

September 3, 1991

IRAN

Political Dissidents, Held for Over a Year, Are Reportedly Sentenced

Middle East Watch condemns the fourteen-month-long detention of nine prominent Iranian political dissidents, and is gravely concerned that some of them appear to have been recently sentenced to up to three years in prison on unknown charges.

The nine are among 25 political activists who were taken into custody in June 1990 after they, along with 65 other prominent Iranians, signed an open letter to President Ali Akbar Hashemi Rafsanjani criticizing his government's domestic and foreign policies and demanding greater civil liberties.¹ They are associated with the *Nehzat-e Azadi* (Freedom Movement) led by Mehdi Bazargan, revolutionary Iran's first Prime Minister, and the Association for the Defense of Freedom and the Sovereignty of the Iranian Nation (ADFSIN).

Sixteen of the group were released during the year following their arrest, some after public expressions of contrition and guilt, while the remaining nine continued to be held without being formally charged. They were brought to a judicial hearing in May that the government-controlled press described as a trial. However, the defendants appeared without the benefit of legal counsel and without being informed of the charges against them. Witnesses were not called, and the names of the judge or judges were not disclosed. The session took place inside the prison, and was closed to the public. These procedures run counter to promised judicial reforms.

In recent weeks, authorities reportedly sentenced one of the nine, Ali Ardalan, to three years in prison, apparently on vague charges relating to his involvement in the open letter. Some of the others have reportedly received sentences ranging from six months to three years. While Ardalan has been transferred to the central detention center of the Revolutionary Committees (*komitehs*) in Tehran, most of the others remain in Evin, Tehran's main prison.

The Freedom Movement and the ADFSIN, established in 1961 and 1986 respectively, had both applied unsuccessfully for registration under the Political Parties Act of 1981 legalizing peaceful political opposition.² More than two years after the Freedom Movement applied for legal status, President Rafsanjani announced in May 1991 that the Freedom Movement was "illegal" because it refused to accept the principle of *velayat-e faqih* (mandate of the jurist).³ The ADFSIN's request for official recognition as a civil rights group also went unanswered for a number of years. Then, on June 14, 1990, the office of Teheran's Revolutionary Prosecutor ordered it to "dissolve" itself.

¹ Included among the 90 signatories are engineers, high-ranking military officers, clergymen, lawyers, and businessmen. See Middle East Watch, *Iran: Arrests of "Loyal Opposition" Politicians*, June 29, 1990.

² This act was suspended during the war with Iraq but in December 1988 the Iranian government announced its intention to comply with it.

³ *Kayhan Havai*, May 15, 1991, p. 26. This principle, first formulated by Ayatollah Khomeini in 1970, gives to Shi'ite religious leaders, as the authoritative interpreters of the Sacred Law, the mandate to rule. The clerical leadership that governs Iran has made *velayat-e faqih* its operative principle of government.

The fate of these two groups makes a travesty of the 1981 Act and of the government's stated commitment to political pluralism. So far, the list of parties allowed to register consists mainly of such nonpolitical groups as the Islamic Association of Graduates from the Indo-Pakistan Sub-Continent, the Society of Zoroastrian Priests, the Society of Surgeons, the Association of Pediatricians and the Islamic Center of Teachers. The only genuinely political parties permitted are different factions of the Islamic clergy.

Since the 1979 revolution the Freedom Movement and the ADFSIN have repeatedly declared that they do not oppose the Islamic Republic and have pledged to abide by the constitution. Nevertheless, members of these two groups have faced constant harassment, including the ransacking of their headquarters, banning of their newspapers and attacks in the government-controlled media. There were three incidents of bomb attacks on members' homes in 1986, and a case of brief abduction and beating of a number of members in 1989.

Members of the ADFSIN and Freedom Movement who have been released from prisons have complained of beatings and psychological pressures. They have allegedly been held for months in solitary confinement, being made to stand outside during cold weather, kept blindfolded for long periods, and interrogated late at night or early in the morning. However, they have been permitted visits by relatives and, in at least one case, by a private physician.

Some have been coerced into making confessions. On August 6, 1990, Dr. Farhad Behbahani, a founding member of ADFSIN, confessed on national television that he and his colleagues had a "very strong intellectual and moral affinity with America," "championed Iraq's views" during its war with Iran and acted as "the enemy's fifth column."⁴ No representative of the Freedom Movement or the ADFSIN was allowed to offer a rebuttal in the media.

The nine Freedom Movement and ADFSIN dissidents who remain incarcerated are:

§ **Ali Ardalan**, 74, is a lawyer who was appointed Minister of Finance in Mehdi Bazargan's Provisional Revolutionary Government in 1979. A member of the National Front⁵ and a brother-in-law of its leader, Karim Sanjabi, he has been the Secretary-General of the ADFSIN since its formation. This is the second time since 1981 that he has been arrested. His age and heart problem are causes for concern.

§ **Abdol Ali Bazargan**, 48, is an architectural engineer who served in the Executive Committee of the Freedom Movement. A son of former Prime Minister Mehdi Bazargan, he is reported to have undergone severe torture during his periods in detention and is believed to be in poor health.

§ **Habibollah Davaran** is a pharmacist and long-time political activist who was appointed governor of Gilan province after the 1979 revolution.

§ **Khosrow Mansourian** is a long-time political activist and member of the Freedom Movement. He owns and operates a private student dormitory in Teheran.

§ **Nezam al-Din Movahed** was appointed director of the Iranian Shipping Lines after the 1979 revolution. He was previously arrested on May 31, 1988 for having signed an open letter calling for an end to the Iran-Iraq

⁴ Behbahani was subsequently released from prison. A number of other dissidents have also been reportedly coerced into making confessions as a condition for their release.

⁵ The National Front was a major secular opposition political movement during the Shah's rule.

war.

§ **Hashem Sabbaghian**, 54, is a civil engineer with a long record of political activity and persecution under the Shah. He headed the committee that prepared Khomeini's return from exile in 1979, served as Interior Minister under Bazargan, and was elected to parliament in 1980. A high-ranking member of the Freedom Movement, Sabbaghian was previously incarcerated in May 1988 for signing the open letter about the Iran-Iraq war. He is known to have been tortured during both periods of imprisonment and is said to be in poor health.

§ **Abol Fazl Mir-Shams Shahshahani**, 59, is a judge and former revolutionary Prosecutor General of Teheran. Formerly active in the National Front, he is presently a member of ADFSIN's Central Council.

§ **Mohammad Tavassoli**, 53, is a civil engineer trained in Iran, the United States and Germany. A long-time political activist who was imprisoned during the Shah, he is the secretary of the Freedom Movement. Tavassoli was mayor of Teheran from February 1979 until December 1980, when he resigned under pressure from hardline opponents. Like Sabbaghian and Movahhed, he was arrested in 1988 for signing the open letter against the war with Iraq.

§ **Akbar Zarinehbab** is a lawyer, teacher and member of the ADFSIN's Central Council.

Middle East Watch believes that all nine are being held for peacefully exercising their right to expression, and should be released unconditionally. Politely worded letters seeking assurances about their treatment in detention and urging their release should be sent to:

Hojatoleslam Ali Akbar Hashemi Rafsanjani
The Presidency
Palestine Avenue
Azerbaijan Intersection
Teheran, Islamic Republic of Iran

Ambassador Kamal Kharrazi
Mission of the Islamic Republic of Iran to the United Nations
622 Third Avenue
New York, NY 10017

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For further information: contact Andrew Whitley (212) 972-8400

Middle East Watch was created in 1989 to monitor human rights practices in the Middle East and North Africa and to promote respect for internationally recognized standards. The chairman of Middle East Watch is Gary Sick, the vice chairs are Lisa Anderson and Bruce Rabb, the executive director is Andrew Whitley, the research director is Eric Goldstein, the associate director is Virginia N. Sherry, the senior researcher is Aziz Abu Hamad, and the associate is Christina Derry.

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