

January 24, 2001

Ayatollah Ali Khamene'i
Supreme Leader of the Islamic Republic of Iran
c/o H.E. Hadi Nejad Hosseinian
Ambassador Extraordinary and Plenipotentiary
Permanent Mission of the Islamic Republic of Iran to the United Nations
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By facsimile: 212 867 7086

Your Excellency:

On behalf of the Committee on Academic Freedom in the Middle East and North Africa of the Middle East Studies Association of North America, I write to express the Committee's deep dismay at the alarming number of recent attacks by the government of Iran against academics and other intellectuals solely for attempting to exercise their right to freedom of expression and to exchange information.

These attacks on free expression include the following:

- On January 13 a Revolutionary Court convicted and handed down sentences for ten persons, including several academics and independent scholars, who had participated in a public forum in Berlin in April about the future of Iran.
- The renowned independent scholar Hojjat al-Islam Hassan Youssefi-Eshkevari remains in jail awaiting sentencing following his conviction on charges of apostasy by a Special Clergy Court for his remarks at the Berlin forum, charges that can carry the death penalty.
- Student leader Ali Reza Afshari, who was among those convicted and sentenced on January 13, faces separate charges for his remarks critical of the government at a campus rally in late November.
- On January 17 a Tehran court ordered the summary closure of *Kiyan*, an independent journal that has published many of Iran's leading intellectuals and fostered open debate on religious and philosophical matters.

We strongly urge you to take immediate steps to end this systematic official persecution of independent thinkers and writers, a campaign that is in clear violation of Iran's obligation under international law to uphold and protect the right to free expression.

The Middle East Studies Association of North America (MESA) comprises 2700 academics worldwide who teach and conduct research on the Middle East and North Africa, and is the preeminent professional association in the field. The association publishes *the International Journal of Middle East Studies*, and is committed to ensuring respect for

the principles of academic freedom and the freedom of expression in the region in connection with the study of the Middle East and North Africa.

Your Excellency, those persons convicted and sentenced for their participation in the Berlin forum faced baseless, politically-motivated charges that they had “conspired to overthrow the system of the Islamic Republic.” On January 13, following secret trials that violated international fair trial standards, seven of the seventeen defendants received sentences of up to ten years in prison, and in the case of journalist Akbar Ganji an additional five years of internal exile. Two translators, Saeed Sadr and Khalil Rostam-Khani, were sentenced to ten and nine years respectively. Rostam-Khani did not even attend the Berlin conference, although he was involved in its preparation. The court sentenced to four and a half years in prison publisher and women’s rights activist Shahla Lahidji, who participated in MESA’s annual conference in 1998, and lawyer and writer Mehrangiz Kar, who participated in the MESA conference in 1996. Kar, who has been diagnosed with cancer, has been forbidden to travel abroad for medical treatment. Ezzatollah Sahabi, a prominent essayist and journalist, was sentenced to four and a half years. Fariborz Rais-Dana, an economist at Tehran University, received a three-year suspended sentence. Two other writers, Changiz Pahlevan and Kazem Kardavani, and translator Roshanak Darioush, have not returned to Iran because of the charges pending against them.

Hojjat al-Islam Hassan Youssefi Eshkevari, a respected independent writer and religious scholar and another participant in the Berlin forum, was held in solitary confinement for more than two months after his arrest in early August. He remains in prison awaiting sentencing following his conviction by Special Clergy Court on charges of apostasy and “corruption on earth,” which may be punishable by death. According to information we have received, the charges against him stem from remarks he reportedly made at the Berlin meeting in which he expressed his view that veiling and enforcement of strict dress codes against women were rooted in cultural traditions but not required by Islam.

Ali Reza Afshari, a leading student activist from Amir Kabir University of Technology in Tehran and a member of the central council of the Office to Foster Unity (Daftar-e Tahkim-e Vahdat), an organization supportive of President Khatami, was sentenced to five years in prison for his participation in the Berlin meeting. Afshari was also arrested in late December on separate charges of “espionage” and “spreading lies” following remarks he reportedly made on November 26 at Amir Kabir University, and in which he asserted that the role of the Supreme Leader as above the constitution (*velayat-e faqih*) should be decided by a popular referendum.

The January 17 summary closure of the journal *Kiyan* by Saeed Mortazavi, a judge in the Tehran General Court, was based on provisions of Iran’s penal code which empower the courts to seize and shut down “instruments used for committing crimes.” Judge Mortazavi

reportedly claimed that *Kiyan* had “published lies, disturbed public opinion, and insulted sacred religion.” Such efforts by the government to criminalize the peaceful expression of critical thinking and writing displays a flagrant disregard for basic human rights that Iran is committed by treaty to uphold.

These systematic attacks by the government of Iran on the internationally protected right to freedom of expression and the right to impart and receive information appear to be designed solely to punish and intimidate independent critical thinkers and writers. As such, they constitute a blatant violation of the rights to freedom of speech, freedom of assembly, and the free exchange of ideas. The bringing of these charges against these individuals—not to mention their arbitrary arrest, denial of due process, and now their conviction—are entirely inconsistent with your government’s treaty obligations under the International Covenant on Civil and Political Rights, to which Iran is a state party, as well as your government’s declared objective of promoting “a dialogue of civilizations.”

As a matter of utmost urgency, therefore, we appeal to you, in your capacity as Supreme Leader, to take the following steps. First, we ask that you request Ayatollah Mahmoud Hashemi-Shahrudi, Head of the Judiciary, to drop all pending charges against Ali Reza Afshari, charges that are clearly intended to punish him for exercising his internationally protected right to freedom of expression and to intimidate others from exercising this right. Second, we ask that you take steps to ensure that the unjust Revolutionary Court convictions imposed on January 13 and the Special Clergy Court conviction of Hojjat al-Islam Eshkevari can be appealed to a higher body or bodies whose procedures comply with international fair trial standards in order that they may be overturned. Third, we ask that you revoke the ban against the journal *Kiyan*, as well as the closure orders against the many other independent publications that have been forcibly shut down by the authorities over the past year.

By taking these steps without delay, your government can avoid irreparable damage to Iran’s international standing as a country with a great tradition of learning and scholarly inquiry, and restore to Iranian society the benefits that result from the free exchange of ideas. We thank you in advance for your attention to this matter and look forward to your reply and corrective actions.

Sincerely,

Anne H. Betteridge
Executive Director

cc: Hojjat al-Islam Mohammad Khatami, President of the Islamic Republic
Ayatollah Mahmoud Hashemi-Shahrudi, Head of the Judiciary
Mary Robinson, United Nations High Commissioner for Human Rights

