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Iran after the December 2009 Ashura Day Protests

Selections prepared for the Blue Mountains Refugee Support Group by Graeme Swincer, November 2012

This paper are available on our website:

bmrsg.org.au/research-material/iran/

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1. Australian Government Refugee Review Tribunal

Country Advice Iran Iran – IRN36761 – Tehran – Ashura Day demonstrations – Demonstrators – Basiji

4 June 2010

www.mrt-rrt.gov.au/ArticleDocuments/89/irn36761.pdf.aspx

Information on the ability of and evidence that Basiji continue to pursue individuals with no profile or record.

In relation to the Ashura Day protests in Tehran, there is credible information to suggest that individuals are still being pursued by the regime. Sources indicate that in 2010, the government has been re-arresting individuals who were formerly detained and then released – including those involved in the Ashura Day demonstrations. These re-arrests are occurring in an effort to quash the opposition movement and in anticipation of further unrest ahead of the anniversary of the June 2009 presidential election.

For example, in February 2010, information published by the Iran Human Rights Documentation Centre indicates that many of those involved in the Ashura Day protests continue to be targeted:

As this report goes to press, the cycle of arrests, detention, forced confessions, trials and sentencing continues in Iran. Following the demonstrations on Ashura, hundreds of demonstrators and activists were arrested in the streets or at their homes. Many had been recently released but were rearrested by the regime in another attempt to violently crush the opposition movement. IHRDC will continue to document these violations of Iranian and international law. (emphasis original)

[page 2] . . . The worst abuses against ordinary protestors have taken place at police stations and detention centers, most notoriously at the Kahrizak detention center outside of Tehran. At least three detainees have died due to injuries sustained in Kahrizak. . . . (emphasis original)

Although the available information is not explicit as to whether Basiji are re-arresting Ashura protesters, Basiji were involved in the initial crackdown on the Ashura Day demonstrations and they have detained and harmed ordinary protesters in the past. This harm has been documented by non-government organisations, such as the Iran Human Rights Documentation Centre (IHRDC). As a result it is highly likely that Basiji have the ability to pursue individuals with no profile or record. Moreover, Basiji have the power to act at their discretion under Iranian law:

Under Iranian law, the Basij have broad discretion as to when they may take action. Militia members may engage in law enforcement whenever a crime is observed and they feel the police are not responding fast enough or properly, or when the police ask for their help.

On Ashura Day, sources indicate the Basiji worked alongside Iranian security forces, arresting demonstrators on the day and in the week following the riots. Hundreds of individuals – including ordinary protesters and known political activists – were arrested, detained and in some cases tried. The numbers of those arrested range from 500–1100 persons, according to various official and non-government organisations. Participants were reportedly sent to detention centres including Evin prison – a large complex where Human Rights Watch has previously documented systematic abuses. There is no information to

indicate how many individuals remain in detention; however, the government maintains it has only tried members of ‘anti-revolutionary groups’ and has released individuals who are remorseful. This information is questionable in light of the sentencing to death of an Ashura protester who is normally a teacher, according to The International Campaign for Human Rights in Iran.

A number of statements from government officials also indicate the government’s ongoing intent to punish those involved. For example, on 28 December 2009, an Iranian Revolutionary Guard was quoted saying: The horrible insult to Ashura...is unacceptable... We call for firm punishment of those behind this obvious insult.. On 29 December, Iran’s Speaker for Parliament Ali Larijani urged the most severe punishment, and on 5 January 2010, Iran’s Interior Minister Mostafa Mohammad Najjar stated that after Ashura, anyone who takes part in riots will be considered as ‘*mohareb*’ (waging war on God) and an opponent of national security. The government’s crackdown on Ashura protesters has culminated in the January 2010 trial of 16 individuals, which is still ongoing.

Another statement by Iran’s police chief also indicates that protesters would remain in detention until investigations into their cases were completed:

The police chief said that his officers would now adopt a policy of zero tolerance. “The police had tolerated the rioters before Ashura, but now that the rioters have shown their allegiance to movements trying to topple the regime, there will be no more tolerance and they will be dealt with severely”, he said. Some of those who were arrested before were dealt with with tolerance and were freed. But we will not tolerate those arrested on Ashura day and they will not be released until the investigation into their cases has been completed. (emphasis original)

This statement of intent leaves open the possibility that demonstrators could be detained upon return to Iran if the investigations into their cases were still pending.

Given these statements, and the regime’s history of harming political dissidents, including those with no profile or record, it is reasonable to expect that authorities would seek to at least question people upon return to Iran. Moreover, in the lead-up to the anniversary of the June 2009 presidential election, the security situation in Tehran has intensified, with authorities re-arresting political dissidents and bolstering the Basiji presence. According to a 31 May 2010 article in *The New York Times*:

Moving to thwart any protests on the anniversary of a disputed election, the authorities in Iran have ordered at least two million paramilitary members into Tehran, re-arrested dissident activists furloughed from prison and aggressively enforced public bans on mingling of the sexes and un-Islamic women’s clothing. ...On Monday, the Fars news agency quoted senior commanders of the Revolutionary Guards as saying they were bringing large numbers of Basij paramilitary forces from around the country into Tehran, officially to participate in the 21st anniversary of the death of the founder of the Iranian revolution, Ayatollah Ruhollah Khomeini, on Friday. But the Basijis are expected to remain in Tehran until after June 12, the commanders said. (emphasis original)

Iran has also reportedly allocated millions of dollars to recruiting new Basiji, indicating the government’s ongoing intent to clamp down on political and ideological opponents. In addition, due to the wealth of information about the opposition movement on mediums

such as YouTube and Facebook, including footage of the Ashura Day demonstrations, Iranian authorities could use these mediums to identify individuals. . . .

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According to Iran Tracker – a website run by the American Enterprise Institute for Public Policy Research – arrests in relation to the Ashura Day protests occurred in two stages: large-scale arrests during demonstrations followed by more targeted arrests the following day:

Authorities also took measures to control the outcome of protests during and after the demonstrations. Deputy Police Commander for Iran, Ahmad Reza Radan, claimed that police forces arrested around 300 people on Sunday. An Iranian human rights group tracking the situation estimated the number arrested and sent to Evin prison as being closer to 550. . . .

A February 2010 report published by Human Rights Watch, titled “*Post-election Abuses Show Serious Human Rights Crisis*” also provides some information on the Ashura Day arrests:

Attacks by security forces acting alongside the Basij injured many and killed at least 8. Authorities also arrested scores of additional activists and protestors, and threatened to try some on charges that carry the death penalty. ...

Over the following week authorities arrested hundreds of demonstrators and activists in conjunction with the Ashura gatherings. . . .

Following these arrests, the government’s crackdown on the protesters has resulted in the January 2010 trial of 16 individuals, which is still ongoing. Death sentences have been handed down to some of those on trial and sentences are being appealed. The most recent report on the aftermath of the Ashura Day demonstrations – published by *The International Campaign for Human Rights in Iran* in March 2010 – indicates that verdicts for six Ashura protesters have been issued and that their sentences are being appealed:

Following a meeting with Ayatollah Nouri Hamedani in Qom on Monday, Tehran’s Prosecutor Abbas Jafari Dolatabadi said that the verdicts of six Ashura suspects have been issued and the sentences are under appeal. Earlier, the Prosecutor’s Office requested death sentences for eleven individuals arrested on Ashura.

2. Hunt for Ashura Protesters Continues: Dozens of Ordinary Citizens Arrested in Tehran & Karaj

3rd February 2010

<http://www.rahana.org/en/?p=168>

RAHANA Citizens Rights: Reports from Tehran & Karaj suggest that in the last 24 hours dozens of ordinary citizens have been arrested in their homes

In the run up to 22 Bahman (February 11th), and call by the leaders of the Green movement for a nationwide protest, reports point to widespread arrests of ordinary citizens in Tehran and Karaj.

According to a RAHANA reporter most of the new detainees, accused of taking part in Ashura protests, are ordinary citizens with no history of political activities. One of the new detainees was arrested and taken to an unknown location after his picture was published in a widely distributed Police flyer and on Gerdab Website.

The list of last night's arrests includes a 20 year old Poonak University student, 3 Karaj residents as well as several Tehran residents. Their families have been threatened by the agents to keep quiet about the arrests.

Since yesterday, a large number of political and student activists have been arrested after their homes were raided by agents from the Intelligence Ministry, including Kaveh Ghasemi-Kermanshahi, Vahid Abedini, Navid Abedini, mohammad Mokhtari and Niloofar Lari.

With 22 Bahman approaching, authorities have taken a number of measures to spread fear and stop the people from joining in the upcoming nationwide protests. During today's show trial, one of the defendants said in a clearly forced statement, "My recommendation to those who are getting ready to protest on 22 Bahamn, is to stop watching the BBC and CNN and listen to what we have to say instead".

Mousavi, Karrubi and a number of Green personalities and groups have called on Iranians to join the protest on 22 Bahman.

RAHANA has decided not to publish the names of some of the new detainees for fear of reprisal against their families.

3. Shaheed's report assails culture of impunity in Iran **Iran Times - October 23, 2012**

http://iran-times.com/english/index.php?option=com_content&view=article&id=4963:shaheeds-report-assails-culture-of-impunity-in-iran&catid=99:whats-mid&Itemid=425

Ahmed Shaheed, the UN investigator on human rights in Iran, issued his third report last week, accusing the Islamic Republic of a "culture of impunity" that runs roughshod over basic human rights.

In particular, he cited the regime practice of using exceedingly vague and undefined charges like "acting against national security" and "insulting" officials that are very elastic and can be applied whenever and wherever the regime wishes.

Unlike in the past, the Islamic Republic responded formally to Shaheed's draft, rebutting its criticisms by asserting that Iranian law forbids torture and discrimination while guaranteeing the accused access to lawyers. But that sidestepped the point that Shaheed's report asserted that many of Iran's human rights failures were violations of Iran's own laws.



The Islamic Republic also complained that Shaheed had based his report heavily on interviews with people outside Iran—people who had fled Iran and were thus biased against the Islamic Republic. That complaint was legitimate, but sidestepped the fact that Iran has refused to allow Shaheed to enter Iran. The report was published last Thursday in New York for distribution to the UN General Assembly. Shaheed, a former foreign minister of the Maldives, is scheduled to present it to the Third Committee of the General Assembly on October 24, at which time the Iranian delegation will have an opportunity to respond.

Shaheed says he has “catalogued a wide range of human rights violations” and “asserts that these violations are products of legal incongruities, insufficient adherence to the rule of law, and the existence of widespread impunity.”

Shaheed, whose UN title is Special Rapporteur, concludes, “The submissions and interviews considered for this report provide a deeply troubling picture of the overall human rights situation in the Islamic Republic of Iran, including many concerns which are systemic in nature.”

The Special Rapporteur characterized the Iranian government’s failure to review the numerous, specific cases of violations of human rights as indicative of “a culture of impunity.”