



Witness Statement of Ensafali Hedayat

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Interviewing Organization: Iran Human Rights Documentation Center (IHRDC)

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Interviewer:

Witnesses:

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Witness Statement

The History of Secret Prisons

1. I don't have exact information about secret prisons in Iran. If [we view] secret prisons as prisons and detention facilities situated in undisclosed locations wherein government agents illegally detain citizens, [it becomes clear that] the issue is not a new phenomenon in Iran's political history and dates back to the Qajar era. Specifically, in the period after Qajar rule elements linked to the [new government] arrested influential politicians linked to the Qajar dynasty, journalists, members of the *Majlis* and others and detained them in undisclosed locations. During the rule of Reza Khan these types of illegal government activities increased pursuant to the establishment of a permanent military and security apparatus. These unlawful activities continued and, in fact, worsened after the Iranian Revolution.
2. During the early years of the revolution, every political group or faction (especially those allied with Ayatollah Khomeini) had their own revolutionary committees. These groups and parties arrested individuals (even those linked to the government), detained them in prisons outside the government's control and failed to inform the detainee's families of their whereabouts. Many of these individual – perhaps more than 10,000 of them – were executed in these undisclosed locations following the period of unrest during the revolution. Their families were never able to gather information regarding [the status of] their loved ones. Months passed before government officials notified these individuals' families that their loved ones had been buried in one of the cities' cemeteries. They were not, however, allowed to exhume the bodies for the purpose of identifying the disappeared.
3. I do not know the extent to which high ranking officials were aware of the illegal activities of these groups during the early years of the revolution. But the construction of the prisons and the method of interrogations suggest that these activities were systematic in nature, though I don't know the extent to which Khamenei was aware of these activities.
4. Slowly and surely the regime began to control all the nation's affairs, and power became concentrated in the hands of high ranking government officials. To the extent that when Ayatollah Montazeri became aware of the directive to execute tens of thousands of individuals both inside and outside [Iran's] prisons in 1988, he complained about Ayatollah Khomeini's order. As a result of his criticism Montazeri was removed as a successor to the Supreme Leadership and placed under house arrest. This position was later eliminated under Iran's [new] Constitution. This indicates that, at a minimum, Ayatollah Khomeini was aware (and approved) of a series of illegal prisons [and the] tortures and executions [that

- accompanied their administration]. During the reform movement Khamenei was aware of these illegal activities. In fact, many journalists, writers and intellectuals who were victims of these activities wrote detailed letters to Khamenei and other agency officials and kept them informed of what was going on. Despite this, government officials denied any responsibility for or knowledge of these actions. At other times they identified non-government elements and civilians as the culprits.
5. I'd like to give you an example of this. In 1994 I was employed by the newspaper *Salaam*. We had received two letters indicating that secret prisons existed in the woods near Lavizan. A while later an older gentleman came to the newspaper office and alleged that his private lands in Lavizan had been confiscated and secret prisons had been built on them. (I never personally met this individual.) The old man told us that despite the fact that he wasn't a supporter of the Shah, he was never reimbursed for his lands. He wanted our help and support.
 6. *Salaam's* editor requested that I investigate the validity of the claims made by the old man (and the ones made in the two letters). I took the letters and went to the wooded area near Lavizan along with a personal friend who was close to 20 years old. My friend was unaware of the reason for my expedition.
 7. Lavizan is a heavily wooded and hilly area covered with tall pine trees. Anyone who enters the wooded area and proceeds beyond 20 meters disappears [into the thick brush]. The Revolutionary Guards and the Army have large factories, bases and depots in this area. The wooded area in Lavizan is situated between two highways – Abbaspour and Baba'i. This area is a part of Greater Tehran..
 8. My friend and I entered Lavizan. We were about 100 meters away from the area that I had been ordered to investigate when suddenly we were confronted by four or five uniformed individuals. There was nothing unusual about their behavior. As they approached us I noticed that they were wearing military boots. One of them asked "Who are you?" I said I am a reporter. One of them suddenly placed his military knife under my throat and another positioned a knife behind my neck. I could not move either forward or backward. The other two [soldiers] held my friend. They then started punching and kicking us with their military boots. They beat us for more than an hour. All of a sudden, one of them cut a 4 centimeter piece of my scalp (behind the right corner of my head) and told me that it will serve as a reminder that I should never again come around these parts to obtain information [for my news stories]. After we'd received a good beating, they let me go and I ran away. But they kept my friend and raped him. I went to the closest residence and called the police. I waited for the police more for than an hour, but they never came. I gave up and returned to my home. One or two hours later I found out that my friend is alive and has returned to his own home. He swore that, along with the assistance of his friends, he would make them pay [for what they did to him.] [Soon after the attack] I visited the *Salaam* office and described the way in which I was attacked [to my coworkers.] As a result of the

- beatings and psychological trauma I sustained, I became ill and bed-ridden for a month.
9. I am 90% sure that the individuals who attacked us and sexually assaulted my friend were employees of the government of the Islamic Republic. The area in which they attacked us is under the control of the military. No investigations were ever launched pursuant to the complaints we filed. After I went back to work I realized that the police never investigated my complaint. Similarly, *Salaam* newspaper failed to ever publish anything regarding my attack.
 10. My guess is that secret prisons also exist in other parts of the country, but I don't have any specific information regarding this issue. It was alleged that in Tabriz – the capital of East Azerbaijan province – several secret prisons exist. One of the areas people often talked about was at the intersection of Bahar and Monajjem streets, which used to house a revolutionary committee office and was later taken over by the Revolutionary Guards. Residents of the area claimed that the Revolutionary Guards ran a secret prison underneath this facility. It was also said that another secret detention facility existed at the northern corner of Tabriz railroad. The Tabriz railroad is a very expansive area that covers the Tabriz power station until the beginning of Qaramalik. This whole area is fenced off. One of my friends who had disappeared for a while told me that he had been detained in this area. He said that he could hear the sounds of many passing trains coming through the top of the prison. Another friend of mine, who was the chief editor of a daily in East Azerbaijan, also disappeared for a short while. A couple of days later he showed up with injuries. They had tortured him with electric shocks. When I went to visit him I noticed a one centimeter deep burn mark behind his leg. This friend of mine was an engineer and was very familiar with the layout of Tabriz. He told me that when they arrested him in Manzariyih, they blindfolded him and drove him past Azadi Street towards Division 31 of Ashura [of the military]. From there they took him to the technical factory at Jahad Sazandegi. He said that the Sazandegi factory is a secret prison, and that he was tortured by Revolutionary Guard agents there. It's possible that this detention facility is linked to the Revolutionary Guard's Division 31 of Ashura, because it is located within 200-300 meters from their base.
 11. During the reform movement of Mr. Khatami the reformers paid little attention to the problem of secret prisons outside of Tehran. There are two reasons for this. The first is that from 1924-25 the Iranian state sought to perpetuate Persian identity and transform it into a political ideology. This ideology encouraged central government authorities (who were primarily of Persian ethnicity) to pay less attention to the problems of other areas in the country. The other is that the reformists were in fact some of the most radical government officials in Iran during the 80s and 90s. Some of them were responsible for running secret prisons during the early years of the revolution, and were involved in the assassination and torture of the regime's opponents. Most of the reformists also have military experience. They were commanders and lieutenant-governors and played

- important roles in the establishment of the Islamic Republic. But the reformers were slowly removed from the mid-1980s. Later, in order to regain power they became part of the reform movement and founded newspapers such as *Salaam*.
12. Mr. Khatami's presidency was marked by factional in-fighting between two groups. Those who had been removed from power allied themselves with more genuine reformist groups who opposed the regime, and worked to expose evidence regarding events and violent interrogations linked with the Chain Murders. You will note that after regaining power, the reformists made no attempt to investigate and discuss the political killings, silencing of dissidents and massacre of political prisoners that marked the period of Hashemi Rafsanjani's (and the years before that). Reformists linked to the government remained silent on these issues. For these and other reasons, the reformists failed to investigate and talk about the existence of secret prisons in areas such as Kurdistan, Sistan and Baluchistan, Khuzestan, Azerbaijan and others.
 13. The Sixth *Majlis*, which was under the control of the reformists, established an investigative committee to look into the events surrounding the Tehran University dormitory and Tabriz University. This committee announced the results of its investigation following the Tehran University dormitory incidents. Regarding the events surrounding Tabriz University, however, the committee remained silent despite the fact that what happened there amounted to a tragedy that involved acts such as murder and sexual assault. The central authorities in Tehran have always adopted a discriminatory approach towards serious issues which occur outside the Persian-speaking areas of the country. This approach is to some extent understandable because on the one hand Tabriz is not located in a Persian-speaking area, and on the other the hand high-ranking reformists (including the head of security, governor-general and governor) ran the provincial government.

The Parallel Intelligence Apparatus

14. Now I'd like to talk briefly about several issues linked to the parallel intelligence apparatus (PIA).
15. The first issue is that prior to the establishment of the PIA, the *Majlis* engaged in a theoretical debate regarding the extent to which the government was accountable to its citizens. According to [some] in this debate, accountability is a fundamental religious responsibility of an Islamic government, and the people request accountability and launch investigations into the activities of all government agencies, including the Ministry of Intelligence. [In other words,] if the government is accountable, then so is Khatami and the Ministry of Intelligence. And if the Ministry of Intelligence is accountable, then so is the Supreme Leader (since pursuant to the Constitution the head of this ministry must be a cleric who is confirmed by the Office of the Supreme Leader, and the President has little say in the selection process). At the same time, this debate [was raging in the *Majlis*], Ayatollah Shahroudi – the head of the Judiciary –

spoke of the existence of secret detention facilities outside the jurisdiction of the State Prisons Organization (SPO), and issued a 15-point directive protecting the citizens rights of arrestees. The Sixth *Majlis* adopted this directive and passed it as the Citizens Rights Law. Up until this point, most journalists, writers and dissidents had been arrested by the Ministry of Intelligence and the Law Enforcement Forces. But after [the Sixth *Majlis* began to address these issues in a more serious fashion], the Intelligence Protection Organization of the Revolutionary Guards, the *Basij*, the Intelligence Protection Organization of the Law Enforcement Forces, and the Intelligence Protection Organization of the Prosecutor's Office (which had recently been established) began to get more involved in arrests and political prosecutions [against the reformists]. This is because these agencies lay outside the control of the [Presidency], and *Majlis* could not investigate and scrutinize their activities. These agencies are not accountable to the nation and its people – they are directly under the control of and solely responsible to the Office of the Supreme Leader. When these agencies increased their activities and became more openly involved in the issues referenced above, they became known as the “PIA.” The intelligence operations and arrests executed [by these agencies] were, in effect, designed to insulate the Supreme Leader from accountability to the people or the *Majlis*. During this time, I was arrested by the Ministry of Intelligence. When I was arrested, the ministry agents told me that I should actually be indebted to them and that they had done me a favor. This was their indirect acknowledgement of the existence of the PIA – they were suggesting that by arresting me they had saved me from the PIA (which [they alleged] was largely controlled by the reformists).

16. The second issue was that evading responsibility had in fact become a regular policy of the Islamic Republic. During the reform period, high ranking officials decided that in order to distract the public away from criticizing the actions of the regime and the Ministry of Intelligence (and prevent them from holding agencies such as the *Basij* and Revolutionary Guards responsible for torture and violent interrogations), it was necessary to allow people to believe in the existence of the PIA. In this way, they effectively ascribed a level of legal (or extralegal) legitimacy to the secret detention facilities and the PIA. Let me provide you with an example. Before Khatami's government identified Saeed Emami as the main individual in charge of the Chain Murders, the Iranian public believed that the Revolutionary Guards and the Supreme Leader were responsible for these events. In discussions amongst themselves, journalists strongly suspected the Office of the Supreme Leader and the Revolutionary Guards. But in a brilliant maneuver, Dorri-Najafabadi placed responsibility [for the murders] on the Emami Gang, and freed the Supreme Leader and the Revolutionary Guards from the burden of accusations. In my estimation, this was a pre-mediated move. Saeed Emami and the Ministry of Intelligence were sacrificed in an effort to protect the Supreme Leader and the Revolutionary Guards. From the point of view of those in power, it was better to sacrifice a minister and an agency operative rather than the Supreme Leader and his allies.

17. Third, the PIA was not solely interested in opposing reformist factions within the regime. In fact, the PIA arrested a large number of *bona fide* reformists who opposed the regime. All of Iran's intelligence agencies – whether controlled by reformists or conservatives – uniformly engaged in the arrest of genuine and independent reformists and opposition members who were not tied to the regime. In fact, most of the detainees held in secret prisons were individuals who were affiliated with these independent opposition groups, not those tied to the government. “Reformist” lawyers were not interested in defending these types of detainees. As long as the reformists remained unconvinced that defending a detainee or the accused could in some way benefit them, they generally shied away from getting involved on their behalf. For example, none of the reformists came to my defense during the first two or three months after my second arrest. They only got involved after they were certain that I would not confess under torture, and after charges related to my spying for the United States, Turkey and Azerbaijan were dropped without my having confessed to any of them. It was only after that that several lawyers agreed to come to my defense. This despite the fact that immediately after my detention I requested that several reformist lawyers take up my case. They refused, and instead asked for my forgiveness.
18. Fourth, I am not convinced by the theory that the PIA operate outside the control of the government. Most of the high ranking officials of Iran's intelligence agencies know each other and make decisions in a coordinated fashion. In Iran, if one intelligence agency makes a move, other agencies either know about it or become informed later on. If they wish to expose these activities, they can. Despite this, none of the intelligence agencies in Iran exposed, attempted to expose or will ever expose the unlawful activities and secret detention facilities of other agencies.

My First Arrest

19. I was arrested and interrogated several times during the time of Khatami. Here I will talk about two of the more important incidents.
20. The first incident occurred on June 16, 2003 in Tabriz. I and several other journalists were covering events unfolding in Tabriz University when several plainclothes agents attacked us. I soon realized that only me and Aghabeigi, another journalist, were left. The others had escaped. They didn't say anything to him. During the course of interrogations I gathered, from the interrogator's hints and suggestions, that [Aghabeigi] was in fact an agent of the Ministry of Intelligence. (I also came to this realization during the course of a meeting prior to my exit from Iran.) I remained in detention for 28 days, most of which I spent in solitary confinement.
21. In my letter to Khatami, the former President, I explained the violent methods used by the police during my arrest (which I will now recount to you). Seventeen or eighteen policemen attacked me near Tabriz University. This happened in the

- month of May 2003, from about 7:30 p.m. to 9 p.m. until after the sun went down. They beat me and hurled obscenities involving my mother and wife, such as “motherfucker,” “we’ll service your mouth,” “son of a bitch,” and others. The police kicked and hit my testicles, waist, back, buttocks, stomach, head and face. They struck at my testicles so many times that I thought I wouldn’t be able to have children anymore. I bled from my anus. When a group of policemen got tired of beating me, another group replaced them. Colonel Roustai, the then-acting deputy of the Intelligence Office of Law Enforcement who had a hand in cracking down on the student movement, threatened to cut my testicles and said he would kill me if I didn’t leave Tabriz in six months. Under Roustai’s command, they took me to the police station near Tabriz University. They confiscated my work instruments and seized all of my belongings other than my personal clothes. A while later Colonel Roustai came straight to the police station in order to beat me again. I don’t know how much time actually elapsed, but for me it took forever. Colonel Roustai and four other people took turns beating me. My testicles, stomach, head and face were constantly targeted. All of a sudden an officer approached me and punched me in my chest as if he were striking a 80 kilogram boxing bag. I couldn’t catch my breath. I had not experienced such a blow until then (even after I was transferred to the Intelligence Protection Organization of the Law Enforcement Forces).
22. They threw me in a military vehicle and transferred me from the police station to the office of the Intelligence Protection Organization of the Law Enforcement Forces on *Saeb* Avenue. We entered the building through the Tabriz passport office.
 23. They fingerprinted and registered me at the Intelligence Protection Organization office, and then they threw me and two others inside an underground cell. The prison was very crowded. A few minutes passed and Ebrahimi came. He saw the other two with. He grabbed them by the neck and threw them out of the cell. I spoke to him for a bit. I was in awful shape. Several of my teeth were loose – when I spoke they chattered and made noise. I had been beaten up pretty badly and had bruises all over. The interrogation was short. They left me in the solitary cell all by myself and did not feed me until morning. I was detained in solitary confinement from then until July 13th, at which point I was released.
 24. At night they took me to Police Station 15 in Pasteur Avenue and instructed the guards not to allow anyone to see me, contact me or speak to me. They threw me in a solitary cell which had a dingy and worn out carpet.
 25. The midnight guard came, blindfolded me and took me to the underground basement of the Law Enforcement Force’s Intelligence Protection Organization office. My interrogator wanted to me to reveal the radio and television stations, news agencies, newspapers and foreign magazines which I reported to, and the amount I received [for my work.] According to him, I should have received [at

least] \$100,000. He pointed out my pressed suit and suspender as signs of my wealth.

26. The third day, the judge of the Revolutionary Court came to visit me. I requested that he allow me to see a medical examiner. He told me that I had just arrived, but that he would look into it. Then he left. After a short while they let me out of the solitary cell. We passed by scores of young men who were sitting in the yard under the hot sun on our way to the buildings which housed the Intelligence Protection Organization offices of the Law Enforcement Forces. (Some Revolutionary Court judges also worked out of this location because it was located further away from the courts and they could make decisions regarding whether they should continue detaining or release the students.) I spoke with Judge Abizadeh for a short while in detention. The judge's behavior took me by surprise. He didn't once ask why my eye, face, chin, head, forehead and body were swollen and bruised. He didn't ask "Would you like to be seen by a physician or a medical examiner?" Nor did he ask "Would you like to complain about anyone?" I told the judge that I was beaten and am in prison for no reason at all. Instead, Abizadeh asked me if I accepted my charges. I said, "No, I did not." Then the judge issued my arrest warrant according to the wishes of NAJA's Intelligence Protection Center. The warrant was issued for an unspecified period of time (not to exceed three months). The charges were "propaganda against the regime," "interviews with foreign radio stations," and "armed attack against a police officer." I rejected all three charges and insisted that I be seen by a medical examiner. He asked me if I wanted [to see a doctor in order to document my condition]. I said yes. But he postponed making a decision and said he would do so at an unspecified time in the future (which never arrived).
27. They took me from the judge's office inside the police's Intelligence Protection Organization office to a solitary cell in the detention center. Later, one of the guards announced the arrival of Commander Eini-Baher – the Police Commander of East Azerbaijan Province – who had come to inspect the arrestees. I had interviewed him several times. He was familiar with me and knew that I was a journalist. I thought he would help me, but he insisted that I had evil intentions when contacting foreign media and that I deserved to be arrested. I told him: "Commander, you are neither a judge nor a lawmaker and should therefore not pass judgment. You were given this weapon in order to guarantee the safety of people like me, not to issue a ruling instead of the judge or pass a law in place of a legislator." Then I requested he give me two warm meals and a cold one pursuant to the SPO Law. Colonel Roustai, who had accompanied Eini-Baher, said in response that arrestees must purchase food with their own money. Then Eini-Baher said he'd look into the matter. He left. I was placed under interrogation. My interrogator was named Ebrahimi. He threateningly informed me that I had the right not to answer his questions. I was scared, so I answered his questions. On the third day I was extremely hungry, so I told him that I would answer his questions on the condition that they take off my blindfold and bring me food. Ebrahimi gave 200 *toman* (about 20 cents) to a guard and instructed him to bring

- me some bread and cheese. During Eini-Baher's meeting with the accused, I saw Colonel Roustai. I was very frightened. Colonel Roustai or his officers could have easily accused me of being a hooligan, knocked me around again and caused serious trouble for me. He was the direct commander of the officers who had attacked me in front of the university – he himself had beaten me up harder than anyone else.
28. During the first day I paid little attention to my diarrhea. But on the second night in Police Station 15 I realized that I had bloody stool and was bleeding profusely. At my request, the police officers contacted their superiors at the Intelligence Protection Organization office of the Law Enforcement Forces several times. Around 12 midnight a kind and gentle guard by the name of Seyyed took me (along with Ebrahimi) to the Kosar infirmary, which belonged to the Law Enforcement Forces. When the doctor examined me he asked what I did for a living. I said I am a journalist. He didn't believe me. I had been tortured so much that I no longer resembled a journalist. After examination the doctor administered a shot and gave me a prescription for two different kinds of medications. A while later I felt better. Until that moment (from the police station to the infirmary) I hadn't been handcuffed.
29. After I was arrested, my family contacted various police stations and detention centers to obtain information regarding my whereabouts. However, each time, the authorities told them that no one matching my description has been detained. After two days, I was able to notify my family (with the assistance of a guard) that I was being detained at NAJA's intelligence office on Saeb Avenue in Tabriz. My family contacted other journalists and asked them to pressure Eini Baher, the Police commander of East Azerbaijan, to give them permission to visit and interview me, or at the very least to allow my family to visit me. As a result of these pressures they were able to gain permission to visit me from the police commander of East Azerbaijan.
30. It was around 6:30 p.m. on the third day of my arrest when the guard came, told me that I had a visitor and gave me permission to leave my solitary cell. He refused to give me my glasses. My family – mother, wife and older daughter – were waiting for me inside the yard of the Tabriz passport office (which was affiliated with the Intelligence Protection Organization office of the Law Enforcement Forces). My face was all bruised up and my clothes were still blood stained. I looked completely different, and my family couldn't recognize me. I said hello. My family recognized my voice, and we embraced. I assured my mother that I had only been beaten during my initial arrest and transfer to this facility – that I hadn't been abused in detention. But I also told them that I was afraid and extremely worried that they would abuse me. I told them that I feared for my life, that they may kill me. I told my mother to go and give interviews to foreign media, to describe the condition I'm in. The supervising guard became uncomfortable with our discussions and terminated the meeting. When we entered the yard of the Intelligence Protection Organization office and before he could

- blindfold me, I recognized several of my plainclothes attackers. I was terrified. I didn't expect them to be here. I couldn't hide my fear. My hands were tied – theirs were not. They were interrogators and plainclothes police. They had already beaten me and claimed that I was the one who had attacked them. No one believed me.
31. A few days after I and the other arrested and detained students had been transferred to the central prison in Tabriz, we were taken to the solitary cells of the Ministry of Intelligence, located in Baghshomal, in order to be interrogated. I remained there for about 17 to 18 days, during which I was asked questions about all sorts of topics. I answered their questions, most of which involved my contacts with foreign radio stations and the content of my news reports and had little to do with the charges the police had brought against me.
32. Three days later – around 3:30 a.m. on June 19, 2003 – they transferred me and 64 other detainees to Tabriz prison in a minibus. They gave us prisoner uniforms. Before noon they separated me from the students and young men who had been similarly charged. The others were sent to solitary cells in two different wards: one for “children” and the other for “youth.” The [guards] were told to provide me with a newspaper, books and a radio, and instructed to allow me to visit the yard in order to get fresh air or go to the bathroom whenever I wished. When this happened, the “youth” and “children” were required to return to their wards – no one was allowed to see me.
33. Here the guards treated me with lots of respect. Every evening at around midnight they allowed me to go out and get a breath of fresh air. I wrote lots of articles while I was detained there. I managed to secretly send some of them to my family.
34. I was not interrogated while in solitary confinement at the general prison in Tabriz. One time several Judiciary officials came to inspect the prison, but facility officials hid me in the infirmary and prevented the judge from seeing me. My guess is that they did this because I was still pretty badly bruised. But Judge Abizadeh [was looking for me] and since he couldn't find me in my solitary cell he asked where I was. He found me in the infirmary.
35. About ten days later at around 5:30 in the afternoon on June 29, 2003, they came to visit me again. I was afraid that I would be beaten and tortured again. The guard told me that I had an escort. I said, “To where?” He replied, “To the Judge.” The patrol vehicle exited the facility. We (me and the other student who was also in the vehicle) passed the prosecutor's office. As soon as we turned toward Baghshomal, they pulled our prison shirts over our heads and told us to get down. We got out of the car in the yard, entered a building and sent each of us to solitary cells. This was an intelligence office run by the Ministry of Intelligence in East Azerbaijan. Here they blindfolded us with a piece of cloth (which they referred to as “glasses”).

36. About 22 days later, I was summoned for an interrogation. [I entered] a small room with two chairs lined up next to each other. I took the front seat. My interrogator greeted me and placed his chair in front of me. I recognized him. He was one of the three interrogators from the Ministry of Intelligence – I had seen him several times before. The next evening I was asked to answer written questions. I answered four of them. Two or three days later I answered two more questions, and I answered another four on July 7th, which were rather aggressively worded. One of the questions asked if I would cut off contact with foreign media outlets. I said, “No.” Do we have laws in this country or not? If there is a law, I will be obligated to obey it. But if there is no law, [my agreement to cooperate with them] will be solely based on fear. Of course, they can always get the judge to issue an order that would take away my right to be active as a journalist. This was my answer to them.
37. Of course, [in one of the questions asked] my interrogator referred to an order of the Supreme National Security Council regarding restrictions on giving interviews to foreign media outlets. In response, I wrote that if there is in fact such a provision, then I will obey it.
38. [They suggested that] I change careers. I suggested that in light of my educational and 13 year professional experience, they should put me in charge of the municipality’s public relations. There was silence, and they dropped the issue.
39. It was around July 7th when my family informed me that the judge had issued an order on July 6th allowing them to meet me in person. They had gone to Room 37 at the Tabriz central prison which was administered by the East Azerbaijan intelligence office. The guard there informed them that I had been freed four days prior to their visit (on July 2nd).
40. At noon on July 9th they took me to the Judiciary. The judge refused to see me. They returned me to the Ministry of Intelligence again. On July 10th (which was a Thursday) they took me to prison and delivered me to the authorities. They transferred me to the same cell next to the “children’s” ward. The kids and teenagers came to greet me in the yard and expressed their joys and concerns upon seeing me again.
41. That same night I called home from prison. They told me that they would post bail and free me on Saturday. The judge had set bail at 300 million *tooman*. I protested that this was too high a price for my freedom.
42. Saturday rolled around and I kept staring at the cell door. I repeatedly asked the guard for the time because they had broken my watch at the Ministry of Intelligence. (Of course they had forced me to sign a paper saying that nothing had been broken. I didn’t want to deal with another set of irrelevant questions, so I just signed the paper.)

43. At night my name was on a list of those who were going to go in front of the judge to be released. Just as before I couldn't sleep that night. At least the other nights I was able to sleep for two or so hours. This time I couldn't sleep for even a minute. At 7 a.m. on July 13th they took me to the Ministry of Justice in a minibus and finally released me.
44. While in prison I requested to be seen by a medical examiner several times – from the time the judges came to inspect the General Prison in Tabriz. But the police and judge did not allow me to see the examiner. Instead, they detained me and the students and arrestees until any and all the signs of physical abuse had disappeared and were no longer visible. After my release I refused to see go to a medical examiner for several reasons. The first was that my injuries had, to a certain extent, healed. The second was that the medical examiner was affiliated with the police and often cooperated with intelligence forces in Iran, so I didn't trust its impartiality. The third was that I had asked the judge to allow me to see a medical examiner, but he refused. It was clear that they didn't want to see me. The fourth was that the courts or law enforcement are required to send plaintiffs for examination to the medical examiner. They had not, and I didn't think I'd be able to gain access by myself. In the beginning I insisted on being seen by the medical examiner because the signs of physical abuse were visible. The medical examiner could not [avoid the obvious] and issue a false report. But after my wounds had healed there was a possibility that the examiner would issue an inaccurate report. Regardless, I have three documents proving that I had been tortured by the intelligence forces of the Law Enforcement Forces. One of these is of a photograph taken by police intelligence during the first day of my arrest. The second is another photo taken on the third day when I was at the Tabriz prison. [Finally], the third was a photo taken at the Ministry of Intelligence office in Tabriz which definitely shows signs of torture. All three of these photographs showed signs of abuse including bruising in or around the head, ears, eyes and face.

My Second Arrest

45. After 6 months, I went to prison for the second time. It must be noted that prior to this I had been threatened several times by Colonel Roustai in connection with my first arrest. Colonel Roustai told me to leave Tabriz. During the beatings that occurred in the police station close to the Tabriz University, he told me “that if I didn't leave [Tabriz], [he] would cut my balls off.” I indicated this in the extensive letter I wrote to Seyyed Mohammad Khatami, in which I mentioned that I am a journalist and that I'd like to continue to stay in the city of my birth. Despite these threats, I stayed in Tabriz and continued my work as a journalist. But every so often, I would be interrogated by the intelligence agency of NAJA. They referred to these interrogations as “friendly encounters.” These friendly encounters were intended to be mutually beneficial. I had the phone number of the intelligence office's director, and if I ever encountered any security problems I

- could contact him. But I never called him – instead he would often call me and tell me that he wanted to see me for lunch. I would then go to see him and he would ask me questions about my work and activities.
46. In late December 2003 a strong earthquake destroyed the city of Bam. I went to Bam as a reporter. In early January 2004, I spent 7 or 8 days in Bam providing news reports for various radio stations and magazines regarding the status of relief efforts, statistics on those injured and killed and the difficulties facing survivors of the earthquake. It was also time for me to attend the second gathering of the United Republicans of Iran in Berlin. Around the same time, I received a call from Mohammadi, the official from the intelligence of in Tabriz. He told me he wanted to see me. I told him that I was currently in Bam and that I would definitely see him upon my return to Tabriz. He didn't say anything.
47. I went to Germany on December 18th and participated in the gathering on the United Republicans of Iran. I spent 10 days in Germany and returned to Tabriz after that. I arrived at my house in the morning. I unwound and was about to change my clothes when the phone rang. My daughter, Fatemeh, picked up the phone. They asked her if I was home or not. She said I was. I could hear their voice on the telephone – they informed their superiors that I was home. Then they received the order to “enter!” Suddenly they invaded my home. They showed me the arrest warrant which had been issued by the Branch 1 of the Revolutionary Court in Tabriz. The warrant indicated that I was under arrest for spying for the United States. I looked at the date on the warrant. I realized that it had expired during the time I was in Bam, but the warrant had been extended for an additional 10 days. The warrant indicated that the Ministry of Intelligence had the authority to arrest me and confiscate evidence related to my crime. Three or four of the agents who had entered my home confiscated my computer, cell phone, telephone contacts, more than 50 CDs, 20 books, documents related to my work as a journalists and my passport. When they inspected my passport they noticed that I had gone to Germany. Before that they knew nothing of my trip to Germany (and my arrest had nothing to do with my journey). Yet [my trip] became the basis of a serious charge against me during my interrogations.
48. They took me to the intelligence office. There they took pictures and fingerprinted me. After registering my information they transferred me to a solitary confinement cell and blindfolded me with a piece of black cloth. The cloth was extremely filthy and my eyes began to hurt after two or three days. On the fourth day I washed the cloth. (It turned from black to a sky blue.) I realized that the pain in my eyes had been caused by the filthy blindfold.
49. After 48 hours, they took me from the solitary cell in the intelligence office of East Azerbaijan Province to the court and the judge issued extended my arrest warrant for another month pursuant to my interrogators' request. The interrogations started on the second day. During the first 8 days my interrogators focused solely on my execution, the manner in which I was to be executed, the

date of my execution and the individuals who had thus far been executed because they had been guilty of espionage. They informed me that I was charged with espionage and that the punishment for spying is execution. I could neither sleep nor eat. There was no one else in the other cells. I was completely broken as a result of the loneliness, worry, and fear regarding what would happen next. The stress prevented me from having normal bowel movements. My stomach was swollen. When I went to the bathroom I had severe bleeding, but I could not dispose of anything. I couldn't take it any longer. I told my interrogators that my insides were swollen and I couldn't go to the bathroom. A doctor came to see me but his eyes were blindfolded. He asked me what was wrong. I said I was extremely stressed out, my insides were swollen, I could not go to the bathroom and I suffered from bleeding. He prescribed some medication. I took the medicine and went to the bathroom about half an hour later. My sores opened up again (they were about 1.5 centimeters in width). My bleeding got worse. There was no first aid equipment but I did have access to warm water there. But when I was transferred to the central prison in Tabriz after 74 days I was forced to use ripped up pieces of clothing in order to stop my clothes from becoming blood-stained. I stayed in solitary confinement for more than two months at the central intelligence office. Despite my repeated requests, no one tended to my hygienic needs and the interrogations continued. Four and a half months later and after 23 days of a hunger strike, I was taken to a hospital in the city and operated on.

50. Sometimes I would hear sounds of moaning coming from underground or elsewhere while [I was detained at] the intelligence office. These sounds increased my sense of worry. I imagined that they had detained my children and were torturing them. I didn't really have a reason to worry this way. My interrogators had never actually arrested my kids or family members. But I couldn't help thinking these things, in part because they had arrested the children of a few of journalists in order to secure confessions out of them. I would read the *Jomhuriyih Islami* once or twice a week and I remembered that I'd read something about this in that newspaper. Once I read an article in this newspaper about how they had threatened to detain Abbas Abdi's daughter during his imprisonment. I imagined that they had my daughters in custody and that the voices I was hearing were there voices. I would then call home and talk to my wife and daughter. This would calm me. But then a few hours later I would hear the cries and moans of a child and I would start worrying again. I would somehow convince myself that up until then my family had been safe, but now they have them. These horrible thoughts and other concerns regarding the possibility of torture kept me up at nights.
51. My interrogations were accompanied by stress and psychological pressure, but there were no beatings. They changed my interrogators on three separate occasions. Each time they repeated the same old questions so that they could find inconsistencies in my testimony. Every evening, after the interrogations, I signed and numbered the top and the bottom of the questions that were asked. At the end of the interrogations I realized that I had answered 512 total questions.

52. The next set of interrogations addressed the 17 other crimes they had charged me with, including insulting Khamenei, insulting Ayatollah Khomeini, propaganda against the regime, separatism, Pan-Turkism, spying for America, spying for Turkey, spying for the Republic of Azerbaijan, spying on behalf of *Radio Farda*, contacts and meetings with foreign elements in Turkey, interviews with foreign media, participation in the United Republicans of Iran conference in Germany with the aim of overthrowing the Islamic Republic of Iran, insulting religious sanctities, attacking the police, inciting people to revolt against the police, carrying a knife, attempts against the national security of Iran and altering Iran's history.
53. However, for several days my interrogators asked about my relationships with various women, which had nothing to do with the charges against me. They came up with most of the questions and charges (which had nothing to do with the first set of charges against me) during the course of interrogations. They attempted to find a moral point of weakness which they could use against me. It wasn't an interrogation – it was bargaining. They had searched through all my bank statements. One day during the interrogation the interrogator asked me if I knew Mrs. Mohammadi. I was surprised. They said, "You have accepted 50,000 *toman* from Mrs. Mohammadi." I had borrowed the money from my uncle's wife, Mrs. Mohammadi. I said, "Yes, I know her. She is my uncle's wife." The interrogators pressured me. I said, "Mrs. Mohammadi is my uncle's wife. We are family, and borrowing the money is a personal matter that has nothing to do with my social activities." But they didn't listen to me.
54. The next set of questions were about [the charge] of altering the history of Iran, which related to several articles and speeches I had written. In one of my articles I had written that city officials had destroyed the burial sites of those executed during the early years of the revolution, and of grave sites which Baha'is had built (and continue to build) in order to commemorate the execution of their loved ones. Similarly I had included a *Radio Farda* story which stated that according to scientists and experts, Urumiyeh Lake will eventually dry up. Another time I had written an article criticizing the work ethic of government officials in Tabriz. My interrogators wanted to know my motivation for writing these articles and speeches. Each and every news report which I had given to *Radio Farda* (which is connected to Radio Liberty/Radio Free Europe in the Czech Republic) was treated as a separate charge for which I had to answer for.
55. The laws of the Islamic Republic don't allow the interrogator to ask questions irrelevant to the charges. Questions related to my relations with women and my motivations for writing articles had nothing to do with the list of charges against me. In addition, the law does not allow interrogators to blindfold the accused, force them to face the wall and interrogate them in a threatening fashion. They did all of these things regardless. When I asked what my charges were and why they weren't asking me questions related to them, the investigators responded that

they would discover the main issues related to my charges during the interrogation. In reality, they had no evidence regarding any of my activities. They simply wanted to use the interrogations to fabricate evidence against me and others whom I was in contact with. They wanted to use my confessions to put pressure on me and my colleagues. They wanted to use my confessions to indict and convict tens of others and force them to confess as well. During my interrogations and thereafter (even during the trial), I kept insisting that they first provide evidence for their claims and charges – anything at all, a document, a photography, film, articles, writings – and then proceed with the interrogations. But they paid no attention. When we reached trial, all they had brought to court were four unfounded and unsupported charges.

56. During my time in solitary confinement, I met with my family three times. Each time two police officers were present during our conversations. The first and second time they took me back to our home around midnight. The third time they summoned three or four members of my family to one of the public office buildings of the intelligence office of East Azerbaijan. The environment was particularly oppressive because we were not allowed to talk about [anything of substance]. During the third meeting my mother became extremely upset and complained: “What is the point of meeting if we can’t talk about anything? It’s better to just end things here.” So we terminated things prematurely. This meeting was set up in response to the written request of the court judge, who was in turn responding to my complaints regarding the extension of my period of detention for interrogation purposes. He had allowed me permission to return home and meet with my family for 6 hours.
57. After 74 days, they transferred me to a solitary cell in the financial fraud ward of the central prison in Tabriz. I felt less stress and psychological pressure in the central prison. I felt a deep calm and was able to sleep for two days. Several days later they transferred me to the prison’s infirmary because my bleeding worsened. From then on several reformists and family members would come and visit me at night when everyone else was asleep. We would talk for a short while.
58. Since my first arrest by the police was illegal and I had been severely tortured both physically and psychologically, I decided (while I was in my solitary cell) to file a suit against the Law Enforcement Forces and the people who had kept me in solitary confinement for about a month. But I decided not to complain against the intelligence office of East Azerbaijan, and instead write indirectly about their unlawful activities. I did not wish to incite all the security and intelligence forces against me. On the other hand, the intelligence forces are much stronger than the police – if I complain against both I may suffer worst treatment next time around. My predictions came true. After all signs of abuse disappeared from my body and they released me after I posted bail, I wrote an open letter to the then-president and described the torture that I had sustained. In this letter I also made a small reference to my watch which was broken at the intelligence office. Six months later I was again arrested by the provincial intelligence office and spent more than

70 days in solitary confinement. They asked me why I had spoken of the watch and I verbally answered their questions. (Remember that the written questions alone added up to 512!) But they also asked me many verbal questions which were not recorded in any document. After my first release from solitary confinement I prepared two complaints against the police and officials responsible for my torture (in addition to the open letter I had sent to Mr. Seyyed Mohammad Khatami, the then-President of Iran). I referenced one of them in a visit to the military prosecutor's office (responsible for prosecuting members of the armed forces), but they never initiated legal proceedings and those responsible for torture escaped prosecution. I submitted the second complaint to the general courts for prosecution in case the guilty police officers attempted to bypass responsibility in military court by arguing that they were not on duty (nor were they wearing their uniforms) during the Tabriz University incident. To date nothing has happened on this front.

59. One day, the judge of the First Branch of Revolutionary Court, Mr. Naghvi, came to see me in the Public Prison, and informed me that if I withdrew my complaints against the Law Enforcement Forces and plainclothes individuals who mistreated me, I could be released with bail. I did not agree, and told the judge that I would not do it. My court was postponed because of my complaint, and I stayed in prison for another month and half. This period neither counted towards my prison term, nor was I free. My internal bleeding worsened due to lack of access to a doctor and warm water. After *Tasu'a* and *Ashura*¹ of that year I was approached by the same reformists who had said nothing regarding my condition [of confinement] until my release from the intelligence office. My uncle's son, who was an influential member of the police, also came to meet me. It was after these meetings that I was eventually taken to the infirmary of the central prison in Tabriz.

60. Eventually the judge came to prison and informed me that I would be released if I paid 300 million *toman*. I told him I didn't have that kind of money. Because of this I remained in detention until my court convened.

My Trial

61. My first court session convened on April 11, 2004 and was closed to the public. I complained and informed them that I should be tried in the Press Court pursuant to a jury since the charges were related to my career as a journalist. My next court session convened in the Revolutionary Court. It was an open session but there was no jury. Many journalists, friends and influential members of the reform movement were present during these court sessions.

62. During the trial, I complained about several illegal interactions to the judge in my case. One of these was my arrest warrant. I argued in the court and said that

¹ *Shi'a* religious ceremonies commemorating the death of Imam Hussein, the grandson of the Prophet Muhammad.

according to the law the state should put forth compelling evidence against the accused, based upon which the judge must issue the arrest warrant. I challenged the judge to provide evidence justifying the issuing and extension of my arrest warrant on two occasions. The judge failed to respond. The judge's ruling was not based on the rule of law. The law does not allow officers of the court to arrest individuals in order to search for a proper charge. The state must provide evidence, and the judge must issue an arrest warrant [based on the evidence]. Interrogators are not permitted to create a case file based on the information they extract during detention and later present it to the court as proof of the crime. Similarly, the court is not allowed to convict and punish the accused based solely upon the allegations of the state, and without reason and evidence. For example, once I was very troubled by the crying and pleading that I could hear from my solitary cell. I told my interrogators that I would answer their questions if they let me go home. They agreed. I answered their questions and they took me home that night. Then the interrogators used those same answers that were obtained under conditions of terror and pressure as evidence against me in the court. This despite the fact that I hadn't even confessed against anyone, including myself. This is why they (the Ministry of Intelligence and the judge) did not have a shred of evidence – not even my own confessions – to present during the open court session. In the end, the judge only accepted 4 of the 18 charges, which included propaganda against the regime, insulting Khamenei, inciting the people to riot against the police and participating in the second conference of the United Republicans in Berlin. I was sentenced to 18 months in prison.

63. I spent 9 months in prison. According to Iranian law, if an accused who is imprisoned for the first time has already served half his prison sentence and has not created trouble inside prison, he can be placed under “conditional release” and freed. After spending nine months in prison, I asked the judge to set aside half of my prison sentence pursuant to the law and release me. He refused. Instead he placed a precondition on my conditional release. He wanted me to write a confession letter. I refused and told them that if they wanted to stop me from writing in the future they must legally forbid me from doing so. If I can't write, what can I do? Agreeing to write a confession letter means that after all this time, I will voluntarily accept guilt and ask the court's forgiveness. But this is not right – I was not guilty even under Iranian law. I was illegally arrested, interrogated, detained, put in solitary confinement, tortured [both physically and] psychologically, and tried and convicted without any proof. I suffered from bleeding for four and a half months and endured severe physical pain. I endured this pain because I was not guilty. If I confess now, all of my efforts would be for naught, and [they] would be proven right. I have also written these sentiments in a letter that I snuck out of prison and published. The letter is available on the internet.
64. After my release, I first issued a complaint in the military and public prosecutor's offices in East Azerbaijan against the Law Enforcement Forces and plainclothes agents who beaten me. I submitted a complaint against the Law Enforcement

- Forces in the public court because there was a possibility that the police would claim (in the military court) that the plainclothes agents who attacked me were not in fact members of NAJA. Ninety percent of the plainclothes agents who attacked us belonged to the police cadre of *Amaken*, the Intelligence Protection Organization of the Law Enforcement Forces, and the police's anti-drug office. The remaining ten percent were composed of Revolutionary Guards and Basij affiliated to various offices and factories.
65. The military prosecutor forwarded my complaint to the Second Branch of Military Court, which was under the auspices of Judge Mahmoudian. You can review the text of my complaint here: <http://news.gooya.com/2003/08/21/2108-ff-04.php>. I thoroughly briefed Judge Mahmoudian about my complaint and informed him that I am filing a claim against NAJA and plainclothes individuals who attacked and beat me. Judge Mahmoudian scolded me. He said, "It was your fault for going in front of the University. You shouldn't have gone. Why did you go? Does this country have laws or not? When the police requested you not to go, why did you? This is the punishment for a disobedient individual." I argued with the judge and hopelessly left.
66. The public court never investigated my complaints. A year after I submitted my complaint, the 38th Branch of the Public Court summoned me to court. I took a copy of my complaint with me. But I was subjected to interrogations there. I told the magistrate that the individuals who attacked me were wearing plainclothes, but they were military individuals and addressed each other with military titles, such as colonel, etc. And that I saw some of them in the Intelligence Office of Law Enforcement Forces a couple of times.
67. The Prosecutor's Office my complaint letter. After waiting for a long time, two years ago (after I had left the country) the Prosecutor's Office sent me a letter summoning me to court so that I could prosecute my claim. Some of my writings from the time I was in Tabriz's central prison, along with parts of my complaint letter, were collected and put on a weblog: <http://insafeli.blogspot.com>. I do not know who ran this site at the time.