



# General Assembly

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## Human Rights Council

### Sixteenth session

Agenda item 4

### Human rights situations that require the Council's attention

#### **Written statement\* submitted by the Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), a non-governmental organization on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 February 2011]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **Fundamental freedom and rights of the Kurdish people in the Islamic Republic of Iran must be protected and promoted**

Since the establishment of the Islamic Republic in Iran in 1979, millions of people have been discriminated against or denied their very basic rights due to their political beliefs, ethnicity, sex, or having a different religion. Iran is composed of several national and religious minorities: Kurds, Persians, Azeris, Baluch, Arabs, Turkmens and religions such as Shiite, Sunni, Baha'is, Jews, Yarsans, etc. However, to date, the ethnic and religious minorities are marginalized politically, culturally and economically.

### **Cultural discrimination**

Having asserted their fundamental socio-cultural rights, Kurdish people in Iran were always treated with mistrust and were marginalized. It is only in article 15 of the Iranian Constitution (1979) which allows non-Persian populations of the country to use their tongue in public. This article, however, has never been implemented and teaching Kurdish in school is still forbidden. The Kurdish parents cannot choose Kurdish names for their children.

### **Economic discrimination**

Economically, the Kurdish region has been kept underdeveloped. The official state statistics clearly shows enormous inequalities at the level of allocations of financial investments and that the Kurdish region has been explicitly neglected. The government has strictly prevented the private sector to develop and invest in the region. To date, there is neither banking system in the Kurdish region of Iran, nor the possibility to support investments in the region. In addition, the arrival of Sipah Pasdaran (Army of the Guardians of the Islamic Revolution) as economic force and without any real investment projects has put into difficulty the rare private companies that existed in the region.

On 7 January 2011, the Iranian Kurdish MP Mohammad Ali Pertewi<sup>1</sup> expressed concerns about high poverty levels in Iranian Kurdistan. According to Mr Pertewi, over 60 percent of Kurdish people in Kurdistan in Iran live in poverty. He attributes this poverty to governmental deprivation and misconduct of regional authorities and wrong policies of the Iranian authorities.

### **Prison conditions**

According to human right groups, lawyers and members of parliament, some Iranian prisons, such as the Urmia prison, have become overpopulated with Kurdish inmates. Many of whom were arrested for political reasons and have been sentenced to death. According to Nadir Qazi Poor, an Urmia-based member of Iranian parliament, the number of prisoners in Urmia prison has increased considerably.

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<sup>1</sup> <http://www.peyamner.com/default.aspx?l=4&id=218132>

## Independence of judges and lawyers

Far from media coverage, arbitrary arrests and summary judgements against Kurdish human rights defenders and protesters are common practice.

The lawyers of Kurdish prisoners are under threat<sup>2</sup>. Since the disputed presidential elections of last year, a number of lawyers has left the country or has been arrested in a severe campaign of crackdown on political activists by the country's authorities because of taking up politically sensitive cases.

M. Mohammed Salih Nikbakht, a Kurdish lawyer in Sina, says that the lawyers are afraid to get into trouble, so they rarely accept political cases. Among the notable lawyers facing government repercussions are Nasser Zarafshan, Shirin Ebadi, the Nobel Peace laureate, Mohammed Ali Dadkhah, Abdolfattah Soltani, Mohammed Oliyayi, Khalil Bahramiyan, Nasrin Sotoudeh and Mohammed Mostafayi. They all represented political and human rights activists at different stages.

On October 9<sup>th</sup>, 2010, Nasrollah Nasri, a lawyer representing Ihsan Fattahiyan - a political activist who was recently executed - died in what appeared to be a car accident. Although there is no evidence of the contrary, some suspect that Nasri might have been killed.

The Director of the Kurdistan Human Rights Organization, Mr Mohammad Sidiq Kaboudwand, he has been in custody since June 2007, serving an 11 year prison term.

## Death penalty

The last Kurds executed are: Farhad Tarom, Kurdish political prisoner, who was executed on January 27, 2011 in the Orumieh central prison charged with association and membership in Democratic Party of Iranian Kurdistan and Hussein Khezri, a Kurdish student who was executed on December 26, 2010 for "waging war against God" because he was supporting an anti-government group, his lawyer was quoted to say.

The Islamic Republic of Iran opposes the visit of UN Special Rapporteur against Torture and its access to places of detention and has not yet responded positively to the standing invitation addressed to them in 2004. The Iranian government also refuses to abolish the death penalty, to release political prisoners, and to guarantee the independence of the judiciary.

According to different sources<sup>3</sup>, the following Kurdish activists have been sentenced to death:

- Anvar Rostami, imprisoned in Kermanshah prison, sentenced to death for membership in a Kurdish political opposition group threatening "national security" and for participation in a demonstration held after the death of Shwana Ghadri a Kurdish activist killed under torture in 2005.
- Abdollah Sarvarian, was arrested after a visit to his family in Iraqi Kurdistan and serves his sentence in Sanandaj prison, is accused of spying.

<sup>2</sup> <http://www.rudaw.net/english/news/iran/3287.html>

<sup>3</sup> [http://www.aciiran.com/list\\_prisoners\\_deathrow.htm](http://www.aciiran.com/list_prisoners_deathrow.htm); <http://www.rahana.org/en/>; <http://www.leparisien.fr/flash-actualite-monde/l-onu-denonce-l-accroissement-dramatique-des-executions-en-iran-02-02-2011-1297140.php>; <http://sarzaminekourosh.mihanblog.com/post/1113>; [http://www.unity4iran.com/2010/10/blog-post\\_1509.html](http://www.unity4iran.com/2010/10/blog-post_1509.html); <http://www.iranglobal.info/I-G.php?mid=2-62563>; <http://www.dw-world.de/dw/article/0,,4880788,00.htm>; <http://www.iranglobal.info/I-G.php?mid=2-62563>; <http://kmmk.info/expand.php?id=775>

- Loghman Moradi, held in Rajaiishahr prison, is accused of waging «war against God» and being “seditious on earth”. According to Iranian state media, he has been accused of assassination of Friday preacher (Imam) of Mariwan town and for having collaborated with Komalah (a Kurdish political Organisation). The verdict has been issued by the Judge Abu-Alghasem Salawati, president of Section 15 of Revolutionary Court.
- Iraj Mohammadi (Miandoab - 30 years old), Mohammad Amen Agoshi (Piranshar - 50 years old) and Ahmad Poladkhani (Piranshahr - 40 years old) are held in Uromieh Prison, accused of being a threat to “national security” for spying for the United States of America and giving information to Free Life Party of Kurdistan (PJAK).
- Zeinab Jalalian, from Makou is held in -Kermanshah Prison, she was arrested in 2007 and subsequently accused of “war against God” through membership with Free Life Party of Kurdistan (PJAK). She was sentenced to death in 2009 and the verdict was later confirmed by the Iranian High Court.
- Shirko Moarefi (Baneh - 30 years old) is held in Saghez Prison. He was arrested in 2008 and accused of being a threat to “national security” and “war against God”.
- Habibullah Latifi (Sanandaj) an engineering student from Ilam University is held in Sanandaj Prison and accused of collaboration with Free Life Party of Kurdistan (PJAK).
- Jamal Mohammadi and Sami Hosseini (Salmas) are held in Uroumieh Prison, both of them are accused of waging “war against God” through collaboration with Free Life Party of Kurdistan (PJAK).
- Rostam Arkia ( Mako) is held in Mako prison, he is accused of having political relations with Free Life Party of Kurdistan (PJAK).
- Rashid Akhkandi (Saghez) is held in Saghez Prison. Arrested in Asfahan, he was accused of staging «war against God» and collaboration with a Kurdish anti-governmental organisation.
- Mostafa Salimi, son of Abdullah, from Tilako area is held in Saghez Prison. He was arrested in 2001 for membership with a Kurdish political organisation and threatening through that organisation, the “national security” and waging “war against God”.
- Hassan Taleie is from Makou. In 2008, he was accused of collaboration with Free Life Party of Kurdistan (PJAK).
- Mohammad Amin Abdullahi is from Mirabad of Boukan region. He is accused of being a threat to “national security” and “war against God”.
- Ghader Mohammadzadeh is from Mirabad Boukan region. In 2009, he was accused of being a threat “national security” and “war against God”.
- Aziz Mohamadzadeh, 26 years old is from Baneh ,is held in Saghez Prison. He was accused of being a threat to “national security” and “war against God”. He was sentenced to death by the Court of Saghez town.
- Habibollah Golparipour, from Sanandaj is held in Uromieh prison, was accused in 2010, of “war against God”, through propaganda and membership in an anti-governmental organisation.
- Zaniyar Moradi, from Mariwan is held in Karaj Rajaiishahr prison. He is accused of “war against God” and “seditious on earth”.

We call upon the Government of the Islamic Republic of Iran for urgent action to be taken on the following matters:

- immediate cancellation of death sentences given to political and civil activists and remove the death penalty from the Iranian constitution;
  - release all individuals deprived of their freedom who have only peacefully exerted their right to the freedom of expression and meeting;
  - open transparent and independent investigations into all the cases of complaints of torture and ill treatment inflicted on prisoners and persecute and judge the persons responsible for these acts;
  - eliminate policies of national, religious and sexual discrimination, stop the policy of sending detainees into exile and improve the prison conditions;
  - review and reform the Iranian Judiciary system with all of its sub-institutions according to international human rights law.
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