

**REPORTERS
WITHOUT BORDERS**
FOR FREEDOM OF INFORMATION

Ms. Navanethem Pillay
United Nations High Commissioner for Human Rights
Office of the High Commissioner
Palais Wilson
52 rue des Pâquis
CH-1201 Geneva, Switzerland

Paris, 10 January 2012

Dear Ms. Pillay,

Reporters Without Borders, an international NGO that defends freedom of information, would like to draw your attention to the escalation in repression of journalists, netizens and civil society members and the increase in online censorship in Iran. This appalling situation calls for forceful and immediate responses from the Office of the High Commissioner for Human Rights. We have also raised these issues with Ahmad Shaheed, the special rapporteur on the human rights situation in Iran.

A relentless war has been waged against Iran's journalists and netizens ever since President Mahmoud Ahmadinejad's disputed reelection in June 2009. They are increasingly vulnerable and need the support of the international community in general and the Office of the High Commissioner for Human Rights in particular. Vigilance on the part of you and other human rights defenders as regards violations affecting individuals must not weaken because of the current diplomatic tension with Iran.

We therefore urge you to intercede with the utmost firmness with the Iranian authorities to prevent the execution of two Iranian netizens, **Saeed Malekpour** and **Vahid Asghari**, whose death sentences were recently confirmed by the Iranian courts. They were found guilty in January 2011 of anti-government agitation and insulting Islam. Their only crime was to try to provide their fellow citizens with information. The supreme court is due to issue a ruling on their cases very shortly.

We also ask you to energetically defend prisoners of conscience who are the victims of mistreatment by the authorities and are being held in appalling conditions, and to do everything in your power to obtain the release of the 29 journalists and 21 netizens who are now detained. **Fatemeh Khardmand**, **Ehssan Hoshmand** and **Saeed Madani** are the latest journalists to be detained in a new wave of arrests since the start of 2012.

Your intercession is also vital for the many arbitrarily detained journalists and netizens who are being denied medical treatment for illnesses and for their physical and psychological deterioration. The state of health of the following detainees is particularly worrying: **Masoud Bastani**, **Issa Saharkhiz**, **Mohammad Sadigh Kaboudvand**, **Hossein Ronaghi Maleki**, **Saeed**

Matinepour, Mehdi Mahmudian, Kivan Samimi Behbani and Arash Honarvar Shojai. Their lives are at stake.

We are counting on you to remind the Iranian authorities about their obligations under international law and to draw their attention to the arbitrary nature of the new “Internet crimes” that have just been defined by the regime. It is essential to impress upon Iran’s leaders the risks involved in developing a national Internet that cuts the majority of the population off from access to the World Wide Web.

Finally, we urge you to take up the sensitive issue of western firms that cooperate with repressive regimes – in this case Iran, in particular – in executing contracts that violate freedom of expression and human rights, often via dummy companies. These firms must be made to give a transparent accounting of their activities and must be sanctioned for any complicity with the Iranian regime.

We enclose a brief summary of the cases mentioned in this letter along with a copy of the letter we sent you in February 2011 asking you to intercede on behalf of eight netizens who were facing possible death sentences. We are at your disposal should you require any additional information.

We thank in advance for the attention you give to these requests and look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. Julliard', written over several horizontal lines.

Jean-François Julliard
Secretary-General

Death sentences and national Internet – escalating repression in Iran

10 January 2011

The Iranian government's constant repressive policies towards journalists and netizens are being steadily ratcheted up as part of a generalized increase in persecution of dissidents and a reinforcement of online censorship.

Two bloggers sentenced to death

Two jailed netizens, **Saeed Malekpour** and **Vahid Asghari**, were sentenced to death in January 2011 on charges of anti-government agitation and insulting Islam. The sentence has just been confirmed. The supreme court must now issue a ruling. According to Malekpour's family, the sentence was confirmed in October by Judge Mohammad Moghisiéh of the 28th chamber of the Tehran revolutionary court.

Asghari, a 25-year-old information technology student, has reportedly been tortured while in detention. His trial took place at the end of 2010 but his family was only recently informed of his death sentence by Abolghasem Salevati, the president of the 15th chamber of the revolutionary court.

New wave of arrests of journalists

The Supreme Leader, Ayatollah Ali Khamenei, has waged an unrelenting war on journalists and netizens since President Mahmoud Ahmadinejad's disputed reelection in June 2009. More than 100 bloggers have been arrested and given sentences ranging from one to 20 years in prison in a paranoid response to the "soft war" waged by "Iran's enemies."

The Telecommunication Company of Iran (TCI) is now partially owned by the Revolutionary Guards and, in practice, is under their control. The Organized Crime Surveillance Centre, which was created by the Revolutionary Guards, and their official website Gerdab (www.gerdab.ir) have actively participated in tracking, identifying and arresting netizens. On 20 May 2010, Ebrahim Jabari, one of the Revolutionary Guard commanders, officially confirmed the creation of a cyber-army, which has been responsible for the targeting of "destructive" networks and the arrests of hundreds of netizens. Twenty-one netizens and 29 journalists are currently detained.

Three of them, **Fatemeh Khardmand**, **Ehssan Hoshmand** and **Saeed Madani**, were arrested by plainclothes men at their Tehran homes on 7 January. Confirming their arrest the next day, intelligence minister Heydar Moslehi said they had "envisaged carrying out American plans to disrupt the parliamentary elections by using cyber-space and social networks." This is a clearly trumped-up charge by a regime which, without any evidence, systematically accuses dissidents of being spies working for the United States or Israel.

Madani, a sociologist as well as a journalist who has written dozens of articles in the independent media, was previously arrested and sentenced to six years in prison. Hoshmand, who is also a sociologist, has specialized in the history of the Kurdish people.

Khardmand is a journalist with the monthly *Gozaresh Sanat Chap*. According to her husband, **Masoud Lavassani**, a journalist and blogger who was released in July after two years in detention, her arrest was carried out by four intelligence ministry officials with a warrant who said she was accused of "being in contact with the families of political prisoners." Her state of health is

a source of concern and their four-year-old son, who was already disturbed by his father's long imprisonment, is in state of shock.

Mehdi Khazali, who edits the *Baran* blog and has been arrested several times in the past, was arrested again on 9 January. According to his wife, he was injured in the course of his arrest, which was carried out in a very violent manner. Khazali is the son of Ayatollah Abolghasem Khazali, an influential member of the Council of Guardians of the Iranian Constitution for the past three decades. Despite his frequent run-ins with the authorities, Mehdi Khazali is very scathing about the government's policies and human rights violations in his blog, which has been the victim of a cyber-attack and is no longer accessible.

Harassment of relatives

The authorities use devious methods and do not hesitate to harass relatives or separate families.

Fatemeh Alvandi, the mother of the imprisoned journalist **Mehdi Mahmudian**, was arrested on the orders of the Tehran prosecutor on 2 January and was interrogated for several hours before being released. Her son has been placed in solitary confinement and, according to the information available to us, has been mistreated. He was hospitalized twice in 2011 because he was seriously ill and was transferred to Rajaishahr prison. The prison authorities have systematically refused all parole requests.

Parvin Mokhtare, the mother of the jailed blogger **Kouhyar Goudarzi**, has been sentenced to 23 months in prison by a revolutionary court in the city of Kerman, where she was arrested on 2 August by four men in plainclothes who forced their way into her home and took her to the city's main prison. After her son's arrest, on 1 August, the judicial authorities let several months go by without saying where he was being held. He is currently in Section 209 of Tehran's Evin prison, which is the isolation section.

Cooperation from western companies

The Iranian government's repression relies on the help it gets from foreign companies, especially western ones. Reporters Without Borders is astonished by the government's ability to use the dummy companies it has created to circumvent US and European sanctions against Iran. The rules governing the export of equipment used for censorship and surveillance need to be revised. The procedures for tracking relevant equipment and software must be reinforced to prevent "banned" products from reaching dictators via third countries or obscure companies.

According to the *Bloomberg* news agency, the Israeli computing security company Allot has for years been selling surveillance software and software that locates mobile phone and Internet users to the Danish company RanTek, which then resold it to Iran. The Irish company AdaptiveMobile Security has just announced that it is suspending sales of its SMS filtering and blocking systems to the Iranian regime.

Reporters Without Borders supports the Global Online Freedom Act (GOFA), a bill currently before the US congress that would ban the export of Internet filtering and surveillance equipment to countries that flout online freedom of expression. In November, the European Parliament adopted a resolution in favour of reinforcing the rules governing the export of this kind of equipment and European legislation similar to the GOFA is also pending. Financial sanctions must be imposed on companies that ride roughshod over human rights concerns. Attempts could

be made to prosecute companies that provide technology used for repressive purposes before the International Criminal Court on complicity charges.

A national Internet to better control the country?

According to a report in *The Wall Street Journal*, Iran is preparing to introduce a global system for filtering all means of communication. In other words, it is preparing to launch a national Internet that is cut off from the international Internet. This is not a new project and Iranian officials have referred to it in the past. The government has had its technicians work on a “clean Internet” project since 2002 but the Ahmadinejad administration has stepped up the process.

Reporters Without Borders questions the appropriateness and feasibility of such a project, not only because of the development and implementation costs but also because Iran needs to stay connected to the Internet for the purposes of commercial and financial transactions.

“Is the regime moving towards a two-speed Internet, with access to the World Wide Web for the government, religious leaders, Revolutionary Guards and big companies on the one hand, and with the immense majority of the population limited to a censored Intranet on the other?” Reporters Without Borders ask. “In this case, the government would be guilty of grave discrimination against its own people.”

Elections and Internet crimes

Abdosamad Khoramabadi, the prosecutor-general’s legal adviser, unveiled “a list of 25 election-related Internet crimes” at a news conference on 28 December, the day for registration of candidates for the March 2012 parliamentary elections. This list was compiled by a working group that was formed to “determine the content that constitutes Internet crimes” under the Internet crimes law.

The working group’s 13 members come from many branches of the government and judicial apparatus. They include representatives of the Ministries of Education, Communications and Information Technologies, Culture and Islamic Guidance, Intelligence, Justice, and Science, Research and Technology. They also include a representative of the Organization for Islamic Propagation, the head of IRIB (the state radio and TV service), the chief of police, an expert in communications and information technology designated by the parliamentary commission on mines, and a parliamentarian chosen by the legal commission. The prosecutor-general heads the working group.

The content regarded as a crime includes calls for an election boycott and the publication of logos or content from opposition and counterrevolutionary websites.

The Iranian Internet police (<http://www.cyberpolice.ir/>) published a new, 20-point set of regulations for Internet cafés on 3 January. Clients are required to show identification while managers must install surveillance cameras and must keep the camera recordings, along with all the details of their clients and the websites they visit, for six months. Use of software to circumvent content filtering, use of Virtual Private Networks and use of USB flash drives are all banned.

After raiding 43 Internet cafés in Birjand (in the southern province of Khorasan) on 1 January, the police closed six of them for failing to respect security measures and the rules on the use of censorship circumvention software.

Access to former President Akbar Hashemi Rafsanjani's website was blocked on 30 December, a decision confirmed on 3 January by prosecutor-general Gholam Hossein Ejechi, who said it was due to the presence of "forbidden content" on the site. In his Friday prayer sermon on 17 July 2009, a month after a crackdown on a wave of opposition demonstrations, Rafsanjani called for the release of the leading figures who had been arrested and for media freedom and freedom of opinion for regime supporters in order to restore calm. This sermon had remained on his website ever since.