



Freedom from Torture



Turning a blind eye:

Why the international community
must no longer ignore torture in Iran



Summary version

December 2017



Freedom from Torture

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Freedom from Torture is the only UK-based human rights organisation dedicated to the treatment and rehabilitation of torture survivors. We do this by offering services across England and Scotland to around 1,000 torture survivors a year. Including psychological and physical therapies, forensic documentation of torture, legal and welfare advice, and creative projects.

Since our establishment in 1985, more than 60,000 survivors of torture have been referred to us, and we are one of the world's largest torture treatment centres. Our expert clinicians prepare medico-legal reports that are used in connection with torture survivors' claims for international protection, and in research reports, such as this, aimed at holding torturing states to account.

Through our Torture Accountability Programme, we work to expose torture in order in support of efforts to strengthen prevention, secure justice and ensure international protection for survivors. Survivor voices and expertise are at the heart of this work.

We are the only human rights organisation in the UK that systematically uses evidence from in-house clinicians, and the torture survivors they work with to work towards a world free from torture.

Survivors Speak OUT network

Survivors Speak OUT (SSO) is the UK's only torture survivor-led activist network and is actively engaged in speaking out against torture and about its impacts. Set up by survivors of torture, for survivors of torture, SSO uses first-hand experience to speak with authority for the rights of torture survivors. The network is supported and facilitated by Freedom from Torture and all network members are former Freedom from Torture clients.

To find out more about Freedom from Torture and the Survivors Speak OUT network please visit www.freedomfromtorture.org

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Acknowledgements

Drawings by a former Freedom from Torture client from Iran. Not to be reproduced without permission.

Poems by Nasrin Parvaz. You can read more of Nasrin's work at www.nasrinparvaz.org.



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ignore torture in Iran



The findings of this study indicate that torture has long been allowed to thrive in state detention facilities under the control of Iranian security agencies, including the police, intelligence, Basij and Revolutionary Guard. We cannot say with certainty whether people were tortured in the same area where they were arrested as many of them were prevented from knowing where they were detained.

IRAN

Arrests were reported across ten provinces of Iran



Thinking of you

*The torture is over
I told them nothing about you.
Blindfolded, now
I lay on the hard floor
thinking of you
and our little room
and the tulips
you bought me on my birthday.
I think of our last kiss
and how much I regret now
I hurried away to work.*

Nasrin

INTRODUCTION

Torture is banned under international law, at all times and without exception. By analysing 69 cases of torture in Iran, this report shows that torture has been used over decades by the Iranian authorities to crush dissent and persecute minorities.

Iran has a poor record when it comes to human rights. Every year, thousands of Iranians are forced to flee their country to seek sanctuary elsewhere. Our research highlights how the state uses torture to silence and create a culture of fear.

The full research report is available to download at:
www.freedomfromtorture.org/iran

In 2013 we published research exposing the use of torture to crush dissent in the lead up to and in the weeks, months and years following Iran's presidential election in 2009. Five years on from our last report, we provide further insight into the way in which the Iranian state has used torture systematically to control its people.

In her 2017 oral report to the Human Rights Council, Asma Jahangir, who until her sad death at the start of 2018 was the UN Special Rapporteur on the Human Rights Situation in Iran, described torture as "endemic". The UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein, also referred to the widespread ill-treatment of prisoners in Iran in his remarks at the opening of the March 2017 Human Rights Council. And yet, the international community has become less vocal in its condemnation of torture in Iran. Despite being a priority country in the UK Foreign and Commonwealth Office's annual Human Rights and Democracy report in 2016, there was no mention of torture in that document, or in a recent UK parliamentary debate focused solely on human rights in Iran.

We want to see an end to the silence.

“ *When you are thirsty, you drink water; when you need freedom and equality you have to stand up for it.* ”

Iranian survivor of torture in treatment at
Freedom from Torture

KEY POINTS

Torture, and the threat of it, is deliberately used by the Iranian government to control a wide array of activities associated with religious, ethnic or political dissent.

In 2009 the Iranian government carried out a brutal crackdown in response to protests connected to the Green Movement. Our evidence shows that the torture perpetrated in this context was not a one-off event. The abuses described in this report are both recent and stretch back decades.

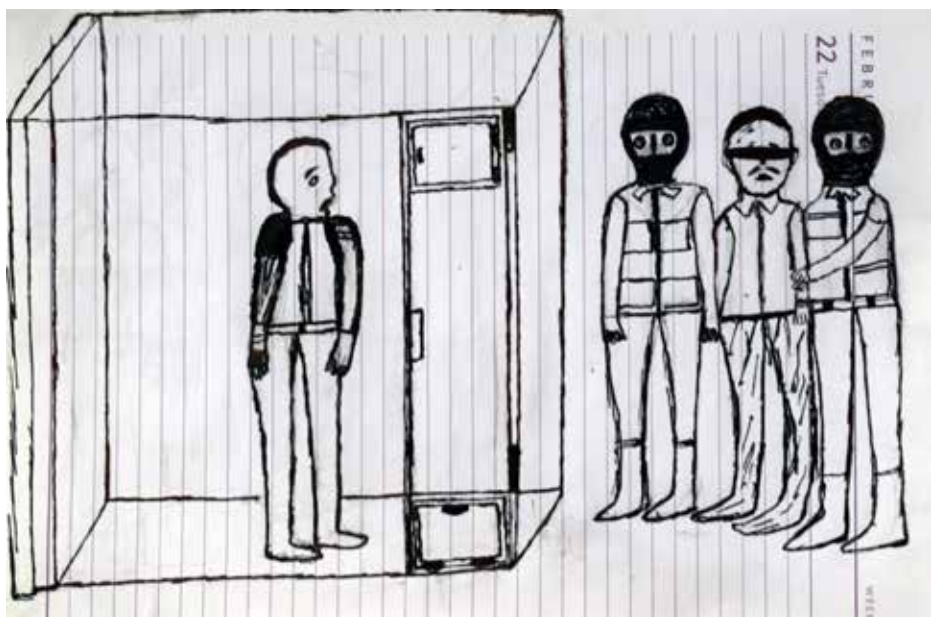
The use of torture at the hands of the Iranian police, intelligence and security services and in prisons demonstrates the widespread use and acceptance by the government of these interrogation and intimidation tactics. Our evidence of these practices is especially important in light of the lack of access to Iranian detention facilities by international monitors.

All of the people who feature in this case set described horrific physical abuses including high levels of sexual torture amongst both men and women, but a distinctive feature of torture in Iran is the level of psychological torture.

Survivors are threatened with retribution against family members or themselves if they speak out about torture. This is coupled with aggressive harassment in Iran, and even in the UK survivors report that the threat of surveillance by Iranian security agents is ever present.

Torture in Iran is invisible in many international discussions relating to human rights abuses in Iran. It has fallen down or off the agenda for governments and even civil society groups who focus on other abuses. For survivors of torture this is devastating. For the sake of survivors who continue to live in fear and for those in Iran who live with a daily threat of torture, this has to change.

As the UK and other governments negotiate trade deals and improve political relations with Iran, they also have an opportunity to call for concrete measures to deliver much promised social reform including an end to torture and a range of other human rights abuses.



Research methodology

This study involved a systematic review of 69 medico-legal reports prepared for Iranians since 2012 who gave consent for their information to be used in this report on the basis of anonymity, and presents evidence of torture in Iran spanning three decades from the 1985 up to 2015. The data extracted from the medico-legal reports were anonymised, aggregated, analysed and the findings described. In keeping with Freedom from Torture's commitment to survivor participation, we held a number of group and individual discussions with Iranian survivors of torture about what they thought would need to happen to influence the government of Iran to uphold human rights, and prevent torture in future. These discussions informed Freedom from Torture's recommendations.

Who and why?

Torture has been used against people on the basis of their ethnicity (9, 13%), religion (4, 6%), political beliefs or perceived dissent (35, 51%), or for behaviour that transgresses Iranian social or moral norms (6, 9%).

Sixty-four of the 69 medico-legal reports reviewed were for men (93%), and five were for women (7%). The majority of people in the case set were aged between 26-40 years (43, 62%).

Just over half of people reported being of Persian ethnicity (36, 52%). The most commonly reported minority ethnicities were Arab (8, 12%) and Kurdish (7, 10%).

The majority of people identified themselves as Muslim (45, 65%), though a significant minority of the case set identified as Christian (11, 16%) or atheist (8, 12%). Other religions were reported in low numbers, including the Sharmagsoudi branch of Islam, Zoroastrianism and Bahai'ism. Ten people reported converting from Islam to a minority religion (14%), four while still living in Iran. Five reported pursuing an interest in conversion (7%), two while still living in Iran.

Forty-two people were active in oppositional politics or involved in

*Case Study - Hamid**

All his life, Hamid had experienced discrimination on the grounds of his Arab ethnicity. One day at university, he joined a small gathering of Arab students, where people were making speeches calling for freedom of speech and for the Arab culture to be respected. Suddenly police appeared. They started insulting the Arab students and rounding them up, using handcuffs and blindfolds. They were taken to an unknown place, and held together initially, all in one room.

Hamid was then taken and kept in solitary confinement in a small, foul-smelling cell, with no toilet. If he asked to go to the toilet, he was severely beaten. Interrogators asked questions about whom he was taking orders from and for the names of his friends. They tried to force him to sign an unseen document, but he refused. This made the interrogators very angry, and they threatened him with further torture. They suspended him by his wrists and ankles, and used a pipe to beat him on the soles of his feet.

After a few days, Hamid was transferred to prison. It was a year before he was taken before a judge, but he received neither a sentence, nor bail, and was returned to prison for years. He was detained amongst serious offenders, who harassed him, and made his time in prison especially difficult. Eventually his father managed to bribe an official for his release, on condition that the deeds to the family home were handed over. Fearing for Hamid's future, his father arranged for his escape from Iran. Travelling via an agent he eventually arrived in the UK. Hamid's legal representative commissioned Freedom from Torture to prepare a medico-legal report documenting evidence of his torture. The report was included in his claim for asylum and Hamid was eventually granted refugee status.

***Names have been changed and other specific details omitted to protect anonymity.**

perceived dissenting activity (61%) and of these, 35 were detained on this basis (51% of all cases). Most of the activity described constituted low-level engagement, for example, attending one or two protests, or distributing leaflets.

Those who were detained for transgressions of expected social or moral norms (6, 9%), reported being arrested for drinking alcohol in public, hosting a party, listening to Western music and violations of Islamic dress code.

Twelve were detained on the basis of imputed activity or beliefs relating to political or religious dissent or criminal behaviour (17%), which was wrongly attributed to them.

Methods of torture

Methods of torture reported in the 69 cases reviewed included beating or other blunt force trauma (100% of cases), positional torture (52, 75%), burns (20, 29%) and use of water (17, 25%). Sharp force trauma (15, 22%), electric shocks (14, 20%), crush injuries (8, 12%), pharmacological torture (7, 10%), asphyxiation (4, 6%) and amputation (2, 3%) were also reported.

Over half of the people in the case set reported some form of sexual torture (38, 55%). Of these, 23 disclosed rape (33% of all cases). Psychological/ environmental forms of torture were widely reported within the case set and included threats (52, 75%), solitary confinement (50, 72%) and humiliation (44, 64%).

Impacts of torture

Evidence of a wide range of physical and/ or psychological consequences of torture was documented across the 69 cases. Physical evidence in the form of scars or other lesions arising from particular methods of torture, found to be “consistent” or higher, according to Istanbul Protocol standards, was documented in the majority of cases (59, 86%). Psychological evidence of torture was documented in all 69 cases, including symptoms of Post-Traumatic Stress Disorder and/ or depression, which in the majority of cases reached the diagnostic level.

*Case Study - Marjan**

Marjan was born into a politically active family, which had a history of involvement in oppositional politics. She was proud of the lineage of strong women in her family. Though she had not previously been involved in politics, after the 2009 election she attended a peaceful demonstration. Later in 2009 she attended another demonstration in outrage at the killing of peaceful protesters by state security. Security agents violently attacked the crowd and Marjan, along with many others, was arrested.

She was held in an overcrowded and dirty cell with many other women. One by one women were released but she, with a few others, was kept there. Eventually they were transferred to another place of detention. Marjan and other women were stripped naked on many occasions and subjected to searches. Guards touched them inappropriately and insulted their personal hygiene, though their access to washing facilities had been restricted. She was detained with other women in an overcrowded and filthy cell with only two blankets and a lightbulb kept on 24 hours a day, making sleep almost impossible. Then they moved Marjan to solitary confinement. They interrogated her on several occasions, beating her severely each time, and raping her. She was made to sign papers that she was not allowed to see, and sentenced to prison.

After serving her sentence, she was eventually released. She knew that the authorities would be watching her from now on. Following her experiences in detention, re-building family relationships was very difficult. One of the torturers from her time in detention continued to harass her, threatening to tell her husband of the rape she had suffered, which would have caused her unbearable shame. Fearing that Marjan would come to further harm, her family arranged for her escape from Iran. Marjan claimed asylum in the UK, but the Home Office refused her claim. She lodged an appeal, which included a medico-legal report prepared for her by Freedom from Torture, and was eventually granted refugee status in 2017.

***Names have been changed and other specific details omitted to protect anonymity.**

Detention context and due process rights

State actors were reported to have been the detaining authority in all cases, where detail was available. Detaining authorities reported across the 69 cases included the police (20, 29%), the Basij state militia (14, 20%), Etela'at state intelligence officials (11, 16%) and the Revolutionary Guard (2, 3%). A significant number of people in the case set reported being detained by state security but were unable to identify which agency (18, 26%). A third of people overall reported that the detaining authority was in plain-clothes at the point of arrest without identifying themselves by other means (23, 33%).

Over half of the people in the case set reported being detained at unspecified security facilities (41, 59%), while others were detained in police stations (9, 13%), intelligence facilities (7, 10%), prisons (5, 7%), military facilities (3, 4%) and public or private addresses (3, 4%).

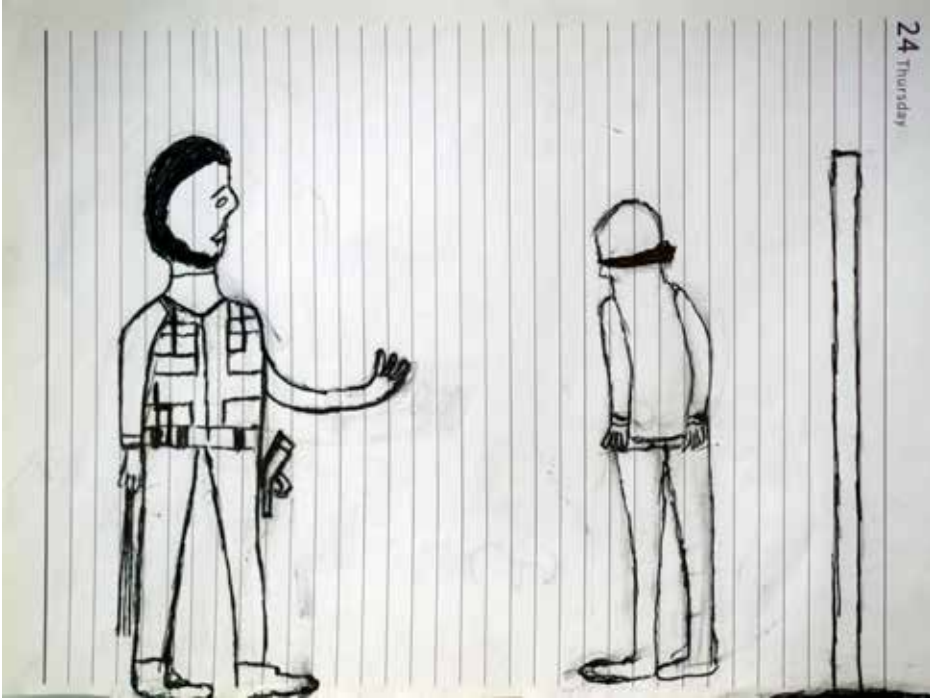
While most people were detained once, over a quarter reported a history of repeated detentions (18, 26%), amounting to over 100 reported episodes of detention across the 69 cases.

Most experienced very poor detention conditions including small or overcrowded cells, with little access to adequate food, water or sanitation.

The overwhelming majority of people were not accorded full due process rights in detention (67, 97%). Over three-quarters of people described being interrogated and tortured concurrently (54, 78%) at some point during detention and nearly a third were forced to sign “confessions”, statements regarding future conduct and unseen documents (22, 32%).

Most did not receive a formal charge (63, 91%), or access to legal counsel (65, 94%), at any point during their detention. The majority did not have their cases heard before a judicial authority (48, 70%). Many did not have access to a medical professional during detention (47, 68%), and almost all of those who did required urgent medical attention to treat serious injuries arising from torture.

Over half reported that they or their families experienced harassment by the authorities following release (36, 52%), including surveillance by the authorities, raids on family homes, seizure of personal property and family members being detained.



Our recommendations are informed by this research as well as conversations with Iranian torture survivors in treatment with Freedom from Torture. We want to see the issue of torture in Iran brought out of the shadows and the Iranian government to take action to end the use of torture in detention facilities and elsewhere. Our recommendations are:

To the Islamic Republic of Iran government:

- 1) In line with the political commitment made by President Rouhani during his 2017 election campaign to deliver social reforms, the Iranian government should adopt and implement the absolute ban on torture in international law including through:
 - a) Ratifying without reservation the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; and
 - b) Amending Constitutional and other domestic legal provisions so that Iranian law fully reflects the absolute ban on torture in international law, including by removing restrictions that limit the prohibition in domestic law to torture aimed at extracting confessions or information.
- 2) To end the prevalence of torture in security facilities including prisons and deliver accountability, the government should take immediate steps to implement the concluding observations of the UN Human Rights Committee, following its last review of Iran in 2011, in particular by:
 - a) Opening an inquiry into each case of alleged torture and ill-treatment in detention facilities, bringing alleged perpetrators to justice and ensuring that victims are granted effective reparation;
 - b) Ensuring that no one is coerced into testifying against themselves or others or confessing guilt and that no such confession is accepted as evidence in court;

- c) Establishing a full, impartial and independent investigation into allegations of human rights violations, including torture and ill-treatment, during and following the 2009 president elections and prosecuting those officials found responsible; and
 - d) Setting up a system of regular and independent monitoring of places of detention and ensuring conditions of detention conform to international law and standards.
- 3) The government should also participate in regular international human rights monitoring processes in order to demonstrate to the people of Iran and torture survivors who have been forced to flee its genuine commitment to ending the use of torture and improving conditions for those held in detention, in particular by:
- a) Submitting a fourth periodic report to the UN Human Rights Committee, which was originally due in November 2014;
 - b) Given the evidence in this report of torture and appalling treatment of detainees in centres around Iran, the government should allow immediate and unrestricted access to the UN Special Rapporteur on the human rights situation in the Islamic Republic of Iran and heed her recommendations about how to end torture; and
 - c) Giving full effect to the Standing Invitation to UN thematic special procedures issued by the government of Iran in 2002 by responding positively to other outstanding requests to visit, including by the:
 - UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; and
 - UN Special Rapporteur on the independence of judges and lawyers.

To the UK government:

- 1) Ensure that concerns about human rights including torture are raised in all bilateral and multilateral discussions on human rights with Iran and encourage the government to ratify the UN Convention against Torture and its Optional Protocol.
- 2) In line with recommendations made by torture survivors in treatment with Freedom from Torture (see Survivor voices section in the full report), use trade negotiations and discussions on strengthening political relations to call for concrete measures to deliver the Iranian government's promises of social reforms, and call for an end to human rights abuses including torture.
- 3) Ensure that Freedom from Torture's evidence of ongoing torture forms a basis for concerns about the use of torture in Iran in future Foreign and Commonwealth Office annual Human Rights and Democracy Reports.

To member states of the UN:

- 1) In line with recommendations made by torture survivors in treatment with Freedom from Torture (see Survivor voices section), use the UN to continue to apply pressure on the Iranian government and adopt caution in welcoming progress unless the Iranian government can demonstrate reforms (e.g. to the criminal justice process) do not mask other abuses. Member states should do this through:
 - a) Supporting the renewal of the mandate by the UN Human Rights Council of the Special Rapporteur on the human rights situation in the Islamic Republic of Iran and urging the government of Iran to cooperate fully with the mandate holder; and
 - b) Strengthening the focus on torture and ill-treatment in the annual General Assembly resolution on the human rights situation in Iran.

Night

*Time froze
at the call of the first name.
The names always began
being called at noon
when the air was dank
with hundreds of women
confined
breathing each other's breath
longing for the darkness
for no one was ever called
for execution at night.*

Nasrin

To the European Union:

- 1) EU member states and the EU High Representative, Federica Mogherini, should make good on opportunities for renewed dialogue with Iran about human rights by raising stronger concerns about continuing torture and encouraging Iran to take concrete measures to eradicate its practice.
- 2) In the absence of significant progress on human rights, including effective steps to end the use of torture, the EU should maintain restrictive measures on Iran including asset freezes and visa bans for perpetrators of grave human rights abuses and a ban on exports to Iran of equipment which might be used for internal repression.
- 3) Ensure that Freedom from Torture's evidence of ongoing torture is discussed at the next EU/Iran Inter-parliamentary meeting as part of an agenda item on torture prevention. Pressure should be placed on Iran to ratify the UN Convention against Torture and its Optional Protocol.

Endnotes

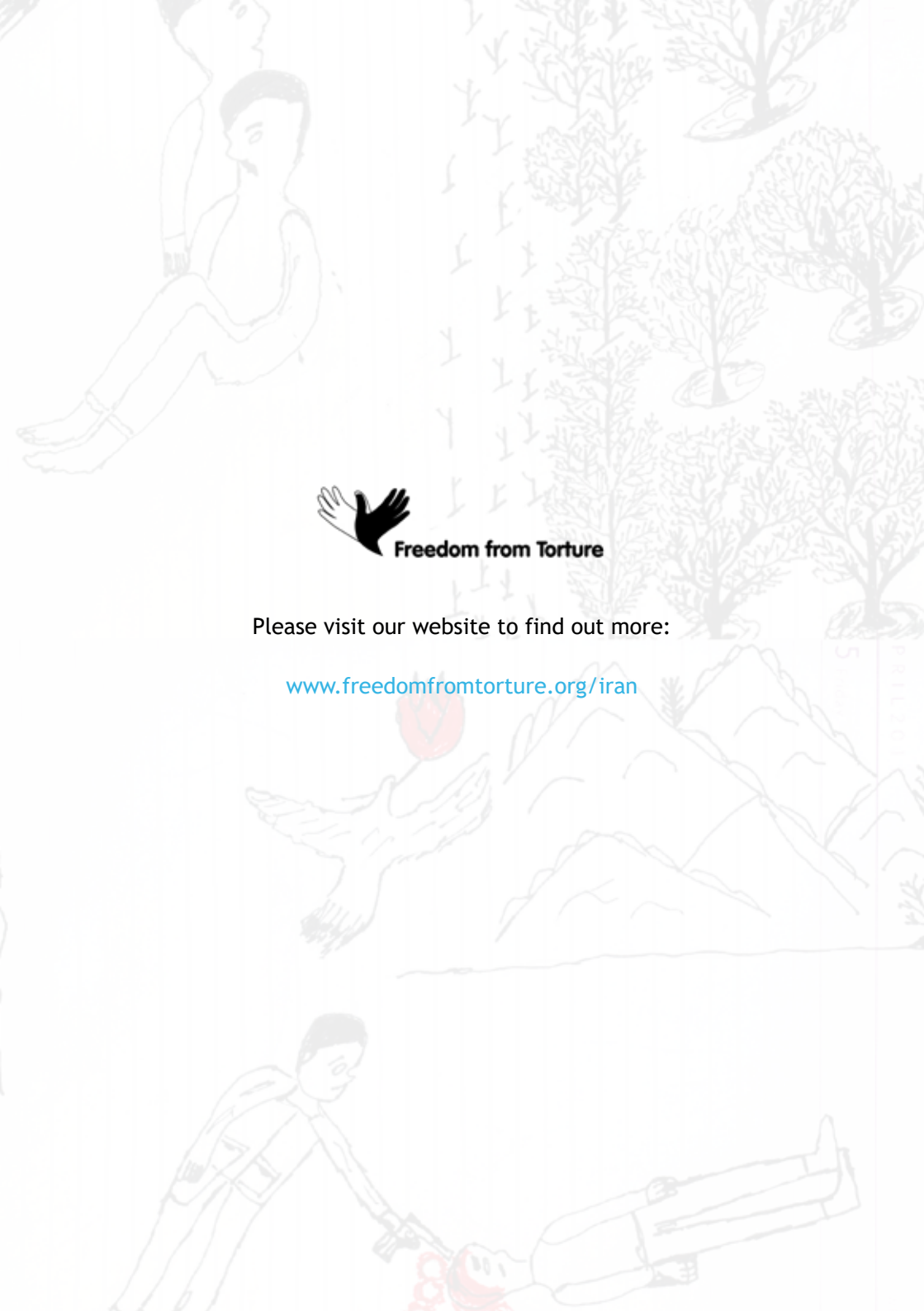
- 1 Freedom from Torture, “We will make you regret everything” *Torture in Iran since the 2009 elections*, March 2013, available at: https://www.freedomfromtorture.org/sites/default/files/documents/iran%20report_A4%20-%20FINAL%20web.pdf (last accessed 21/11/2017).
- 2 United Nations Human Rights Council, *Interactive dialogue with: - Special Rapporteur on the situation of human rights in the Islamic Republic of Iran*, 13 March 2017, A/HRC/34/65, Item:4 - Human rights situations that require the Council’s attention 34th Regular Session of the Human Rights Council, Ms Jahangir stated “People continue to be harassed, people continue to be arrested, and all, almost everyone taken into custody are tortured and torture is endemic”, available at: <http://webtv.un.org/search/id-contd-sr-on-human-rights-in-iran-32-meeting-34th-regular-session-human-rights-council-/5357499868001/?term=&lan=english&cat=Human%20Rights%20Council&sort=date&page=42> (last accessed 22/11/2017).
- 3 United Nations Human Rights Council, *Opening Statement by Zeid Ra’ad Al Hussein, United Nations High Commissioner for Human Rights*, 11 September 2017, available at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22041&LangID=E> (last accessed 22/11/2017).
- 4 *Foreign & Commonwealth Office, Human Rights and Democracy: the 2016 Foreign and Commonwealth Office Report*, 20 July 2017, available at: <https://www.gov.uk/government/publications/human-rights-and-democracy-report-2016> (last accessed 21/11/2017).
- 5 House of Commons Hansard, *Iran: Human Rights*, Volume 629, 11 October 2017, available at: <https://hansard.parliament.uk/commons/2017-10-11/debates/54656615-7C21-4941-B7D0-900A5EBDE780/IranHumanRights> (last accessed 21/11/2017).
- 6 The case set is derived from medico-legal reports produced for Iranians between September 2012 and April 2017.



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