover all the violations of human rights in the country, it provides a picture of the prevailing situation in that regard. It is envisaged that a number of important issues not covered in the present report will be addressed in the Special Rapporteur's future reports to the Assembly and the Council.

---

\* The annex to the present report is reproduced as received, in the language of submission only.

\*\* Late submission.

## Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction .....	1–6	3
II. Methodology .....	7–12	4
III. Legal issues .....	13–40	6
A. Concerns regarding legislation .....	15–19	6
B. Capital punishment .....	20–22	7
C. Free and fair elections.....	23–26	9
D. Administration of justice .....	27–29	10
E. Detention facilities.....	30	11
F. Impunity.....	31–40	11
IV. Situation of human rights .....	41–68	13
A. Women’s rights.....	41–44	13
B. Labour unions .....	45–47	14
C. Human rights defenders and prisoners of conscience .....	48–51	15
D. Journalists .....	52–55	16
E. Students .....	56–58	17
F. Unrecognized religious communities .....	59–61	17
G. Ethnic minorities.....	62–66	18
H. Treatment of the lesbian, gay, bisexual and transgender community .....	67–68	19
V. Conclusions and recommendations .....	69–74	20
Annex		
Additional reports of human rights violations in the Islamic Republic of Iran .....		22

## I. Introduction

1. The Islamic Republic of Iran possesses the basic legislative framework and tools to promote respect for human rights. The country is a party to five of the nine legally-binding international human rights treaties, and many of the rights guaranteed therein are enshrined in the Constitution. International commitments and constitutional provisions notwithstanding, however, it is clear that elements of the legal framework, together with insufficient adherence to the rule of law, create systemic obstacles to the Government's ability to adhere to these commitments. As an original member of the United Nations system, the Islamic Republic of Iran has an important role to play in the global community but this has unfortunately become overshadowed by confrontation and tension. The Special Rapporteur believes that meaningful cooperation with United Nations human rights mechanisms could help the country to lessen potential for politicization, an issue about which the Government has repeatedly expressed its deep concern.

2. Despite the statements made by representatives of the Islamic Republic of Iran regarding the Government's interest in cooperation with United Nations human rights mechanisms and its standing invitation to thematic special procedures mandate holders of the Human Rights Council, the Government has not permitted visits since 2005.<sup>1</sup> The Special Rapporteur regrets the fact that the Government has not addressed his request for a country visit issued on 19 September 2011, despite its stated intention to invite two special procedures mandate holders in 2012. The Special Rapporteur continues to urge the Iranian authorities to give positive consideration to his request, as well as those of the Human Rights Council and the General Assembly to allow his unfettered access to the country to carry out his mandate.<sup>2</sup> While the Special Rapporteur was not granted access to the country during the period under review, he fulfilled his mandate to the best of his ability on the basis of voluminous information collected from a variety of independent and reliable sources. The Special Rapporteur reaffirms that he maintained his independence, impartiality and objectivity in weighing the information provided to him.

3. The Special Rapporteur regrets the fact that a number of urgent appeals made by various thematic mandate holders, as well as several joint communications transmitted to the Government of the Islamic Republic of Iran by the Special Rapporteur together with other special procedures mandate holders, also remain unaddressed. The insufficient engagement of the Government with the mandate holders was highlighted in a 2010 study,<sup>3</sup> which concluded that the Islamic Republic of Iran held the highest number of pending visits requests of all countries that have issued standing invitations. Data also suggested that the Islamic Republic of Iran received the highest number of communications in the period 2004-2008 (594), and that 25 per cent of the allegations made in the said communications had been wholly rejected, 1.3 per cent resulted in steps taken to address concerns, and approximately 54 per cent of communications transmitted had received no response.<sup>4</sup> The

---

<sup>1</sup> The last visit by a special procedures mandate holder dates back to 2005, when the Special Rapporteur on adequate housing (July 2005) visited the country. Visits by mandate holders prior to 2005 included the Working Group on Arbitrary Detention (February 2003), the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (November 2004), the Special Rapporteur on the human rights of migrants (February 2004) and the Special Rapporteur on violence against women (February 2005).

<sup>2</sup> General Assembly resolution 66/175, para. 10.

<sup>3</sup> Ted Piccone, *Catalysts for Rights: The Unique Contribution of the UN's Independent Experts on Human Rights* (Washington D.C., Brookings, 2010), pp. 26 and 33.

<sup>4</sup> See the file available on the Special Procedures Database of the Brookings website at

Special Rapporteur notes that the unwillingness to provide access to the country creates a void of information and only encourages the international community to imagine the worst, thereby intensifying the focus on the Government's human rights record.

4. The Special Rapporteur welcomes the statement made by the representatives of the Islamic Republic of Iran during consideration by the Third Committee of the General Assembly of a draft resolution on the situation of human rights in that country, that the Special Rapporteur "should be given time and opportunity to prepare his reports without external pressure or induced prejudices".<sup>5</sup> To this end, the Special Rapporteur was keen to develop a substantive dialogue with the authorities and is pleased to have at least been granted meetings with the Permanent Missions of the Islamic Republic of Iran in New York and Geneva.

5. In accordance with the code of conduct for special procedures mandate holders,<sup>6</sup> the Special Rapporteur has forwarded the present report to the Islamic Republic of Iran, which made several observations. It stated that, inter alia, the establishment of a country mandate was the result of a "flawed process", that the country had been cooperating with the United Nations human rights system, and that the Special Rapporteur was engaged in propaganda by participating in forums and gatherings that were contaminated by Western espionage agencies, Zionist elements and terrorist groups. It also stated that sources of information, such as reports or complaints, lacked credibility, and that no positive reference had been made to meetings with officials and representatives of civil society. The Islamic Republic of Iran further stated that more substantive comments would be forthcoming once these matters were addressed.

6. The Special Rapporteur would like to point out that the cooperation of the Islamic Republic of Iran with the human rights mechanisms has been found wanting in reports of the Secretary-General, General Assembly and Human Rights Council resolutions, and also in the concluding observations of the Human Rights Committee. The Special Rapporteur highlights the fact that he declined to participate in any forums or public gatherings, except for United Nations press conferences and individual interviews with the media following the presentation of his first report. The Special Rapporteur believes that his information is credible and corroborated by a number of independent sources. Lastly, the Special Rapporteur met with two non-governmental organizations that are supportive of the Government and made adequate reference to their concerns (see paragraphs 40 and 43 below).

## II. Methodology

7. Together with his proposed methodology, the Special Rapporteur presented 58 cases of human rights violations in his interim report (A/66/374) to the General Assembly on 19 October 2011. He drew no substantive conclusions, but presented allegations submitted to him as a platform for initial dialogue about the human rights situation in the Islamic Republic of Iran.

8. To date, the Special Rapporteur has not been granted the opportunity to engage with Government representatives in any substantive discussion about the cases presented in his

---

[www.brookings.edu/opinions/2010/1208\\_human\\_rights\\_piccone.aspx](http://www.brookings.edu/opinions/2010/1208_human_rights_piccone.aspx)

<sup>5</sup> Statement made by the Senior Adviser to the Head of the Judiciary and the Secretary-General of the High Council for Human Rights of the Islamic Republic of Iran, Javed Larijani, New York, 21 November 2011.

<sup>6</sup> Human Rights Council resolution 5/2, annex.

interim report or to advance elements of his proposed methodology. The Special Rapporteur maintains that substantive engagement and access to the country would add real value to his work, and would allow the Government to communicate its views on specific issues raised in his reports. The Special Rapporteur will continue to make all efforts possible to encourage the Government to cooperate with the mandate holder and to allow him access to the country.

9. The Special Rapporteur undertook two missions for the purposes of the present report. From 3 to 7 October 2011, he travelled to Geneva and met with several non-governmental organizations, including two that were sympathetic to the Government's views on several subjects. He also interviewed 19 individuals, who submitted allegations of human rights violations. From 30 November to 8 December 2011, he travelled to France, Germany and Belgium to meet non-governmental organizations, members of the Iranian diaspora, diplomats and intergovernmental organizations. He also interviewed 80 people, including victims and witnesses of human rights violations. The Special Rapporteur wishes to thank the Governments of France, Germany and Belgium for facilitating his visit.

10. The Special Rapporteur reviewed dozens of reports submitted by non-governmental organizations and other relevant documents obtained during his missions, surveyed audio and video submissions, and monitored media reports emanating from inside and outside the Islamic Republic of Iran. He also interviewed an additional 42 Iranian citizens who reported violations of human rights from 19 October to 20 December 2011. Most of these cases were connected to developments in the weeks and months following the 2009 presidential elections. The accounts given during the interviews corroborated many of the allegations presented in the above-mentioned reports. The Special Rapporteur maintains that allegations communicated to him meet evidentiary standards that are appropriate to the non-judicial character of the reports and conclusions, as stipulated by the code of conduct.

11. The Special Rapporteur examined both the national report submitted by the Islamic Republic of Iran<sup>7</sup> and the relevant report of the Working Group on the Universal Periodic Review<sup>8</sup> for the seventh session of the Universal Periodic Review. He examined the State party's third national report submitted to the Human Rights Committee,<sup>9</sup> and various reports relating to that review, including the Committee's concluding observations and recommendations.<sup>10</sup> He also examined the report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran submitted to the General Assembly.<sup>11</sup> Without prejudice to the matters raised in the above-mentioned reports, the Special Rapporteur shares the concerns raised by all three United Nations bodies, as well as the recommendations made thereby.

12. Many of the allegations received contend that the rule of law meant to protect human rights is frequently breached, impunity is promoted by a reluctance to hold violators accountable, and the space for public scrutiny of policies and actions that have an impact on the integrity of governance is severely restricted. Others complained of the inequitable application of laws, discriminating against women, religious and ethnic minorities, or exempting individuals of influential status from rules meant to restrain the abuse of power. Reports to the Special Rapporteur also reflected concerns over legislation that contravenes international human rights laws. Therefore, although the Special Rapporteur agrees that the Government should consider additional instruments that promote human rights in the

---

<sup>7</sup> A/HRC/WG.6/7/IRN/1.

<sup>8</sup> A/HRC/14/12.

<sup>9</sup> CCPR/C/IRN/3.

<sup>10</sup> CCPR/C/IRN/CO/3.

<sup>11</sup> A/66/361.

country, the Government's insufficient enforcement of its current obligations is of immediate concern.

### **III. Legal issues**

13. Every country places certain limits on freedom of expression, association and assembly, but it is essential that these restrictions be not misused by authorities to close the space for criticism, or advocacy of policies and actions that have an impact on the public interest. Allegations of human rights violations reported to the Special Rapporteur demonstrate that a number of vaguely defined security provisions within the Islamic Penal Code are applied in ways that contravene international human rights law and unduly limit freedom of expression, association and assembly. For example, articles 513 and 514 of the Code criminalize "insults" to any of the "Islamic sanctities" or holy figures in Islam or to the first leader of the Islamic Republic of Iran. Article 498 criminalizes the establishment of any group that aims to "disrupt national security", while article 500 forbids "propaganda against the order of the Islamic Republic of Iran or propaganda on behalf of groups or institutions against the order of the Islamic Republic of Iran". Article 618 criminalizes "disrupting the order, comfort and calm of the general public or preventing people from work". Article 610 prohibits "gathering or colluding against the domestic or international security of the nation or committing such acts".

14. The Special Rapporteur maintains that the vague nature of these provisions contravenes international human rights instruments to which the Islamic Republic of Iran is a State party, and allow for arbitrary application and the abuse of power; for example, the laws that prohibit "insults" do not specify the behaviour or expressions that constitute an insult; consequently, individuals and organizations that criticize policies have been arrested and prosecuted for activities that are protected by international law. Articles 498, 500 and 618-19 impinge upon the right to freedom of association, the right of those associations to publicize views that scrutinize the regime, and the right to assemble, or to support such assemblies. More than four dozen individuals interviewed by the Special Rapporteur asserted that these laws were used to violate their human rights or the rights of other dissenters, and that they have been intimidated, arbitrarily arrested, detained and/or prosecuted for protected activities.

#### **A. Concerns regarding legislation**

15. A new bill, entitled the "Parties and Associations Law Reform Plan", defines membership requirements for all political organizations, stating that "followers and associates of antagonistic groups that act or have previously acted against the Islamic Republic" are prohibited from membership of political parties. Those deemed ineligible would be denied operation licenses and therefore prohibited from forming a political party or association. In the Special Rapporteur's view, such a bill unduly restricts freedom of association and would marginalize a large segment of civil society.

16. Another bill, on the establishment and supervision of non-governmental organizations, would create a supreme committee to supervise the establishment and work of such organizations. The committee would be managed by the Ministry of the Interior and members would include, inter alia, representatives from the Ministry of Intelligence and security forces, such as the paramilitary Basij. The committee would be mandated to distribute registration permits to non-governmental organizations, exercise significant power over their boards of directors, and disband organizations. According to the bill, the committee's approval would also be required for activities by organizations, including participation in seminars and conferences and educational sessions abroad, and

collaboration and/or contact with international organizations and agencies of the United Nations.

17. According to reports submitted to the Special Rapporteur, another bill aimed at the review and discipline of Members of Parliament would establish a supervisory committee empowered to conclude that any statement, speech or interview conducted by a member would violate the Moral Charter of Representatives or undermine national security. The bill would also allow for disciplinary action, including the suspension of salary, the suspension of parliamentary committee memberships, the imposition of travel restrictions and even dismissal from Parliament. The bill contravenes provisions of the International Covenant on Civil and Political Rights, as well as articles 84 and 86 of the Constitution, which recognizes the rights of representatives to “express their views on all internal and external matters of the country”. The bill would further curb the independence and effectiveness of Members of Parliament by eliminating legal parliamentary immunities in the discharge of their duties, while its punitive provisions mandate an unelected and unaccountable body to remove members from office, which circumvents the public’s right to select candidates of their choosing and to be represented by them.

18. The family protection bill seeks to amend article 22 a law, the Family Protection Act, which allows men to enter up to four marriages with the permission of their wives and a ruling from the court, by allowing men to enter into temporary marriages without the knowledge or permission of their wives. A man would only be required to register additional marriages with the court in the event of (a) pregnancy of his wife; (b) agreement of the two sides; (c) conditions of the marriage. The Special Rapporteur contends that this legislative development raises additional obstacles to the promotion of gender equality, since this bill would seriously curtail women’s marital rights and ability to determine issues that have a significant socio-economic impact on their lives.

19. Lastly, the Special Rapporteur welcomes the omission of stoning as a punishment in the newly ratified Islamic Penal Code, but expresses his concern that severe punishments may still be issued at a judge’s discretion in accordance with sharia law or *fatwas*. Moreover, the Penal Code still discriminates against women, girls, ethnic and religious minorities, increases the severity of punishments for individuals accused of crimes against national security, and still holds juveniles accountable for their crimes unless they can demonstrate that they have not fully understood the criminal nature of their actions.

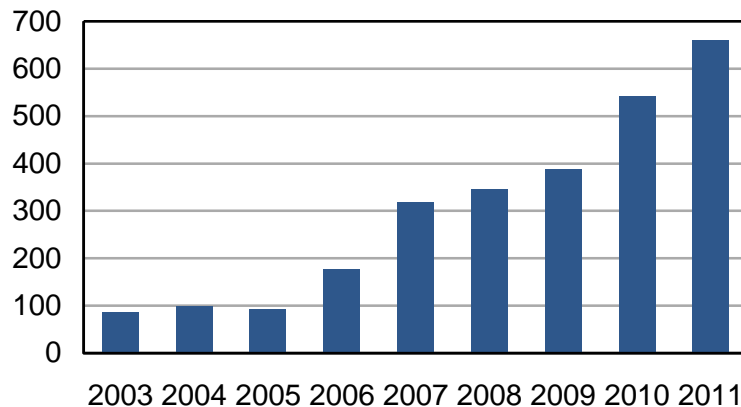
## **B. Capital punishment**

20. The Special Rapporteur wishes to draw attention to the alarming increase in executions since 2003 (see table below). In his interim report, the Special Rapporteur reported that more than 200 executions had been announced by mid-September 2011; he now regrets report that 421 executions have been officially announced, and 249 secret executions were reported to the Special Rapporteur as at December 2011.<sup>12</sup>

---

<sup>12</sup> According to the official judiciary news, on 4 January 2012, authorities executed five drug-traffickers in Kirman and Bam prisons. See [www.kermadagostari.ir/tabid/57/ctl/Edit/mid/409/Code/922/Default.aspx](http://www.kermadagostari.ir/tabid/57/ctl/Edit/mid/409/Code/922/Default.aspx).

### Number of executions (2003-2011)



21. According to a number of sources, 81 per cent of all cases of capital punishment in 2011 were related to drug trafficking, while 4.3 per cent and 4.1 per cent were related to *Moharebeh* (enmity with God) and rape, respectively.<sup>13</sup> The Special Rapporteur continues to emphasize that drug offences do not meet the “serious crime” standard set by international law, and renews his call on the Government to implement a moratorium on the death penalty, especially in drug-related cases, to seriously pursue efforts to abolish the death penalty for juveniles, and to commute all capital sentences against them.

22. A number of individuals have been sentenced to death in recent years by stoning, despite announcements of a moratorium on stoning as a form of capital punishment by the judiciary.<sup>14</sup> In its report on the subject, Amnesty International stated that at least 15 men and women are currently facing death by stoning sentences for “adultery while married”.<sup>15</sup> The Special Rapporteur joins the Human Rights Committee in expressing its concern about the use of stoning as a method of execution,<sup>16</sup> maintains that adultery does not constitute a serious crime by international standards; and strongly urges the Government to enforce its moratorium on stoning. The Special Rapporteur welcomes the fact that stoning has now been omitted from the new Penal Code and hopes all existing cases will be reviewed to ensure that such penalties are not carried out.

<sup>13</sup> Amnesty International, *Addicted to Death: Executions for Drug Offences in Iran* (London, Amnesty International, December 2011). Available from [www.amnesty.org/en/library/asset/MDE13/090/2011/en/0564f064-e965-4fad-b062-6de232a08162/mde130902011en.pdf](http://www.amnesty.org/en/library/asset/MDE13/090/2011/en/0564f064-e965-4fad-b062-6de232a08162/mde130902011en.pdf).

<sup>14</sup> See “Iran suspends execution by stoning”, *Telegraph*, 5 August 2008 (available from <http://www.telegraph.co.uk/news/worldnews/middleeast/iran/2507499/Iran-suspends-execution-by-stoning.html>); and Amnesty International, “Iran: announcement of suspension of stoning a welcome step if carried out”, 6 August 2008 (available from [www.amnesty.org/en/for-media/press-releases/iran-announcement-suspension-stoning-welcome-step-if-carried-out-2008080](http://www.amnesty.org/en/for-media/press-releases/iran-announcement-suspension-stoning-welcome-step-if-carried-out-2008080)).

<sup>15</sup> Amnesty International, *Iran: Executions by Stoning* (London, Amnesty International, December 2010). Available from [www.amnesty.org/en/library/info/MDE13/095/2010](http://www.amnesty.org/en/library/info/MDE13/095/2010).

<sup>16</sup> CCPR/C/IRN/CO/3, para. 12.



### C. Free and fair elections

23. Article 25 of the International Covenant on Civil and Political Rights calls for free and fair elections. Furthermore, according to the Constitution, “the affairs of the country must be administered on the basis of public opinion expressed by the means of elections, including the election of the President, the representatives of the Islamic Consultative Assembly and the members of councils”. A former Member of Parliament (wishing to remain anonymous) conveyed to the Special Rapporteur, however, that the scope for free and fair elections in his country is severely undermined by the Guardian Council’s ability to select candidates. He stated that this power is frequently used to prevent individuals perceived as reformist from participating in elections, and also silences representatives who fear that dissent would invalidate their candidacies. The witness’s account also described widespread fraud during the 2008 parliamentary elections and the 2009 presidential election, which the witness asserted was meant to target candidates deemed to represent a reformist agenda.

24. According to the witness’s testimony, observers in the cities of Tehran, Shiraz, Tabriz and Mashad reported that polls were still open and that uncounted ballots remained in their unopened boxes when the Fars news agency announced the election results at 9 p.m. in the 2008 elections. This raised widespread concerns about fraud and incited a number of Members of Parliament to protest with members of the Ministry of the Interior. Hours following the protest, at midnight, the Ministry reportedly issued a communiqué stating that no media or news agency was allowed to publish results until the release of its official count later that morning. The witness stated that the results released by the Ministry at 8 a.m. that day were identical to those published by Fars prior to the vote count. The witness added that, despite the fact that candidates had three days to contest the vote, the elections were declared valid the Supreme Leader on the day the results were announced, and complaints submitted to the Guardian Council by candidates in the ensuing days were dismissed.

25. The witness also claimed that the Guardian Council also ignored reports of irregularities and fraud submitted by the presidential candidate Mehdi Karroubi in the days following the 2009 election. The witness recalled that the first part of Mr Karroubi’s report described irregularities prior to election day, including various partisan statements made in support of the incumbent President by members of the Guardian Council and the armed forces,<sup>17</sup> despite legal prohibitions on advocacy for candidates by Government officials. The witness also maintained that the report described a lack of access to polling locations by opposition campaign representatives assigned to observe the voting process, and that, like in the 2008 parliamentary election, the early announcement of election results prior to the closure of polling places by Fars had raised concerns about fraud.

26. The witness further cited the interruption of telephone text messaging services (the main source of communication of campaigns during the election). The exceptional size of the winning margin nationwide (even in the hometowns of Mr Karroubi and Mr Mousavi), the breaches of rules governing the confirmation of election results, the existence of 3 million more votes than ballots distributed, and the arrest of three Mousavi campaign workers (Behzad Nabavi, Mostafa Tajzadeh and Mohsen Mirdamadi) and three Karroubi campaign workers (Abdollah Momeni, Issa Saharkhiz and Ahmad Zeidabadi) together with dozens of others on 13 and 14 June, respectively, indicate that the authorities conspired to commit electoral fraud and to allay suspicion and protests.

---

<sup>17</sup> See for example the statement made by the Acting Commander in Chief, Hassan Firouzabadi, on 27 January 2009, at [www.fararu.com/vdcgxu9q.ak9y74prra.html](http://www.fararu.com/vdcgxu9q.ak9y74prra.html).

## D. Administration of justice

27. Article 32 of the Constitution calls for the immediate presentation of charges to persons arrested in accordance with its criminal procedures.<sup>18</sup> The rules that govern criminal procedure also prohibit arbitrary detention and require that families of the detained be informed.<sup>19</sup> The law guarantees access to and representation by legal counsel,<sup>20</sup> and prohibits temporary detention for non-violent crimes, unless there is flight risk.<sup>21</sup> Moreover, article 38 of the Constitution prohibits torture and states that confessions solicited by coercive actions “have no validity whatsoever”. Furthermore, article 14 of the International Covenant on Civil and Political Rights provides for due process and fair trial guarantees, including the right of all persons to a fair and public hearing by a competent, independent and impartial tribunal established by law. These rights are a mainstay of human rights protections and serve as a procedural means to safeguard the rule of law.

28. Reports recently conveyed to the Special Rapporteur, however, suggest that, despite these legal provisions, violations of due process rights are chronic, reducing the likelihood of a fair trial; for example, the majority of persons interviewed for the present report maintained that they were not presented with a warrant or reason for arrest during their interrogations. Several interviewees reported that they had endured unlawful searches and seizures, and had been held for weeks, even months, in solitary confinement without being informed of their charges. All interviewees stated that they had been blindfolded during transfer and their interrogation, and most were unable to contact family members to inform them of their whereabouts and did not have access to legal counsel after their arrest, and during their detention or investigations.

29. Furthermore, a number of interviewees stated that their lawyers only had access to them immediately prior to their trial and did not have access to evidence, case files or witnesses testifying against them. Some also reported that their lawyers had been prevented from presenting an oral defence during trial. In some cases, judges reportedly issued a verdict after a trial that lasted only a few minutes. Several stated that they had been subjected to coercive treatment that is tantamount to torture, including the excessive use of

<sup>18</sup> “No one may be arrested except by order and in accordance with the procedure laid down by law. In the event of arrest, charges with the reasons for accusation must be communicated and explained, without delay, to the accused in writing, and a provisional dossier must be forwarded to the competent judicial authorities within a maximum of 24 hours so that the preliminaries to the trial may be completed as swiftly as possible. Violation of the present article will be liable to punishment in accordance with the law.”

<sup>19</sup> Article 5 of the Law of Respecting Legitimate Freedoms and Citizenship Rights (2004) states that “the principle of ban of arrest and detention of individuals necessitates that when it is compulsory to do so, it should be done on the basis of a warrant and in the manner prescribed by law. The case must be handed over to relevant judicial authorities within the time prescribed and the family members of the arrestee should be informed of the matter.”

<sup>20</sup> According to article 35 of the Constitution, “both parties to a lawsuit have the right in all courts of law to select an attorney; if they are unable to do so, arrangements must be made to provide them with legal counsel.”

<sup>21</sup> Article 132 of the Criminal Code of Procedure states that, “in order to have access to the accused and ensure his prompt presence, and when necessary prevent his flight or hiding or conspiring with another, the judge is duty-bound to, after explaining the charges to the accused, issue one of the following securing orders: (a) obligating to be present by promising on one’s honour; (b) obligation to be present by deciding an obliging amount effective until the completion of trial and execution of the sentence and in case of refusal, changing it to a sponsoring amount; (c) receiving a sponsor or sponsoring amount; (d) receiving bail, which may include cash, bank promissory note or movable or immovable property; (e) temporary detention with accordance to the conditions prescribed by the present law.

solitary confinement, electric shock, severe beatings, threats of rape and threats to detain and/or harm friends, associates and family members. People were also allegedly forced to make on-camera confessions.

## **E. Detention facilities**

30. A compilation of prisoner interviews, public statements and letters submitted to the Special Rapporteur about circumstances in nine of the country's prisons<sup>22</sup> described conditions that fall well below the minimum standards proclaimed by the United Nations,<sup>23</sup> such as severe overcrowding, inadequate access to water, insufficient prisoner segregation practices, extremely poor quality and unhygienic facilities, hazardous ventilation conditions, insufficient access to medical services, paltry nutritional provisions and the perpetuation of violence and use of prisoners to facilitate punishment. The Special Rapporteur spoke with four detainees who had been arrested and detained at the Kahrizak Detention Centre in the days following the 2009 presidential election, and whose testimonies corroborated many of the allegations concerning prison conditions made in the the present report.

## **F. Impunity**

31. Following the closing of the Kahrizak detention centre in July 2009, a parliamentary committee assigned to investigate allegations in January 2010 reportedly established the responsibility of the former Prosecutor General of Tehran, Saeed Mortazavi, for abuses at Kahrizak, and confirmed the death of three prisoners following beatings at the hands of their jailers. On 30 June 2010, the judicial organization of the Iranian Armed Forces announced that 11 members of the Kahrizak prison staff and one civilian had been indicted for their involvement in the above-mentioned crimes. The indictment submitted to the Head of the Military Courts in Tehran charged the defendants with several crimes, including "denying detainees their constitutional rights" and "violating their civil rights". Of those convicted, two were sentenced to death for the deaths of Amir Javadifar, Mohsen Roolhamini and Mohammad Kamrani, and nine were suspended from service, given fines and made to pay compensation, and sentenced to flogging and imprisonment. One of the defendants was acquitted.

32. Masood Alizadeh, Hatef Soltani, Taha Zeinali and a witness wishing to remain anonymous, who were all detained in Kahrizak detention centre, filed a lawsuit against the police for abuse. Three of the interviewees reported being repeatedly threatened and violently intimidated by Government officials to withdraw their claims. Mr. Alizadeh reported that he was attacked and stabbed by two men on 15 October 2010, losing his spleen as a result, and speculated that the incident was connected to his lawsuit. Mr. Soltani stated that he was repeatedly offered bribes, and his own family's safety was threatened. The anonymous witness claimed that he had been severely beaten to force him to withdraw his complaint.

---

<sup>22</sup> Evin Prison, Gohardasht Prison, Qezelhesar Prison, Mashhad's Vakil Abad Prison, Qarchak Prison, Hassan Abad, Khorin Prison, Lakan Prison and Yazd Central Prison.

<sup>23</sup> For example, the Standard Minimum Rules for the Treatment of Prisoners, adopted by the Economic and Social Council in its resolutions 663 C (XXIV) and 2076 (LXII), and the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, adopted by the General Assembly in its resolution 43/173.

33. In a joint statement, the International Federation for Human Rights and the Iranian League for the Defence of Human Rights maintained that the court's investigation was not comprehensive and was remiss in examining the death of at least two other detainees, Ramin Aqazadeh- Qahremani and Abbas Nejati-Kargar, who died as a result of torture soon after being released from the detention centre.<sup>24</sup> All of the plaintiffs interviewed stated that a number of high-ranking officials, whose names were made available to the Special Rapporteur, enjoy impunity for their abuse of several detainees and for their complicity in the Kahrizak crimes.

34. In an open letter to the Special Rapporteur, the "Mothers of Laleh Park" requested that Special Rapporteur to investigate the deaths of their children – Neda Agha Soltan, Sohrab Arabi, Ashkan Sohrabi, Masoud Hashem Zadeh, Mostafa Karim Beigi, Kianoush Asa and Ali Hsan Pour – during the 2009 elections. To date, the Special Rapporteur has only been able to examine one of these cases.

35. The disappearance of Sohrab Arabi during the 2009 election protests received significant media attention. The exact circumstances surrounding his death are still unclear and initial reports suggested that he might have been shot in the streets during peaceful protests, and either died later in hospital or while in police custody. After 26 days of intensive searching and enquiring with officials, the family discovered that Mr Arabi's body was being held by the authorities. The judiciary initially refused to share any information with the family and insisted that Mr Arabi was alive and would eventually be released from prison. The authorities eventually returned his body, which had several bullet wounds. Mr Arabi's mother and other family members have been constantly harassed and threatened following their call for an investigation. Authorities have reportedly raided his family's home and confiscated photos and other belongings. Family members and close friends have also been prevented from visiting Mr Arabi's grave site and are reportedly prohibited from marking the anniversary of his death. The Government has reportedly taken responsibility for the killing of Mr Arabi. In April 2011, the family reportedly received a verbal offer of *diyah* (blood money), and were subjected to considerable pressure to accept the offer and abandon their call for an investigation. The Special Rapporteur calls on the Government to assist him in obtaining further information regarding this and other unsolved cases relating to the post-election protests of 2009.

36. The Special Rapporteur shares the concern of the Human Rights Committee that, to date, a full, impartial and independent investigation into allegations made during and following the presidential elections of 12 June 2009 has still not been conducted. He also shares its concern that responsible high-level officials have not been held accountable.<sup>25</sup> Reports containing allegations of egregious human rights violations that took place in the days and months following the 2009 presidential elections continue to emerge, demonstrating that breaches of the rule of law have not been addressed and that impunity continues to prevail.

37. One such report described the events surrounding the widely publicized raid of Tehran University dormitories aimed at dispersing protestors that gathered on 13 June 2009.<sup>26</sup> A student activist (wishing to remain anonymous) claimed that plain-clothed and regular security forces – who are legally prohibited from entering university campuses –

---

<sup>24</sup> Refworld, UNHCR, "Iran: conviction of police officers; impunity for higher officials", joint statement of FIDH and LDDHI, 5 July 2010. Available from [www.unhcr.org/refworld/country,,,IRN,,4c56acc623,0.html](http://www.unhcr.org/refworld/country,,,IRN,,4c56acc623,0.html).

<sup>25</sup> CCPR/C/IRN/CO/3, para. 15.

<sup>26</sup> Video footage of the raid was presented by BBC Persian, and is available from [www.youtube.com/watch?v=TqZf0JuZxE&feature=related](http://www.youtube.com/watch?v=TqZf0JuZxE&feature=related)

raided dormitory buildings using sticks, daggers, chains, metal rods, Molotov cocktails, teargas, white phosphorous pellets and electrified batons. Dormitory rooms were vandalized and students were beaten. The witness reported being thrown on the ground and beaten with electrified and regular batons by the police, and later arrested and transferred with a group of 50 other students to Shapur Police Station in central Tehran. The students were allegedly deprived of food and water for 24 hours and subjected to beatings.

38. Several organizations also requested the Special Rapporteur to investigate the death of those killed “as a result of individual or mass executions inside and outside the prisons” during the 1980’s. In this regard, he was presented with a catalogue of some 20,000 cases of individuals, including juveniles, affiliated with the Mojahedin-e Khalq Organization (MKO), who have been allegedly executed, abused or tortured by Government authorities since 1980.<sup>27</sup> He also received information from the Habilian Association, which claims to represent 17,000 victims of violence at the hands of MKO members since 1980.

39. The Special Rapporteur is not in a position to examine the above-mentioned cases, but would like to point out that the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran reviewed the matter of mass executions and violence during the 1980’s in 1989, concluding that the allegations of mass murder deserved to be the subject of detailed investigation and information from the Government concerned in conformity with international practice.<sup>28</sup>

40. The Special Rapporteur notes, however, that the failure to resolve thousands of cases of torture and extrajudicial execution is indelibly etched into the consciousness of the Iranian people and should be the subject of a comprehensive examination.

## IV. Situation of human rights

### A. Women’s rights

41. The Special Rapporteur met with representatives of the Communication Network of Women, which claims to represent 1,600 women’s non-governmental organizations across the country. They conveyed their concerns about the Special Rapporteur’s impartiality and expressed their view that gender equality had significantly improved since the establishment of the Islamic Republic, noting that the matter required a comprehensive study of data for the past 30 years. Like the Human Rights Committee, the Special Rapporteur has taken note of the impressive improvements in literacy rates and statistics that show a marked increase in female enrolment in educational institutions since 1990. He also acknowledges reports that the Islamic Republic of Iran is on track for reducing the maternal mortality ratio by 75 per cent between 1990 and 2015.<sup>29</sup>

42. Other reports that focus on women’s rights suggest that additional efforts must be made to facilitate the socio-economic equality of women in the country; for instance, two former female university students explained during an interview that, although the number of women enrolling in Iranian academic institutions is high, women continue to be subject to discriminatory practices that hinder equal access to all the academic and professional

<sup>27</sup> *Fallen for Freedom: 20,000 PMOI Martyrs, Partial List of 120,000 Victims of Political Executions in Iran under the Mullahs’ Regime*, vol. 1 (Paris, People’s Mojahedin Organization of Iran, September 2006).

<sup>28</sup> E/CN.4/1989/26, para. 68.

<sup>29</sup> See United Nations Development Programme, “UNDP Iran and the MDGs”, available from [www.undp.org.ir/index.php/millennium-development-goals/the-mdgs-in-iran](http://www.undp.org.ir/index.php/millennium-development-goals/the-mdgs-in-iran).

opportunities that exist in the country. They pointed out that quotas had been put in place to limit the number of women that can enrol in medicine, Masters and PhD programmes, thus discriminating against women that scored higher than males on entrance exams when female enrolment has exceeded the quota. Furthermore, eight universities have reportedly implemented gender segregation policies on their campuses, some of which have barred women from attending free day classes, forcing them to attend evening classes, which charge tuition fees.

43. According to Fars, eight children were severely burned (some suffering limb loss) on 5 December 2006.<sup>30</sup> The Ministry of Education and Development was found guilty of negligence in the case of the fire,<sup>31</sup> but the legal counsel for the children stated that the final ruling from the court allocated twice as much *diyah* (see paragraph 37 above) to the male victims than the female victims. After public outcry about the discriminatory outcome, State media reported that girls would be paid an equal amount.<sup>32</sup> The Special Rapporteur commends the recent decision to overturn a court ruling to pay girls half the *diyah* allotted to boys for burns and injuries sustained in a school fire. He encourages the Government to reassess all laws that discriminate against women and girls, especially those that place unequal value on their lives and bodily parts.

44. In a report submitted to the Human Rights Committee, the Government noted that efforts to ensure equal representation in high Government offices, such as for judge, had resulted in 614 female judges being approved.<sup>33</sup> The Special Rapporteur also wishes, however, to highlight other reports according to which women do not hold positions as presiding judges in courts of law and that they are deprived of the right to hold various offices of the State. The Special Rapporteur urges the Government to make an effort to improve female representation in decision-making positions of the judicial system and in other Government offices where they are underrepresented.

## **B. Labour unions**

45. Despite the ban on independent unions, some workers have reportedly formed small independent unions for the purpose of advocating for workers' rights; these include bakers in Kordestan, sugar workers in Khuzestan, bus drivers and metal workers in Tehran, and teachers nationwide.<sup>34</sup> Many of these workers and their representatives have allegedly been harassed, intimidated and arrested for their activities. For example, authorities reportedly arrested more than 200 people in Laleh Park after forcibly dispersing a peaceful rally for International Labour Day in May 2009. All are believed to have been released by September 2009.<sup>35</sup>

46. On 24 October 2011, the International Transport Workers' Federation expressed its concern for the former treasurer of a bus drivers' union, Davood Razavi, who was summoned and appeared before the sixth branch of the Evin prison prosecutors office on 24 October 2011. The summons related to a 2006 case involving his organization's accounts and its newsletter. Reportedly, Mr Razavi has been notified that the charges have been dropped. The bus union treasurer, Reza Shahab Zakaria, was charged with "acting against

---

<sup>30</sup> [www.farsnews.com/newstext.php?nn=8609140237](http://www.farsnews.com/newstext.php?nn=8609140237).

<sup>31</sup> [www.farsnews.com/printable.php?nn=8909130398](http://www.farsnews.com/printable.php?nn=8909130398).

<sup>32</sup> <http://fars.isna.ir/default.aspx?NSID=5&SSLID=46&NID=18103>.

<sup>33</sup> CCPR/C/IRN/Q/3/Add.1, para. 9.

<sup>34</sup> Amnesty International, *Determined to Live in Dignity: Iranian Trade Unionists' Struggle for Rights* (London, Amnesty International, June 2011).

<sup>35</sup> *Ibid.*

national security”. It was reported that Mr Zakaria is currently awaiting the end of his trial. The deputy head of the union, Ebrahim Madadi, who was also arrested and sentenced to three and half year on charges of “acting against national security”, was released on 1 December 2011.<sup>36</sup>

47. According to Amnesty International, the President of the Haft Tapeh Trade Union, Reza Rakhshan, was detained for six months and released on \$150,000 bail on 19 January 2010.<sup>37</sup> The President of the Union of Workers of the Tehran and Suburbs Bus Company, Mansour Osanloo, who was serving a five-year sentence on charges of “acts against national security” and “propaganda against the system” was temporarily released on 2 June 2011.<sup>38</sup>

### C. Human rights defenders and prisoners of conscience

48. The Special Rapporteur wishes to express his disappointment at the recent conviction of Sohrab Razzaghi, former Allameh Tabatabaee faculty member, human rights advocate and Head of the Volunteer Actors Institute. Mr Razzaghi was tried in absentia and sentenced in January 2012 to 20 years in prison and a fine of \$760,705 on charges of “forming a group with the intent to overthrow the regime and act against national security”, “keeping top-secret information in order to make the same available to foreigners”, “collusion with the intent to overthrow and act against national security”, and “receiving funds from international organizations”. Mr Razzaghi’s attorney, Abdolfattah Soltani, is currently in prison on security-related charges.

49. The Special Rapporteur is also concerned for the safety of human rights defender Kouhyar Goudarzi, who was arrested on 31 July 2011 and has been held incommunicado in Evin Prison ever since. It has been reported that neither his family nor his legal counsel has had access to Mr Goudarzi. Several reports maintain that his mother, Parvin Mokhtareh, was arrested and tried on 6 September 2011 on charges relating to her advocacy for her son. The Special Rapporteur calls on the Government to disclose the location of Mr Goudarzi, to allow him access to his family and a legal counsel, and to immediately release him as well as his mother.

50. Elham Ahsani, a university student and active member of Mourning Mothers, was arrested together with her brother Nadar Ahsani by security forces on 8 February 2010 at her home in Tehran, then taken to section 209 at Evin Prison. She was blindfolded, subjected to threats against her family and was threatened with rape and execution throughout her detention period. The charges brought against her included “propaganda against the system”, “acts against national security”, “membership of an illegal group”, participation in clashes during *Ashoura* 2009 and dissemination of information outside the country. She was denied family visits and had no access to a lawyer. She spent 40 days in detention before being released on bail. Her case file remains open, and a judgement has yet to be issued. She has since fled the country. Mr Ahsani was given two years imprisonment.

51. Lastly, the Special Rapporteur wishes to highlight reports about Ayatollah Seyyed Hossein Kazemyani Boroujerdi, who remains in prison for his political opinions. Recent

<sup>36</sup> Payvand Iran News, “Imprisoned Iranian trade unionist Ebrahim Madadi freed”, 12 January 2011. Available from [www.payvand.com/news/11/dec/1008.html](http://www.payvand.com/news/11/dec/1008.html).

<sup>37</sup> Amnesty International, *Determined to Live in Dignity* (see footnote 39).

<sup>38</sup> See International Campaign for Human Rights in Iran “Parvaneh Osanloo: ‘We are innocent. We ask anyone who can to help us’”, 27 June 2010. Available from [www.iranhumanrights.org/2010/06/parvaneh-osanloo/](http://www.iranhumanrights.org/2010/06/parvaneh-osanloo/); and Amnesty International, *Determined to Live in Dignity* (see footnote 39).

reports allege that Mr Boroujerdi's health has continued to deteriorate and that he has insufficient access to medical treatment. In November 2011, his cellmate reportedly made an attempt on his life, an attack allegedly orchestrated by authorities; reports maintain that Mr Boroujerdi remains in danger. The Special Rapporteur reiterates his call for urgent adequate medical access for Mr Boroujerdi and for his immediate release.

#### **D. Journalists**

52. The Islamic Republic of Iran has detained more journalists than any other country in the world, with 42 journalists currently imprisoned.<sup>39</sup> According to reports received by the Special Rapporteur, at least 150 journalists have fled the country since the presidential election of 2009 owing to fear of repression and persecution. In a letter to the Special Rapporteur, Reporters without Borders stated that approximately 50 publications had been suspended since the election, and that most press trials are conducted in private, despite the fact that the Constitution stipulates that press trials must be judged by a jury.<sup>40</sup> It was also reported that journalists are frequently barred from appearing at their trials and are often informed of their sentences in prison.

53. In an interview, two recently detained journalists (who wish to remain anonymous) reported increasing censorship in the country. One stated that "authorities used to tell us before what not to write, and now they are telling us what to write as well". The reporters claimed that the Ministry of Cultural Guidance and/or the National Security Council often directly censored newspapers by telling them what issues to cover through memos or telephone calls. One interviewee stated that newspaper editors were called and threatened to refrain from writing about reformist politicians, and that the Office of the Supreme Leader had instructed the press to refrain from reporting on allegations of widespread corruption in the country. They reported that press offices were raided and searched, and equipment was often confiscated. Reporters are frequently banned from journalism in the absence of court rulings, which forces journalists to practice self-censorship.

54. Mohammad Reza Yazdanpanah, a journalist who works for reformist newspapers and websites, was arrested on 7 July 2009 for his support for and role in post-presidential election protests. He was held incommunicado, and spent 18 days in solitary confinement and interrogated for giving interviews to foreign media outlets, establishing relations with the diplomatic community, and participating in the post-election unrest. Throughout his detention, Mr Yazdanpanah was threatened with rape and subjected to treatment amounting to torture, and to certain humiliating practices. He was forced to stand for 48 hours without food and water. He was released after posting bail equivalent to \$200,000. Two weeks after his release, Mr Yazdanpanah was summoned by the Ministry of Intelligence, where he was allegedly forced to make a confession.

55. Another journalist (also wishing to remain anonymous), reported having been arrested during the post-election protests in 2009 and taken to Ward 209 in Evin Prison. The journalist described detention in solitary confinement and interrogations by individuals that possessed recordings of the journalist's conversations and e-mail correspondence. The witness reported being blindfolded and threatened with rape and solitary confinement during interrogations in order to force confession and cooperation. The witness was

---

<sup>39</sup> Committee to Protect Journalists, "2011 prison sentence: 179 journalists jailed worldwide", 1 December 2011. Available from [www.cpj.org/imprisoned/2011.php](http://www.cpj.org/imprisoned/2011.php).

<sup>40</sup> According to article 168, "political and press offences will be tried openly and in the presence of a jury, in courts of justice. The manner of the selection of the jury, its powers and the definition of political offences are determined by law in accordance with Islamic criteria."



released on \$100,000 bail after a month. The witness was summoned after two months and was formally charged with propaganda against the system.

## **E. Students**

56. The Special Rapporteur is disturbed by reports of violations of students' rights to freedom of expression, association and assembly (see annex, section B). He is also concerned by reports of students being deprived of their right to education on the basis of their political and student activities critical of Government or university policies. Ali Nezeri, a student activist, described the use of university disciplinary committees to punish students for their political activities on and off campus. He claimed that disciplinary procedure was often breached and that the fate of students was decided by external bodies. Mr Nezeri reported that he was summoned twice by the committee at his university; once for his activities with the Islamic Student Association, and once for protesting against the university's lack of safety standards after two students died in university dorms from carbon monoxide poisoning.

57. The Special Rapporteur received a number of reports regarding the arrest of Rozhin Mohammadi, a medical student at Manila Medical School of the Philippines, on 14 November 2011 at Imam Khomeini Airport in Tehran. According to sources (wishing to remain anonymous), Ms Mohammadi was visiting family when arrested. She was reportedly released the following day after posting bail. Following her release, security forces raided her father's home and confiscated her personal belongings. She was rearrested on 23 November 2011 and taken to Evin Prison. It is feared that Ms Mohammadi might be subjected to solitary confinement and other forms of abuse and torture. There has been no news about her since her arrest, and her family and defence counsel have been denied visiting rights.

58. In a letter to the Special Rapporteur, the Human Rights Commission of Daftar Tahkim Vahdat stressed the important contribution that student organizations and their members make to improving academic life and to defending student and human rights. The peaceful efforts of students – including the hosting of lectures and the publication of articles – are often met with punitive university or Government measures. Citing statistics on the treatment of student activists based on information gathered from news sources, the Commission maintains that, since March 2009, there have been 436 arrests, 254 convictions and 364 cases of deprivation of education. Moreover, 144 students have been summoned by the judiciary, and 13 student publications have been forcibly closed. The Commission also gave the names of 32 student activists currently in prison for their activities.

## **F. Unrecognized religious communities**

59. The Special Rapporteur continues to be alarmed by communications that demonstrate the systemic and systematic persecution of members of unrecognized religious communities, particularly the Baha'i community, in violation of international conventions. Moreover, the Government's tolerance of an intensive defamation campaign meant to incite discrimination and hate against Baha'is violates its obligations as set out in article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination. According to one report, 440 instances of slanderous speech against Baha'is were published

or broadcasted in the past two years. One such article, posted by the Rasa news agency on 8 March 2011,<sup>41</sup> accused the Baha'i community of attempting to subvert Islam.<sup>42</sup>

60. Baha'is continue to be arbitrarily arrested and detained for their beliefs, in violation of the International Covenant on Civil and Political Rights. In a report submitted to the Special Rapporteur, it was alleged that 474 Baha'is had been arrested since August 2004. Of that number, 97 were currently imprisoned (see annex, table IV); 199 had been released on bail and were awaiting trial; 26 had been released without bail; 96 had been tried and sentenced, and free pending appeal or summons to begin serving their sentences; 34 had been tried and sentenced and had completed their prison terms and/or paid a fine; 14 sentences had been overturned on appeal; and 5 Baha'is had served their prison sentences and begun their terms of internal exile. An additional 35 arrests were reportedly made between August and November 2011.

61. Baha'is are subjected to severe socio-economic pressure, in violation of the International Covenant on Economic, Social and Cultural Rights; in some cases, they have been deprived of property, employment and education. In recent months, for example, 10 shops and a well owned by Baha'is in two cities in Semnan Province were sealed by the authorities. Moreover, copies of several unsettling Government documents dating back to 1991 prescribe deprivation of education, the establishment of an office to counteract Baha'i publications, the denial of "positions of influence" to them and the trades prohibited for them. One Baha'i student reported in an interview that 800 Baha'is were denied university admission the year that his application was denied. In addition, several Baha'is recently arrested were affiliated with the Baha'i Institute for Higher Education, which is a university designed to educate Iranian Baha'is that are excluded from education.<sup>43</sup>

## G. Ethnic minorities

62. The Special Rapporteur continues to receive reports about human rights violations affecting ethnic minorities, in law and in practice. As at 31 October 2011, 15 Kurdish activists were reportedly on death row on charges including "acting against national security", "corruption on earth" and espionage. Minorities also continue to be subjected to intense socio-economic discrimination and pressures, including land and property confiscation, denial of employment and restrictions on social, cultural and linguistic rights, in violation of the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Economic, Social and Cultural Rights.

63. Farzad Kamangar, a Kurdish teacher, was executed together with three other Kurds on 9 May 2010, at Evin Prison. Close family members reported that Mr Kamangar was denied a fair trial and that his execution was carried out in secret. Mr Kamangar was arrested by the Ministry of Intelligence in 2006 and sentenced to death on charges of *Moharebeh* (see paragraph 22) and for alleged membership of and activities with the Kurdistan Workers' Party. In an interview, it was reported that Mr Kamangar was initially held incommunicado and subjected to various forms of torture, including threats of rape and against the safety of family members. Mr Kamangar was reportedly sentenced to death

<sup>41</sup> Baha'i International Community, *Inciting Hatred: Iran's media campaign to demonise Baha'is*, October 2011. Available from <http://bic.org/resources/documents/inciting-hatred-book>.

<sup>42</sup> [www.rasanews.ir/Nsite/FullStory/?Id=99956](http://www.rasanews.ir/Nsite/FullStory/?Id=99956).

<sup>43</sup> In a statement reported by the State news agency ISNA on 4 June 2011 ([www.isna.ir/ISNA/NewsView.aspx?ID=News-1780417](http://www.isna.ir/ISNA/NewsView.aspx?ID=News-1780417)), the Ministry of Science and Technology declared the activities of the Baha'i Institute for Higher Education illegal and that all diplomas and degrees issued by it had no legal validity.

in early 2008, after a trial that reportedly lasted seven minutes. He was denied access to his lawyer and family members. Despite numerous requests by family members, authorities have refused to return his body or help locate his grave.

64. The Special Rapporteur was also informed of the systematic killings of *kulbars* (back carriers) and *kasebkaran* (tradesmen), Kurds residing in border areas. The *kulbaran*, who ferry cargo across the border on their backs or smuggle commodities such as tea, tobacco and fuel to earn a living, are particularly affected. Iranian law regards the activities of the *kulbari* as a crime that is punishable by several months of detention or a fine equal to the value of the seized commodities. The Special Rapporteur received reports, however, that Iranian border guards indiscriminately shoot at these individuals, thereby killing and wounding dozens of *kulbari* annually, as well as their horses.

65. Members of the Baloch, a Sunni religious community and ethnic minority, are reportedly subject to multifaceted discrimination, harassment, mistreatment, arbitrary arrest and even executions. According to reports received by the Special Rapporteur, areas with a Baloch majority are underdeveloped and frequently face the problems raised by limited access to housing, education, health care and employment. Their freedoms of expression and religion are also curtailed. Concerns were also expressed about the low level of Baloch participation in public life, given that they are underrepresented in high-ranking Government positions. Furthermore, the application of the Gozinesh criterion, a procedure that requires prospective State officials and employees to demonstrate their allegiance to the Islamic Republic of Iran and the State religion of Shia Islam, has further alienated the Baloch and severely limited their employment opportunities and political participation.

66. The Special Rapporteur learned that 57 people arrested during the protests to save Lake Urmieh from drying out in 2011 were recently sentenced to a total of 26 years imprisonment and 1,390 lashes. A total of 112 people were tried, of whom 55 were acquitted and 57 were given prison sentences, lashings or both. Those convicted reportedly included five women and nine people under the age of 18. The Special Rapporteur received reports that many of those arrested and convicted were subjected to inhuman treatment during their interrogations. Other reports described the arrest and detention of 65 ethnic Arabs in Khuzestan Province since late 2011, allegedly in response to their calls for a boycott of upcoming parliamentary elections and anti-Government slogans.

## H. Treatment of the lesbian, gay, bisexual and transgender community

67. The Special Rapporteur shares the concern of the Human Rights Committee that members of the lesbian, gay, bisexual, and transgender community face harassment, persecution and cruel punishment and are denied their basic human rights, including their right to life.<sup>44</sup> The current Penal Code criminalizes same-sex relations between consenting individuals, while article 109 of the Islamic Penal Code states that “both parties to gay sex are equally criminally liable and could face severe punishment, including the death penalty”. In September 2011, three men were reportedly executed under the country’s sodomy laws.<sup>45</sup> Iranian officials often qualify homosexuality as a disease, and insist on applying stringent punishment for acts perceived as homosexual in nature. For example, in 2011, two prominent Iranian soccer players were indefinitely suspended and fined for committing an “immoral act” on the field by appearing to intimately touch each other during goal-scoring celebrations.

<sup>44</sup> CCPR/C/IRN/CO/3, para. 10.

<sup>45</sup> Reported by ISNA (<http://khuzestan.isna.ir/Default.aspx?NSID=5&SSLID=46&NID=16917>).

68. Human rights defenders who advocate for members of the lesbian, gay, bisexual and transgender community are often subject to Government intimidation and prosecution. Dr. Houtan Kian, a lawyer who has defended individuals accused of sodomy and adultery, was officially indicted on 11 charges, including defamation of the Iranian judiciary, espionage, disclosing secret and classified information (relating to information on the murder of political prisoners by the Government through undetectable medical methods), fraud and falsifying identities.<sup>46</sup> He has reportedly been severely tortured, including sustaining close to 60 cigarette burns on his body, especially around his genitals and on his legs.

## V. Conclusions and recommendations

69. **The Special Rapporteur has catalogued allegations that produce a striking pattern of violations of fundamental human rights guaranteed under international law. He restates his call for the Government to respect its international obligations, and underscores the pre-eminence of international human rights law, as it relates to the need to develop domestic laws that are compatible with international human rights laws and national standards. This includes the guarantees stipulated in the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Consequently, he urges the Government to reconsider the Parties and Associations Law Reform Plan, the bill on the establishment and supervision of non-governmental organizations, the bill aimed at the review and discipline of Members of Parliament, and the family protection bill, as well as security laws, to ensure that they do not contravene international standards.**

70. **The Special Rapporteur emphasizes the need to explicitly define actions that constitute crimes against national security, and encourages the Government to ensure that peaceful activities that are considered to be protected by freedom of expression, association and assembly are not criminalized. He reiterates his call for the immediate release of all political prisoners and prisoners of conscience and calls upon the Government to protect the space for public criticism or advocacy.**

71. **The Special Rapporteur joins the Human Rights Committee in its call for an extensive, impartial and independent investigation into the violence in the weeks and months that followed the presidential election of 2009. Similarly, he calls for further investigations into the numerous allegations of custodial violence and deaths at Kahrizak prison and other places of detention in order to implicate individuals that have not yet faced prosecution.**

72. **The Special Rapporteur urges the Government to prohibit the death penalty for cases that do not meet the standard of “serious crime” as defined by international law, and recommends that authorities commute capital sentences for individuals whose crimes do not meet that standard. He also calls upon the Government to seriously consider a moratorium on the death penalty for all crimes until such time as effective enforcement of due process rights may be meaningfully demonstrated, and**

---

<sup>46</sup> Dr. Kian’s situation was discussed in an interview with his former lawyer, Taghi Mahmoudi ([www.hra-news.org/2/00/9648-1.html](http://www.hra-news.org/2/00/9648-1.html)), who claimed that Dr. Kian had been tried in three different counts: the 15th branch of the Tehran Revolutionary Court, in which he was acquitted of a charge of blasphemy; the 104th Branch of the Criminal Court in Tabriz, where he was acquitted of forgery; and the First Branch of the Revolutionary Court in Tabriz, which found him guilty of national security charges.

urges the Government to allow for legal representation of accused persons at all stages of investigations.

73. The Special Rapporteur also recommends that the Government prohibit the execution of juveniles, as prescribed by international law, and that authorities consider commuting all capital sentences for juveniles currently facing a death sentence. Lastly, the Special Rapporteur welcomes the omission of the stoning penalty in the new Penal Code, but encourages the Government to take steps to explicitly restrict the use of this punishment, and calls on the Government to commute existing sentences for execution by stoning.

74. Lastly, the Special Rapporteur continues to stress the critical need for greater transparency and closer engagement with the Human Rights Council and United Nations human rights mechanisms in strengthening human rights safeguards for all in the Islamic Republic of Iran. The Special Rapporteur recalls that the State accepted 123 recommendations made during its universal periodic review, and recommends that a voluntary mid-term review could provide a more transparent way to demonstrate their implementation. The Special Rapporteur encourages the Government to engage fully with special procedures mandate holders and to facilitate their access to the country, in compliance with the standing invitation issued in 2002. He also urges the Government to collaborate in the fulfilment of his mandate and to respond positively to his requests for a country visit.

## Annex

### **Additional reports of human rights violations in the Islamic Republic of Iran**

#### **I. Kahrizak Detention Center Cases**

1. Masood Alizadeh, Hatef Soltani, Taha Zeinali, and a witness who wishes to remain anonymous were separately interviewed from 31 October - 3 November 2011. They all testified that they were arrested on 9 July 2009 at different locations by plainclothes forces during a city-wide protest. They reported that they were beaten severely, and transferred with approximately 250 people to the Prevention Police Headquarters in Enghelab Square. All four interviewees stated that the investigative Judge, whose name was made available to the Special Rapporteur, came to the police headquarters on 10 July 2009, where he distributed a list of charges against the protestors and beat a number of prisoners.

2. They reported that they were transferred to Kahrizak Prison and placed in a 70 sq. meter cell with no ventilation and one toilet with about 124-146 other prisoners, some of whom were incarcerated for violent crimes, such as murder and rape. These prisoners were said to dole out punishments to the protestors. It was also said to be so crowded in the cell that individuals had to take turns sleeping while others stood. Authorities reportedly pumped gas exhaust fumes into the cell when they wanted the prisoners to be quiet.

3. The interviewees stated that detainees were taken outside barefoot the next day, directed to form a circle, and told to walk around the searing asphalt yard while squatting. They asserted that everyone suffered burns to their feet and those unable to perform this task suffered from burns to the hands and knees as a result of crawling on the asphalt. Those that were unable to follow this order were reportedly beaten with PVC pipes. The unnamed witness corroborated the abuse and torture of Masood Alizadeh on the second night of their detention. Both men testified that a prisoner was ordered to pick protestors to be hung from the ceiling in order to "teach others a lesson and to make them cooperate." Mr. Alizadeh was randomly chosen, hung from the ceiling by his feet, and beaten. Mr. Alizadeh passed out from the 20 minutes beating. After being unhooked, Mr. Alizadeh stated that he immediately endured another beating from a prisoner on orders from the authorities, and sustained multiple head wounds as a result. His wounds went untreated until after he was transferred from Kahrizak Prison.

4. By the third day all the wounds sustained during beatings were infected, and most of the detainees reportedly had eye infections. The heat in the cell was described to be "intense", and the witnesses stated that people were passing out as a result, including a prisoner named Amir Javadifar who reportedly had broken bones when he arrived in his cell. The interviewees said the detainees pounded on the door and until a guard agreed to let them out for a 15 minute fresh air break. Several individuals were sent to the prison yard to seek medical treatment for their infections and broken bones at that time. However, their request for painkillers and treatment for their injuries were reportedly ignored. Amir Javadifar was allegedly told to stop pretending to be sick by the physician on duty. All four witnesses reported that Mohsen Rooholamini, and Mohammad Kamrani were also refused medical treatment. All three men reportedly died from their injuries.

5. The detainees were prepared to be transferred from Kahrizak to Evin Prison on the fifth day. The Head of the Detention Center reportedly beat the prisoners for "not getting dressed fast enough". The witnesses stated that Amir Javadifar died during this transfer to Evin Prison as a result of negligence. They stated that detainees complained to the

authorities about his breathing and that his condition appeared serious, however, no medical treatment was provided until CPR was performed by another detainee when Mr. Javadifar stopped breathing. The prisoners were transferred to Evin Prison that evening and allowed to contact their families after a week.

## II. Students' cases

6. Nasseh Faridi, former Secretary of Tehran Tarbiat Moallem University Islamic Association, was sentenced to 6 years in prison and 74 lashes by Branch 26 of the Tehran Revolutionary Court, on charges of "acting against national security," and "disruption in public order". Faridi reported that he was arrested on the evening of 14 June 2009, after a raid on his campaign headquarters in connection with his efforts to communicate developments surrounding the presidential elections to international news stations.

7. Alireza Kiani, a former student activist at Mazandaran University, was arrested on 4 November 2010.<sup>a</sup> A source who wishes to remain anonymous for security reasons stated that Mr. Kiani's arrest was connected to his membership and work with the Central Council of Daftar Tahkim Vahdat, which criticized various government policies; his publications and statements supporting opposition candidates in the 2009 presidential elections; and his communications with foreign media. The source reported that Mr. Kiani was held in solitary confinement for 20 days and was charged with "assembly and collusion with the intent to act against national security". He has since been banned from defending his thesis and graduation.

8. In a report to the Special Rapporteur, Dr. Maleki, a retired university professor and the first president of the University of Tehran after the Islamic Revolution, wrote that his home was raided at 8 am on August 22, 2009 by the Intelligence Ministry. He stated that a piece of paper was shown to him from a distance upon his request to see a warrant, and his home was searched, and belongings confiscated, including legal books, his computer hard disk, cell phone and medical equipment. He was arrested on his sick-bed, transferred to Evin Prison, and placed in solitary confinement for approximately three months. He also stated that he was insulted, blindfolded, and abused during interrogations. Dr Maleki reported that after 191 days he was released on furlough due to his cancer. He was accused of "*Moharebeh*" (enmity with God), and "acting against national security", and was sentenced to one year in prison.

9. A student activist, who wishes to remain anonymous reported that s/he was arrested and transferred to Ward 2-A in Evin Prison following his participation in student gatherings that took place on 4 November 2009. The victim maintained that s/he was blindfolded and severely beaten to the point of unconsciousness during interrogations for the purposes of obtaining email username and password. S/he was allegedly tortured with the use of a small box known as the "dog house", and denied medical treatment for pain. S/he was later charged with "acting against national security" and "participating in an illegal gathering". The victim was reported to have made false confessions to having connections to foreign governments as a result of his treatment. S/he was later released on \$150,000 bail in August 2010.

10. Mehdi Arabshahi, student activist, was recently released from prison where he was serving a two and half year sentence, due to his medical condition. A reliable source who wishes to remain anonymous reported that Mr. Arabshahi underwent almost a dozen interrogations during his 240-day detention in solitary confinement. The source alleged that

---

<sup>a</sup> Human Rights Hous of Iran; <http://www.rahana.org/en/?p=7971>

Mr. Arabshahi was blindfolded, verbally abused, threatened, and beaten during his interrogations. He was reportedly questioned about interviews he gave to the foreign press, about his role in the 2009 Ashura protests, and about the membership and activities of his student organization, Daftare Tahkim Vahdat. Mr. Arabshahi reportedly suffered a heart attack and was released from prison upon medical advice on \$100,000 bail. The source also reported that Arabshahi has since been threatened by authorities to refrain from political activity.

11. Hassan Asadi Zeidabadi is a central council member of the Graduate Alumni Organization (Advar Tahkime Vahdat). He has been arrested and detained twice for his student activities. A witness who shall remain anonymous reported that Mr. Zeidabadi was held in solitary confinement for 30 of his 40 days in detention following his arrest on 3 November 2009, after which he was released on \$100,000 bail. The witness reported that Mr. Zeidabadi was not allowed to defend himself during his 4 August 2010 trial, and that it was clear that the judge had already made up his mind about charges of “conspiracy and assembly to disturbing public order,” “propaganda against regime”, “insulting president”, and “participation in illegal Marches”. Mr. Zeidabadi is currently serving his 5 year sentence.

12. Salman Sima was arrested for a second time on 12 June 2010 for his student activities in protest of the 2009 presidential election outcome. Mr. Sima reported that he was blindfolded, threatened, and beaten during his interrogations. He learned of his 6-year sentence for charges of “disrupting the public order and attending illegal gatherings” and “collusion and conspiracy” that were filed against him in November 2009 while in prison awaiting the outcome of his second arrest. He was released on 5 July 2010 on US \$100,000, and has left the country.

13. Ali Jamali is currently serving a 4-year sentence for “insulting the Supreme Leader”, “insulting the President”, “anti-regime propaganda”, and “gathering and conspiracy to disturb public order.” A witness who shall remain anonymous reported that Mr. Jamali and his family were repeatedly threatened for their participation in the 2009 election protests. The witness also stated that Mr. Jamali’s wife was also fired from her job in connection with her husband’s activities.

14. Hamzeh Ghalebi was the head of the Youth Branch of Mir-Hossein Mousavi's campaign during the June 2009 election. He was detained on 20 June 2009 by plainclothes agents and transferred to Ward 2-A of Evin Prison, where he was reportedly blindfolded, beaten and threatened with execution during his investigation.

15. Mohammad Sadeghi was arrested for the fourth time on 3 November 2009. Mr. Sadeghi reported that his home was searched, belongings seized, and he was transferred to solitary confinement in Ward 209 of Evin Prison. Mr. Sadeghi reported that he spent 12 days in the 1.5 x 2 meter cell without any human contact, stating that the only way he knew the time of day by hearing the calls to prayer. He asserted that his pleas to go to prayer were met with beatings by prison guards. He was only allowed to contact his family to inform them of his whereabouts after 25 days. He was charged with “acting against national security”, “assembly and collusion with the intent to disrupt national security,” propagating against the regime and creating public anxiety.” He was released on \$100,000 bail on 12 December 2009.



**Table I***32 Students Currently Detained*

<i>Name</i>	<i>Charges</i>	<i>Sentence</i>	<i>Arrest Date</i>	<i>Details</i>
Ali Ajami	Propaganda and conspiracy against the regime	4 years	2/1/10	Sentence later reduced to 2 years
Javad Alikhani	no information	5 years	Fall 2007	Sentence later reduced to 3 years.
Peyman Aref	Propaganda against the regime Insulting the President	1 year 74 lashes	2/1/10	2009 Elections. Charged 03/2010. Sentenced to a lifetime ban from journalism and any membership in political parties
As'ad Bagheri	no information	no information	Sep 2011	
Rahim Bajor	no information	no information	10/13/11	no information
Babak Dashab	Assembly & conspiracy against national security Propaganda against the regime	6 years	2/1/09	Sentence later reduced to 5 years; Some reports show 2/3 of his sentenced was forgiven on the occasion of Fetr Eiid
Majid Dorri	Muharebeh Acting against national security Disturbing public order	11 years	7/1/09	ACRE member, Charged 12/2009, Sentence reduced to 6.5 years
Mahdie Golrou	Propaganda against the regime Assembly and collusion to disrupt national security	2 years 4 months	12/1/09	3.4 years total- combined with 1 year suspended imprisonment for similar charges. Sentence later reduced to 2 years on 07/25/2010
Kouhyar Goudarzi	Propaganda against the regime	1 year	1/1/09 12:00 AM	Election Protestor, Arrested again 07/31/2011 Held Incommunicado, charge unknown
Saiid Jalalifar	Assembly & conspiracy against national security Propaganda against the regime	3 years	8/1/11	2nd arrest (December 2009, 4 months detention without charges) Banned from education,

<i>Name</i>	<i>Charges</i>	<i>Sentence</i>	<i>Arrest Date</i>	<i>Details</i>
Bahareh Hedayat	Conspiracy against the regime Insulting the Supreme Leader Insulting the President Propaganda against the regime	7.5 years	12/31/09	Student activist arrested on 5 separate occasions. 9.5 years total- combined with 2 years of suspended imprisonment for acting against national security, member of the Islamic Student Association
Mehdi Khodaii	Acting against national security Propaganda against the regime	7 years	3/1/09	Charged 10/2010
Omid Kokabee	Assembly and collusion to disrupt national security	pending trial conclusion	Feb-11	Trial 10/04/2011. Texas University student being held for having contact with "hostile countries"
Habibollah Latifi***	Muharebeh	Death Penalty	Oct-07	Charged 07/2008; Awaiting execution
Shabnam Madadzadeh	Muharebeh Acting against national security	5 years	2/20/08	Former political secretary of Tarbiat Moalem's Islamic Student association; Banned from education. Charged 02/20/2009
Hossein Ronaghi Malaki	Membership in Iran Proxy Network Insulting the Supreme Leader and President by blogging	15 years	Dec-09	Charged 10/2010. Member of Iran Proxy as an anti-filtering group who has tried to combat against censorship on the Internet
Ali Malihi	Acting against national security	4 years	2/19/10	\$100 fine for Insulting the President
Arash Mohammadi	no information	Not Provided	11/1/11	
Rojin Mohammadi	no information		10/30/11	Held Incommunicado, charge unknown.
Siavash Mohammadi	no information	Not Provided	11/1/11	
Ali-Akbar Mohammadzadeh	Illegal assembly/propaganda against the regime	6 years	2/15/11	
Hamed Rouhi Nejad	Communication with one of the opposition- Anjoman Padeshahi	Death Penalty	Apr-09	2009 Elections. Sentence later reduced to 11 years.
Atefeh Nabavi	Conspiracy & propaganda against the regime	4 Years	6/15/09	acquitted of the charge of "having relations with MEK". Sentence later reduced to 3 years.

<i>Name</i>	<i>Charges</i>	<i>Sentence</i>	<i>Arrest Date</i>	<i>Details</i>
Zia Nabavi	Gathering and colluding against national security	3 years	6/15/09	
	Propaganda against the system	1 year		
	Disturbing public order	1 year		
	Links to and co- operation with the PMOI	10 years to be served in internal exile		
Arash Sadeghi	Spreading anti-government propaganda	6 years, 74 lashings		Ashura Protestor, 2nd arrest (18th of Tir protestor, 3 years)
	Colluding against the government.			
Hamid Salavatinejad	no information		8/24/11	Held Incommunicado, charge unknown.
Fereshteh Shirazi	Charged in relation to her women's rights activities	3 years	9/4/11	Charged 12/2011. Member of the one million signature campaign, Women's rights activist
Majjid Tavakoli	Assembly and conspiracy against the regime	8 years	12/7/09	Charged 01/2010, 3rd Arrest-(2007, 15 months in jail for student newsletter fabrication: 2008, 115 solitary confinement, ceremony of Bazargan)
	Propaganda against the regime			
	Insulting the Supreme Leader			
	insulting the President			
Hamed Omid	Assembly & conspiracy against national security	3 years	Feb-10	Participation in Kurdish demonstration, Judge also expelled him from University and banned all future education and degrees
Hamed Yazerlou	Having relations with opposing groups of the Islamic Republic	3 years	2/20/09	2009 Elections.
Arman Zamani	no information	no information	Nov-11	
Faraz Zehtab	Propaganda against the regime	6 months	Jun-09	

<i>Name</i>	<i>Charges</i>	<i>Sentence</i>	<i>Arrest Date</i>	<i>Details</i>
Hassan Asadi Zeidabadi	Conspiracy and assembly to disturbing public order  Propaganda against the regime  Insulting the President  Participation in illegal marches	5 years	Aug-10	2nd arrest (November 2009, 40 days detention)
Shahin Zeinali	Acting against national security  Membership in the Pan-Iranist party	2 years 3 months	12/16/10	

### III. Ethnic minorities' cases

16 Karim ( Rebin ) Rahmani, human rights defender, was arrested in Kermanshah on November 19, 2006, and charged with "acting against national security". He reported that he was working on research, which consisted of interviewing addicts and traffickers, and he speculated that he was arrested, because his work concluded that government officials were involved in drug trafficking. Mr. Rahmani reported that he was severely beaten for several hours and detained in the "Meydan-e Naft" detention center for 20 days. He was accused of preparing a report for foreign media, and the international community implicating officials with engaging in drug trafficking. Mr. Rahmani was denied the right to choose his own lawyer, and the right to post bail. He reported that he was psychologically tortured with threats to his family, which promoted him to attempt suicide. He was sentenced to two year in prison.

17. Behzad Kordestani, a Kurdish poet has been arrested twelve times in the past 10 years. He reported in an interview that he has never been presented with an arrest warrant. His last arrest took place in August 2010. Mr. Kordestani stated that after 8 hours of interrogation, he was informed of his "unfounded" charges of (1) "cooperation with political parties and group lets (opposition/armed groups)" (2) propagating falsehoods, (3) acting against national security, and (4) espionage." He stated that he was held for 79 days and left in solitary confinement for 12 of those days, with no human contact. He stated that he was flogged on the soles of his feet, forced to remove his clothing, beaten with an electric baton, and electrocuted to the point of unconsciousness during interrogations. He further reported that his interrogator "told me that if I did not cooperate 'I would kill you like I killed Ebrahim Lotfollahi'," (a Kurdistan University student who allegedly died under torture.

18. The verdict releasing Saeed Mughanli, Azerbaijani, poet and journalist from a 6 month sentence was announced on 19 October 2011. The verdict cleared him of the charge of cooperation with the United States when attending a journalism training course in Azerbaijan. Additional charges of acquiring illegal funds by attending the journalism course and "propagating against the regime" were brought against him. He was sentenced to 6 months imprisonment.

**Table II***15 Kurdish Detainees Sentenced to Death*

<i>Name</i>	<i>Offense</i>	<i>Sentence</i>	<i>Arrest Date</i>	<i>Details</i>
Mohammad Amin Abdollahi	Muharebeh Acting against national security	Death Penalty	2008	Membership of Kurdish group. Charged 01/16/2010. second arrest- first in 2005 when charged with anti-regime propaganda
Ali Afshari	Muharebeh Acting against national security	Death Penalty	12/14/10	Membership of Kurdish group. Charged 08/2011.
Rashid Akhkandi	Muharebeh	Death Penalty	May-08	Kurdish man accused of links to Kurdish opposition party; Charged in 2009. Reference HRC Report A/HRC/16/NGO/25; 02/22/2011
Habibollah Golparipour	Muharebeh	Death Penalty	Nov-09	Kurdish man accused of links to Kurdish opposition party; Charged on 05/07/2010
Seyyed Sami Hosseini	Muharebeh	Death Penalty	6/4/08	Kurdish man accused of links to PJAK. Reference HRC Report A/HRC/16/NGO/25; 02/22/2011
Habibollah Latifi	Muharebeh	Death Penalty	10/23/07	Kurdish man accused of links to PJAK; family denies charges. <i>Executed 02/18/2009</i> <sup>***</sup>
Sherko Moarefi	Muharebeh Acting against national security	Death Penalty	Oct-08	Kurdish man accused of links to Komala; Amnesty International
Seyyed Jamal Mohammadi	Muharebeh	Death Penalty	6/4/08	Kurdish man accused of links to PJAK. Reference HRC Report A/HRC/16/NGO/25; 02/22/2011
Ghader (Aziz) Mohammadzadeh	Muharebeh Acting against national security	Death Penalty	10/13/09	Membership of Kurdish group; Held Incommunicado-current condition not known
Zanyar Moradi	Muharebeh Corruption on earth	Death Penalty	8/1/09	Accused of murdering the son of Marivon Friday Mass Imam; Charged on 12/22/2010; Amnesty International
Lughman Moradi	Muharebeh Corruption on earth	Death Penalty	10/17/09	Accused of murdering the son of Marivon Friday Mass Imam; Charged on 12/22/2010; Amnesty International
Anvar Rostami	Muharebeh Disturbing public order	Death Penalty	1-Dec	Kurdish man accused of links to Kurdish opposition party

<i>Name</i>	<i>Offense</i>	<i>Sentence</i>	<i>Arrest Date</i>	<i>Details</i>
Mostafa Salimi	Muharebeh Acting against national security	Death Penalty	2001	Kurdish man accused of links to Kurdish opposition party, Reference HRC Report A/HRC/16/NGO/25; 02/22/2011
Abdollah Sarvarian	Spying	Death Penalty	not known	Sentence overturned. Reference HRC Report A/HRC/16/NGO/25; 02/22/2011.

**Table III***19 Female Prisoners of Conscience Currently Detained*

<i>Name</i>	<i>Offense</i>	<i>Sentence</i>	<i>Arrest Date</i>	<i>Details</i>
Nasrin Sotoudeh	Spreading lies against the state Cooperating with the Center of Human Rights Defenders Acting against national security	11 years	9/4/10	Sotoudeh is a human rights Lawyer. Her sentence was later reduced on 09/2011 to 6 years and 10 year ban on practicing law
Atefeh Nabavi Chashmi	Contact with the Mojahedin Khalgh (MEK) Participation in the protests of June 15th, 2009	3.4 years	6/15/10	Charged 12/2010
Alieh Eghdamdoust	Participation in the June 12, 2006 protest in Haft Tirs Square	3.4 years, 202/1/09 lashes		Sentence later reduced to 3 years and no lashing
Mahboubeh Karami	Membership in a human rights organization Propaganda against the State Gathering an collusion with the intent of harming national security	4 years	3/2/10	Charged 02/02/2011. Sentence was later reduced to 3 years
Hanieh Sane Farshi/ Hanieh "Sharareh" Farshi Shotorban	Insulting what is sacred Having contacts with a foreign entity	7 years	7/18/10	Blogger
Ladan Mostofi	Insulting what is sacred Insulting the Supreme Leader	5 years	Not Provided	Blogger
Ashraf Alikhani	Anti-regime propaganda	3 years	Not Provided	Blogger, Started prison Sentence on 05/25/2011
Farah Vazehan	Participating in Street Protest, Being a member of (MKO)	Death Penalty	12/29/09	Sentence was reduced to 17 years in prison***

<i>Name</i>	<i>Offense</i>	<i>Sentence</i>	<i>Arrest Date</i>	<i>Details</i>
Rayhaneh Haj-Ebrahim Dabbagh	Sending pictures and videos of the demonstrations to foreign countries Membership of the Mojahedin Khalq Organization (MKO)	Death Penalty	no information	Sentence later reduced to 15 years***
Maryam Akbari Monfared	Muharebeh	Death Penalty	1/1/10	Sentence later reduced to 15 years***
Massoumeh Yavari	Muharebeh	7 years	9/18/09	Accused of MEK association
Nazila Dashti	Supporting MKO, Illegal Exit From the Border	3 years	Apr-07	Accused of MEK association
Motahareh Haghighi Bahram	Muharebeh	Death Penalty	12/27/09	Accused of MEK association; Sentence later reduced to 10 years***
Kobra Banazadeh Amirkhizi	MKO	5 years	1/16/09	Accused of MEK association
Shabnam Madadzadeh	Muharebeh/ Acting Against National Security/MKO	5 years	2/21/09	Accused of MEK association
Kefayat Malek Mohammadi	Collaboration with the MKO	5 years	12/27/09	Accused of MEK association
Mitra Zahmati	Membership of An Illegal Group	2.5 years	12/24/09	Christian converts, Released 01/04/2010
Maryam Jalali	Membership of An Illegal Group	2.5 years	12/24/09	Christian converts, Released 01/04/2010
Shahla Rahmati	Membership of An Illegal Group	2.5 years	3/9/11	Christian converts, Ahvaz church arrest, Released 12/20/2011

**Table IV**

*97 Bahá'ís currently imprisoned in Iran (as of 6 January 2012)*

<i>Name</i>	<i>Arrest Date</i>	<i>Trial / Court Order Issued</i>	<i>Sentence</i>
1 Miss Raha Sabet	1) 19-May-06; 2) 19-Nov-07	Jul 29, 2007	4 years imprisonment
2 Mrs. Mahvash Sabet	Mar 5, 2008	Trial ended 14-Jun-10	20 years imprisonment
3 Mrs. Fariba Kamalabadi Taefi	1) 26-Jul-05; 2) 14-May-08	Trial ended 14-Jun-10	20 years imprisonment
4 Mr. Jamaloddin Khanjani	1) 25-Sep-07; 2) 14-May-08	Trial ended 14-Jun-10	20 years imprisonment

<i>Name</i>	<i>Arrest Date</i>	<i>Trial / Court Order Issued</i>	<i>Sentence</i>
5 Mr. Afif Naeimi	May 14, 2008	Trial ended 14-Jun-10	20 years imprisonment
6 Mr. Saeid Rezaie	May 14, 2008	Trial ended 14-Jun-10	20 years imprisonment
7 Mr. Behrouz Tavakkoli	1) 26-Jul-05; 2) 14-May-08	Trial ended 14-Jun-10	20 years imprisonment
8 Mr. Vahid Tizfahm	May 14, 2008	Trial ended 14-Jun-10	20 years imprisonment
9 Mr. Mehran Bandi	May 29, 2008	Verdict: 28-Aug-08; 10-Sep-08	3.5 years imprisonment and 3 years internal exile to Shahrabak (Kerman). Tried and acquitted of other charges
10 Mr. Enayatollah Haghightajou	1) 13-Nov-07; 2) 30-Sep-08	Sep 30, 2008	1.5 years imprisonment; suspended 4 years
11 Mr. Saman Sabeti	1) 04-Feb-09; 2) 20-Nov-10	Verdict: 13-Aug-09; Appeal: 18-Jan-10 sentence upheld	6 months imprisonment (suspended); fined 3 million rials
12 Mr. Mohammad Reza Kandi	1) 09-Apr-08; 2) 25-Apr-09	Unknown	7 months imprisonment
13 Ms. Mehrangiz Hosseini	1) Unknown; 2) 16-Aug-09	Unknown	1 year Ta'ziri imprisonment
14 Mr. Zabihollah Raoufi	Aug 21, 2009	Aug 28, 2009	1 year imprisonment
15 Mr. Alibakhsh Bazrafkan	Oct 31, 2009	Dec 7, 2009	2.5 years imprisonment and 5 years of internal exile
16 Ms. Simin Ghaffari	Feb 11, 2010	N/A	N/A
17 Ms. Manijeh Nasrollahi (Monzavian)	1) 17-Jun-09	1) 28-Aug-09; 2) Appeal	3.5 years imprisonment
18 Ms. Rozita Vaseghi	1) 04-Aug-05; 2) 16-Mar-10	1) 25-Oct-09; 2) Appeal	5 years imprisonment; Sentence upheld and 2 years added on appeal; 5 years imprisonment on separate charges
19 Mrs. Nahid Ghadiri	1) 04-Aug-05; 2) 16-Mar-10	1) 25-Oct-09; 2) Appeal	5 years imprisonment; Sentence upheld on appeal; 5 years imprisonment on separate charge = 10 years total



<i>Name</i>	<i>Arrest Date</i>	<i>Trial / Court Order Issued</i>	<i>Sentence</i>
20 Ms. Sahba Khademideljoo	1) 04-Apr-09; 2) 23-May-10	Dec 22, 2009	1 year imprisonment
21 Ms. Sorour Sorourian	1) 10-Apr-09; 2) 23-May-10	Dec 22, 2009	1 year imprisonment
22 Mr. Moshtagh Samandari	Jun 8, 2010	N/A	N/A
23 Mr. Davar Nabilzadeh	1) 19-Aug-05; 2) 13-Jul-10	1) 25-Oct-09; 2) Appeal	5 years imprisonment; Sentence upheld on appeal
24 Ms. Nasrin Ghadiri	1) 04-Aug-05; 2) 15-Jul-10	1) 25-Oct-09; 2) Appeal	5 years imprisonment; reduced to 2 years on appeal
25 Ms. Sima Rajabian (Rahimian)	1) 04-Aug-05; 2) 15-Jul-10	1) 25-Oct-09; 2) Appeal	5 years imprisonment; reduced to 2 years on appeal
26 Mr. Kaviz Noozdahi	1) 04-Aug-05; 2) 22-Jul-10	1) 25-Oct-09; 2) Appeal	5 years imprisonment; reduced to 2 years on appeal
27 Mr. Houman Bakhtavar	1) 04-Aug-05; 2) 03-Aug-10	1) 25-Oct-09; 2) Appeal	5 years imprisonment reduced to 2 years on appeal
28 Mr. Hossein Shayegan	Aug 24, 2010	Oct 2, 2010	1 years imprisonment then 1 year of internal exile to Saravan in Sistan and Baluchistan
29 Mr. Ali Ehsani	1) Unknown; 2) 06-Apr-09; 3) 22-Sep-10	Jun 9, 2010	2 years imprisonment, fined ~US\$500, 2 years internal exile
30 Mr. Vahid Ghodrat	1) 1982; 2) 18-Sep-10	1) Unknown; 2) 2005 or 06 ?	6 years imprisonment; 1 year imprisonment
31 Mr. Vahid Ighani	Oct 16, 2010	N/A	N/A
32 Mrs. Soheila Motallebi	1) 20-Aug-05; 2) 22- Nov-08; 3) Unknown	2) 7-Jun-09	9 months imprisonment; fined 300,000 tuman
33 Mr. Jalayer Vahdat	1) 04-Aug-05; 2) 26- Jan-09; 3) 24-Oct-10	1) 25-Oct-09; 2) Appeal	5 years imprisonment; Sentence upheld on appeal
34 Mrs. Sima Eshraghi (Aghdaszadeh)	1) Ordered to appear; 06-Aug-05; 2) 26-Jan- 09; 3) 24-Oct-10	1) 25-Oct-09; 2) Appeal	5 years imprisonment; Sentence upheld on appeal
35 Mr. Jamal Choupani	Nov 3, 2010	N/A	N/A

<i>Name</i>	<i>Arrest Date</i>	<i>Trial / Court Order Issued</i>	<i>Sentence</i>
36 Mr. Siamak Ighani	1) 27-Apr-09; 2) 6-Nov-10	Trial: 30-Jun-09; 8-Jul-09; Appeal: Oct-10	3 years imprisonment; Sentence upheld on appeal
37 Mr. Majid Safari	Nov 21, 2010	N/A	N/A
38 Mr. Yegan	Nov 21, 2010	N/A	N/A
39 Mr. Serajollah Kian	Nov 21, 2010	N/A	N/A
40 Mr. Masoud Atayian	1) 18-Nov-08; 2) 28-Nov-10	Jan 25, 2010	10 months imprisonment
41 Mrs. Shiva Karimi	Dec 28, 2010	Apr 13, 2011	1 year imprisonment
42 Mrs. Homeyra Parvizi	Dec 28, 2010	Apr 13, 2011	1 year imprisonment
43 Mr. Navid Marghi	Dec 28, 2010	Apr 13, 2011	1 year imprisonment
44 Mrs. Sholeh Taef	1) 18-May-05; 2) 19-Dec-09; Feb 18, 2010 3) 01-Jan-11		1 year imprisonment and 2 years internal exile
45 Mr. Ehsan Amouzegar	Dec 30, 2010	N/A	N/A
46 Mr. Akbar Arsalani	Dec 30, 2010	N/A	N/A
47 Mr. Feizollah Rowshan	1) 01-Nov-06; 2) 18-Nov-07; 24-Apr-07; 19-3) 06-Dec-08; 4) 15-Jan-11	Aug-07: Obtained conditional release	1 year imprisonment and 4 years internal exile; (reduced to 1) Remaining internal exile commuted to additional 6 months imprisonment
48 Mr. Farhoud Aghdasi	Jan 30, 2011	Apr 13, 2011	1 year imprisonment
49 Mr. Changiz Dargahi	Jan 30, 2011	Apr 13, 2011	1 year imprisonment
50 Mr. Saeed Hashemi	Feb 13, 2011	Unknown	Unknown
51 Mr. Farhad Amri	Jan 1, 2011	Unknown	Unknown
52 Mr. Misagh Afshar	Feb 14, 2011	Unknown	Unknown
53 Mr. Shahin Shafaie	Feb 12, 2011	Unknown	Unknown
54 Mr. Badiollah Lohrasb	Feb 21, 2011	Unknown	Unknown
55 Mr. Peyman Kashfi	1) 19-Oct-09; 2) 13-Feb-11	Jun 15, 2010	4 years imprisonment
56 Mr. Afshin Safaieyan	Feb 27, 2011	Unknown	Unknown
57 Mr. Mesbah Monghate	Mar 18, 2011	Unknown	Unknown
58 Ms. Sara Mahboubi	1) 24-Jun-10; 2) 9-Apr-11	Unknown	Unknown

<i>Name</i>	<i>Arrest Date</i>	<i>Trial / Court Order Issued</i>	<i>Sentence</i>
59 Mr. Behzad Zabihi	1) 22-Feb-11; 2) 10-Apr-11	Unknown	Unknown
60 Mr. Vesal Mahboubi	Apr 25, 2011	Unknown	Unknown
61 Mr. Farnoud Mohammadzadeh	Jan 17, 2011	Unknown	Unknown
62 Mr. Behrang Mohseni	Jan 17, 2011	Unknown	Unknown
63 Mr. Kamran Mortezaie	May 22, 2011	Sep 25, 2011	5 years imprisonment
64 Ms. Noushin Khadem	May 22, 2011	Sep 27, 2011	4 years imprisonment
65 Mr. Mahmoud Badavam	May 22, 2011	Sep 27, 2011	4 years imprisonment
66 Mr. Ramin Zibaie	May 22, 2011	Unknown	4 years imprisonment
67 Mr. Farhad Sedghi	May 22, 2011	Sep 20, 2011	4 years imprisonment
68 Mr. Danial Ouji	May 22, 2011	Unknown	Unknown
69 Mr. Riaz Sobhani	Jun 14, 2011	Unknown	4 years imprisonment
70 Mr. Behfar Khanjani	1) 05-Jan-10; 2) 21-Jun-11	May 4, 2010	4 years imprisonment
71 Ms. Sanaz Tafazoli	Jun 27, 2011	Unknown	Unknown
72 Ms. Nika Barazandehniya	Unknown	Unknown	Unknown
73 Mrs. Jila Rezvani (Ghanei)	Jul 6, 2011	Unknown	Unknown
74 Mrs. Saideh Foroughi (Negari)	Jul 6, 2011	Unknown	Unknown
75 Ms. Mitra Azmayandeh	Jul 3, 2011	Unknown	Unknown
76 Mr. Hajir Septo	Jul 11, 2011	May 22, 2011	Unknown
77 Mr. Vahed Kholousi	Aug 23, 2011	Unknown	Unknown
78 Ms. Samin Ehsani	Aug 17, 2011	Unknown	Unknown
79 Mr. Afshin Heyratian	Jun 3, 2010	Unknown	4 years imprisonment
80 Mr. Emamgholi Behamin	Aug 24, 2011	Unknown	Unknown
81 Mr. Janali Rasteh	Aug 24, 2011	Unknown	Unknown
82 Mr. Rouzali Makideh	Aug 24, 2011	Unknown	Unknown
83 Mr. Kamran Rahimian	Sep 14, 2011	Unknown	Unknown
84 Mr. Shakib Nasrullah	Sep 14, 2011	Unknown	Unknown
85 Mr. Kayvan Rahimian	Sep 14, 2011	Unknown	Unknown

<i>Name</i>	<i>Arrest Date</i>	<i>Trial / Court Order Issued</i>	<i>Sentence</i>
86 Mr. Hassanali Delavarmanesh	Sep 4, 2011	Unknown	Unknown
87 Mr. Afshin Ighani	1) 18-May-05; 2) 05-Jan-10	Unknown	Unknown
88 Mr. Didar Raoufi	1) 14-Jan-09; 2) 16-Oct-11	Unknown	3 years imprisonment
89 Mrs. Sousan Badavam (Farhangi)	23-Oct-11; or 24- Oct-11	Unknown	Unknown
90 Ms. Nadia Asadian (Abdu'l-Hamidi)	23-Oct-11; or 24- Oct-11	Unknown	Unknown
91 Ms. Shiva Kashaninejad (Samiian)	23-Oct-11; or 24- Oct-11	Unknown	Unknown
92 Mr. Anvar Moslemi	1) 22-Nov-08; 2) 3- Aug-09 or 5-Aug-09; 3) 12-Nov-11	7-Jun-09; Trial: 08-Sep- 09?	1 year imprisonment; 300,000 túman fine
93 Mr. Vahdat Dana	1) 25-May-05; 2) 25-Apr-09; 3) 30-Nov-11	Nov 9, 2009	10 months imprisonment (suspended)
94 Mr. Kayvan Karami	1) 21-Feb-09; 2) 30-Nov-11	Nov 9, 2009	10 months imprisonment (suspended)
95 Mr. Bakhtiyar Rasekhi	1) 6-Jan-12	N/A	N/A
96 Mrs. Farahnaz Naeimi (Rasekhi)	1) 6-Jan-12	N/A	N/A
97 Ms. Farin Rasekhi	1) 6-Jan-12	N/A	N/A

Note: 1)= 1st Arrest; 2)= 2nd Arrest and so on\*\*\*