



Freedom from Torture

Medical Foundation for the Care of Victims of Torture



**“We will make you
regret everything”**

**Torture in Iran since the
2009 elections**

Freedom from Torture
Country Reporting Programme

Summary Version
March 2013

Freedom from Torture
Country Reporting Programme

March 2013

**“We will make you regret
everything”**

**Torture in Iran since the
2009 elections**



Freedom from Torture

Medical Foundation for the Care of Victims of Torture

Introduction

Freedom from Torture (formerly known as the Medical Foundation for the Care of Victims of Torture) is a UK-based human rights organisation and one of the world's largest torture treatment centres. Since our foundation in 1985, more than 50,000 people have been referred to us for rehabilitation and other forms of care and practical assistance. In 2012 Freedom from Torture provided treatment services to more than 950 clients from around 80 different countries. In addition our independent medico-legal report service is commissioned to prepare between 300 and 600 medico-legal reports (MLRs) every year, for use mainly in UK asylum proceedings.

Freedom from Torture seeks to protect and promote the rights of torture survivors by drawing on the evidence of torture that we have recorded over almost three decades. In particular, we aim to contribute to international efforts to prevent torture and hold perpetrator states to account through our Country Reporting Programme, based on research into torture patterns for particular countries, using evidence contained in our MLRs.

“We will make you regret everything” Torture in Iran since the 2009 elections’ is a study conducted by Freedom from Torture of 50 Iranian cases, forensically documented by clinicians in our Medico Legal Report Service, of torture perpetrated between 2009 and 2011.

The full research report is available to download at **www.freedomfromtorture.org/iran-report** or to request a hard copy please contact **digital@freedomfromtorture.org**.

This summary document provides a snapshot of the report's key findings and resulting recommendations.

MLRs prepared by Freedom from Torture are detailed forensic reports documenting physical and psychological consequences of torture. They are commissioned by legal representatives on behalf of their clients and prepared by specialist clinicians according to standards set out in the UN Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, known as the 'Istanbul Protocol'. Each is subject to a detailed clinical and legal review process. While the primary purpose of our MLRs is to assist decision-

Case Study - Sanaz*

Sanaz was living and working in Tehran when she and her husband took part in the demonstrations in June 2009 following the disputed Presidential election results. At one of the protests her husband was handing out leaflets when he was chased by men, who Sanaz believed were acting for the authorities. He escaped but his leaflets and personal effects were taken. When they returned home together later that same day a police car was outside their house. Instead of going home, they decided to go to a relative's house but upon returning the following day found their house had been broken into and a computer and documents removed.

A few days later, Sanaz was home alone when security forces showed up. She was handcuffed and blindfolded and taken to an unknown detention centre where she was held in a dark cell for about a week. During interrogations Sanaz was beaten, kicked and slapped whilst being accused, amongst other things, of acting against the regime and being in contact with foreign groups. She was told she was going to be killed and was accused of being 'a spy and a prostitute'. On two separate occasions she was raped in the interrogation room.

Sanaz was released and told this was on condition that she tell her husband what had happened to her and that they both appear at court the following week. Instead, however, her family paid for an agent to arrange for her to leave the country.

A medico-legal report was prepared in 2010 after Sanaz was refused asylum by the UK Border Agency. The Clinical Psychologist who wrote the report, after more than 30 counselling sessions, concluded that Sanaz had Post-Traumatic Stress Disorder and was suffering from depression. She lodged an asylum appeal, including the medico-legal report prepared by Freedom from Torture, and was granted refugee status.

* Names have been changed and other specific details omitted to protect the anonymity of our clients

makers in individual asylum claims – and for these purposes our clinicians act strictly as independent experts – collectively they also represent an invaluable source of evidence of torture that can be used to hold perpetrator states to account.

Freedom from Torture has consistently received more referrals for Iranians than for any other nationality. The MLRs we have produced for Iranian clients provide substantial and robust evidence of torture in Iran and are the source of data for this study of torture perpetrated by the Iranian government in the lead up to and for an extended period following the presidential election in June 2009. We hope that this evidence will be of assistance to the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and other UN mechanisms investigating human rights abuses in Iran.

Summary

The 50 cases all involve torture perpetrated in the lead up to and in the weeks, months and years following Iran's presidential elections held on 12 June 2009. Together they provide an alarming insight into the brutal methods used by the Iranian authorities to terrorise those individuals – and their family members – engaged in grassroots organising prior to the elections and in the protests relating to the disputed outcome and the human rights abuses that followed.

To the best of our knowledge, the study is the most detailed forensic evidence of torture yet to have emerged from this dark period in Iran's recent history. In presenting our evidence, we carefully described the profiles of the survivors whose cases are included in the study; patterns in their detention experiences, including serious due process failings; and the findings of Freedom from Torture clinicians with respect to the methods of torture inflicted on the survivors and the resulting physical and psychological consequences.

In accordance with our client confidentiality policy and consent processes, and mindful of the intense security concerns among our Iranian clients, we omitted information – including distinctive information from personal profiles and about interrogation experiences, methods of torture and injuries – which could potentially be used to identify any person whose case is included in the study.

Case Study - Bahar*

Bahar was finally forced to flee Iran in 2011 after repeated periods of detention dating back to 2008 in which she was subjected to torture and ill-treatment, including severe beatings and insults, sexual abuse and rape. During one interrogation, under the pressure of torture, she was forced to sign a 'confession' stating she had been involved in anti-regime activities.

Originally targeted by the authorities because of her political activism on Kurdish issues, Bahar's most recent detention was around the first anniversary of the disputed presidential elections, when she was interrogated about the Green movement and her links with foreigners. Around this time she had begun to feel like there was real hope of change in Iran and was motivated to continue to attend demonstrations and gather information about human rights abuses in the country.

However, in 2011, some close associates went missing and Bahar went into hiding, fearing that the authorities would learn of her on-going activities and that she would herself face arrest. Her home was raided by the authorities and Bahar's family made arrangements for her to leave the country.

A medico-legal report was prepared in 2012 after Bahar was refused asylum by the UK Border Agency. The doctor writing the report concluded that Bahar had been re-traumatised by the process of retelling her account and, at that time, was at risk of suicide. She lodged an asylum appeal, including the medico-legal report prepared by Freedom from Torture, and was granted refugee status.

* Names have been changed and other specific details omitted to protect the anonymity of our clients

The research, based on medico legal evidence, is of particular importance given the dangers that clinicians working inside Iran face in speaking out about torture injuries which they may have witnessed or provided treatment for, the repression of lawyers and human rights defenders seeking to assist victims of torture and the lack of access to Iranian detention facilities for independent human rights monitors. The UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran has drawn on evidence provided by Freedom from Torture for his report to the twenty-second session of the UN Human Rights Council.

Key Findings

- Torture was a key tool of repression used by the Iranian authorities as part of their efforts to crush dissent in Tehran and elsewhere in the months leading up to and for an extended period following the presidential elections in June 2009;
- This crackdown involved torture – often during multiple detention episodes – of many people for whom the 2009 presidential election period was the first time they, or other family members, had engaged in any level of political or other form of activism;
- A wide range of physical, psychological and environmental torture methods were practised in a highly systematic way by torturers in Iran during this period;
- Torture was often used to obtain information about individuals and networks involved in organising political or other activity deemed to be ‘anti-regime’ and to force people to sign what they understood to be ‘confessions’ or other statements which were used against them in legal proceedings or which could be so used in the future;
- Extensive use of incommunicado detention and blindfolding or hooding meant that many survivors of torture were unable to identify the place of their detention or the identity of their interrogators and torturers; and
- The physical and psychological harm of torture endures for the survivors and most have required medical treatment and/or psychological therapies in order to restore their

functioning. A high proportion of the cases in the sample had self-harmed or made suicide attempts in the period following their torture.

Half of the cases in the study were arrested in Tehran with the remainder in other provincial capitals and a small number in rural areas. In all cases, the reasons for detention and torture included a 'political' element, often at a very low level, even if this emerged after arrest for non-political offences or was imputed to the person on account of the activities of their family members or, in one case, a business associate. Twenty-seven of the cases were arrested and detained while attending demonstrations and other protests following the presidential elections.

The group of 50 cases is divided into 26 cases where the individual had no personal history of political or other activism or family profile of dissent prior to the 2009 election period, 11 cases where the individual had a history of dissent preceding the 2009 elections (including support for the Kurdish cause or involvement in dissident student politics), and 13 cases where the individual had no personal history of involvement in political activism or dissent before being detained, even during the 2009 elections and their aftermath.

Five of the cases included in the research had been resident in the UK at some point prior to their detention and torture, three of whom were ordinarily resident in the UK as students at the time of detention, having returned to Iran for short family visits. In two of these three cases, the individual was interrogated under torture about their links with and activities undertaken in the UK.

Methods of physical torture used across the 50 cases included blunt force trauma, such as beating, whipping and/or assault (100% of cases); sexual torture including rape, molestation, violence to genitals and/or penetration with an instrument (60%); suspension and stress positions (64%); use of water (32%); sharp force trauma including use of blades, needles and/or fingernails (18%); burns (12%); electric shock (10%); asphyxiation (10%) and pharmacological or chemical torture (8%). Of the cases sampled, 60% of females and 23% of males reported rape.

Psychological and environmental forms of torture, which were highly prevalent in the case sample, included but were not limited to humiliation (82%), solitary confinement (68%), verbal abuse (64%), threats of death (44%) and threats to family (30%), sleep deprivation (24%), and mock executions (14%).

Freedom from Torture MLRs for these cases documented extensive evidence of a wide range of physical and psychological consequences of torture. Forty-one cases (82%) had forensic evidence of physical trauma documented in their MLRs, including 60% who had lesions attributed to blunt force trauma, and 14% had lesions assessed by our clinicians as 'diagnostic, 'typical or 'highly consistent' with various types of burns attributed by the survivor to torture. In addition, 46% of cases reported chronic pain and 18% reported fractures resulting from torture.

Psychological findings for the 50 cases in the study included 45 cases (90%) with symptoms of Post-Traumatic Stress Disorder (PTSD) related to the history of torture in detention and 42 cases (84%) with ongoing symptoms of depression directly related to this history. Twenty-seven cases (54%) expressed ideas of self-harm or of suicide to their examining clinician and ten people had indeed carried out acts of self-harm since arrival in the UK. A further six people (12% of the case sample) had made at least one suicide attempt following their detention and torture.

As Iran prepares for further presidential elections expected to take place in June 2013, Freedom from Torture's report calls on the Iranian government to comply with its international legal obligations with respect to acts of torture and to cooperate with UN human rights monitors, including the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. It also makes recommendations to Member States of the United Nations, as well as to states and the UN High Commissioner for Refugees responsible for processing asylum applications made by Iranian torture survivors seeking international protection.

Recommendations

To the government of the Islamic Republic of Iran:

1. Implement recommendations of the UN Human Rights Committee as well as those accepted by Iran during its first universal periodic review by the UN Human Rights Council relating to Iran's compliance with Article 7 of the International Covenant on Civil and Political Rights prohibiting torture and cruel, inhuman or degrading treatment or punishment. In particular, the government should:

- i. Urgently establish a full, impartial and independent investigation into allegations of torture and other ill-treatment during and following the 12 June 2009 presidential elections, and prosecute those officials found responsible.
2. Ensure there are no further violations of the prohibition of torture and cruel, inhuman or degrading treatment or punishment, including in the context of the forthcoming presidential elections expected to take place in June 2013.
3. Cooperate fully with all special procedures of the UN Human Rights Council, in particular the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, who should be granted prompt and unimpeded access to Iran to conduct investigations, and the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.
4. Become a party to the UN Convention Against Torture and the Optional Protocol thereto which establishes a system of regular visits by independent and national bodies to detention facilities.

To Member States of the United Nations:

1. Renew the mandate of the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran.
2. Ensure that resolutions of the UN Human Rights Council and General Assembly on the human rights situation in Iran acknowledge and condemn the widespread use of torture in Iran and include a strong focus on torture prevention.
3. Consider additional mechanisms to address any ongoing failure by the Iranian government to effectively investigate allegations of mass violations of human rights including torture.

To states of asylum and the UN High Commissioner for Refugees:

1. Ensure that policy guidance for risk assessment processes and country of origin information used in refugee determination processes properly reflects the evidence of torture practices in Iran contained in this report, including the key findings in relation to the profile of the victims, conditions of detention, lack of due process and extensive use of forced 'confessions'.
2. Ensure prompt access for Iranian torture victims to specialist torture rehabilitation services.

Acknowledgments

This Freedom from Torture research project would not have been possible without the support of our interns. We would like to give a special thanks to:

Shona Cleland and Jade Glenister

We would like to thank CMS Cameron McKenna (<http://www.cms-cmck.com>) for printing this report at no cost to Freedom from Torture.



Freedom from Torture is grateful to the European Union which funded the research for this report.

Disclaimer: This publication has been produced with the assistance of the European Union. The contents of this publication are the sole responsibility of Freedom from Torture and can in no way be taken to reflect the views of the European Union.



Freedom from Torture

Medical Foundation for the Care of Victims of Torture



Freedom from Torture
111 Isledon Road
London, N7 7JW

Freedom from Torture has centres in:
Birmingham, London, Glasgow, Manchester and Newcastle.

Registered charity no: England 1000340, Scotland SC039632

www.freedomfromtorture.org
Tel: 020 7697 7777
Fax: 020 7697 7799

Registered charity and company name:
Medical Foundation for the Care of Victims of Torture

Thanks to CMS Cameron McKenna (<http://www.cms-cmck.com>) for printing this report at no cost to Freedom from Torture