

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/news/2009/02/10/iran-four-journalists-sentenced-prison-floggings>

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Four Years After Arrests, No Public Investigation of Abuse Allegations

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(New York) - The sentencing of four Tehran bloggers by Iran's Judiciary Court on February 3, 2009, to prison terms, fines and flogging, despite the head of the judiciary's admission that they had been coerced into confessing, violates their right to a fair trial, Human Rights Watch and the International Campaign for Human Rights in Iran said today. The four said shortly after their arrest in 2004 that they had been tortured during interrogation, but there has been no public investigation into these allegations despite a high-level promise to do so.

Authorities arrested Omid Memarian, Roozbeh Mirebrahimi, Shahram Rafizadeh, and Javad Gholamtamimi in September and October 2004, and detained them without charge. The four said that they were subjected in detention to physical and psychological abuse, as well as prolonged periods of solitary confinement in a secret detention center without access to counsel or family. Three of the men subsequently described the abuse at a meeting with Ayatollah Mahmoud Hashemi Shahroudi, the head of the judiciary. On April 20, 2005, a judiciary spokesman said that an official investigation confirmed that their confessions had been coerced. "The interrogators and prosecutors committed a series of negligent and careless acts in this case that led to the abuse of the detainees' words and writings in producing confession letters," the spokesman said.

"These sentences are shocking, given that the head of the judiciary himself admitted the evidence had been obtained by coercion" said Joe Stork, deputy director of the Middle East division at Human Rights Watch. "The judges should be investigating and prosecuting abusers, not their victims."

Human Rights Watch and the International Campaign for Human Rights in Iran called on the Tehran Appeals Court to overturn the sentences, and on the government to investigate the torture claims.

The four journalists were released on bail in late 2004. Memarian, Mirebrahimi, and Rafizadeh subsequently left Iran and are living abroad. Gholamtamimi resides in Iran.

Judiciary authorities informed lawyers for the four on February 4 that Branch 1059 of Tehran's Judiciary Court sentenced them each to prison terms of up to three years and three months, and to be flogged. Memarian was also fined 500,000 tomans (US\$520). The known charges against them include "participating in the establishment of illegal organizations," "membership in illegal organizations," "propaganda against the state," "disseminating lies," and "disturbing public order." Gholamtamimi was also charged with treason.

The lawyers for the four include the Nobel Peace Prize Laureate Shirin Ebadi, who told Human Rights Watch and the International Campaign for Human Rights in Iran that they would "definitely appeal" the sentences.

Memarian, Mirebrahimi, and Rafizadeh met with Ayatollah Shahroudi on January 10, 2005, and described physical and psychological torture at the hands of a specific interrogator, whom they said identified himself as "Keshavarz" (farmer). They said the magistrate in charge was known as "Mehdipour." The apparent purpose of the abuse was to extract confessions that implicate reformist politicians and civil society activists in activities such as spying and violating national security laws (<https://www.hrw.org/en/news/2004/12/19/iran-judiciary-uses-coercion-cover-torture>). According to the three men, both the interrogator and the magistrate repeatedly delivered messages and threats to the detainees on behalf of the chief prosecutor of Tehran. Shahroudi's spokesman announced on January 12, 2005 that, "Shahroudi has issued a special order to investigate and probe these [detentions]. If any of the detainees' allegations, at any level, are true then we will prosecute the violators." To date, the government has not made the full findings of any investigation public, nor has it announced any penalties or prosecution for the abuse.

"Either the Iranian judges are not listening to Ayatollah Shahroudi, or he has reneged on his promise to investigate the torturers and not the bloggers," said Hadi Ghaemi, coordinator of the International Campaign for Human Rights in Iran. "These brave journalists stood up for their rights. It's high time the Iranian judiciary stood up for justice."

Human Rights Watch and the International Campaign for Human Rights in Iran have documented extensive patterns of forced confessions, arbitrary detentions, and prison torture against opposition political activists, journalists, and anyone perceived as a critic. (<https://www.hrw.org/en/reports/2008/01/06/you-can-detain-anyone-anything-0>)

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