

***NGO in Special Consultative Status with the Economic and Social Council of the United Nations***

[**www.lrwc.org**](http://www.lrwc.org)**;** [**lrwc@portal.ca**](mailto:lrwc@portal.ca)**; Tel : +1 604 738 0338 ;Fax : +1 604 736 1175**

**Iran: Country Monitoring Report from June 2009 to March 2010**

by

Tina Parbhakar LL.B, LL.M

**Attacks on jurists**

In the two months following the June 12, 2009 elections, Iran's Revolutionary Guards, the *Basij* militia, and police arbitrarily arrested thousands of peaceful protesters and dissidents, including lawyers and prominent human rights defenders in a clear effort to intimidate critics and stifle dissent.[[1]](#footnote-1) Around this time, the Iranian government adopted new regulations that severely limit the independence of the Iranian Bar Association, which had resisted government efforts to reign in lawyers who defend human rights, now giving the government control over a lawyer’s right to practice.[[2]](#footnote-2) Indeed, the government escalated its crackdown on human rights lawyers in 2009, subjecting some to arbitrary detention, travel bans and other harassment and attempting to intimidate younger, less prominent lawyers who are considering representing political detainees by acting against more prominent ones.[[3]](#footnote-3)

Described below are some of the attacks on jurists from approximately January 2009 to February 2010.

***Abdolfatah Soltani***

On June 16, 2009, in Tehran, security officers posing as clients approached Mr. Soltani in his office and immediately confiscated his computer and other documents and then arrested him without a warrant. He was held in Evin Prison in solitary confinement and accused of “instilling doubts in elections,” “propaganda against the regime” and “formation of groups to undermine national security.” Mr. Soltani stated these charges were both untrie and legally baseless. On August 26, 2009, he was released on bail of over 100,000 USD in the form of property deeds.[[4]](#footnote-4)

***Mohammad Mostafaie***

Human rights defence lawyer Mohammad Mostafaie, best known for his campaign against the execution of people convicted of crimes under the age of 18, was arrested in Tehran on June 25, 2009, by plainclothes officials. Officials searched the family home and Mostafaie’s office and then took him away. His whereabouts are unknown. He was representing at least 25 juveniles sentenced to death at the time of his disappearance.**[[5]](#footnote-5)**

***Shadi Sadr***

On July 15, 2009, plainclothes security forces seized human rights lawyer and women’s rights advocate Shadi Sadr by pushing her into a car while she was walking to attend Friday prayers.[[6]](#footnote-6) She was released nearly two weeks later on July 28, 2009 and told Human Rights Watch:

I was in jail for 12 days without a warrant. On the second day, they took me to the

office of Judge Haddad’s representative at Unit 209 [in Evin prison]. Mr. Sobhani,

Judge of 2nd Branch was there and he issued the 50 million Toman bail order

[approximately $50,000 USD]. By noon, all steps were completed for my freedom.

Later I realized this all was a psychological game because they never informed my

family to post my bail.

They took away my glasses and only gave them back to me during interrogations.

I am almost blind without my glasses. I refrained from eating for two days to get

my glasses back. [I also experienced] what others have also said about [Unit] 209:

solitary confinement, blindfolds, forced chadors, personal questions, questions

unrelated to charges, questions about my beliefs. Since my release, the

intelligence service keeps calling. They must have called a thousand times,

saying they want to interview me, and that unless I show up in person to answer

their questions they will not return my personal belongings.[[7]](#footnote-7)

On July 19, 2009 Sadr’s husband, Hussein Nilchian, and friend, Zahra Minouie, attended Evin Prison on a request to provide bail, however Ms. Sadr was not returned to them. Ms. Sadr was finally released from prison on bail on July 28, 2009 but has been subjected to ongoing threats of re-interrogation by security forces in the form of daily calls to her home, her office and her husband’s office. When Ms. Sadr’s lawyer, Mohammad Mostafaie (see above), asked the Office of the Revolutionary Court to return her belongings from Evin Prison, the case investigator replied that Ms. Sadr must first attend court for questioning.[[8]](#footnote-8)

***Mohammad Ali Dadkhah***

On July 6, 2009, security forces arrested Mohammad Ali Dadkhah, a founding member of the Center for Defense of Human Rights, in his law office. After meeting him on August 28, 2009, Mr. Dadkhah’s lawyer, Nasrin Sotoudeh, told Human Rights Watch:

He has been under pressure in prison to confess. For example, they kept him on top

of a high staircase and pushed him, catching him just before he went tumbling down.

When he was arrested, he wasnt fed for 48 hours. They wouldn’t let him use a

bathroom. They told him to denounce Shirin Ebadi and other attorneys with Center

for the Defense of Human Rights as traitors.

Officials later claimed to have discovered 2 handguns and a large package of opium in Mr. Dadkhah's office. Three human rights lawyers told Human Rights Watch that they believe this was an effort to increase pressure on him and other lawyers to stop representing political prisoners. Mr. Dadkhah was arrested exactly 1 hour before a meeting with the campaign of reformist presidential candidate Mir Hussein Mousavi to discuss issues regarding political prisoners. "The timing of his arrest leaves no doubt that the security authorities do not want anyone to take care of the prisoners' cases," one of the lawyers said. On September 14, 2009, authorities released Mr. Dadkhah on a bail of 500 million Toman (approximately 500,000 USD).[[9]](#footnote-9)

***Nasrin Sotoudeh***

As noted above Ms. Sotoudeh was Mr. Dadkhah’s lawyer but also represented 20 year old Arash Rahmanipour. She was only allowed to meet with her client once, for 15 minutes in Ward 2A of Evin Prison in October 2009, before he was sentenced to death. He was hung on January 28, 2010. She was not allowed to see any evidence of her client’s guilt and believes the conviction to be based on a coerced confession. She was not allowed to enter the courtroom where he was being tried and was threatened with arrest. When Ms. Sotoudeh complained to authorities they ignored her. When she spoke out publicly they shut off her cell phone with a precursory text message stating “Unfortunately, despite repeated warnings, you have kept contacts with counter-revolutionary media and for two months from today your cell phone will be cut off.[[10]](#footnote-10)

***Abdolsamad Khorramshahi and Mohammad Kermanipour***

Distinguished Iranian attorney Abdolsamad Khorramshahi is 1 of 36 attorneys who were recently disqualified by the Judges Court for membership in the Board of Directors of the Iranian Bar Association. There is no appeal provision or complaint process available in the law. Mohammad Jandaghi Kermanipour, Chairman of the Tehran Bar Association, who himself is among those disqualified, wrote a letter to the Judges Court objecting to the widespread disqualifications, including names such as Mohammad Jandaghi Kermanipour, the Bar Association’s current chairman, **Goudarz Eftekhar Jahromi**, the former Chairman, Mohammad Ali Dadkhah, member of Defenders of Human Rights Center, **Nemat Ahmadi, Ramezan Haji Mashadi**, **Nasser Zarafshan**, Abdolfattah Soltani, **Farideh Gheirat**, **Mohammad Hossein Aghassi**, and **Abdolsamad Khorramshahi**.[[11]](#footnote-11)

**Kambiz Noroozi** (lawyer, arrested)**, Mohammad Seifzadeh** (lawyer, threatened by plainclothes security forces)**, Hadi Esmaielzadeh** (lawyer, questioned by Tehran’s prosecutor’s office, security section)**, Manijeh Mohammadi** (lawyer, questioned by Tehran’s prosecutor’s office, security section) **and Kayvan Samimi** (member of the Arbitrary Detentions Investigation Committee, arrested June 15, 2009, and released March 2, 2010) **are others that have been harassed or intimidated.[[12]](#footnote-12)**

Government officials confirmed that as of November at least 40 protesters had died as a result of attacks by *Basij* and anti-riot police or in detention. At least seven more died in clashes on December 27, 2009 on the holy day of Ashura. The actual number of deaths caused by government-sponsored violence is believed to be much higher. Although the government has acknowledged some abuses and even named responsible individuals, to *Human Rights Watch* knowledge, no one has been prosecuted for committing major human rights violations.[[13]](#footnote-13)

It does not appear as though these attack were or will be investigated or that any government institution is providing protective measures. A human rights attorney told Human Rights Watch that the authorities are arresting lawyers in order to cut off an "information supply" to Iranians and the outside world. "Because these lawyers follow up on their clients' cases and talk about violations of law, authorities are unhappy about the news that leaks out," he said.[[14]](#footnote-14)

**Malicious prosecution**

In addition to human rights defenders, minorities such as people of the Baha’i faith continue to be persecuted and face charges that amount to treason. Tehran’s deputy prosecutor general for security affairs, Hasan Haddad, announced on February 11, 2009, that the seven individuals who form an Iranian Baha’i body known as *the Yaran* (The friends) would be tried on charges of espionage for Israel, insulting religious sanctities, and propaganda against the Islamic Republic of Iran.[[15]](#footnote-15) These individuals and others have been denied access to lawyers when taken to court.[[16]](#footnote-16) As noted in the 2008 report, it has become a pattern that whomever is going to get sentenced or harrassed is first condemned or accused of fictional crimes bythe hard-liner newspaper, *Keyhan*.[[17]](#footnote-17)

**Responses**

*Iranian NGOs*

Iranian NGOs have themselves been the subject of a crackdown and so have not been able to respond to attacks on jurists. Most recently, Iranian authorities targeted NGOs by placing them on a blacklist and citing “seditious” activities. Furthermore, on January 4, 2010, the Intelligence Ministry accused some 60 foreign organizations and media outlets including RFE/RL’s Radio Farda of being involved in a “soft war” and banned citizens from cooperating with them.[[18]](#footnote-18)

*Regional or domestic human rights monitoring*

The International Campaign for Human Rights in Iran reports that Iranian authorities are attempting to shut down the *Committee of Human Rights Reporters* and its student alumni group *ADVAR*, one of the few human rights monitoring groups still active in the country through arresting members and threatening others. According to the Committee, the arrested members are being forced to confess that they have relationship with the Mojahedin Khalq Organization, which has been an opposition group operating abroad. *Defenders of Human Rights Center* headed by Shirin Ebadi was closed by authorities in December 2008, Mohammad Sadiq Kaboudvand, the director of *Human Rights Organization in Kurdistan* has been imprisoned on a 10 year and 6 month prison term since 2007, and Emad Baghi, the founder of *Association of Prisoners’ Rights*, was arrested on December 28, 2009 and his status is unknown.[[19]](#footnote-19)

*United Nations*

Since 2005 the government has prevented independent experts of the UN Human Rights Council from visiting to investigate alleged human rights violations. On November 20, 2009, the UN General Assembly's Third Committee, which comprises all the member states of the General Assembly itself, approved a resolution criticizing Iran for "harassment, intimidation and persecution, including by arbitrary arrest, detention or disappearance, of opposition members" as well as "violence and intimidation by government-directed militias." In response, Tehran's UN Ambassador Mohammad Khazaee sharply criticized the Canadian-drafted resolution, saying that assembly decisions of this kind have "created an atmosphere of confrontation and polarization" and Canada for "systematic violations of human rights including discriminatory policies ... against Aborigines, migrants, and minorities." [[20]](#footnote-20)

Members of the United Nations Human Rights Council (HRC) are virtually certain not to vote on a resolution dealing with the crisis in Iran in the March Session, based on numerous meetings between diplomats and the International Campaign for Human Rights in Iran. However, Iran has been criticized by HRC members and by UN officials during the session so far. The Special Rapporteur on Torture noted that he had sent numerous inquiries to Iran based on complaints received, and has received no replies in return. The Special Rapporteur on Freedom of Religion and Belief spoke at length in her report on the problem of violating human rights in the name of religious dogmas, in what was clearly a reference to Iran and other Islamic states. Canada criticized Iran for the treatment of Baha’is. In the discussion during the week of 15 March, more such statements will likely be made under Item Four in the HRC agenda.[[21]](#footnote-21)

*LRWC*

Both of the Iran Monitors for LRWC did not have the capacity to respond when the crisis hit in Iran this summer due to academic and work obligations; however, we have gained an additional Iran Monitor and are seeking to create the infrastructure for an improved response.

**Recommendation**

As stated in previous reports, Farsi translation would enhance the effectiveness of our letters. Also, we recommend creating better connections to legal groups in Iran and those working on human rights in Iran from abroad. We are considering methods of exerting more influence on Canadian foreign policy related to the Middle East or Iran specifically.

March 15, 2010

*Lawyers Rights Watch Canada (LRWC) is a committee of lawyers who promote human rights and the rule of law internationally by protecting advocacy rights.  LRWC campaigns for advocates in danger because of their human rights advocacy, engages in research and education and works in cooperation with other human rights organizations. LRWC has Special Consultative status with the Economic and Social Council of the United Nations.*

1. Human Rights Watch (February 11, 2010). *The Islamic Republic at 31: Post-election Abuses Show Serious Human Rights Crisis*. Available at: <http://www.hrw.org/en/reports/2010/02/11/islamic-republic-31> [↑](#footnote-ref-1)
2. Human Rights Watch (January 20, 2010). “Iran: Events of 2009” *World Report 2010*. [↑](#footnote-ref-2)
3. Human Rights Watch (January 20, 2010). “Iran: Events of 2009” *World Report 2010*. [↑](#footnote-ref-3)
4. FrontLine: Protection of Human Rights Defenders (September 11, 2009). “Iran: Ongoing detention and judicial harassment of human rights defenders.” *Home.* Available at: <http://www.frontlinedefenders.org/node/2159>; Amnesty International Index (June 19, 2009). “Iran: Arbitrary Arrest/Prisoner of Conscience: Abdolfattah Soltani (M).” *UA 160/09, MDE 13/059/2009*. Available at: <http://www.amnesty.org/en/library/info/MDE13/059/2009/en> [↑](#footnote-ref-4)
5. Amnesty International Index (June 29, 2009). “Iran: Human Rights Lawyer Risks Torture.*” UA 175/09, MDE 13/064/2009*. Available at: <http://www.amnesty.org/en/library/info/MDE13/064/2009/en> [↑](#footnote-ref-5)
6. FrontLine: Protection of Human Rights Defenders (September 11, 2009). “Iran: Ongoing detention and judicial harassment of human rights defenders.” *Home.* Available at: <http://www.frontlinedefenders.org/node/2159>. [↑](#footnote-ref-6)
7. Human Rights Watch (February 11, 2010). *The Islamic Republic at 31: Post-election Abuses Show Serious Human Rights Crisis*, p. 13. Available at: <http://www.hrw.org/en/reports/2010/02/11/islamic-republic-31> [↑](#footnote-ref-7)
8. FrontLine: Protection of Human Rights Defenders (September 11, 2009). “Iran: Ongoing detention and judicial harassment of human rights defenders.” *Home.* Available at: <http://www.frontlinedefenders.org/node/2159>; Association for Women’s Rights in Development (July 20, 2009). “The bail for the release of Shadi Sadr was provided by her family today but there is still no news of her release.” *Iran: Judge Rasekh states that Shadi Sadr is not going to be released.*  Available at: <http://www.awid.org/eng/Women-s-Rights-in-the-News/Women-s-Rights-in-the-News/Iran-Judge-Rasekh-states-that-Shadi-Sadr-is-not-going-to-be-released> [↑](#footnote-ref-8)
9. Human Rights Watch (February 11, 2010). *The Islamic Republic at 31: Post-election Abuses Show Serious Human Rights Crisis*, pp. 13-14. Available at: <http://www.hrw.org/en/reports/2010/02/11/islamic-republic-31>; Human Rights Watch (July 27, 2009). “Iran: Stop Arresting, Intimidating Rights Lawyers,” *News Release*. Available at:

   <http://www.hrw.org/en/news/2009/07/27/iran-stop-arresting-intimidating-rights-lawyers> [↑](#footnote-ref-9)
10. Mostaghim, Ramin & Borzou Daragahi (February 8, 2010). “Iran lawyer haunted by young man’s execution.” *Los Angeles Times.* Available at: <http://www.latimes.com/news/nation-and-world/la-fg-iran-lawyer8-2010feb08,0,1951270.story> [↑](#footnote-ref-10)
11. International Campaign for Human Rights in Iran (March 4, 2010). *Disqualification of Lawyers and the Iranian Bar Association’s Demise: An Interview with Abdolsamad Khorramshahi.* Available at: <http://www.iranhumanrights.org/2010/03/disqualification-of-lawyers-and-iranian-bar-associations-demise-an-interview-with-abdolsamad-khorramshahi/> [↑](#footnote-ref-11)
12. Human Rights Watch (July 27, 2009). “Iran: Stop Arresting, Intimidating Rights Lawyers,” *News Release*. Available at:

    <http://www.hrw.org/en/news/2009/07/27/iran-stop-arresting-intimidating-rights-lawyers>; FrontLine: Protection of Human Rights Defenders (March 11, 2010). “Iran: UPDATE Human rights defender Kayvan Samimi released from prison.” *Home.* Available at: <http://www.frontlinedefenders.org/node/2410> [↑](#footnote-ref-12)
13. Human Rights Watch (February 11, 2010). *The Islamic Republic at 31: Post-election Abuses Show Serious Human Rights Crisis*, pp. 5-6; 15. Available at: <http://www.hrw.org/en/reports/2010/02/11/islamic-republic-31> [↑](#footnote-ref-13)
14. Human Rights Watch (July 27, 2009). “Iran: Stop Arresting, Intimidating Rights Lawyers,” *News Release*. Available at:

    <http://www.hrw.org/en/news/2009/07/27/iran-stop-arresting-intimidating-rights-lawyers>. [↑](#footnote-ref-14)
15. Taefi, Vargha & Nazila Ghanea (Summer 2009). “Dissident Watch: Fariba Kamalabadi” *Middle East Quarterly* p. 96. [↑](#footnote-ref-15)
16. Petrou, Michael (2009). “Iran cracks down harder on the Baha’i” 122.7 *Maclean’s* p. 27. [↑](#footnote-ref-16)
17. See LRWC Iran Report 2008. [↑](#footnote-ref-17)
18. Radio Free Europe / Radio Liberty (January 7, 2010). “NGOs Troubled by Iran’s Crackdown on International Organizations, Journalists” *News*. Available at: [www.rferl.org/content/NGOs\_Troubled\_By\_Irans\_Crackdown\_On\_International\_Organizations\_ Journalists/1923024.html](http://www.rferl.org/content/NGOs_Troubled_By_Irans_Crackdown_On_International_Organizations_%20Journalists/1923024.html) [↑](#footnote-ref-18)
19. International Campaign for Human Rights in Iran (January 6, 2010). “Authorities attempt to crush remaining active Human Rights NGOs.” *Academic Freedom, Press Archive.* Available at: <http://www.iranhumanrights.org/2010/01/authorities-crush-ngos/> [↑](#footnote-ref-19)
20. Human Rights Watch (January 20, 2010). “Iran: Events of 2009” *World Report 2010*; Radio Free Europe/Radio Liberty, *UN committee slams Iran for postelection crackdown*, 20 November 2009, available at: <http://www.unhcr.org/refworld/docid/4b0d1fb4c.html> [accessed 16 March 2010]. [↑](#footnote-ref-20)
21. International Campaign for Human Rights in Iran (March 14, 2010). “Report from Geneva: United Nations Human Rights Council Resolution on Iran Unlikely,” *Blog/Latest News.*  Available at: <http://www.iranhumanrights.org/2010/03/report-from-geneva-united-nations-human-rights-council-resolution-on-iran-unlikely/> [↑](#footnote-ref-21)