

PUBLIC

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UA 150/09 Fear of excessive use of force/torture

IRAN Demonstrators against announcement of re-election of President Mahmoud Ahmedinejad

Thousands of people, mainly supporters of presidential candidate Mir Hossein Mousavi, who has challenged the announcement that current President, Mahmoud Ahmadinejad, had won the 12 June presidential election have been demonstrating, sometimes violently, in the streets in Tehran and other cities. They are at risk of injury or death at the hands of the security forces. Dozens have been arrested, and up to five students are reported to have been killed on Sunday and one person in a demonstration on Monday. Amnesty International believes the security forces are likely to use excessive force if, as expected, there are further demonstrations, and that those arrested are at risk of torture or other ill-treatment. The organization also believes the authorities are unlawfully restricting freedom of expression and information by blocking access to phone services, including SMS messages, foreign media and various internet sites.

In Tehran there have been demonstrations since the re-election of Mahmoud Ahmadinejad was announced by the Interior Ministry on 13 June. The demonstrators have at times thrown stones and set fire to buildings, motorbikes, cars, and have threatened members of the security forces, who have responded with violence, beating demonstrators, and arresting at least 170. On 14 June the Deputy Police Chief of Tehran said 10 of these were people who had been arrested for "masterminding" the riots, including some politicians, and 50 for "orchestrating" them.

Up to five students, named to Amnesty International as Fatemeh Barati, Kasra Sharafi, Mobina Ehterami, Kambiz Sho'a'i and Mohsen Imani - were reportedly shot dead on 14 June when security forces attacked a dormitory area in Tehran; others – possibly dozens – were arrested and many reportedly injured. Amnesty International has received the names of 13 students said to have been arrested. There are also reports of people arrested at demonstrations in provincial cities such as Zahedan, Tabriz, Mashhad, Babol, and Shiraz.

A demonstration against the result, scheduled for 15 June, was called off that day after an Interior Ministry statement that demonstrations against the election result were not permitted and that those breaching public order would be dealt with "in line with the law." However, the demonstration took place anyway, and Mir Hossein Mousavi and another presidential candidate, Mehdi Karrubi, said they would attend in order to "calm the crowd." Clashes are reported to have taken place between supporters of Mir Hossein Mousavi and President Ahmadinejad and one protestor is reported to have been shot dead. A 14 June victory rally in Tehran for President Ahmadinejad, attended by thousands of his supporters was allowed to take place.

The authorities appear to be attempting to limit reporting of the disturbances and to prevent Mir Hossein Mousavi's supporters from organizing protests, by closing down the SMS network, blocking access to various internet sites including Facebook and websites supportive of Mir Hossein Mousavi, and jamming satellite broadcasts by foreign media such as the BBC. Telephone lines to Tehran have been intermittently disrupted.

BACKGROUND INFORMATION

On 10 June, two days before the election, following widespread public rallies across in support of Mir Hossein Mousavi, the Head of the Revolutionary Guards Political Office accused his supporters as being part of a "velvet revolution" in Iran, which "would not be successful".

President Mahmoud Ahmadinejad claimed victory after the Ministry of the Interior announced results showing he had won by what many consider to be an unexpectedly wide margin. His re-election has been endorsed by the Supreme Leader, Ayatollah Khamenei, the ultimate arbiter of power in Iran. Mir Hossein Mousavi, who has said he was initially told by the Interior Ministry that he was the victor, has called the result a "dangerous charade," and both he and another candidate, Mohsen Rezaei, have submitted formal complaints to the Council of Guardians, which oversees elections. A ruling on their complaints is expected within 10 days.

The Iranian authorities have an obligation to maintain law and order and to protect the safety of its citizens. However, international law requires that any restrictions on the right of freedom of assembly must be necessary and in accordance with the law in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others. Any such restrictions must be proportionate to a legitimate purpose and without recourse to discrimination including on grounds of political opinion. Even if such a restriction is justifiable under international law, policing must be carried out in accordance with international standards regarding law enforcement, which allow law enforcement officials to use force only when strictly necessary and to the extent required for the performance of their duty and to use firearms only when strictly unavoidable in order to protect life. Law enforcement personnel must exercise restraint, minimize damage or injury and respect and preserve human life.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Persian, Arabic, English, French or your own language:

- calling on the authorities to exercise restraint in the policing of any further demonstrations in connection with the election result, and ensure that firearms are used only as a last resort where strictly unavoidable in order to protect life;
- stressing that all those detained must be protected from torture or other ill-treatment, allowed access to their families, lawyers and any necessary medical treatment and should be brought before a judge without delay so they may challenge the basis of their detention;
- urging them to order an independent investigation into the policing of the demonstrations, particularly into the deaths and injuries which have been reported;
- calling for anyone detained solely for their peaceful expression of their views regarding the outcome of the election to be released immediately and unconditionally;
- asking the authorities to stop unlawfully restricting the freedoms of association, assembly and expression, including the freedom to seek, receive and impart information and ideas.

APPEALS TO:

Minister of the Interior*

Sadegh Mahsouli

Ministry of the Interior

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Tehran, Islamic Republic of Iran

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Salutation: Your Excellency

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi

Howzeh Riyasat-e Qoveh Qazaiyeh (Office of the Head of the Judiciary)

Pasteur St., Vali Asr Ave., south of Serah-e Jomhouri, Tehran 1316814737, Islamic Republic of Iran

Email: shahroudi@dadgostary-tehran.ir (In the subject line write: FAO Ayatollah Shahroudi)

Salutation: Your Excellency

COPIES TO:

Leader of the Islamic Republic

Ayatollah Sayed 'Ali Khamenei

The Office of the Supreme Leader

Islamic Republic Street – End of Shahid Keshvar Doust Street, Tehran, Islamic Republic of Iran

Email: **info_leader@leader.ir**

via website: **<http://www.leader.ir/langs/en/index.php?p=letter> (English)**

<http://www.leader.ir/langs/fa/index.php?p=letter> (Persian)

Salutation: **Your Excellency**

and to diplomatic representatives of Iran accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 July 2009.