



1. Please provide information on the ability of the Basiji to continue to pursue individuals with no profile or record who had participated in one of the street demonstrations. Please provide information on the Ashura demonstration of 26 December 2009 and their aftermath.

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.¹

Amnesty International also published information in February 2010, indicating an additional 200 protesters have been detained in the aftermath of the riots:

The most recent mass protests took place at the time of the Tasoia and Ashoura religious festivals on 26 and 27 December 2009, when more than a thousand people were detained. Since then more than 200 others are said to have been arrested at their homes or workplaces and detained.²

With respect to those being re-arrested, it is unclear whether any of the Ashura protesters had a profile or record prior to being arrested in the first instance. However, the Iranian regime has pursued individuals with no profile or record in the past, simply by virtue of their participation in street demonstrations. For example, as put by Human Rights Watch:

¹ Iran Human Rights Documentation Centre, 2010, *Violent Aftermath: The 2009 Election and Suppression of Dissent in Iran*, February, p.92

<http://www.iranhrdc.org/httpdocs/English/pdfs/Reports/Violent%20Aftermath.pdf> - Accessed 4 June 2010 – Attachment 1.

² Amnesty International, 2010, *Fears for anti-government protesters in Iran as authorities warn of zero tolerance*, 10 February <http://www.amnesty.org/en/news-and-updates/news/fears-anti-government-protesters-iran-authorities-warn-zero-tolerance-20100210> - Accessed 4 June 2010 – Attachment 2.

Over the course of 5 months, **Human Rights Watch conducted interviews with over two dozen individuals, including ordinary protesters, journalists, political figure and their families, and human rights defenders. The report's findings indicate a widespread governmental crackdown across various sectors of Iranian society.** Although the government has acknowledged some abuses and even named responsible individuals, no one has been prosecuted for committing major human rights violations. ... **The worst abuses against ordinary protesters 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.** In August, authorities dismissed the director of Kahrizak and said that three guards would be prosecuted for prisoner abuse. In January 2010, a parliamentary panel investigated the deaths and allegations of torture and named former Tehran Prosecutor-General Saeed Mortazavi as the person responsible. Although the panel dismissed allegations of sexual abuse, it found that widespread violations had taken place in the detention center. However, neither Mortazavi nor anyone else implicated in the abuse has yet been prosecuted.³

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.⁴ This harm has been documented by non-government organisations, such as the Iran Human Rights Documentation Centre (IHRDC) (see Attachment 1). 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.⁵

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.⁶ Participants

³ Human Rights Watch, 2010, *Islamic republic at 31: Post-election Abuses Show Serious Human Rights Crisis*, February, pp.1-2 <http://www.hrw.org/sites/default/files/reports/iran0210web.pdf> - Accessed 4 June 2010 – Attachment 3.

⁴ For extensive reporting of Basiji cracking down on street demonstrations in an indiscriminate manner, that is, targeting all protesters, see Iran Human Rights Documentation Centre, 2010, *Violent Aftermath: The 2009 Election and Suppression of Dissent in Iran*, February, <http://www.iranhrdc.org/httpdocs/English/pdfs/Reports/Violent%20Aftermath.pdf> - Accessed 4 June 2010 – Attachment 1.

⁵ Iran Human Rights Documentation Centre, 2010, *Violent Aftermath: The 2009 Election and Suppression of Dissent in Iran*, February, p.9 <http://www.iranhrdc.org/httpdocs/English/pdfs/Reports/Violent%20Aftermath.pdf> - Accessed 4 June 2010 – Attachment 1.

⁶ According to Iranian police, 500 persons were detained, see: 'Iran police still holding 300 over Sunday protests' 2009, *Agence France-Presse*, 30 December <http://www.google.com/hostednews/afp/article/ALeqM5jbxVJCauSf51XQ7xaqqXadQBkfpA> - Accessed 4 June 2010 – Attachment 4 ; according to Amnesty International, 1000 people were arrested, see Amnesty International, 2010, *Fears for anti-government protesters in Iran as authorities warn of zero tolerance*, 10 February <http://www.amnesty.org/en/news-and-updates/news/fears-anti-government-protesters-iran-authorities-warn-zero-tolerance-20100210> - Accessed 4 June 2010 – Attachment 2; and, according to the Human Rights Activists Agency, 1100 people were arrested, see: Iran Human Rights Documentation Centre, 2010, *Violent Aftermath: The 2009 Election and Suppression of Dissent in Iran*, February, p.38 <http://www.iranhrdc.org/httpdocs/English/pdfs/Reports/Violent%20Aftermath.pdf> - Accessed 4 June 2010 – Attachment 1.

were reportedly sent to detention centres including Evin prison – a large complex where Human Rights Watch has previously documented systematic abuses.⁷ 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.⁸

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...”⁹ On 29 December, Iran’s Speaker for Parliament Ali Larijani urged the “most severe punishment”¹⁰, 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.”¹¹ 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.**”

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**

⁷ Iran Human Rights Documentation Centre, 2010, *Violent Aftermath: The 2009 Election and Suppression of Dissent in Iran*, February, p.2 <http://www.iranhrdc.org/httpdocs/English/pdfs/Reports/Violent%20Aftermath.pdf> - Accessed 4 June 2010 – Attachment 1.

⁸ ‘Abdolreza Ghanbari, Another Ashura Protester, Receives Death Sentence’ 2010, *The International Campaign for Human Rights in Iran*, 17 March <http://www.iranhumanrights.org/2010/03/abdolreza-ghanbari-another-ashura-day-protester-receives-the-death-sentence/> - Accessed 2 June 2010 – Attachment 5

⁹ ‘Iran arrests pro-reform opposition figures’ 2010, *Reuters*, 28 December <http://www.reuters.com/article/idUSLDE5BQ06J20091228> - Accessed 31 May 2010 – Attachment 6

¹⁰ ‘Iran’s speaker urges “most severe punishment” for Ashura Day protesters’ 2009, *China View*, 29 December http://news.xinhuanet.com/english/2009-12/29/content_12723819.htm - Accessed 4 June 2010 – Attachment 7

¹¹ ‘Iran renews execution threat against protesters’ 2010, *Reuters*, 5 January <http://www.pbs.org/wgbh/pages/frontline/tehranbureau/2010/01/selected-headlines-104.html> - Accessed 4 June 2010 – Attachment 8

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.¹²

Iran has also reportedly allocated millions of dollars to recruiting new Basiji,¹³ 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. For further information on how the government uses these mediums to monitor Iranians who are overseas, see Country Advice Response IRN36407 of 22 March 2010.

Information on the Ashura Day demonstration of 26 December 2009 – general background and aftermath

The anti-government protests over the weekend of 26–27 December 2009 occurred on the convergence of two symbolic events in the Iranian calendar – Ashura Day and the seventh day of mourning for Ayatollah Montazeri. Both these days occurred on Sunday 27 December. However, smaller clashes also occurred in Tehran on 26 December.

Information on Montazeri and his significance in Iran appears below:

On December 20 [2009], Grand Ayatollah Hossein-Ali Montazeri died in his sleep at his home in the holy city of Qom. A grand ayatollah esteemed in Shi'a clerical circles, Montazeri was one of the founders of the Islamic Republic and became its most vocal clerical critic. Once Khomeini's designated successor, in 1988, he objected to the mass executions of political prisoners that were taking place pursuant to a fatwa issued by Khomeini. He was considered the spiritual guide of the opposition movement in Iran. His death and funeral resulted in massive processions in Qom, and demonstrations in Tehran, Isfahan and Najafabad—his city of birth.¹⁴

The seventh day of mourning for Montazeri – a traditionally important day in the forty-day mourning period – coincided with the holiest religious day in Iran; Ashura Day. According to CNN:

The holy day commemorates the martyrdom of Imam Hussein, who died in 680 fighting to lead the religion based on the teachings of his grandfather, the Prophet Mohammed. The battle is one of the defining points in the split between the two main branches of Islam, the majority Sunnis and the minority Shiites.¹⁵

¹² Fathi, N. 2010, 'Iran Moves to Thwart Protests Ahead of Election Anniversary', *The New York Times*, 31 May <http://www.nytimes.com/2010/06/01/world/middleeast/01iran.html> - Accessed 4 June 2010 – Attachment 9.

¹³ 'Exclusive: Millions allocated to recruiting Bassij militia' 2010, *Iran Focus*, 29 May http://www.iranfocus.com/en/index.php?option=com_content&view=article&id=20549:exclusive-millions-allocated-to-recruiting-bassij-militia&catid=29:exclusive-reports&Itemid=42 - Accessed 4 June 2010 – Attachment 10.

¹⁴ Human Rights Watch, 2010, *Islamic republic at 31: Post-election Abuses Show Serious Human Rights Crisis*, February, p.15 <http://www.hrw.org/sites/default/files/reports/iran0210web.pdf> - Accessed 4 June 2010 – Attachment 3.

¹⁵ 'Protests loom in Iran as holy day nears' 2009, *CNN*, 24 December - Accessed 4 June 2010 <http://edition.cnn.com/2009/WORLD/meast/12/24/iran.ashura/index.html> - Attachment 11.

Sources indicate that on 26 December, clashes between protesters and security authorities occurred in several areas of Tehran. According to BBC:

Unconfirmed reports on reformist websites said there were protests in several areas of the capital, including the poorer areas of south Tehran, and that government forces were using tear gas to try to disperse demonstrators. A witness quoted by Reuters news agency said opposition supporters had gathered in groups along a stretch of a main city centre route several kilometres long, but that police were not letting them join each other. AFP news agency said police had “sought to disperse about 200-300 people” planning to demonstrate in central Enghelab square as part of a Shia festival. Government forces are said to reacting aggressively – beating protesters with batons and smashing the windscreens of cars. Later on Saturday, demonstrators clashed with riot police near a mosque in northern Tehran where Mr Khatami [a reformist ex-President] had been due to speak, witnesses and opposition websites say. They say riot police also fired tear gas during the incident. Shia religious festivals on 26-27 December mark the death of a grandson of the Prophet Muhammad in the 7th Century. The main date set by reformists for demonstrations is Sunday.¹⁶

Sources indicate that on 27 December 2009, millions of ordinary Iranians came out into the streets and used the Ashura ceremonies and mourning as a focal point for opposition protests. Protests occurred in numerous cities, including Tehran, Shiraz, Isfahan, Ardebil, Arababad and Mashhad.¹⁷ In Tehran, Iranian authorities, including Basiji, responded by violently quashing the protest and arresting participants. Human Rights Watch provides an account of the government crackdown in which eight demonstrators were killed including the nephew of former presidential candidate Mousavi:

On December 20, Grand Ayatollah Hossein Ali Montazeri, the highest-ranking clerical critic of the government, died. His death occurred one week before the day of public mourning on the Shia calendar known as Ashura. In Shia Muslim mourning rituals, the seventh day after a death is a significant day of commemoration. Demonstrators used the occasion of Montazeri’s death, and its proximity to the Ashura rituals, to mourn him publicly and show their opposition to the government’s policies after the election. On December 27, demonstrators gathered in major cities throughout the country, including Tehran, Qom, Isfahan, and Mashhad. Clashes between demonstrators and riot police plus Basij resulted in the death of at least 8 demonstrators. Ali Habibi Mousavi, a nephew of former presidential candidate Mir Hossein Mousavi, was among those killed.

One witness in Tehran reported to the BBC that a police car deliberately ran over a protestor: We entered from Palestine Street, and we headed east toward the Vali Asr intersection. Plainclothes forces were waiting for us at the Vali Asr intersection. They forced the crowd to disperse in different directions and prevented us from gathering ... When the crowd reached Vali Asr Square it split apart. One group headed toward Haft-e Tir, and the other toward Keshavarz Boulevard ... I was standing at the corner of [Vali Asr] Square. From Keshavarz Boulevard, [we witnessed] a Law Enforcement Forces pickup truck that had the word “police” written on it run over [one of the protesters]. The man had walked past me only 2 to 3 minutes earlier. He was a 40-year old guy with long hair. He

¹⁶ ‘Renewed clashes reported in Iran’ 2009, BBC, 26 December <http://news.bbc.co.uk/2/hi/8430786.stm> - Accessed 4 June 2010 – Attachment 12

¹⁷ ‘27 December: Iran’s bloody Sunday’ 2009, *Hands Off the People of Iran*, 28 December <http://hopoi.org/?p=933> - Accessed 21 April 2010 – Attachment 13

lost a lot of blood. When the crowd reached him he no longer had a pulse. The truck was speeding around as if it wanted to run over the whole crowd.¹⁸

According to other eye-witness accounts, security forces shot directly at people and attacked protestors with batons and tear gas:

Witnesses told RFE/RL [Radio Free Europe] that in the course of the Ashura events, security forces shot directly at people and attacked them with batons and tear gas. They described chaos in the streets and blood on the sidewalks, and reported fire and heavy smoke in some parts of Tehran. Instead of religious slogans, protesters chanted against Supreme Leader Ayatollah Ali Khamenei, with some calling him a murderer.¹⁹

[***Note:** There is a large amount of information, including witness accounts, photos and videos (on mediums such as You Tube), which describe and show footage of the Ashura Day protests in Tehran.]

The BBC has also published a mini-timeline of events leading up to Ashura Day, which notes key dates and clashes between opposition and security forces:

Recent unrest in Iran

19 Dec: Influential dissident cleric Grand Ayatollah Hoseyn Ali Montazeri dies aged 87

21 Dec: Tens of thousands attend his funeral in Qom; reports of clashes between opposition supporters and security forces

22 Dec: Further confrontations reported in Qom

23 Dec: More clashes reported in city of Isfahan as memorial is held

24 Dec: Iran reportedly bans further memorial services for Montazeri except in his birthplace and Qom

26 Dec: Clashes reported in central and northern Tehran

27 Dec: At least eight dead following anti-government protests in Tehran; 300 reported arrested²⁰

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

¹⁸ Human Rights Watch, 2010, *Islamic republic at 31: Post-election Abuses Show Serious Human Rights Crisis*, February, pp.16-17 <http://www.hrw.org/sites/default/files/reports/iran0210web.pdf> - Accessed 4 June 2010 – Attachment 3.

¹⁹ Esfandiari, G. 2009, 'Ashura Violence Marks Turning Point For Opposition', *Radio Free Europe*, 27 December http://www.rferl.org/content/Ashura_Violence_Marks_Turning_Point_For_Opposition/1915996.html - Accessed 4 June 2010 – Attachment 13

²⁰ 'Iran arrests opposition figures' 2009, *BBC*, 28 December <http://news.bbc.co.uk/2/hi/8432297.stm> - Accessed 4 June 2010 – Attachment 15

Evin prison as being closer to 550. The authorities then embarked on a campaign of arrests on Monday targeting journalists, prominent opposition activists, senior aides to Mousavi, including his chief of staff and presidential campaign manager, and even a reformist cleric in Qom, Ayatollah Hossein Mousavi Tabrizi.²¹

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. Authorities claimed once again that foreign governments and media outlets were fomenting unrest in the country. Ten members of the Baha'i community were among those the government arrested in connection with the Ashura protests. On January 12, 2010, Abbas Jafari Dolatabadi, the General Prosecutor of Tehran, told the Iranian press that the ten Baha'is detained on January 3 faced charges of "organizing the unrest on Ashura [December 27] and sending photos of the unrest abroad." He also claimed that authorities had found arms and ammunition in the homes of some of the ten detainees.²²

Following these arrests, the government's crackdown on the protesters has resulted in the January 2010 trial of 16 individuals, which is still ongoing.²³ 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.²⁴

Attachments

1. Iran Human Rights Documentation Centre, 2010, *Violent Aftermath: The 2009 Election and Suppression of Dissent in Iran*, February, <http://www.iranhrdc.org/httpdocs/English/pdfs/Reports/Violent%20Aftermath.pdf> – Accessed 4 June 2010.

²¹ 'Escalating Confrontation on Ashura' 2009, *IranTracker*, 29 December http://www.irantracker.org/analysis/escalating-confrontation-ashura#_ednref38 - Accessed 4 June 2010 – Attachment 16

²² Human Rights Watch, 2010, *Islamic republic at 31: Post-election Abuses Show Serious Human Rights Crisis*, February, p.16 <http://www.hrw.org/sites/default/files/reports/iran0210web.pdf> - Accessed 4 June 2010 – Attachment 3.

²³ 'Iran tries 16 people over Ashura Day protests' 2010, BBC, 30 January <http://news.bbc.co.uk/2/hi/8489012.stm> - Accessed 1 June 2010 – Attachment 17

²⁴ 'Abdolreza Ghanbari, Another Ashura Protester, Receives Death Sentence' 2010, *The International Campaign for Human Rights in Iran*, 17 March <http://www.iranhumanrights.org/2010/03/abdolreza-ghanbari-another-ashura-day-protester-receives-the-death-sentence/> - Accessed 2 June 2010 – Attachment 5

2. Amnesty International, 2010, *Fears for anti-government protesters in Iran as authorities warn of zero tolerance*, 10 February <http://www.amnesty.org/en/news-and-updates/news/fears-anti-government-protesters-iran-authorities-warn-zero-tolerance-20100210> – Accessed 4 June 2010.
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6. ‘Iran arrests pro-reform opposition figures’ 2010, *Reuters*, 28 December <http://www.reuters.com/article/idUSLDE5BQ06J20091228> – Accessed 31 May 2010.
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9. Fathi, N. 2010, ‘Iran Moves to Thwart Protests Ahead of Election Anniversary’, *The New York Times*, 31 May <http://www.nytimes.com/2010/06/01/world/middleeast/01iran.html> – Accessed 4 June 2010.
10. ‘Exclusive: Millions allocated to recruiting Bassij militia’ 2010, *Iran Focus*, 29 May http://www.iranfocus.com/en/index.php?option=com_content&view=article&id=20549:exclusive-millions-allocated-to-recruiting-bassij-militia&catid=29:exclusive-reports&Itemid=42 – Accessed 4 June 2010.
11. ‘Protests loom in Iran as holy day nears’ 2009, *CNN*, 24 December <http://edition.cnn.com/2009/WORLD/meast/12/24/iran.ashura/index.html> – Accessed 4 June 2010.
12. ‘Renewed clashes reported in Iran’ 2009, *BBC*, 26 December <http://news.bbc.co.uk/2/hi/8430786.stm> – Accessed 4 June 2010.
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17. 'Iran tries 16 people over Ashura Day protests' 2010, *BBC*, 30 January
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