



**Friends of a Free Iran**

# **"People's Mojahedin of Iran"**

## **Mission report**

**André Brie and Paulo Casaca assisted by Azadeh Zabeti on behalf of the  
Friends of a Free Iran - European Parliament  
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## **A note from the Vice President**

Human Rights Watch report on People's Mojahedin Organisation of Iran, released in May 2005, prompted the compilation of this report.

The report ostensibly dealt with alleged rights abuses by the PMOI, but amazingly, far beyond the mandate of a human rights organization, it proffered a very serious political recommendation: do not support Iran's main opposition.

This political statement was all the more disconcerting considering the growing international concerns about the conduct of the clerical regime in Iran and increasing calls to abandon the policy of appeasement towards Iran, which led to the blacklisting of the PMOI in the first place.

We at the European Parliament decided to conduct a full investigation into the alleged human rights violations by the PMOI contained in HRW report.

To this end, unlike HRW, which relied only on 12 hours of telephone interviews with 12 suspicious individuals, we felt obliged to conduct a comprehensive study to fully address every aspect of this issue.

In addition to extensive research, a delegation of MEPs visited Camp Ashraf in Iraq, held face-to-face private interviews with PMOI members and officials. It also conducted impromptu inspections of the sites of alleged abuses.

We found the allegations contained in HRW report unfounded and devoid of any truth. We also came to the conclusion that HRW report was procedurally

flawed and substantively inaccurate. Moreover, in the course of our study we became aware of an elaborate and complex misinformation campaign by Iran's Ministry of Intelligence and Security (MOIS), against PMOI.

HRW recommendation against supporting the PMOI is clearly related to growing calls for the removal of the organisation from terrorist list. I disagree with HRW recommendation. In hopes of moderating the clerical regime, Western countries unjustly labelled the PMOI as terrorist, undermining their own principles and moral values. Therefore, justice requires that PMOI is removed from terrorist list.

Alejo Vidal-Quadras Roca

European Parliament

First Vice President

## **Executive Summary**

### Introduction

On 18 May 2005, the US based Human Rights Watch issued a 28-page report entitled 'No Exit: Human Rights Abuses Inside the MKO Camps'. The Report makes a series of serious allegations against Iran's main opposition movement, the People's Mojahedin Organisation of Iran. This includes allegedly subjecting "...*dissident members to torture and prolonged solitary confinement*" as well as alleging "...*two cases of death under interrogation*".

The report is based on 12 hours of telephone interviews with 12 individuals who claim to have been mistreated while they were in the People's Mojahedin Organisation of Iran's camps in Iraq. One witness claims to have been in solitary confinement for eight and a half years. Four of the witnesses left the People's Mojahedin Organisation 13 years ago and since then, have had no connection with the organisation. Eight of the witnesses went to Iran after leaving the People's Mojahedin Organisation of Iran, and then arrived in Europe.

Rejecting calls by US congressmen and former officials, as well as European parliamentarians to remove the People's Mojahedin Organisation of Iran from the list of terrorist organisations, Joe Stork of Human Rights Watch said "*The Iranian government has a dreadful record on human rights,*" "*but it would be a huge mistake to promote an opposition group that is responsible for serious human rights abuses.*"

The report, prepared by a respected non-governmental organisation, naturally caused alarm in international human rights circles, as well as from Parliamentarians, lawyers, jurists and exiled Iranian communities across the world.

Upon closer scrutiny of the report, dozens of political, legal and human rights figures and organisations expressed concern about what they described as the flawed methodology used by Human Writes Watch in the preparation of the Report, which according to them, made the findings of the Report unsafe. Further concerns were raised about the unexpectedly political nature of the Report, and in particular its *de facto* political recommendation against removing the People's Mojahedin Organisation of Iran from terrorist lists.

Friends of a Free Iran, wrote to Human Rights Watch a number of times, raising concerns about the methodology employed in preparing the report, as well as requesting clarification on some of the specific alleged incidents of rights abuses. Friends of a Free Iran did not receive a response and thus decided to conduct its own investigation. It also learned that Human Rights Watch did not respond to others, including Lord Avebury who repeatedly requested a written response from the organisation, to no avail.

#### Friends of a Free Iran Investigation

In order to conduct an impartial and thorough investigation into the allegations of abuse made against the People's Mojahedin Organisation of Iran, and to investigate whether or not there was any evidence to corroborate the allegations, Friends of a Free Iran conducted a 5 day trip to Camp Ashraf, where the delegates randomly talked to over one hundred residents of Camp Ashraf and held private and lengthy interviews with 19 individuals who had specific knowledge of the Human Rights Watch witnesses. In addition, the delegation was able to make unannounced inspections of the alleged sites of abuse. Whilst at Camp Ashraf, the delegation was provided unrestricted access to all residents and locations.

In addition, Friends of a Free Iran reviewed websites critical of the People's Mojahedin Organisation of Iran, which contained various allegations against the organisation of varying degrees of seriousness, as well other literature critical of the organisation. The National Council of Resistance of Iran and People's Mojahedin Organisation of Iran's official websites were also reviewed. Finally, Friends of a Free Iran had access to previous correspondence

between Lord Avebury, then president of the British Parliamentary Human Rights Group and Human Rights Watch, which provided the delegation with valuable information.

### Human Rights Watch Methodology

Human Rights Watch's methodology in the preparation of the report was widely criticised by human rights advocates, NGOs and political dignitaries. In dozens of letters, they highlighted the specific flaws in this regard.

The most common issues raised, were why Human Rights Watch failed to allow the People's Mojahedin Organisation of Iran the right to respond to the allegations before the publication of the report. The People's Mojahedin had repeatedly invited Human Rights Watch to visit its bases in Iraq but the organisation decided to publish its report without taking advantage of the opportunity to conduct independent on site investigations.

Human Rights Watch ignored available information, including observations by independent sources and detailed responses to some of the allegations by the National Council of Resistance of Iran or People's Mojahedin Organisation of Iran, to allegations raised by the same individuals, or generally the Iranian regime. The organisation was also questioned for ignoring information that queried the credibility of its witnesses. This too was available.

Human Rights Watch chose not to seek the opinion of the US army and coalition forces, who have been in charge of the safety and security of Camp Ashraf, where People's Mojahedin members reside. Since 2003, several US agencies have interviewed and screened every single member of the People's Mojahedin Organisation of Iran in Camp Ashraf and reached the conclusion that none have links to terrorism nor have they been in violation of US law.

### Human Rights Watch Witnesses

Human Rights Watch has relied on 12 hours of telephone interviews with 12 individuals, who have already been exposed as having ties to Iran's Ministry of Intelligence. It is widely believed that such a limited investigation is insufficient to reach definitive conclusions about allegations of such veracity. Indeed, a glance at various sites run by these individuals and their



associates, illustrate their active involvement in a campaign against the People's Mojahedin, which is widely believed to be orchestrated by Iran's Ministry of Intelligence.

Furthermore, Friends of a Free Iran learned that Human Rights Watch had failed to talk to hundreds of former members of the People's Mojahedin of Iran, who currently reside in Europe and present a different picture of life in the Mojahedin Camps in Iraq. It is not known how the 12 witnesses were selected. Human Rights Watch has been asked to clarify this, but has not responded.

### Substance of the Report

Friends of a Free Iran investigated the specific allegations raised in the report. A very important case was the allegation that Mr. Gorbanali Torabi was killed under torture during interrogations in People's Mojahedin camps. Mr. Torabi's wife and sister denied the allegation and said he had died of a heart attack. They said Mr. Torabi was a former political prisoner who suffered years of torture in Iran, because of his support for the People's Mojahedin.

Another case pursued by the delegation was allegations raised by Mohammad Hossein Sobhani. He said he spent eight and half years in solitary confinement. Friends of a Free Iran spoke in length with his ex-wife. She denied that he had ever been jailed and provided the delegation with information about his links with the Iranian regime through his brother. Friends of a Free Iran also obtained information from other sources, including a letter from Massoud Mahmoudi who also suggested that Sobhani is an agent of the Iranian regime. Mr. Mahmoudi was in contact with agents of Iran's Ministry of Intelligence in Europe for seven years. The credibility of Mr. Sobhani's claim was further undermined by inconsistencies in his own statements to Human Rights Watch and others.

Friends of a Free Iran were also able to look into specific allegations made by Mohammad Reza Eskandari and his wife Tahereh Eskandari (Khorami). They claim to have been imprisoned by the People's Mojahedin. The delegation spoke to Leila Ghanbari, the ex-wife of another HRW witness, Habib Khorrami and the sister in law of the Eskandari's. She revealed to Friends of a Free Iran that they were never jailed and in fact when they asked to leave, the organisation made arrangements for them to go to the UN monitored camp Al-Tash in Iraq. Under pressure from her ex-husband, Leila Ghanbarie also left the PMOI, but soon decided to

return. She witnessed in Al-Tash camp agents of the Iranian regime actively trying to recruit former members of the People's Mojahedin Organisation of Iran. The People's Mojahedin also provided the delegation with undeniable evidence, including correspondence by the Eskandari family and Habib Khorrami, requesting that the People's Mojahedin let them stay in the organisations exit facility, whilst assisting them financially to leave Iraq for Europe. This correspondence relates to a time after they had left the organisation, thus any claims that the letters were written under pressure from the People's Mojahedin Organisation of Iran is simply invalid.

Regarding the death of Mr. Ahmadi under torture, Friends of a Free Iran talked to a People's Mojahedin official who explained how he was killed in a mission by the Iranian regime. His account was confirmed by correspondence between the National Council of Resistance of Iran with Amnesty International several years ago regarding the death of a number of People's Mojahedin members, including Parvis Ahmadi, through infiltrators. While this may not be considered concrete evidence, in the absence of evidence to back the allegation, this would suggest the allegation should be dismissed.

In the course of Friends of a Free Iran's trip to Camp Ashraf, the delegation found the internal relations within the PMOI very different to that portrayed by Human Rights Watch. Friends of a Free Iran came to the conclusion that Camp Ashraf residents are resolute individuals, who voluntarily choose to be there, committed to establishing freedom and democracy in their country.

### The Political Context

Friends of a Free Iran research, revealed the People's Mojahedin Organisation of Iran have for many years, been the subject of an extensive misinformation campaign orchestrated by the Iranian regime. The delegation came across several cases of alleged human rights violations by the People's Mojahedin Organisation of Iran, which was later proved to be false.

Finally, Friends of a Free Iran believes there is sufficient evidence to conclude that the Human Rights Watch report was politically motivated. Far beyond the mandate of a human rights organisation, and in tandem appeasement advocates, Human Rights Watch lashed out at Iran's

main opposition, tacitly recommending that the group should not be removed from the terrorist list.

Firstly, it is wholly inappropriate for a human rights NGO to become a party to a political dispute and lobby in defence of a particular policy under the pretext of human rights.

Secondly, Friends of a Free Iran has refrained from dealing with the political aspect of the issue. Nevertheless, as Human Rights Watch's recommendation is a political one, Friends of a Free Iran disagrees with the Human Rights Watch recommendation and believes the People's Mojahedin Organisation of Iran must be removed from the terror list.

Recent developments in Iran leave little doubt that the policy of appeasement has failed. The time has come to end this failed policy. Continuing with the policy of appeasement is a recipe for disaster as far as the Iranian people and the international community is concerned.

## Introduction

On 18 May 2005, the US based Human Rights Watch (“HRW”) issued a 28-page report entitled ‘No Exit: Human Rights Abuses Inside the MKO Camps’<sup>1</sup> (“the Report”). The Report concerns the People’s Mojahedin Organisation of Iran (“the PMOI”), described by HRW as ‘the MKO’. The PMOI is a member organisation of the National Council of Resistance of Iran (“the NCRI”), which is an Iranian political coalition opposed to the present regime in Iran.

Founded in 1978 as Helsinki Watch, HRW is a respected non-governmental organisation “...dedicated to protecting the human rights of people around the world”<sup>2</sup>. As such, its press release of 19 May 2005, which accused what it described as the “shadowy” PMOI, of subjecting “...dissident members to torture and prolonged solitary confinement” as well as alleging “...two cases of death under interrogation”<sup>3</sup>, naturally caused alarm in international human rights circles, as well as among Parliamentarians, lawyers, jurists and exiled Iranian communities across the world.

Upon closer scrutiny of the Report, dozens of political, legal and human rights figures and organisations across the world expressed misgivings and concern about what they described as the flawed methodology used by HRW in the preparation of the Report, which according to them, made the findings of the Report unsafe. In addition to concerns about the methodology employed, further concerns were raised about the unexpectedly political nature of the Report.

Considering the seriousness of the issue, the European Inter-Parliamentary group, ‘Friends of a Free Iran’ (“FOFI”) decided, to conduct its own independent investigation into the allegations contained in the Report, through various means, including the dispatch of a delegation<sup>4</sup> to the PMOI’s main base in Iraq, Camp Ashraf.

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<sup>1</sup> <http://hrw.org/backgrounder/mena/iran0505/>

<sup>2</sup> <http://hrw.org/about/>

<sup>3</sup> <http://hrw.org/english/docs/2005/05/18/iran10967.htm>

<sup>4</sup> Paulo Casaca MEP, Dr. André Brie MEP and Azadeh Zabeti LLB

This base was the location in which most of the alleged abuses cited in the Report were said to have taken place.

The results of the investigation conducted by FOFI are contained in this document, which is divided into three parts. Part I deals with the methodology used by FOFI in the conduct of its investigation, a brief background to the PMOI and Camp Ashraf, as well as a review of similar allegations made against the PMOI in the past. Part II sets out the findings from the FOFI delegation's trip to Camp Ashraf. Part III deals with the methodology used by HRW and the worldwide reaction to the Report.

It is hoped that this document will provide the reader with the necessary information from which to make an informed decision as to the veracity or otherwise of the allegations against the PMOI detailed in the Report, and to gain a greater insight into the long running struggle between the PMOI and the Iranian regime.

## **PART I**

### **Methodology**

When considering potential methodologies and therefore the manner in which it would conduct its investigation, FOFI made a conscious decision to consider as many sources of potentially relevant information as its resources would allow. FOFI's investigation started shortly after the publication of the Report and involved a close scrutiny of information gathered from the range of sources set out below.

World Wide Web – FOFI reviewed websites critical of the PMOI<sup>5</sup>, which contained various allegations against the organisation of varying degrees of seriousness, including similar allegations to those contained in the Report. The NCRI and PMOI's official websites<sup>6</sup> were also reviewed. Searches were also carried out using search engines on the Internet, into the names of the witnesses referred to in the Report, which disclosed statements made by these individuals about the matters to which they refer in the Report.

Literature – A selection of literature was reviewed from a variety of sources, some critical and others supportive of the PMOI. Other pieces of literature included those distributed to Parliamentarians in Europe, in which the witnesses used by HRW in the Report, provided details of the allegations contained in the Report, as well as other criticisms of the PMOI. At the same time, copies of publications by the NCRI and PMOI generally, as well as those dealing with the backgrounds of the witnesses used by HRW and their allegations, were examined. Other material included literature written by third parties such as Parliamentarians and political analysts. By way of example, consideration was given to extensive correspondence over the past decade between Lord Eric Avebury, then Chair of the British Parliamentary Human Rights Group, and HRW, concerning similar allegations against the PMOI as those contained in the Report.

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<sup>5</sup> [www.iran-interlink.org](http://www.iran-interlink.org), [www.irandidban.com](http://www.irandidban.com), [www.nejatngo.org](http://www.nejatngo.org)

<sup>6</sup> [www.ncr-iran.org](http://www.ncr-iran.org), [www.mojahedin.org](http://www.mojahedin.org)

Inspection of Camp Ashraf - In order to conduct an impartial and thorough investigation into the allegations of abuse made against the PMOI in the Report, and to investigate whether or not there was any evidence to corroborate the allegations, FOFI felt it was essential for its delegation to travel to Camp Ashraf. Such a visit would allow the delegation to conduct interviews with PMOI personnel face-to-face, as well as to inspect Camp Ashraf generally, and in particular the sites of alleged scenes of abuse. Once within Camp Ashraf, all trips to the sites at the centre of the allegations were unannounced and the FOFI delegation was permitted full, unimpeded and unrestricted access to Camp Ashraf and its facilities.

The FOFI delegation undertook a five-day trip to Camp Ashraf and conducted lengthy interviews with 19 individuals who were either family members of the witnesses named in the Report or knew the witnesses intimately and could therefore provide first hand evidence about them and their allegations. All interviews were conducted in either English or Farsi depending on the language capability of the interviewee. All interviews were conducted in bungalow 48 of Hotel Iran<sup>7</sup> in Camp Ashraf.

Whilst at Camp Ashraf, the delegation was provided with unrestricted access to all residents and was therefore able to speak to hundreds of PMOI personnel at random.

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<sup>7</sup> Hotel Iran is a complex of bungalows used to house visitors to Camp Ashraf

## **Introduction to People's Mojahedin Organisation of Iran**

The PMOI is an Iranian political organisation founded in 1965 by a small group of intellectuals led by Muhammed Hanifnejad. At the time, Iranian opposition groups fell into three categories: nationalists, Marxists and fundamentalists. Hanifnejad offered something new: a modern, democratic interpretation of Islam, with a decidedly nationalist political perspective.<sup>8</sup>

The PMOI was founded to oppose the increasingly corrupt and despotic regime of the Shah of Iran. As a member organisation of the NCRI, the PMOI adopts the NCRI's Charter of Freedom, drafted in 1995. *"There will be complete freedom of belief, expression and the press. Any form of censorship or scrutiny of beliefs will be forbidden... General elections and suffrage will be the basis for legitimacy of the government."* The PMOI also advocates a free market system.<sup>9</sup>

The PMOI believed and continues to believe that elections and public suffrage are the sole indicators of political legitimacy and that the human right to freedom is the hallmark and guarantor of genuine social progress.<sup>10</sup> Similarly, as a member organisation of the NCRI, the PMOI committed itself to *"all the rights and freedoms stipulated in the Universal Declaration of Human Rights and related international covenants"*, when the NCRI's President-elect declared, *"In an Iran free of mullahs' oppression, we advocate and are committed to end capital punishment and annul all forms of barbaric punishments. We reiterate our commitment to the Convention against Torture, International Humanitarian Law and the Convention on the Elimination of All Forms of Discrimination against Women"*.<sup>11</sup>

Due to a brutal crackdown on the organisation by the Shah's secret service in the early 1970s, resulting in the execution of virtually the entirety of the PMOI leadership including its founders, as well as the imprisonment of the vast majority of its

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<sup>8</sup> Expert testimony of Dr. Khalid Duran (expert in Islamic Affairs and the Middle East), dated 29 August 2001

<sup>9</sup> "Does Washington need a new policy towards Tehran?", by Neil C Livingstone, PhD, Chairman and CEO of Global Options Inc., dated 18 June 2003

<sup>10</sup> 'Democracy Betrayed', published by the NCRI in 1995

<sup>11</sup> Maryam Rajavi, President-elect of the NCRI, 18 June 2005, Cergy, France



membership, the PMOI was left with little organisational structure. However, due to its record of advocating a modern and progressive interpretation of Islam, the PMOI provided ideological inspiration to the millions of Iranians whose nationwide protests ultimately brought down the Shah of Iran in 1979.

Following the revolution, Massoud Rajavi, then Secretary General of the PMOI, and other senior members who were all released from prison shortly before the revolution, proceeded to restructure the organisation. However, the PMOI soon found itself in a direct struggle against the forces of Ayatollah Khomeini and his regime. Ayatollah Khomeini, the ‘valiy-e-faqih’ or Supreme Leader, saw himself as God’s vicegerent on earth.

The PMOI’s differences with Khomeini dated back to the 1970s, and stem from their opposition to what is known today as Islamic fundamentalism. Although the PMOI derives its ideology from Islam, as Khomeini did, unlike Khomeini and his followers, the PMOI believe in freedom, tolerance and democratic values.<sup>12</sup> It also advocates separation of church and state.

Following the revolution, the PMOI sought a democratic and secular government, which placed it at loggerheads with the Iranian regime. The Iranian regime ultimately introduced an Islamic fundamentalist and therefore undemocratic constitution, which was based on the principle of ‘velayat-e-faqih’ (absolute supremacy of clerical rule). The PMOI opposed the constitution and did not vote for it.

In a December 1984 unclassified report on the PMOI, the US State Department wrote,

*“The Mujahedin have never accepted the Khomeini regime as an adequate Islamic government. When Khomeini took power, the Mujahedin called for continued revolution, but said they would work for change within the legal framework of the new regime... The Mujahedin also entered vividly into the national debate on the structure of the new Islamic regime. The Mujahedin*

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<sup>12</sup> Expert testimony of Dr. Khalid Duran (expert in Islamic Affairs and the Middle East), dated 29 August 2001

*unsuccessfully sought a freely elected constituent assembly to draft a constitution.*

*The Mujahedin similarly made an attempt at political participation when Mujahedin leader Massoud Rajavi ran for the presidency in January 1980. Rajavi was forced to withdraw when Ayatollah Khomeini ruled that only candidates who had supported the constitution in the December referendum, which the Mujahedin had boycotted, were eligible...*

*In the early summer of 1980 the Mujahedin staged several rallies in Tehran drawing up to 150,000 people to hear Rajavi promise to carry on the opposition to fundamentalist domination. On June 25 Khomeini responded by a major statement against the Mujahedin, claiming their activities would derail the revolution and bring back 'US dominance'.*"

The British Foreign Office expressed similar views about the struggle between the PMOI and the Iranian regime at that time. It stated,

*"The MKO [PMOI] played a major part in the revolution, and for two years thereafter was an important element in the internal power struggle. It boycotted the referendum on the Islamic Republic's constitution, and Rajavi was forced to withdraw his candidacy for the post of President of the Republic when Khomeini said that only those who voted for the constitution could be candidates. Rajavi stood for election to the Majlis [Iranian Parliament] in 1980, but was not elected – almost certainly because of ballot rigging."*<sup>13</sup>

Angry at the position taken by the PMOI against his regime and worried about the PMOI's growing popularity, Khomeini ordered a brutal crackdown against the PMOI and its supporters. In his book 'The Iranian Mojahedin', which is quoted in the Report, Ervand Abrahamian, a critic of the PMOI, talked about this crackdown,

*"The hezbollahis, no doubt prompted by the IRP [Islamic Republic Party], waged war on the Mojahedin [PMOI]. They assaulted Mojahedin offices,*

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<sup>13</sup> 'The Mujahedin-e-Khalq', report by the British Foreign Office prepared in March 2001

*printing presses, and election rallies in Tehran, Rasht, Gorgan, Hamadan, Mianeh, Mashad, Shiraz, Isfahan, Kermanshah, Khomein, Malayer and Qiyamshahr (Shahi). These attacks caused three deaths and over 1,000 casualties. The attack on the Tehran rally, which drew 200,000 participants, left twenty-three Mojahedin sympathisers seriously injured.”<sup>14</sup>*

Shaul Bakhash, a history professor at George Mason University in Virginia and expert in Middle Eastern affairs, as well as being an adviser to the US State Department, added,

*“In February 1980, 60,000 copies of the Mojahed were seized and burned. In Mashad, Shiraz, Qa’emshahr, Sari and dozens of small towns, club wielders attacked and looted Mojahedin Headquarters, student societies and meetings. Since the Mojahedin meetings were often large, these attacks turned into huge melees. Some 700 were injured in the attack on the Mojahedin Headquarters at Qa’emshahr in April, 400 in Mashad. Ten members of the organisation lost their lives in clashes between February and June 1980.”<sup>15</sup>*

In response to a letter by PMOI supporters in August 1980 complaining about the crackdown, Mullah Allameh, head of the Revolutionary Court in Bam, Southern Iran, wrote,

*“According to the decree of Imam Khoemini, the Mojahedin of Iran are infidels and worse than blasphemers... They have no right to life.”<sup>16</sup>*

The turning point in the struggle between the PMOI and the Iranian regime came on 20 June 1981, when the PMOI called a demonstration to protest at the Iranian regime’s crackdown, and to call for political freedom and the release of thousands of its political prisoners. In relation to this fateful day, Ervand Abrahamian stated,

*“...Vast crowds appeared in many cities, especially Tehran, Tabriz, Rasht, Amol, Qiyamshahr, Gorgan, Babolsar, Zanjan, Karaj, Arak, Isfahan, Birjand,*

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<sup>14</sup> ‘The Iranian Mojahedin’, by Ervand Abrahamian, pg. 206

<sup>15</sup> ‘Reign of the Ayatollahs: Iran and the Islamic Revolution’ by Shaul Bakhash, Basic Books, 1990

<sup>16</sup> ‘Enemies of the Ayatollahs’, by Mohammad Mohaddessin, Zed Books, pgs. 55 and 56

*Ahwaz and Kerman. The Tehran demonstration drew as many as 500,000 determined participants. Warnings against demonstrations were constantly broadcast over the radio-television network. Government supporters advised the public to stay at home: for example, Nabavi's Organisation of the Mojaheds of the Islamic Revolution beseeched the youth of Iran not to waste their lives for the sake of 'liberalism and capitalism'. Prominent clerics declared that demonstrators, irrespective of their age, would be treated as 'enemies of God' and as such would be executed on the spot. Hezbollahis were armed and trucked in to block off the major streets. Pasdars [Revolutionary Guards] were ordered to shoot. Fifty were killed, 200 injured, and 1,000 arrested in the vicinity of Tehran University alone. This surpassed most of the street clashes of the Islamic Revolution. The warden of Evin Prison announced with much fanfare that firing squads had executed twenty-three demonstrators, including a number of teenage girls. The reign of terror had begun.*"<sup>17</sup>

In a report published in 1987, Amnesty International added,

*"Although its own records [i.e. Amnesty's records] of the number of executions is far from exhaustive, in the six months between July and December 1981 it recorded 2,444 executions... In the early 1980s Amnesty International gathered detailed information about mass executions and recorded a number of cases in which minors were executed in the Islamic Republic of Iran for political offences... Amnesty has also received reports of the execution of juveniles, some as young as 11, in 1981 and 1982. Amnesty International has received reports also of pregnant women being executed."*<sup>18</sup>

Since then, PMOI members and supporters have been the prime victims of human rights violations in Iran. Tens of thousands of its supporters have been executed by the Iranian regime, including 30,000 political prisoners who were executed in a few months between the summer and autumn of 1988, following a fatwa issued against the PMOI by Ayatollah Khomeini. The fatwa read in part,

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<sup>17</sup> 'The Iranian Mojahedin', by Ervand Abrahamian, pgs. 218 to 219

<sup>18</sup> 'Iran – Violations of Human Rights', by Amnesty International published in 1987

*“As the treacherous Monafeqin [Mojahedin] do not believe in Islam and what they say is out of deception and hypocrisy,... it is decreed that those who are in prisons throughout the country and remain steadfast in their support for the Monafeqin, are waging war on God and are condemned to execution... It is naïve to show mercy to those who wage war on God. The decisive way in which Islam treats the enemies of God is among the unquestionable tenets of the Islamic state. I hope that with your revolutionary rage and vengeance toward the enemies of Islam, you would achieve the satisfaction of Almighty God. Those who are making the decisions must not hesitate, nor show any doubt or be concerned with details. They must try to be 'most ferocious against infidels'.”<sup>19</sup>*

The PMOI claims that in the past 25 years, the Iranian regime has executed over 120,000 political prisoners, most of them affiliated with the PMOI. It has also published a book detailing the names and particulars of over 21,600 of those executed. In a briefing on Iran, Amnesty International stated that in the period between 1981 and 1982 alone, “...thousands of members of the People’s Mojahedin organisation were executed.”<sup>20</sup>

Those PMOI members and supporters who had not been arrested or executed were forced into exile. The majority of them went to Paris.

In 1986, Massoud Rajavi and certain PMOI members and supporters relocated to Iraq after they came under pressure from Jacques Chirac’s government to leave the country. This was as a result of deals between the then French government and the Iranian regime to secure the release of French hostages held in Lebanon by agents of the Iranian regime.

Former French diplomat Eric Rouleau, was sent to Tehran on a secret four-day mission in 1986, to negotiate the release of French hostages in Lebanon and discussed the matter with Mohsen Rafiqdoust, then Minister of Iran’s Revolutionary Guards.

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<sup>19</sup> ‘Khomeini Fatwa led to killing of 30,000 in Iran’, by Christina Lamb, The Sunday Telegraph, 4 February 2001

<sup>20</sup> ‘Amnesty International – Iran briefing’, published in 1987

Rouleau recounted how, after reaching an agreement with the mullahs' regime and only hours before flying to Lebanon to receive the hostages who were supposed to be released, Rafiqdoust "*suddenly called off the agreement.*"<sup>21</sup>

Rouleau was told that he was wasting his time negotiating with Rafiqdoust, because there were "*people from your opposition in the adjacent room busy negotiating and saying that they were prepared to release five prisoners [that the Iranian regime wanted from France] and instead of one billion, they would pay two billion dollars and expel the leaders of the Iranian opposition, or even arrest them... Eventually it was the Chirac government which got the hostages released.*"<sup>22</sup>

In relation to the PMOI's move to Iraq, Mohammad Mohaddessin, Chair of the Foreign Affairs Committee of the NCRI, stated,

*"Although the French government's pressures on the Iranian Resistance to quit France had been going on for over a year, Rajavi decided to move to Iraq only when he was assured of the Resistance's independence in Iraq and the non-interference of the Iraqi government in its affairs. In return, the Resistance would not intervene in Iraq's internal affairs under any circumstances...*

*The Resistance's move to Iraq in 1986 was taking place at a time when regional alignments were vastly different from the situation after Iraq's invasion of Kuwait and the 1991 Gulf War. At the time, all European countries and the United States had warm relations with the Iraqi government... With the very real spectre of the Iranian regime militarily defeating Iraq and occupying that country, Arab countries in the region and Western powers were doing their utmost to prevent such a disastrous outcome to the war, which clearly would have led to the rapid rise of Islamic fundamentalism and extremism across the Middle East and North Africa.*"<sup>23</sup>

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<sup>21</sup> Eric Rouleau interview with Al-Jazeera television, 22 December 1999

<sup>22</sup> Eric Rouleau interview with Al-Jazeera television, 22 December 1999

<sup>23</sup> 'Enemies of the Ayatollahs', by Mohammad Mohaddessin, pg. 114

Senator Robert Torricelli added,

*“I think that simply because the People’s Mojahedin has forces located in Iraq does not make it less legitimate or effective. The People’s Mojahedin is based in Iraq because there is no place else for it to go and it needs to be in the proximity of Iran... It is a simple reflection of geographic and political realities.”*<sup>24</sup>

In June 1987, the formation of the National Liberation Army of Iran (“the NLA”) was announced. Its aim was stated to be the provision of support to the Iranian people in their attempts to bring about change in Iran.

The PMOI argued that it had only taken up arms against the Iranian regime as a last resort and only after every last possible avenue of political participation was removed. In an interview with L’Unite, in Paris on 1 January 1984, Massoud Rajavi stated,

*“...the Islam that we profess does not condone bloodshed. We have never sought, nor do we welcome, confrontation and violence. To explain, allow me to send a message to Khomeini through you... My message is this: If Khomeini is prepared to hold truly free elections, I will return to my homeland immediately. The Mojahedin will lay down their arms to participate in such elections. We do not fear election results, whatever they may be.*

*Before the start of armed struggle, we tried to utilise all legal means of political activity, but suppression compelled us to take up arms. If Khomeini had allowed half or even a quarter of freedoms presently enjoyed in France, we would certainly have achieved a democratic victory.”*

The PMOI presence in Iraq after the Kuwaiti crisis became a liability for the organisation. Although the neutrality of the PMOI in the war was recognised, the crisis completely changed the region’s geo-political landscape. With the invasion of Kuwait, Iraq had replaced Iran as the main regional villain.

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<sup>24</sup> Statement made at a press conference on Capitol Hill on 8 June 1995

However, the more recent war in Iraq drastically changed the PMOI's circumstances. Although the organisation declared its neutrality well in advance of the war<sup>25</sup>, a deal struck by the Iranian regime with the United States and the United Kingdom led to the bombing of the PMOI's bases. The Wall Street Journal reported,

*“The dismantling of the Iranian opposition force in Iraq [PMOI] ... fulfils a private US assurance conveyed to Iranian officials before the start of hostilities that the group would be targeted by British and American forces if Iran stayed out of the fight, according to US officials...*

*But National security Adviser Condeleezza Rice and Secretary of State Colin Powell contended that Tehran could be persuaded to remain neutral toward US invasion next door, especially if it knew the MEK [PMOI] would be attacked and prevented from harassing Iran in the future, the official said.”<sup>26</sup>*

In the aftermath of the war in Iraq and on or around 15 April 2003, Coalition forces signed an agreement of “mutual understanding and coordination” with the PMOI in Iraq. This accord was originally announced by Brig. Gen. Vincent Brooks, spokesman for the United States Central Command in Doha and later confirmed by other US officials, including the US Secretary of State in his press briefing on 2 May 2003. In accordance with the terms of the accord, the PMOI were allowed to keep their weapons to defend themselves from attacks by the Iranian regime and its agents.<sup>27</sup>

After the agreement of “mutual understanding and coordination” had been reached, negotiations continued between the PMOI and the Coalition commanders. On 10 May 2003, it was announced that the parties had reached an agreement whereby the PMOI would voluntarily hand over its arms and consolidate.

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<sup>25</sup> Message from Massoud Rajavi, ‘The House Magazine’, 31 March 2003

<sup>26</sup> ‘US Bombs Iranian Fighters on Iraqi side of the Border’, ‘The Wall Street Journal’, 16 April 2003

<sup>27</sup> ‘The New York Times’, 29 April 2003



Announcing the agreement, General Ray Odierno, commander of the US Army's 4th Infantry Division, said that the PMOI's personnel would gather at one camp in Iraq while their equipment would be consolidated at another. General Odierno said after the agreement that the PMOI appeared to be committed to democracy in Iran and its cooperation with the Coalition should prompt a review of its "terrorist" status. Agence France Press quoted him as saying,

*"I would say that any organisation that has given up their equipment to the coalition clearly is cooperating with us, and I believe that should lead to a review of whether they are still a terrorist organisation or not."*<sup>28</sup>

In July 2004, following an exhaustive 16-month investigation carried out into the members and activities of the PMOI in Iraq, the Multi-National Force-Iraq, and subsequently the US government, officially recognised PMOI members in Iraq as "protected persons" under the Fourth Geneva Convention. They also found no basis to bring any charges whatsoever against the PMOI members.<sup>29</sup>

The PMOI is currently led by Ms. Seddigeh Hosseini. She was elected for a two-year term as the Secretary General of the organisation during its bi-annual Congress in September 2005. She succeeds Mrs. Mojgan Parasi, whose mandate had been extended for a further two years in the aftermath of the war, since it was impossible for the organisation to hold its Congress under the circumstances.

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<sup>28</sup> 'US says Iran opposition in Iraq agrees to disarm', Agence France Presse, 10 May 2003

<sup>29</sup> 'US Sees No Basis to Prosecute Iranian Opposition 'Terror' Group Being Held in Iraq', 'The New York Times', 27 July 2004

## **Introduction to Camp Ashraf**

Before the recent war in Iraq, the PMOI had numerous bases on the Iraqi side of the Iran-Iraq border. However, following the agreement of mutual understanding and coordination entered into with Coalition forces on 10 May 2003, the PMOI agreed to consolidate all of its personnel in what is the largest of these bases, Camp Ashraf.

Camp Ashraf or Ashraf City as its residents know it, is situated north of the Iraqi town of Al-Khalis and approximately 60 miles from the Iraqi capital, Baghdad. It is made up of a complex of roads and buildings. It contains all sorts of educational, social and sports facilities. These include four Olympic size swimming pools, a shopping centre, a zoo, a park, a university, a full size football pitch, a 'museum of terrorism' containing details of attacks on the PMOI and its personnel by the Iranian regime, a 'museum of martyrs', a mosque and even a cemetery. Due to its size and in order to function effectively, Camp Ashraf also has services such as shops and bakeries, a petrol station and its own traffic police. Camp Ashraf even has its own Cola production factory, which produces thousands of bottles of 'Ashraf Cola' per day.

Camp Ashraf is an unexpected site in the middle of the Iraqi desert. Christine Aziz, a British journalist who visited Camp Ashraf says,

*"Ashraf is 14 square miles of impeccable tidiness. The first impression is of a holiday camp rather than a military base. Eucalyptus trees line long driveways, men and women tend gardens, and there's the smell of bread from the bakery."*<sup>30</sup>

Following a visit to Camp Ashraf in 1996, New York Times' Douglas Jehl wrote,

*"In this enclave of Iraq, the road signs are in Persian and the soldiers pay tribute not to Iraq's President, Saddam Hussein, but to an Iranian woman they call Maryam [Maryam Rajavi, the President-elect of the NCRI] ... By the map, Camp Ashraf lies in Iraq 60 miles North of Baghdad. But a more accurate*

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<sup>30</sup> 'Tank girls: the frontline feminists' by Christine Aziz. 'The Independent', 28 December 2004

*description would be the military headquarters of Iran-in-exile, and a place unto itself. The sprawling camp is home to the leadership of the National Liberation Army, a formidable Iranian opposition force... Built up on a barren salt plain beginning about a decade ago, the army, now some 30,000 strong, is by any measure the best-armed opposition force poised outside any country's borders. With raids deep into Iran in 1988, in the closing months of the eight-year Iran-Iraq war, it equipped itself with some \$2 billion worth of weapons...*"<sup>31</sup>

Douglas Jehl also identified the prominent role of female officers as being one of the distinctive features of the NLA.

In a more recent article, the Los Angeles Times describes Camp Ashraf as follows,

*"MEK members have built a bustling, idyllic sprawl of self-contained mini-villages with barracks-style living quarters, dining halls, recreational facilities and carefully maintained gardens. Camp Ashraf has its own swimming pool, library, monument to fallen comrades and a museum where visitors can view gruesome videos of Iranian regime brutality.... Whatever their idiosyncrasies, MEK members also project a progressive streak and political ethos unusual in the world, much less the Middle East. They're ardent feminists. Women make up 30% of the fighters but hold an outsized number of political and military leadership positions... Far from the noise, traffic jams and ambient daily dread of Baghdad, Ashraf feels like a quiet rural retreat. Earlier this week, the entire camp mobilized for a raucous celebration of Red Wednesday, a pre-Islamic holiday that precedes the Iranian New Year."*<sup>32</sup>

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<sup>31</sup> 'Mullahs, Look! Women, Armed and Dangerous', by Douglas Jehl, The New York Times, 30 December 1996

<sup>32</sup> Los Angeles Times, 19 March 2005

## **Background to misinformation from Iran’s Ministry of Intelligence & Security**

In the course of investigations into the allegations raised in the Report and a review of various literature and websites, FOFI found that this matter was much more complex than first imagined and that allegations of a serious nature against the PMOI stretched far beyond the scope of the allegations contained in the Report. It soon became clear that regardless of the veracity of the allegations contained in the Report, they were part of a long running political dispute between the PMOI and the Iranian regime. As such, it was decided that a consideration of this broader context or background would be an essential part of making a balanced assessment of the allegations contained in the Report.

Further investigations revealed that according to independent observers, the Iranian regime, through its Ministry of Intelligence and Security (MOIS), had embarked on a long-running and sophisticated misinformation campaign against the PMOI with the aim of tarnishing the organisation within Iran, and more importantly, in the international community. This section will therefore briefly consider the terrorist activities of MOIS against the PMOI over the past 15 years and certain specific examples of its exposed misinformation campaigns. In particular, this section will entail a detailed review of a number of specific allegations against the PMOI, which at first sight were believed by some to be true, but after further scrutiny were found to be organised propaganda campaigns run by the Iranian regime and MOIS.

The Iranian regime remains the most active state sponsor of terrorism. Its Islamic Revolutionary Guard Corps (“the IRGC”) and MOIS are involved in the planning of, and support for terrorist acts and continue to exhort a variety of groups that use terrorism to pursue their goals.<sup>33</sup>

In a book published in 1996, the British Parliamentary Human Rights Group documented some of the terrorist operations of the Iranian regime, concentrating in

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<sup>33</sup> ‘Patterns of Global Terrorism’, US State Department, April 2004, pg. 88

particular on terrorist assassinations by Iranian agents.<sup>34</sup> It wrote that between 1979 and 1996, the Iranian regime conducted,

*“...over 150 assassination attempts on the lives of Iranian dissidents living abroad, and other terrorist acts, have been committed in 21 countries. Nearly 350 people have been killed or injured in these attacks...”*<sup>35</sup>

In describing the manner in which different Ministries of the Iranian regime, including MOIS, work together to plan and carry out assassinations and the methods they use to gain intelligence on and get close to their victims, the British Parliamentary Human Rights Group stated,

*“Another method is using the small number of defectors who had at one stage co-operated with opposition organisations and individuals. These persons, due to their low or non-existent motivation to continue the struggle and maintain their principles, allowed themselves to be bought by the Iranian regime at a later stage. Such people have so far provided the regime’s terrorists in Europe with the most extensive intelligence and political services. In addition to providing information on assassination targets to the regime, they prepare the political grounds for the murders of the dissidents by spreading propaganda against the individuals or organisations they had previously co-operated with, defaming them and accusing them of being worse than the ruling regime.”*<sup>36</sup>

The Iranian Embassy in Bonn is the centre for directing the Iranian regime’s terrorist activities throughout Europe. It is the centre for gathering information on the prospective subjects for assassination, Iranian dissident activities and directing assassination.<sup>37</sup> By way of example, on 18 September 1992, shortly before midnight, two gunmen entered the Mykonos [Greek] restaurant in the West Berlin suburb of Wilmersdorf, and opened fire with a machine-gun and a hand gun, killing four

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<sup>34</sup> ‘Iran: State of Terror – An Account of terrorist assassinations by Iranian agents’, by Lord Avebury and Robert Wilkinson, June 1996

<sup>35</sup> ‘Iran: State of Terror – An Account of terrorist assassinations by Iranian agents’, pg. 3

<sup>36</sup> ‘Iran: State of Terror – An Account of terrorist assassinations by Iranian agents’, pg. 9

<sup>37</sup> ‘Iran: State of Terror – An Account of terrorist assassinations by Iranian agents’, pg. 9

members of an Iranian Kurdish dissident group.<sup>38</sup> The involvement of MOIS in this brutal assassination was confirmed when in March 1996, German judicial authorities issued a warrant for the arrest of MOIS chief Ali Fallahian for his involvement in the Mykonos murders. The Federal Prosecutor's Office in Karlsruhe described how a few weeks before the terrorist attack, Fallahian had, in an interview with Iranian television, stated that MOIS was targeting the murder victims' party and would pursue them in Iran and abroad.<sup>39</sup>

Notable assassinations by MOIS of NCRI officials in the heart of Europe include the assassination of Dr Kazem Rajavi in Geneva on 24 April 1990<sup>40</sup>, Mohammad Hossein Naghdi in Rome on 16 March 1993<sup>41</sup>, and Zahra Rajabi and Abdul Ali Moradi in Istanbul on 20 February 1996.<sup>42</sup>

### **German & Dutch Intelligence Services**

The activities of MOIS in Germany have been confirmed by the annual reports of the German Office for Protection of the Constitution for the years 1999, 2001 and 2005. These reports found that MOIS had been active in Germany. In the report for 2001, under the heading, 'People's Mojahedin of Iran, prime target of surveillance operations', the German Office for Protection of the Constitution states,

*"The Iranian opposition in exile in Germany remains the focus of surveillance activities of the Iranian Intelligence, VAVAK (the Ministry of Intelligence and State Security),... which keeps them under systematic surveillance and observation."*<sup>43</sup>

The report also said that the main target of these surveillance and other activities are the PMOI and the NCRI, which it described as being active around the world. The report went on,

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<sup>38</sup> 'Iran: State of Terror – An Account of terrorist assassinations by Iranian agents', pg. 28

<sup>39</sup> 'Iran: State of Terror – An Account of terrorist assassinations by Iranian agents', pgs. 33 to 34

<sup>40</sup> 'Iran: State of Terror – An Account of terrorist assassinations by Iranian agents', pgs. 41 to 47

<sup>41</sup> 'Iran: State of Terror – An Account of terrorist assassinations by Iranian agents', pgs. 25 to 28

<sup>42</sup> 'Iran: State of Terror – An Account of terrorist assassinations by Iranian agents', pgs. 17 to 22

<sup>43</sup> German Interior Ministry's Annual Report published on 24 May 2002

*“VAVAK is apparently concentrating its efforts at the moment on neutralising opposition groups and their political activities. VAVAK is directing and financing a misinformation campaign, which is also carried out through former opponents of the regime. As in previous years, the Iranian intelligence service is trying to recruit active or former members of opposition groups. This in many cases is done by threats to use force against them or their families living in Iran ... Iranian diplomatic missions and consulates in Germany provide a suitable base for the country’s intelligence services to gather information on Iranian dissidents living in Germany. A large quantity of interesting information can be gathered within the framework of consular services to Iranians. This information is analysed by Iranian secret service agents working under cover in Germany and is enriched with complimentary information. Final decisions on suggestions on recruitment are made by VAVAK’s headquarters in Tehran. Freer travel between Germany and Iran has provided good facilities for VAVAK agents to establish their contacts and recruit agents”.*

The German security agency, Office for the Protection of the Constitution, in its annual report, which was released in May 2005, stated that MOIS has several opposition groups under surveillance in Europe. Particular reference was made to the PMOI and the NCRI as the focus of MOIS’ attention. The report added, *“For collecting information and spying activities, Iran’s intelligence service (MOIS) uses a network of agents who have defected from these organizations.”*

The 2001 annual report of the Dutch Internal Security Service (VVD) exposed the illegal and secret activities of MOIS in Europe, and in particular in the Netherlands, against the PMOI.<sup>44</sup> The report said that,

*“One of the tasks of the Iranian Ministry of Intelligence and Security is to track down and identify those who are in contact with opposition groups abroad. Supporters of the most important opposition group, the People’s Mojahedin, are especially under scrutiny of Iranian Security Services more than any other group.”*

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<sup>44</sup> BVD annual report for 2001, published at the end of May 2002

The report stressed that officials of the Iranian regime,

*“...exert pressure on Western countries to condemn and ban this group [PMOI]. The Intelligence Ministry tries to gather information on the People’s Mojahedin Organisation [and its members]. They are trying therefore, to destabilise the organisation and demonise the Mojahedin in the host country and thus end their political and social activities. The Mojahedin are aware of these activities. Instead, they are waging an armed struggle against the regime inside the country.<sup>45</sup> Through the National Council of Resistance of Iran, they inform the authorities of host countries of the secret activities of Iranian Intelligence Ministry which is trying to spread negative information against them.”*

### **Killing of Iraqi Kurds**

In the aftermath of the Kuwaiti crisis, the PMOI were alleged to have been involved in the suppression of the Kurdish people of Northern Iraq. The main source of these allegations at that time was the Iranian regime’s media. These allegations faded after a while due to a lack of evidence.

However, in 1995, these serious allegations began to resurface in various media around the world. The PMOI were accused of killing many Kurds and even collaborating with Iraqi government forces in the use of chemical weapons against Kurdish villages. These allegations were made by individuals claiming to be disaffected members of the PMOI, including Jamshid Tafrishi.

On 22 August 1995, International Educational Development, an NGO with the UN, submitted a statement to the UN Commission on Human Rights containing its findings of an investigation into the above allegations. It stated,

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<sup>45</sup> The PMOI has relinquished its military operations since 2001



*“We have been distressed because of certain misrepresentations of events in the area, in particular allegations made that the NLA has collaborated with the armed forces of the government of Iraq, inter alia by participating in attacks against Kurdish people in Kirkuk, Qara, Hanjeer, Kifri, and Altun Kopiar in April 1991...*

*From our independent investigation and discussion with parties involved, we find these allegations false...*

*Most of the allegations made against the NLA regarding the Kurdish people come from a man named Jamshid Tafrishi-Engineer who was cited by people at this session of the sub-commission as a former leader of the Iranian Resistance. Our investigation indicates that Mr Tafrishi-Engineer joined the Resistance in 1988, but left after 19 months with a low rank. In his letter of resignation, hand-written and dated 23 September 1990, he sites personal problems and requests leave to transfer to a refugee camp. He then travelled to Europe where he began to campaign publicly against the NLA. There is compelling evidence that he is in fact an agent of the Khomeini regime’s Ministry of Intelligence.”<sup>46</sup>*

In 1999, Mr Hoshyar Zebari, then head of the Kurdish Democratic Party’s international relations and presently Foreign Minister of Iraq, wrote,

*“The KDP as a major Kurdish political party has led and participated in the Kurdish Spring uprising of 1991 in Iraqi Kurdistan... The oil-city of Kirkuk was liberated by the people of Kurdistan (peshmerga). When the Iraqi troops counter attacked and regained control of Kirkuk and other major cities there were rumours of Mujahedin [PMOI] units assisting the Iraqi troops. But due to disorder of events and development it was difficult to establish the truth. However, when... the situation was stabilised, these rumours happen to be untrue. The KDP can confirm that the Mujahedin were not involved in suppressing the Kurdish people neither during the uprising nor in its*

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<sup>46</sup> United Nations Economic and Social Council, 22 August 1995, E/CN.4/Sub.2/1995/NGO/55

*aftermath. We have not come across any evidence to suggest that the Mujahedin have exercised any hostility towards the people of Iraqi Kurdistan. The Mujahedin-e-Khalq has its own political agenda in Iran and its members do not interfere in Iraqi internal affairs.*"<sup>47</sup>

In an affidavit provided to the US Courts in 2001, Jamshid Tafrihi admitted to his involvement with MOIS.<sup>48</sup> He stated,

*"Until last year, I pretended that I was an opponent of the Iranian regime, while I was in fact advancing the assignments given by the Iranian regime's Intelligence Ministry. In these years, I actively participated in the Iranian regime conspiracy to accuse PMOI of human rights abuses. I was also engaged in other plans... particularly alleging that PMOI is supported by the Iraqi government, to tarnish the image of the organisation... From 1995 until 1999, I received a total of 72,000 dollars from the Intelligence Ministry as payment for my work on their behalf."*

After describing how he came to join the NLA and how he requested to leave the NLA when the situation became difficult and intolerable and he was therefore no longer able to continue the struggle against the Iranian regime, Jamshid Tafrihi explains what he was recruited to do by MOIS. He states,

*"One of our tasks was to discredit the PMOI among members of parliaments and governments in Europe and the United States... I was assigned to inform international organisations as well as foreign governments that PMOI was involved in suppressing the Kurdish rebellion in Iraq. This plan was conducted under the supervision of Nasser Khajeh-Nouri, who was the regime's agent in the United States. He organised interview for me and other agents with an Iranian radio station in Los Angeles to tell our story that PMOI suppressed the Kurdish people along with the Iraqi forces. Khajeh-Nouri consequently prepared a report under my name on this issue and sent it to US intelligence and government agencies as well as the United Nations."*

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<sup>47</sup> Letter dated 14 July 1999 to Mr M F Wijngaarden

<sup>48</sup> Affidavit to US Court signed on 30 August 2001

In a follow up report by International Educational Development to the United Nations Commission on Human Rights dated 23 January 2001, Jamshid Tafrishi's admissions were recorded. The report stated,

*“Mr.Tafrishi has recently written letters in which he reveals that the Intelligence Ministry of the Iranian regime hired him (apparently paying him \$72,000 in addition to travel and other expenses) especially to carry out a misinformation campaign about the NLA, with false accusations that the NLA had itself engaged in violations of human rights or intimidation or extortion of the Iranian exile community. A number of human rights organisations were treated to false testimony and government-orchestrated letter writing campaigns. Unfortunately, some of these organizations may have believed this misinformation. Sadly, this campaign appears to have succeeded in shifting attention away from the serious violations of humanitarian law being committed by the Iranian military forces as well as the continuing gross pattern of human rights violations taking place throughout the country.”<sup>49</sup>*

### **Human Rights Abuses**

FOFI's investigations revealed that the sorts of allegations of human rights abuses against the PMOI, as contained in the HRW Report, were nothing new. In fact, they appear to have first surfaced in the early 1990s. Since then, various human rights organisations, NGOs and Parliamentarians were the recipients of letters, leaflets, books and other literature containing such allegations of human rights abuses against the PMOI. Initially, these documents were essentially distributed by the Iranian regime's embassies in Europe.

In a letter to Lord Avebury dated 12 July 1995, the Iranian regime's charge d'Affaires stated,

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<sup>49</sup> United Nations Economic and Social Council, 23 January 2001, E/CN.4/2001/NGO/51

*“Since you are interested in matters relating to the promotion and protection of human rights, please find attached evidence relating to “acts of torture practiced in the Mojahedin-E-Khalq Organisation’s (MKO/NCR) prisons in Iraq”, which demonstrates this terrorist organisation’s proclivity to acts of violence and terror...*

*Nowrooz Ali Rezvani, a disaffected and former member of MKO in Iraq, together with other like-minded MKO members spent a considerable period in MKO’s prisons for opposing and protesting at the activities of MKO/NCR. During their captivity, he and other prisoners were subjected to severe and routine acts of torture. His experiences have been made into a series of articles published in the ‘Nimrooz’, a London-based Persian language weekly (belonging to an Iranian opposition group)...*”

Lord Avebury replied,

*“The detailed allegations made by Mr. Rezvani are impossible to check, but there are general reasons for doubting his reliability. The first and most important, to me, is that the regime use this material widely in their own propaganda. Second, he apparently made the fantastic allegation that the slaughter of pilgrims in Mecca of 1987 was the result of a plot between the Iraqis and the Mojahedin. Third, in 1991 he was defending the PMOI in the most nauseatingly sycophantic terms. Fourth, he refers to a UNHCR centre at Ramadi as a UNHCR prison. For these reasons, I am not confident of Mr. Rezvani’s reliability.”*

FOI also learned that the same letter was sent to Amnesty International, which led to the human rights organisation approaching the PMOI and requesting clarification. The PMOI responded to Amnesty International and the allegations raised by Nowrooz Ali Rezvani. It further invited Amnesty International to visit its bases and conduct a full and independent investigation, which the organisation did not find necessary.

Lord Alton of Liverpool has also been a recipient of literature containing such allegations against the PMOI. He has known the PMOI and *“studied it closely for*

over two decades”.<sup>50</sup> He viewed such allegations to be part of the Iranian regime’s propaganda. He wrote,

*“It is true that the PMOI has been the subject of a most venomous propaganda campaign to tarnish its image at home and abroad. Having failed to destroy the resistance through the sheer ferocity of repression, the Iranian regime has been levying a litany of accusations against its main opponents. For a long time, my parliamentary colleagues and I have been receiving a motley collection of anti-PMOI literature from the Iranian embassy in London... The propaganda campaign against the PMOI has been well orchestrated, well financed and at times quite sophisticated. Anyone who has studied in detail many of the allegations against the movement can see that they bore all the hallmarks of propaganda: sinister untruths, crafted simply to distract.”*<sup>51</sup>

Further, having admitted his involvement in the Iranian regime’s conspiracy to accuse the PMOI of human rights abuses, Jamshid Tafrishi provided further details. He stated,

*“Alleging human rights abuses against the PMOI was one of the most serious projects the Ministry [MOIS] was pursuing outside Iran with me and a number of its other agents... acting as disaffected members of the PMOI, our responsibility was to accuse the organization of human rights abuses in order to disarm them of the human rights weapon.*

*In 1994, we were engaged in an extensive campaign to convince Human Rights Watch that PMOI is engaged in human rights abuses and encouraged them to prepare a report in this regard.*

*In 1996, using the same story against the PMOI, we met in Geneva with Professor Maurice Danby Copithorne, UN Human Rights Commission’s Special Representative on human rights situation in Iran. The Intelligence Ministry organized everything regarding this meeting. The contact person*

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<sup>50</sup> Enemies of Ayatollahs, by Mohammad Mohaddessin, Zed books, pg. ix

<sup>51</sup> Enemies of Ayatollahs, by Mohammad Mohaddessin, Zed books, pg. x

*with professor Copithorne was Nasser Khajeh-nouri who operated from US but regularly visited Europe.”<sup>52</sup>*

It is interesting to note that in a letter to Professor Copithorne in December 2000, in which Jamshid Tafrishi admits to his cooperation with MOIS, he mentions the name of Karim Haqi (one of the witnesses in the Report), as also being involved in the misinformation campaign against the PMOI. He stated,

*“My correspondence with you and the meetings that we had on January 16 1996, were all part of the assignment that had been given to me in that trip. After that, Khajeh-Nouri asked me in our telephone conversations not only to mobilize the dropouts from the organization who were living in Scandinavian countries and Switzerland, but also to lead them on the scene. He said Karim Haqi would mobilize the dropouts in other countries. Khajeh-Nouri was emphatic that we would bring to our meetings only those who would say exactly what we were going to tell you.”<sup>53</sup>*

In a meeting with Jamshid Tafrishi in December 2000, expressing his feelings about his previous meeting with Tafrishi, Professor Copithorne said that he had not trusted Mr Tafrishi when he made the allegations against the PMOI and even felt that Tafrishi's tears were fake.<sup>54</sup>

Jamshid Tafrishi also mentions that one of the individuals in MOIS from whom he took instructions was Saeed Emami, the second in command at MOIS at that time. The relevance of this and further information about Saeed Emami's activities are provided later in this section.

In a letter to the United Nations High Commissioner for refugees in 2002, Mahmoud Masoudi, a former PMOI member who had left the organisation in 1994 and started working with MOIS, provided further details of the misinformation campaign against

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<sup>52</sup> Affidavit to US Court signed on 30 August 2001

<sup>53</sup> Letter to Professor Maurice Danby Copithorne, UN Special Representative on Iran, 13 December 2000

<sup>54</sup> Interview with Behzad Naziri, a member of the NCRI Foreign Affairs Committee, who was present in the meeting

the PMOI and details of some of those involved. In particular, he mentions Karim Haqi, Mohammad-Hossein Sobhani and Farhad Javaheri-Yar, three of the witnesses used by HRW in the Report. He referred to a meeting on 5 April 2002 at which all three of these individuals were present. He stated,

*“In the meeting, Sobhani, who is the senior agent over Javaheri-Yar, explained the plans and aims of his team in coming to Germany and in this connection they agreed on a division of labour. Sobhani and Javaheri-Yar told those present that they came from Iran and more agents would follow them...”*

*Karim Haqqi had been instructed to tell these individuals about plans to hold an international tribunal against the Mojahedin on the basis of what the new arrivals would allege about ‘human rights violations’ by the Mojahedin, ‘Rajavi’s crimes’ and ‘Mojahedin’s prisons’ in Iraq.*

*My own experience and that of others who have defected from the Mojahedin and are leading their own lives in Europe showed clearly that the claims by the likes of Sobhani, Javaheri-Yar and Tayyebi against the Mojahedin were not credible. I knew very well that the Islamic Republic had fabricated since a long time ago the stories of ‘maltreatment’ and “imprisonment of innocent individuals” against their main opposition...”<sup>55</sup>*

He goes on to explain how Alireza Nourizadeh asked him to interview Mohammad-Hossein Sobhani for an Iranian publication, ‘Rouzegar-e No’, which he says Nourizadeh purchased using funds from the Iranian regime. In relation to this interview, he says,

*“I went to Doblen<sup>56</sup> on July 30 and talked to Sobhani for eight hours and recorded a 40-minute interview with him... I discovered many things about the ongoing campaign of the Intelligence Ministry against the Mojahedin...”*

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<sup>55</sup> Letter to Ruud Lubbers, UNHCR, 18 August 2002

<sup>56</sup> Doblen is a city in the Eastern part of Germany

In describing his discussion with Mohammad-Hossein Sobhani about his mistreatment by the PMOI, his ultimate handing over to Iran by the Iraqi regime and how he escaped from an Iranian prison, Mahmoud Masoudi stated,

*“Sobhani did not offer any explanation as to how he fled the Intelligence Ministry’s prison and answered all my questions on this with a simple grin. He wanted to say, why do you raise something you are well aware of. Ironically, in my contacts with several individuals who identify themselves as ‘former Mojahedin members’, I asked the question: how could Sobhani, Javaheri-Yar and others escape from the Intelligence Ministry’s prison? They had no answer and said that it was not important. The important thing was what they had to say against ‘Rajavi’s cult’.”*

Masoudi goes on to explain how Mohammad-Hossein Sobhani told him that it was he who was responsible for determining how much information about the allegations went to whom. He concluded by stating,

*“After hours of discussion and numerous telephone conversations with Sobhani, it has become crystal clear to me that he is neither a political refugee, nor a defector seeking to lead an ordinary life. He is in fact a trained agent sent by the Intelligence Ministry with strong financial and communication backing, and as he put it, ‘I have come outside Iran only for the purpose of fighting the Mojahedin and have no mission other than opposing them.’”*

In relation to Farhad Javaheri-Yar, he states how Mohammad-Hossein Sobhani telephoned him days after their interview and told him that he had a statement from two PMOI defectors, which he wanted Masoudi to edit for publication. In his letter, Masoudi states,

*“In this statement, Javaheri-Yar and Termadoyan were giving a scenario that was almost identical to Sobhani: they claimed that they were ‘Mojahedin dissidents’ who had been arrested by the Mojahedin and handed over to Iraq, which in turn handed them over to Iran and they then escaped from the Intelligence Ministry and came to Europe...”*



*Other matters mentioned in the joint statement by Javaheri-Yar and Termadoyan were as incredible as their escape story. Javaheri-Yar wrote: 'For the first two years, I was beaten six hours a day on average. In October 1995, I was subjected to mock hanging in the parade ground of the Fourth Command... There were electrified fences and mines around the prison and they used dogs to guard the area... I was in solitary confinement for three years and I was being interrogated seven days a week from 6am to 10pm.'*

*What is unclear is why would the Mojahedin 'torture' someone so much and subject him to 'mock hanging' in public and then hand him over in perfect health to the enemy, the Iranian regime, in order to use him against them."*

It is noteworthy that in the HRW Report, Farhad Javaheri-Yar is not reported by HRW as having made these allegations against the PMOI and having provided this version of his mistreatment. This raises questions as to why he would not do so.

Interestingly, Masoudi also provides details of a meeting between what he describes as lobbyists of the Iranian regime and Mrs Elahe Hicks of HRW. He stated,

*"Khajeh-Nouri, aided by well-known lobbyists of the Iranian regime in the United States such as Mohammad Borghei and Houshang Amir-Ahmadi, has been making extensive efforts to introduce the regime's agents to human rights organisations such as Human Rights Watch as Mojahedin defectors. Khajeh-Nouri arranged a meeting between Mrs Elaheh Hicks, HRW's representative, and some of the Intelligence Ministry's agents in Cologne, Germany. Mrs Hicks told the agents that all their stories were outdated because they all concerned the period before 1993. She said: 'You must come up with new individuals and stories and facts to be able to get press coverage for them.'"*

Whilst in Camp Ashraf, the FOFI delegation also learned of another method used by the Iranian regime to allege human rights abuses by the PMOI. It was understood that the Iranian regime would contact family members of PMOI members in Camp Ashraf

and get them to write to human rights organisations to claim that their relative was being tortured and kept against their will by the PMOI. One witness that the FOFI delegation spoke to was Dr Abbas Minachie, who had a direct and personal involvement in the prior episode between HRW and the PMOI, almost a decade prior to the Report.

Dr Minachie received his doctorate degree in communications from Iowa University in the United States. He informed the delegation that in 1996 his father had written to HRW saying that he had heard his son was being kept by the PMOI against his will. Dr Minachie said,

*“In the summer of 1996 I went to France and he [his father] was in the States... my father was shocked when he heard my voice.”<sup>57</sup>*

In the course of their discussions, it became apparent that the Iranian regime had persuaded Dr Minachie’s father to write to HRW saying that his son was being tortured and imprisoned by the PMOI. Lord Avebury having met Dr Minachie during this period wrote,

*“...Abbas Minachie came to see me last week, and told me how the regime had tried to spread lies about him through his father. He said he knew that his father had written to HRW last summer saying he had heard rumours that the PMOI had imprisoned his son... A diplomat from the Iranian Embassy in Paris had been to see him in Tehran and told him: ‘Your son has been imprisoned in Ramadi camp and is being tortured there’. His father and mother had written to the UN Rapporteur at the suggestion of this diplomat. A month later, a Mr Massoud Ghaffari whom he knew to be an agent of the regime, told the father that Abbas had been killed in a clash in the border region. The father and mother went to the US where they wrote to HRW and other agencies, asking them to find out what had happened to him.”<sup>58</sup>*

Dr Minachi said he contacted Ms Hicks of HRW. He says,

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<sup>57</sup> EP Delegation interview with Dr Abbas Minachie, 16 July 2005

<sup>58</sup> Letter from Lord Avebury to Kenneth Roth of HRW, dated 17 February 1997

*“I told Ms Hicks I am in Europe and safe and well. I explained the whole story about my father to her. That it was a lie. I said is it clear? She said no, I have to meet you in person otherwise how can I verify it is you? Finally, we met in the lobby of a hotel in Cologne [Germany] and there I saw... Karim Haghi, Shams Haeri, Habib Khorami and Nowroozali Rezwani and about a dozen of them [alleged PMOI defectors] waiting to see Ms Hicks. I explained briefly what the mullah’s intelligence was trying to do. I asked Ms Hicks to speak to Ms Mahin Nazari (Shams Haeris ex-wife) but she said she did not have the time. I told Ms Hicks these are the pressures that are being put on the families of the PMOI... I said why don’t you react? They are using your organisation. After this I begged her to come to Camp Ashraf. I said why are you seeing these people. They are all mercenaries of the regime...”<sup>59</sup>*

Dr Minachie recalled how he had asked his father to meet him,

*“When I was in Europe I asked my father to visit me. I said it’s safe and he said no that’s not a good idea as they [the regime] will see me and report back [to Iran] and cause me problems.”<sup>60</sup>*

It is noteworthy that in 1997, Ms Elahe Hicks of HRW was rightly not prepared to accept Dr Minachie’s testimony over the telephone, because she could not verify that he was who he said he was. Yet in its report on the PMOI, HRW took testimony from all its witnesses over the telephone and accepted those testimonies as fact.

FOFI learned that the policy of placing intimidation and pressure on family members of PMOI personnel in Camp Ashraf is still employed by the Iranian regime. As recently as March 2005, Amnesty International wrote to Mohammad Mohaddessin, Chairman of the Foreign Affairs Committee of the NCRI, expressing concern for the health and well-being of one PMOI member, whilst alleging that other family members of PMOI personnel were denied permission to

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<sup>59</sup> EP Delegation interview with Dr Abbas Minachie, 16 July 2005

<sup>60</sup> EP Delegation interview with Dr Abbas Minachie, 16 July 2005

meet with them.<sup>61</sup> The individuals named in this letter each wrote to Amnesty International reassuring the organisation of their safety, as well as exposing the Iranian regime's involvement in their families' contact with Amnesty International. They pointed out that this included MOIS agents accompanying their family members on visits to Camp Ashraf.

### **Murder of Christian leaders**

In 1993, three Christian leaders were brutally murdered in Iran, with one of their dismembered bodies being kept in a freezer. They were Bishop Haik Hovsepian-Mehr, the Rev Tataous Michaelian and Pastor Mehdi Dibaj.

Lord Alton of Liverpool pursued this case right from the beginning. He writes on this issue,

*“One of the allegations that I personally followed with profound interest concerned the gruesome murder of three leaders of the Anglican Church in Iran in 1994. We were told that three women publicly confessed to have received orders from the Mojahedin to murder the Christian priests. Subsequently the women were found guilty by a religious court and the Iranian authorities even invited Western diplomats to attend the trial as observers. Several years later, however, former intelligence officials of the Iranian regime revealed that three priests had been murdered by agents of the Ministry of Intelligence and Security and that all the allegations against the PMOI involvement in the killings were fabricated to discredit the movement.”<sup>62</sup>*

In his book, Lord Avebury also sets out in detail how MOIS engineered a plan to blame the PMOI for this crime by parading three Iranian women, Farahnaz Enami, Batool Vaferi and Maryam Shahbazzpour, at press conferences and on television to falsely confess to being members of the PMOI who had been ordered by the

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<sup>61</sup> Letter from Amnesty International to Mohammad Mohaddessin, 2 March 2005

<sup>62</sup> ‘Enemies of the Ayatollahs’, by Mohammad Mohaddessin, Zed Books, pg. x

organisation's leaders to commit this crime. The man in charge of this misinformation campaign was none other than Saeed Emami.<sup>63</sup>

As part of this campaign of misinformation regarding the murder of the Christian leaders, an Iranian newspaper reported,

*“An anti-Iran meeting in the British House of Commons was exposed after the Secretary of the Parliamentary Human Rights Group revealed the Mojahedin’s conspiracy in murdering three Christian priests. Emma Nicholson, MP, from the Conservative Party referred to her meeting with the murderers of the priests in Iran and said after her meeting, it became clear to her that the Mojahedin are responsible for these murders... Ms Nicholson told MPs that she has ‘met with two women who had been arrested and confessed.’ She said in her meeting with the two women no one else was present and that they confessed to having committed this crime on the orders of Rajavi’s group.”<sup>64</sup>*

Explaining how Abdollah Nouri, a former regime Interior Minister, had admitted at his trial in November 1999 that MOIS had murdered the Christian leaders, Lord Avebury explained,

*“The concerted effort to attribute the atrocities to the Mojahedin was intended to demonise the resistance while at the same time ridding the state of troublesome Christian leaders who refused to submit to the dictatorship. The terrorist bombing of a holy shrine by the same ruthless women who were framed with the murders of the priests was supposed to doubly discredit the Mojahedin internally and internationally.*

*Despite the elaborate ruse, nobody found the official version of events convincing. The story of the three women accused of killing Bishop Michaelian was invented by amateurs; and was easily exposed as a fraud.”<sup>65</sup>*

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<sup>63</sup> ‘Iran – Fatal Writ – An Account of Murders and Cover-ups’, by Eric Avebury, 2000, pgs. 41 to 54

<sup>64</sup> ‘Iran newspaper’, 21 June 1995

<sup>65</sup> ‘Iran – Fatal Writ – An Account of Murders and Cover-ups’, by Eric Avebury, 2000, pg. 44

The UN Special Rapporteur on Religious Tolerance stated,

*“The Iranian government had apparently decided to execute those Protestant leaders in order not only to bring the Mojahedin organisation into disrepute abroad by declaring it responsible for those crimes, but also, at the domestic level, partly to decapitate the Protestant community and force it to discontinue the conversion of Muslims...”*<sup>66</sup>

In 2000, the Catholic Herald, whilst strongly criticising the British government’s policy of ‘constructive engagement’ vis-à-vis Iran, stated in relation to the murder of the Christian leaders,

*“At the time their deaths [Bishop Haik Hovsepian-Mehr, the Rev Taratous Michaelian and Pastor Mehdi Dibaj] were blamed on the People’s Mojahedin, which has waged an armed struggle against the theocracy since the early 1980s. But the recent ferment in the Iranian press prompted former Revolutionary Guard commander Akbar Ganji<sup>67</sup> to confirm the suspicions of Amnesty International and the Jubilee Campaign; last December he admitted that the Ministry of Intelligence had not only killed the clerics to smear its enemies, but had also bombed pilgrims at Muslim shrines (such as that in Imam Reza) to achieve the same objectives.”*<sup>68</sup>

### **Bombings at Imam Reza’s Shrine in Mashad, Iran**

The first Mashad bombing took place on 20 June 1994, resulting in the deaths of 26 people at the shrine of Imam Reza. A report issued on 1 August 1994 stated,

*“Several people, including three women who Tehran said were members of the Mujahideen Khalq, have been arrested in connection with the Mashad*

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<sup>66</sup> Abdelfattah Amor, UN Special Rapporteur on Religious Tolerance, 9 February 1996

<sup>67</sup> Since his revelations, Akbar Ganji has been imprisoned in Iran’s Evin prison

<sup>68</sup> ‘Murdered by ‘moderates’: is Iranian reform a farce?’, The Catholic Herald, 10 March 2000

*bombing and other acts of violence including the killing of two Christian clergymen.”*<sup>69</sup>

In relation to the blaming of the PMOI, Lord Avebury stated,

*“Despite the apparent ‘shortcomings’ in the investigation of the first Mashad bombing, and the execution of the remaining key witness, the various factions, governmental and non-governmental, were remarkably united in labelling the Mojahedin as responsible.*

*Supreme Leader Khamenei said in a public announcement: ‘The Mojahedin have no regard for the holy places of Islam and show no respect whatsoever.’*

*Ali Akbar Velayati, the Foreign Minister, summoned foreign ambassadors in Tehran to demand that restrictions be imposed on the Mojahedin and the Iranian Resistance’s activities worldwide. He told them, ‘The investigations, intelligence and other material regarding this atrocity confirm that it was carried out by the Mojahedin terrorist organisation...’*<sup>70</sup>

On 17 September 1999, a bomb exploded in a rubbish bin outside the shrine of Imam Reza, killing two people and injuring another 10. In relation to the question of the culprits of this atrocity, Lord Avebury stated,

*“During the funeral organised by the government for the victims, ‘death to the Mojahedin’ slogans were chanted, a reversion to the usual scapegoats.”*<sup>71</sup>

Concluding on the conspiracy by MOIS to murder Christian leaders and carry out bombings at a holy shrine in Mashad, Lord Avebury stated,

*“In the propaganda campaign to criminalise the Mojahedin for the sacrilegious terrorist attacks on holy shrines, and the murders of Christian*

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<sup>69</sup> ‘Iran – Fatal Writ – An Account of Murders and Cover-ups’, by Eric Avebury, 2000, pg. 50

<sup>70</sup> ‘Iran – Fatal Writ – An Account of Murders and Cover-ups’, by Eric Avebury, 2000, pg. 51

<sup>71</sup> ‘Iran – Fatal Writ – An Account of Murders and Cover-ups’, by Eric Avebury, 2000, pg. 49

*priests, many of the senior officials must have been aware of the truth, and some were directly involved in a wicked conspiracy to commit these atrocious crimes and then to exploit them to gain international support by pretending to be the victims. The horror felt by Muslims and Christians alike at the blasphemous attacks on holy men and holy places naturally helped to undermine support for the main opposition [PMOI], both at home and abroad. The ruthless mullahs no doubt felt this was a goal for which the destruction of sacred monuments and the sacrifice of a few respected priests was a reasonable price to pay. They did not expect that within five years one of the real perpetrators of those crimes [Saeed Emami] would have to be put to death to keep him quiet, and yet that too many others were in the know to stop the truth from coming out.”<sup>72</sup>*

#### **Hunger strikers at Al-Tash refugee camp, Iraq**

In the later part of 1993, a group of individuals approached the Liberal Democratic and Reformist group of the European Parliament claiming that 17 Iranians, who they claimed were disaffected members of the PMOI, had been mistreated by the PMOI and were being kept in a PMOI prison in Ramadi, Iraq. They further stated that the 17 individuals were on hunger strike in complaint at their mistreatment by the PMOI. As a result, the Liberal Group proposed a strongly worded ‘Motion for Resolution’ at the European Parliament condemning the PMOI. It read,

*“The European Parliament,*

- A. Aware of the plight of former supporters of the Mujaheddin of Iran, who no longer support that organisation and who are now held prisoner in harsh conditions in a camp in Ramadiya in Iraq;*
- B. Aware that this camp only exists due to the support that Saddam Hussein continues to provide for the Mujaheddin;*
- C. Believing that 17 prisoners at Ramadiya are still following the hunger strike they started on 15<sup>th</sup> September in protest against the refusal of then*

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<sup>72</sup> ‘Iran – Fatal Writ – An Account of Murders and Cover-ups’, by Eric Avebury, 2000, pg. 54



*UNHCR to arrange for their transfer to a country where they would be protected from danger to their lives and brutalities committed against them by the Mujaheddin.*

*1. Appeals to the UNHCR to assist these men who are both prisoners and refugees... ”<sup>73</sup>*

In a letter to the European Parliament in respect of the plight of these 17 individuals, the UNHCR wrote,

*“As you are aware, the 17 Iranian refugees under consideration are the remaining group of prisoners of war who opted not to return to Iran, when released by the Iraqi authorities. The government of Iraq has granted them asylum, has allowed them to stay in Al Tash camp, together with some 20,000 Iranian refugees of Kurdish origin, and has been extending protection and assistance to all these, in forms of food, cash, medical and others.”<sup>74</sup>*

Stephen Hughes, MEP, and then Chairman of the Committee on Social Affairs and Employment of the European Parliament, conducted urgent investigations into the matter and consequently shared his findings with Professor Copithorne. In a letter to the Professor Copithorne, he stated,

*“Unable to defend its abysmal human rights record, the Iranian government has repeatedly tried to discredit the opposition in its efforts to expose Tehran’s atrocities at home and their patronage of terrorism and fanaticism abroad.*

*My colleagues and I at the European Parliament have had at first hand experience of such endeavours on the part of the Iran regime. In 1993, a group of so-called NCR and Mojahedin dissidents contacted the EP’s Liberal Group supposedly in defence of those who were being held and mistreated in different prisons in Iraq, including the Al-Tash camp. They deliberately misinformed us about the nature of the said camp and a hunger strike there. After we made enquiries through the offices of the UNHCR in Geneva and*

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<sup>73</sup> Motion for Resolution, Brussels, 9 November 1993

<sup>74</sup> Letter from UNHCR to the European Parliament, 17 November 1993

*Brussels, we recognised that Al-Tash was a refugee camp under the auspices of the UN and the Iraqi government and not a Mojahedin prison. The hunger strike by Iranian refugees in the Al-Tash camp was a protest against UNHCR delayed action to relocate the refugees in a third country and not a protest action against the Mojahedin.”<sup>75</sup>*

Stephen Hughes also referred to a letter from the 17 refugees who were the subject of this misinformation campaign. He stated,

*“To this end, we received a letter by the hunger strikers who rejected the accusations made in Europe against the People’s Mojahedin and denounced those acting on behalf of them. These developments were also confirmed in a letter forwarded to us by the UNHCR’s Baghdad office. Fortunately, we managed to collect the correct information before taking any action in this bogus charge. The Liberal Group subsequently withdrew their proposed resolution, which had been drafted on the basis of the Iranian government’s fabrications.*

*The Iranian situation is indeed quite complicated. The Tehran regime’s allegations against its opposition constitute a transparent propaganda ploy. Experience tells us that one needs to exercise tremendous caution before taking up any of these allegations...”*

### **The Chain Murders**

In his book, ‘Iran – Fatal Writ – An Account of Murders and Cover-ups’, Lord Avebury studied the brutal murders of four prominent Iranian intellectuals in Tehran at the end of 1988, which later became known as part of the ‘chain murders’. These murders revealed the fact that dozens of dissidents had been murdered in a similar manner over several years. Some of the murders at the time had been blamed on the PMOI.

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<sup>75</sup> Letter from Stephen Hughes to Professor Maurice Copithorne, 6 February 1996

The chain murders were revealed when Dariush Forouhar and his wife Parvaneh, were stabbed to death on 22 November 1998. Their bodies had been mutilated, including the decapitation of Mr Forouhar. The bodies of Mohammad Mokhtari and Mohammad Pouyandeh were found on 9 and 11 December 1998 respectively.<sup>76</sup>

In relation to the issue of identifying the culprits, Lord Avebury wrote,

*“In the face of public and international pressure, on December 14 1998, President Mohammad Khatami announced the establishment of a special committee to investigate the killings, but before the inquiry even began, apparently the regime’s leaders already knew the answers. President Khatami said, ‘These murders are ominous schemes of the enemies of independence and freedom of the Islamic state.’...*

*‘This network is located abroad’, judiciary spokesman Fotovat Savadkouhi chimed in, and was one of the first to accuse the People’s Mojahedin of Iran of involvement in the conspiracy, a tactic routinely used by the regime to deflect criticism... A few days later, the Director of Islamic Propaganda Organisation stated as fact: ‘These murders were carried out by the Zionists with the cooperation of the Mojahedin group.’”<sup>77</sup>*

However, the Iranian regime was soon forced to admit that in fact the murders were the work of MOIS. A statement issued by the public relations department of MOIS in January 1999 read,

*“With utmost deep regret, a number of our irresponsible and selfish colleagues at the Ministry, who were no doubt in contact with foreign intelligence services, have committed these crimes.”<sup>78</sup>*

As a result, the Iranian regime had to arrest a number of MOIS agents, including its second in command, Saeed Emami. In June 1999, sometime after his arrest, the

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<sup>76</sup> ‘Iran – Fatal Writ – An Account of Murders and Cover-ups’, by Eric Avebury, 2000, pgs. 7 to 8

<sup>77</sup> ‘Iran – Fatal Writ – An Account of Murders and Cover-ups’, by Eric Avebury, 2000, pgs. 12 to 13

<sup>78</sup> ‘Salam’ Iranian newspaper, 6 January 1999

Iranian regime claimed that Saeed Emami had committed suicide whilst in detention. Lord Avebury, finding Emami's suicide quite convenient for the Iranian regime, explains,

*“The official explanation of the suicide, as it later appeared in the statement of the JOAF, was that following his arrest on January 25, 1999, and identification as the mastermind of the plot... Saeed Emami had realised that officials had uncovered his true nature. Despairing of any way to escape justice, he attempted suicide several times.”*<sup>79</sup>

### **Concealing Iraq's WMD's**

The PMOI has also been accused of hiding, in its bases on the Iraqi side of the Iran-Iraq border, Iraq's weapons of mass destruction, including chemical, biological and nuclear weapons. This is an allegation that has been repeated in many places and by many individuals, as the examples below will highlight.

On 17 November 2001, in a three-page spread in the Canadian broadsheet newspaper, 'The Ottawa Citizen', very serious allegations were levelled at the PMOI based on the testimony of Nowrouz-Ali Rezvani, who the journalist, Aaron Sands, refers to as a "former leader" of the PMOI.<sup>80</sup>

The article begins,

*“In caverns deep beneath the Iraqi desert, an Iranian terrorist group that enjoys strong support in North America is secretly harbouring Saddam Hussein's arsenal of nuclear, chemical and biological weapons, according to one of the movement's former leaders. In an exclusive interview with The Citizen, Nooruz Ali Rezvani, an Iranian national who now lives in Germany, outlined what he witnessed during his years as a high-level member of the Mojahedin Khalq [PMOI] ...”*

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<sup>79</sup> 'Iran – Fatal Writ – An Account of Murders and Cover-ups', by Eric Avebury, 2000, pg. 15

<sup>80</sup> 'War on Terrorism – Saddam's Deadly Secret', by Aaron Sands, 'The Ottawa Citizen', 17 November 2001

It went on as saying,

*“Mr Rezvani said the Mujahedeen and other terrorist groups are part of a massive effort, spearheaded by Saddam Hussein, to gather enough weapons of mass destruction to annihilate North America and Europe...”*

*According to Mr Rezvani, Saddam transported his weapons by the truckload to at least five Mujahedeen bases in Iraq, starting in the months preceding the Persian Gulf War in 1991. Under the supervision of the Iraqi and Mujahedeen armies, missiles, bombs, chemical powders, poisons and related materials were stored in underground caves built beneath the Mujahedeen’s desert camps, he said.”*

On the front page of the article appear various sketches purporting to be of PMOI bases. The sketches contain boxes signifying the alleged location of weapons of mass destruction in each base.

The article goes on to inform readers how Mr Rezvani considers the PMOI to be an imminent threat to world peace. It stated,

*“In an interview from his home in Frankfurt, Germany, Mr Rezvani said he kept his knowledge secret for years out of fear for his safety, and that of his family. He said he was finally moved to make the information public in the interests of world peace, which he feared was in imminent danger from the Iraqi-backed movement.”*

In the article, Mr Rezvani also accused the PMOI of torturing him and taking part in the killing of Iraqi Kurds. The article stated in this regard,

*“He said he became disillusioned with the terrorist group after witnessing Saddam Hussein’s bloody military campaigns in the early 1990s. He said that after the Gulf War, he was imprisoned by Mr Rajavi and tortured for having objected to the killing of ethnic Kurds in northern Iraq and Muslim rebels in the South. He eventually escaped and fled to Germany in 1992.*

*‘The Mujahedeen’s army joined Saddam Hussein in the brutal suppression of the Kurds’ uprising and executed ruthless attacks against the ordinary citizens of the Kurdistan region of Iraq’ Mr Rezvani said. ‘All of the victims in this region were ordinary, non-political, and unarmed civilians, the majority of whom were children and seniors.’”*

It was with surprise that reference to HRW was found in this ludicrous and fanciful article. What was even more surprising was HRW’s apparent corroboration of Mr Rezvani’s rather active imagination. In relation to HRW, the article wrote,

*“But Elahe Hicks believes Mr Rezvani’s chilling stories. Ms Hicks, a veteran researcher for the Middle East and North Africa Division of Human Rights Watch, a respected international watchdog based in New York City, met Mr Rezvani and 11 other disillusioned Mujahedeen warriors at a hotel in Cologne, Germany in 1997.*

*Ms Hicks, who was born in Iran, said Mr Rezvani contacted her agency shortly after he fled Iraq to report human rights abuses and the storage of weapons of mass destruction at the Mujahedeen’s camps in Iraq. When they met, Mr Rezvani gave her boxes of documents he and others had managed to smuggle out of Iraq.”*

The reporter appeared not to have picked up on the fact that Mr Rezvani had stated earlier in the article that he kept his knowledge secret for years out of fears for the safety of himself and his family. Yet Ms Hicks stated that shortly after fleeing Iraq, Mr Rezvani was imparting his ‘knowledge’ to her. FOFI also questions what expertise Ms Hicks had in WMDs to make the judgment that the PMOI were storing such weapons in their bases in Iraq.

The article goes on,

*“He was a high-level photographer, sort of in charge of their press,” Ms Hicks said. “He showed us many documents, mainly about the abuse and*

*torture of those who wanted to leave the camps. His claims seemed genuine and legitimate.”*

In his affidavit signed in 2000, Jamshid Tafrihi named Mr Nowrouz-Ali Rezvani as being one of the regime’s agents working with Saeed Emami and Nasser Khajeh-Nouri.

Further, in his letter to Ruud Lubbers in 2002, Mahmoud Masoudi said of Ali Rezvani,

*“One of the ringleaders of the meeting with Amnesty International’s representative was a man called Ali Rezvani, who was in constant contact with Khajeh-Nouri. After 1995, Rezvani, under Intelligence Ministry’s instructions and the scenarios given to him by the Ministry, gave horrific, fabricated accounts of human rights violations by the Mojahedin to Amnesty, Human Rights Watch and other human rights organizations.”*

MOIS was also successful in drawing Baroness Nicholson of Winterbourne into making similar wild and unsubstantiated allegations in the British House of Lords. She stated,

*“The actuality is that the MKO [PMOI] participated actively, in August 1998, in the chemical weapons assault on the northern Kurdish Iraqis at Halabja. What did its forces do? Evidence given to me by those involved declares that the MKO troops guarded the Iraqi border so that the unfortunate Kurds could not escape...”*

*In 1991, MKO forces brutally crushed the subsequent uprising of the Kurds. They said: “We killed thousands of them.” ...*

*Inside Iraq, I have evidence from others that the MKO has actively hidden weapons of mass destruction from the earlier inspectors... I have clear evidence of the ways in which the MKO shifted around weapons of mass*

*destruction. Their commanders pushed them away, hid them, and boasted afterwards of having been successful in fooling the inspectors.*

*In 1999 and 2000 there is clear evidence again of tarred boxes, which were thought by those observing them to contain weapons of mass destruction in terms of biological or chemical weapons. Many hundreds of tarred boxes were transported and buried deep inside the marshes. Today I have much evidence of where thousands of missing documents are stored, orders for new weapons and evidence of dual use technology.”<sup>81</sup>*

Officials of the United Nations Special Commission (UNSCOM), the body created by the UN Security Council to oversee disarmament of Iraq, visited many PMOI camps in Iraq over the years. Richard Butler, then Executive Director of UNSCOM, stated in his report to the UN Security Council on 15 December 1998 that a facility occupied by the PMOI was not “*under the authority of Iraq*”.<sup>82</sup> A report in December 1998 to the President of the United Nations Security Council confirms that the PMOI had told UNSCOM that its inspection teams have the right to visit any of the PMOI’s sites in Iraq. Moreover, the PMOI said in a statement on 24 March 2000 that “*the Mojahedin’s centers and bases in Iraq have been visited by UNSCOM since its operations began in 1992, and a memorandum on ‘executive procedures’ was signed between the Mojahedin and UNSCOM representatives on November 10, 1993*”.

On December 5, 1998, the Iraqi government notified UNSCOM that the Mojahedin camps “*belong to a foreign party over which Iraq has no control.*”<sup>83</sup>

Reuters reported on various visits to PMOI bases by UNMOVIC in a despatch dated 16 January 2003, which said,

*“U.N. arms experts launched an aerial and ground inspection of a military base of exiled Iranian rebels Thursday, a day after raising Iraqi ire for*

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<sup>81</sup> Hansard, House of Lords, 26 February 2003, Columns 284 to 288

<sup>82</sup> Letter from the Secretary-General of the United Nations to the President of the Security Council, dated 15 December 1998

<sup>83</sup> Associated Press, 5 December 1998



*pouncing on a presidential complex in Baghdad. On the eve of the 12th anniversary of the 1991 Gulf War, Iraqi officials said a team of experts from the U.N. Monitoring, Verification and Inspection Commission (UNMOVIC) drove to Mujahideen Khalq base in Karkh some 12 miles from Baghdad. Another team flew helicopters over the site as the inspection proceeded on the ground. It was the second Mujahideen position to be scrutinized by the experts this week... A Mujahideen spokesman had welcomed the first visit and said the group was ready for more to dispel once and for all Iranian charges that it was hiding banned weapons.”*

The recent war in Iraq and over two years of investigations by Coalition forces have proven the falsity of the allegations against the PMOI. In fact, in the aftermath of the war, attention focussed on the Iranian regime as being the source of the false information on Iraq’s alleged weapons of mass destruction.<sup>84</sup>

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<sup>84</sup> ‘Chalabi boasted of Iranian spy link’, The Guardian, 26 May 2004

## **PART II**

### **Trip to Camp Ashraf**

Having carefully read the HRW Report and having conducted more than three months of extensive research on the PMOI, reading literature critical of the PMOI, particularly written by those who claimed to be former members of the organisation, the delegation went to Camp Ashraf in July 2005 with several specific cases to investigate, mindful of questions and ambiguities about life in Camp Ashraf.

According to the HRW Report,

*“...former MKO members, paint a grim picture of how the organization treated its members, particularly those who held dissenting opinions or expressed an intent to leave the organization. The former MKO members reported abuses ranging from detention and persecution of ordinary members wishing to leave the organization, to lengthy solitary confinements, severe beatings, and torture of dissident members”*<sup>85</sup>

*“Demoralised”, “isolated from the outside world”, “no access to independent news media”, “forced to stay in Ashraf against their own will”, and “waiting for an opportunity to leave Ashraf and Iraq”* are the impressions one gets from perusing the HRW Report and trawling through the critical literature on the PMOI.

In order to achieve the best results from the fact-finding mission, it was decided to concentrate on three issues. Firstly, investigating the specific cases raised in the HRW Report or others FOFI came across in its research. Secondly, visiting the sites that HRW named as prisons where rights abuses are said to have taken place. Finally, randomly and in an informal manner talking to residents at Camp Ashraf in order to gain a better understanding of the atmosphere and the people in the midst of this controversy.

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<sup>85</sup> HRW Report, pg. 2

## Death under interrogation

One of the most disturbing allegations made in the Report was the allegation that,

*“The witnesses reported two cases of death under interrogation. Three dissident members – Abbas Sadeghinejad, Ali Ghashghavi, and Alireza Mir Asgari – witnessed the death of a fellow dissident, Parvis Ahmadi, inside their prison cell in Camp Ashraf. Abbas Sadeghinejad told Human Rights Watch that he also witnessed the death of another prisoner, Ghorbanali Torabi, after Torabi was returned from an interrogation session to a prison cell that he shared with Sadeghinejad.”*<sup>86</sup>

Ghorbanali Torabi’s son, wife and sister reside at Camp Ashraf. It was both distressing and emotional for the deceased’s sister and wife to talk to the delegation about what they had read in the HRW Report relating to Ghorbanali Torabi. They described the report as pure fabrication.

Zahra Seraj (the wife of Ghorbanali Torabi) said Ghorbanali had spent seven years in the Iranian regime’s prisons whilst she had been imprisoned for five years. Whilst in prison she said her husband was subjected to the severest tortures. Zahra Seraj recalled how in 1989 the couple had travelled to the offices of the UN in Geneva to testify before the Human Rights Commission rapporteur, Reynaldo Galindopohl, about their physical and psychological torture whilst in the prisons of the Iranian regime. An emotional Zahra Seraj said Ghorbanali Torabi had the scars visible on his feet and legs as a result of the torture he had sustained in the notorious Evin prison, which finally caused his death,

*“...it’s very difficult for me to remember the scenes of the torture. In 1982 we were arrested, but from the 1<sup>st</sup> day I had my newly born baby with me in prison. He was 28 days old. The torture started straight away. I was blindfolded and could not see when I was breastfeeding my baby. I was hit in the head by one of the guards and my son fell out of my hands. I passed out*

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<sup>86</sup> HRW Report, pg. 2

*and became unconscious... After two to three hours they took me to a torture chamber. My interrogator asked me to remove my blindfold and when I removed my blindfold I saw he [Ghorbanali Torabi] was hanged from his hands. Even though my son was in my arms and my husband was being lashed with a cable, he was asked to talk and I was crying and saying 'don't hit him'... you cannot imagine what it is like to have someone that you love being tortured. You are prepared to have that taken [the pain], for that pain to be against you. Remembering these memories is very difficult for me.*"<sup>87</sup>

Zahra Seraj said her husband “*passed between two interrogators like a football*”. She says, as a result of the severe tortures he sustained whilst in prison, “*he had no abdomen, no stomach*” and that “*when he came here [Ashraf], he was under a great deal of pain and visited lots of doctors. In 1995 he passed away as a result of a heart attack/stroke... If I had the time, I would like to write a book about what he alone suffered because of the Iranian regime and of course my young son and me.*”<sup>88</sup>

She further went on,

*“Ghorbanali died due to the torture he had already suffered in jail in Iran, that is why he died...as the wife of an individual and as a PMOI member I must question why they [HRW] did not ask me about him? I, my sister in law and his son should have been asked first.”*<sup>89</sup>

She was very disturbed that after going through years of resistance in Iran’s torture chambers in support of the PMOI and its goals, her husband after his death was now the victim of a smear campaign, organised by the same people who could not break his will through torture.

Ghorbanali Torabi’s sister, Masoume Torabi also resides at Camp Ashraf. She spent three and a half years in prison in Iran and was saddened that her brother’s memory was dishonoured in this way. She said she first became aware of these allegations

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<sup>87</sup> EP Delegation interview with Zahra Seraj, 17 July 2005

<sup>88</sup> EP Delegation interview with Zahra Seraj, 17 July 2005

<sup>89</sup> EP Delegation interview with Zahra Seraj, 17 July 2005

when her other brother came to visit her from Iran. Her brother had told her that his family in Iran had been informed by the regime that the PMOI had killed Ghorbanali.

*“It was very strange for me. It seems there is a connection. I told him, I was there [when Ghorbanal died] and it’s a lie.”*<sup>90</sup>

Lars Rise, a Norwegian Member of Parliament and member of its Foreign Affairs Committee, who had carried out his own independent investigation into the allegations contained in the Report, said of his meeting with Masoume Torabi and Zahra Seraj,

*“Both had been shocked by the allegation. They testified that Qorban Ali had died after a heart stroke. All relevant medical documents were available.”*<sup>91</sup>

The second allegation of death under interrogation relates to allegations by “...three former members of MKO interviewed by Human Rights Watch” who allege to have “witnessed the death of Parviz Ahmadi... The three shared a prison cell...”<sup>92</sup>

Abbas Sadeghinejad allegedly recalling Parviz Ahmadi’s final moments told HRW,

*“The prison door opened, and a prisoner was thrown into the cell. He fell on his face. At first we didn’t recognize him. He was beaten up severely. We turned him around; it was Parviz Ahmadi taken for interrogations just a few hours before. Ahmadi was a unit commander. His bones were broken all over, his legs were inflamed; he was falling into a coma. We tried to help him but after only ten minutes he died as I was holding his head on my lap. The prison guard opened the door and pulled Ahmadi’s lifeless body out.”*<sup>93</sup>

The delegation spoke to Mr Hossein Roboubi who knew Parvis Ahmadi well. Hossein Roboubi said Parvis Ahmadi was from a border town in Iran and spoke the

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<sup>90</sup> EP Delegation interview with Masoume Torabi, 17 July 2005

<sup>91</sup> Letter from Lars Rise to Kenneth Roth of HRW, July 2005

<sup>92</sup> HRW Report, pgs. 16 & 17

<sup>93</sup> HRW Report, pg. 17

local dialect of the region. Given his language capability and knowledge of the region, he was very useful in manoeuvres across the border into neighbouring Iran. He had made a couple of trips to convey messages in the past. However, on his third trip he was on a mission to bring to Iraq from Iran eight people who had expressed an interest in joining the PMOI. Roboubi said,

*“His trip was aimed to bring eight people that he had already spoken to, help them come. He didn’t come at the agreed time. For your knowledge we had people to guide us around the border areas, like smugglers... we deployed Parviz to the city of Ghasre-shirin. Ghasre-shirin was the destination point approximately 10/15 km within Iran’s border. He never came back. We stayed for 2 weeks and thought maybe the meeting had been held up. He did not show. It was revealed to us later that when he entered the city of Sare-pole-Zohab in Kermanshah province, they [the Iranian regime] tried to arrest him and he resisted. He died in struggle.”<sup>94</sup>*

Mr Roboubi said it had been important to find out what had happened to Parviz Ahmadi and also how information about the mission had been leaked. He said it was very difficult to get hold of accurate information regarding what had happened. However, what was important was the fact that the smuggler who had been entrusted with Ahmadi had also not returned. According to Mr Roboubi, they later found the smuggler was alive and working in a shop. It had become obvious to them that the intelligence was being leaked to the regime through this smuggler. According to Roboubi, the smuggler must have been an infiltrator. This information had taken a year and a half to verify. As Ahmadi had been on a private mission, Mr Roboubi insisted that only the regime could know exactly what had happened to him.

His statement is corroborated by information provided to Amnesty International at the time, by Mohammad Mohaddessin, Chair of the Foreign Affairs Committee of the NCRI. In a letter to the human rights organisation, he provided the names of 17 PMOI members including Parviz Ahmadi who had been killed by or through infiltrators. Regarding the issue of infiltrators he wrote,

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<sup>94</sup> EP Delegation interview with Hossein Roboubi, 18 July 2005

*“you are aware that our movement stands alone in this part of the world in that it is the only liberation movement that has not carried out even a single execution. This is particularly important because such practice, which fits within the humanitarian standards Amnesty International upholds, has emboldened the mullahs and their agents, giving them a carte blanche against us, particularly in infiltration and terrorism”*<sup>95</sup>

Referring to one of the incidents, which led to the killing of eight persons, he wrote,

*“In the course of a mission inside Iran in November 1997, Yazdani (one of the infiltrators) revealed his information on the hideout of a Mojahedin unit to the Intelligence Ministry and took them to the site. The Intelligence Ministry forces, the State Security Forces and the Guards Corps raided the site and eight Mojahedin members were subsequently killed (November 2, 1997)”*<sup>96</sup>

In March 1998, the counter terrorism Department of the NLA published a report concerning efforts by the Iranian regime to infiltrate the NLA and PMOI in Iraq. In this report, they disclosed the names of 17 PMOI members, including Parvis Ahmadi, who had been killed since 1993 as a result of the activities of the Iranian regime’s infiltrators.<sup>97</sup>

There also appears to be an inconsistency between the HRW witnesses as to when Parvis Ahmadi and Ghorbanali Torabi died. In the HRW Report, the witnesses Abbas Sadeghinejad, Ali Ghashghavi, and Alireza Mir Asgari state that Parviz Ahmadi died in February 1995. Sadeghinejad also claimed that he witnessed the death of Torabi earlier. However, in a book written by Karim Haggi Moni, (another one of the witnesses used by HRW in the Report) but said to contain the experiences of tens of former PMOI members, he writes:

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<sup>95</sup> Letter by Mohammad Mohaddessin to June Ray of Amnesty International, 20 February 1998

<sup>96</sup> Letter by Mohammad Mohaddessin to June Ray of Amnesty International, 20 February 1998

<sup>97</sup> Mojahed weekly publication, 2 March 1998

*“Parvis Ahmadi and Ghorban Torabi, the two members of Mojahedin Organization, who were against the Mojahedin. These two together with other dissatisfied Mojahedin members were imprisoned in Ashraf Base in Baghdad. They died under the torture of Mokhtar- Janat Sadeghie and Majid Alamiyan in the winter of 1996.”<sup>98</sup>*

This is approximately two years after Abbas Sadeghinejad, Ali Ghashghavi, and Alireza Mir Asgari claim that Ahmadi and Torabi died.

### **HRW’s Witnesses**

#### Mohammadd Hussein Sobhani

One of HRW’s testimonies is from Mohammadd Hussein Sobhani. HRW allege that he spent “...*eight-and-a-half years in solitary confinement inside the MKO’s main camp in Iraq, Camp Ashraf, from September 1992 to January 2001.*”<sup>99</sup>

The FOFI delegation was thus keen to interview Afsaneh Taherian (Sobhani’s ex-wife) in order to evaluate the serious allegations of abuse from this key HRW witness. FOFI also spoke to PMOI officials in Camp Ashraf, to get their response to his allegations as well as randomly questioning members of the PMOI. Further broader research was conducted on the internet and other available independent sources by FOFI, in order that it could be in a better position to make an informed and accurate assessment of the allegations.

Afsaneh Taherian was 21 years old when she married Mohammad Hussein Sobhani in 1983. She maintains that knowing of her support for the PMOI, Sobhani convinced her to marry him, she believed, unifying them as a couple by their joint ideals.

Afsaneh Taherian was moved to tears as she told the FOFI delegation how the foundations of their relationship were based on untruths and inflated exaggerations. She said,

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<sup>98</sup> ‘Dossier of Facts on the People’s Mojahedin Organisation of Iran’ by Karim Haggi Moni, pg. 62

<sup>99</sup> HRW Report, pg. 18



*“Even from a family perspective I took the biggest blow. Our relationship was based on lies. You can imagine what kind of a person he is.”*<sup>100</sup>

When quizzed to relate her objections to his allegations, Afsaneh Taherian said,

*“He claims he was in contact [with the PMOI] since 1977 and a member since 1979, which is a lie. In 1983 when we got married he introduced himself as an aeroplane engineer and a supporter of the PMOI... he wanted to convince me to marry him, as he knew I was a supporter and wanted to join the movement. His claim that he was from the resistance and was well connected is a lie. Later I found out he lied about his profession. He was not an aeroplane engineer but in the Ministry of Defence working as a helicopter maintenance man... I found out he was lying from the beginning of our relationship.”*<sup>101</sup>

The delegation’s interview with Afsaneh Taherian raised many questions about Sobhani’s testimony. Ms Taherian said whilst in Ashraf, Sobhani remained in constant communication with his brother Jafar, who she later found out, was working for the repressive, disciplinary organs of the regime, or moral police, as they are otherwise known. *“It was after these communications that PMOI suspected him and he realised he was on suspicion...”*<sup>102</sup> Taherian told the delegation that as a result of these communications Sobhani aroused the suspicion of the Anti-Terrorism and Counter Intelligence Committee of the NLA who in their investigations into a failed assassination attempt against Massoud Rajavi found information was being leaked through Jafar Sobhani. The *“assassination attempt was as a direct result of the communication that he had with his brother Jafar.”*<sup>103</sup> When confronted with this, and having been asked to leave, he refused to do so, asking instead to stay but with the removal of his duties and responsibilities.

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<sup>100</sup> EP Delegation interview with Afsaneh Taherian, 17 July 2005

<sup>101</sup> EP Delegation interview with Afsaneh Taherian, 17 July 2005

<sup>102</sup> EP Delegation interview with Afsaneh Taherian, 17 July 2005

<sup>103</sup> EP Delegation interview with Afsaneh Taherian, 17 July 2005

The directorate of the Counter Intelligence of the NLA reported,

*“Mohammad Hossein Sobhani, was a member of the mullahs’ army who was assigned in February 1983 to infiltrate into the Mojahedin in Kurdistan and then reach the Mojahedin from Kurdistan. He was first deployed in logistical bases and from February 1990 to autumn 1991 was a member of protection team for transportation... But due to a suspicion on his state, he never managed to gain the trust of his colleagues... which led to taking his rifle from him. In the regime’s conspiracy to assassinate the leader of the resistance in 1992, his suspicious links and false records and treacherous service to the Intelligence Ministry was unveiled ... on pursuing investigations, the Mojahedin found out more about the role of information given by the traitor defectors and infiltrators and the suspicious links between Mohammad Hossein Sobhani and his brother, Ja’afar Sobhani in ‘educational affairs’ and another Revolutionary Guard, in Evin prison.”<sup>104</sup>*

It would appear that upon being expelled from the PMOI because of his links to MOIS and upon Sobhani’s own insistence that he be allowed to stay, Sobhani was permitted to remain in the base. Mr Lars Rise, who visited Camp Ashraf in June 2005 to conduct his own personal investigations wrote,

*“The only issue that is true in his remarks is that he had been relieved of his responsibilities because his contacts with the Iranian Intelligence Ministry had been revealed. Subsequently, upon his own request, he lived in an apartment furnished with all living commodities of a comfortable life. Despite PMOI’s insistence that he must leave the organization, he was not willing to do so and insisted that so long as Afsaneh Taherian did not change her views to leave the organization with him, he would stay in that place.”<sup>105</sup>*

Sobhani’s separation upon his own request appears to be the basis for his solitary confinement allegations. According to Taherian, during this period of separation, Sobhani persistently exerted pressure on her to leave the organisation. She notes,

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<sup>104</sup> Mojahed no. 592, dated 2 July 2002

<sup>105</sup> Letter from Lars Rise to Kenneth Roth of HRW, July 2005

*“...he put pressure on PMOI to take me as well. I met him a few times while he falsely claims to be in solitary confinement. Because he wanted to leave the organisation the PMOI asked me to speak with him in order to come to a resolution and conclusion as to what he wanted to do... he told me that he wants to take me with him. I said I am not going with you... I put the divorce proposal in front of him and he did not accept, but after a few sessions he accepted... He claimed in HRW that he was in solitary confinement. I saw him with my own eyes. The few times that I saw him, he had just returned from jogging.”<sup>106</sup>*

This meeting was apparently held on 10 June 1997. *“My last meeting with him was on 22 April 1998, after which I refused to see him again... As Sobhani has acknowledged, he was absolutely free to leave Mojahedin in Iraq and go to Iran. But he wanted PMOI to illegally send him to Europe and to take me with him”<sup>107</sup>*

Confused by his insistence on taking his ex-wife, the delegation asked Taherian why she thought Sobhani had been so adamant that they leave together and why he insisted to go to Europe and not Iran. She replied,

*“The reason for his staying was to take me and to go to Europe and the reason was to white wash his connection with the Iranian regime and to pursue his mission on behalf of the Intelligence Ministry in a different capacity.”<sup>108</sup>*

Sobhani told HRW that he spent eight and a half years in solitary confinement in Camp Ashraf. However, PMOI officials that FOFI spoke to said the fact that he had lived in Camp Parsian, very close to Baghdad for a long period, clearly showed his claim to have been in “solitary confinement in Ashraf” to be false. They also stated that Mohammad Hossein Sobhani had himself acknowledged having lived in Camp Parsian, confirming that his statement to HRW was false.<sup>109</sup> Other members of the

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<sup>106</sup> EP Delegation interview with Afsaneh Taherian, 17 July 2005

<sup>107</sup> EP Delegation interview with Afsaneh Taherian, 17 July 2005

<sup>108</sup> EP Delegation interview with Afsaneh Taherian, 17 July 2005

<sup>109</sup> Mojahed weekly publication, no. 590, 21 June 2002

PMOI also confirm to have seen him in Parsian at the time that he claims to have been in solitary confinement. In his letter published in the Mojahed weekly publication, he also acknowledged that he regularly travelled to Baghdad, something confirmed by Afsaneh Taherian.

When asked about his rank in the organisation, Taherian said Sobhani had different roles *“he was security in front of the gate of Ashraf and before he said he wanted to leave, he was the security to and from Baghdad.”*<sup>110</sup> This is in stark contrast to his saying he was *“a member of the Central Committee.”*<sup>111</sup>

Having read Sobhani’s testimony, *“I used to mark my prison walls each time I was subjected to severe beatings”* and that *“there were many occasions of lesser beatings... on eleven occasions I was beaten mercilessly using wooden sticks and thick leather belts”*<sup>112</sup> HRW’s commentary then moves on to his being handed over to Iraqi officials where he spent one year in jail before being *“repatriated to Iran in exchange for Iraqi POW’s”*<sup>113</sup>

This raises several questions. If Sobhani was truly repeatedly beaten mercilessly using wooden sticks and thick leather belts, and also spent over eight years in solitary confinement, this could easily have been proved through a medical examination of Sobhani. This therefore raises a serious question as to why HRW did not commission such a medical examination, instead merely relying on testimony over the telephone.

Further, if Sobhani was indeed a high-ranking member of the PMOI (as he alleges), so important an individual that he had endured eight and a half years in solitary confinement, it is unrealistic to imagine he would simply be handed over to Iraqi officials. Furthermore, if it is accepted that he was a high-ranking committee member who was released to the Iraqis and later returned to Iran, this arouses the question of how he was able to leave Iran for Europe with such ease, in three days in fact.

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<sup>110</sup> EP Delegation interview with Afsaneh Taherian, 17 July 2005

<sup>111</sup> HRW Report, pg. 18

<sup>112</sup> HRW Report, pg. 19

<sup>113</sup> HRW Report, pg. 19

As Mr Lars Rise notes,

*“...we all know that such a quick departure is only possible when the Iranian government, itself, is involved”*<sup>114</sup>

In the course of research undertaken into Mohammadd Hussein Sobhani's background, the FOFI delegation came across a document revealed by the PMOI that he was from a veteran Iranian Intelligence agent. In its weekly, the PMOI published,

*“an internal VEVAK report dated February 20, 2002, Ramin Darami, a member of the Sobhani ring, wrote to Haj Saeed, his new handler, ‘After we entered Iran through legal channels [from Iraq], we were sent to Marmar Hotel in Tehran and were given a high-level reception. While we were in Marmar Hotel, the head of our team was brother Mohammad Hossein Sobhani and others in our group were Ali Qashqavi and Taleb Jalilian. Our brothers from the Ministry of Intelligence [VEVAK] paid us daily visits and resolved all our problems, and during this period I spoke to Haj Mahmoud... My stay in the hotel lasted ten days... During the period we stayed in Marmar Hotel, your proposed plans were reviewed several times by brother Mohammad Hossein Sobhani within our team and we were briefed on it.”*<sup>115</sup>

So how did Sobhani manage to leave Iran in such a remarkably short space of time? In an interview with Mahdis, described as *“a Persian-language website that acts as a front for VEVAK”*<sup>116</sup>, Sobhani says he escaped from a vehicle managing to get away as a result of a shoot out. This is an altogether different escape story than the one given to HRW. Sobhani appears to have had a lapse in memory, telling Mahdis that he escaped from a vehicle in a shoot out and three years later telling HRW he left a low-security prison.

This is a remarkable inconsistency, which must raise serious doubts as to Sobhani's credibility and therefore his entire testimony to HRW.

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<sup>114</sup> Letter from Lars Rise to Kenneth Roth of HRW, July 2005

<sup>115</sup> <http://www.iranfocus.com/modules/news/article.php?storyid=2160>

<sup>116</sup> <http://www.iranfocus.com/modules/news/article.php?storyid=2160>

## Yasser Ezati

Another of HRW's telephone testimonies is from the 25 year old Yasser Ezati. Ezati claims, "*after the first six months in Iraq, I realized I had no desire to stay*". Since he claims to have gone to Iraq in June 1997 and left in June 2004 it would appear that Ezati had for 7 years wanted to leave the PMOI, but "*...was repeatedly told the only way out was to go to Iran. I was too afraid to go to Iran.*"<sup>117</sup>

According to Ezati's own testimony, he endured the organisation for seven years, but chose not to leave, as his only option was to leave for Iran. However, according to his father, Hassan Ezati, who is named directly in the HRW report, Yasser having left Camp Ashraf went directly to the Iranian Embassy in Baghdad. The delegation found this difficult to understand. After all, Yasser upon his own admission had lived in Canada & Germany. Therefore, why would an individual who was not familiar with Iran choose to go to the Iranian Embassy, especially considering how fearful he stated he was of the consequences of this action?

Hassan Ezati said, "*...he always wanted to go to Baghdad to see the German consulate... He was given \$400 and 100,000 Iraqi Dinars. He even says he was given this money*".<sup>118</sup> The delegation was able to examine signed letters by Yasser Ezati in this regard. Hassan Ezati says a few days after, "*the driver who did not know he [Yasser] was my son surprisingly said 'I took a guy a few days ago from here but he was looking for the Iranian Embassy'*"<sup>119</sup> Hassan Ezati did not believe the Iraqi taxi driver, until he heard from his brother and parents in Iran that Yasser had been to Iran and had then left for Germany. Upon information that he received from his brother, Hassan Ezati found out that Yasser had gone to Baghdad to the Iranian Embassy for two days before spending three days at the MOIS office in Ilam and then the Laleh hotel in Tehran.

Hassan Ezati says in order to save the face of the family, his brother had tried to persuade Yasser not to leave with the MOIS agents. However, when MOIS became

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<sup>117</sup> HRW Report, pg. 20

<sup>118</sup> EP Delegation interview with Hassan Ezati, 16 July 2005

<sup>119</sup> EP Delegation interview with Hassan Ezati, 16 July 2005

aware of the family's interference in trying to dissuade Yasser from the path he was about to take, Hassan Ezati's family were *"threatened with trouble. Two days after that, Yasser left. A person who did not know Iran and had no money and no passport, how did he end up in Germany with Sobhani? From the first day that he arrived in Germany he started to say these things."*<sup>120</sup>

Hassan Ezati was interviewed in relation to his son's testimony. He described how Yasser had first shown an interest in travelling to Iraq,

*"He was in Germany and requested to come. Initially I said you should test to see if you can stay. Struggle is not an easy thing. He said 'I want to take revenge for my mother and my uncles'. He had some childish tendencies but nothing that would explain this".*<sup>121</sup>

However, Hassan Ezati went on,

*"In December 2003, he came to me and said 'I am tired and would like to leave. He said I don't have a passport, what should I do? I said go to the US [coalition forces in Camp Ashraf], as we had no means of taking people abroad. A few times they met him and he said I want to stay with the PMOI to see what will happen. In this process, the US called upon him a few times and insisted that he stay with them... A Norwegian attorney, Mr Mathiassen came to see his residence and spoke to him in private and saw his place of residence. He had a satellite receiver and 2 TV's... He was screened [by Coalition forces] 7 times... and if any of those claims had any basis he should have raised them with the coalition. They are false and unfounded."*<sup>122</sup>

Jørgen Wille Mathiassen, a Norwegian attorney, having visited Camp Ashraf in March 2004 wrote in a letter to HRW,

*"While we were there we neither saw any prison or even signs of prison, nor have we heard about prisons or mistreatment of the members. We did however see the exit facilities and spoke to the only resident there, Yasser*

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<sup>120</sup> EP Delegation interview with Hassan Ezati, 16 July 2005

<sup>121</sup> EP Delegation interview with Hassan Ezati, 16 July 2005

<sup>122</sup> EP Delegation interview with Hassan Ezati, 16 July 2005

*Ezati. Recognizing him as being one of the former PMOI members giving testimony in your report, I find it necessary to point out that I also had the opportunity to speak to him in private. As stated in your report Ezati wanted to leave the organisation. The American forces that controlled camp Ashraf would however not let any former PMOI members leave the camp until various government agencies had screened all of the PMOI members. Those members who wanted to leave the camp could do so, but only to stay with the American forces till the screening was finished. Ezati told my colleague and I that he preferred to stay in PMOI's exit facilities rather than to stay with the American forces that controlled the camp... The exit facilities themselves were clean and reasonably well kept. We saw no armed guards and no fences.*"<sup>123</sup>

The PMOI officials in Camp Ashraf provided FOI with several letters written by Yasser Ezati in which he clearly states he wants to stay with the PMOI as a guest. He made the same comment when he was interviewed by US agencies.

In the Report, HRW stated,

*"A number of witnesses who were detained and tortured inside the MKO camps named Hassan Ezati as one of their interrogators. Hassan Ezati's son, Yasser Ezati, also interviewed for this report, confirmed his father's identity as a MKO interrogator."*<sup>124</sup>

When asked to comment on this allegation, Hassan Ezati said if true, *"why didn't he [Yasser] go to the Americans about this... Before Germany he didn't know this? He realised this when he got to Germany?"*<sup>125</sup>

Asked about his role in the PMOI, he replied,

*"I am now in the section responsible for new arrivals and guests. I was responsible for 7/8 years for the purchasing department and they all know me*

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<sup>123</sup> Letter from Jørgen Wille Mathiassen to HRW, dated 25 May 2005

<sup>124</sup> HRW Report, pg. 4

<sup>125</sup> EP Delegation interview with Hassan Ezati, 16 July 2005



*in Baghdad. Imprisonment and torture are done by the regime. The Americans searched for these issues and found nothing. They are all old allegations that are unfounded... It is not a matter of escaping, as anyone can leave, the Americans are there.*"<sup>126</sup>

Hassan Ezati said of his son's testimony,

*"These are the [Iranian] regime's words. They want to discredit the PMOI. It is despicable to make a son speak out against his father. My family are constantly under pressure... They are making an insult to my integrity and my family. They are disputing 27 years of my life.*"<sup>127</sup>

Hassan Ezati explained that, *"Anyone who turns up to the gate of Ashraf is welcome."*

According to HRW, Yasser Ezati escaped from Camp Ashraf in June 2004. This statement is misleading, as it implies that he had escaped from the PMOI, while there is convincing evidence that Yasser Ezati wanted to stay with the PMOI in Camp Ashraf of his own will. Indeed, after he declared he wished to leave the organisation, he actually requested to be allowed to stay in Camp Ashraf.

In a July 2005 interview, Yasser Ezati acknowledges that he could leave the organisation and go to the Americans, but he chose not to do so.

*"When I was in Ashraf I knew that Americans don't help anyone. So I believed that escaping from Ashraf is easier. I didn't go to the US camp and I pretended that I wanted to stay with the MKO"*.<sup>128</sup>

Of his interview with Hassan Ezati, Lars Rise wrote,

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<sup>126</sup> EP Delegation interview with Hassan Ezati, 16 July 2005

<sup>127</sup> EP Delegation interview with Hassan Ezati, 16 July 2005

<sup>128</sup> Yasser Ezati interview , 15 July 2005 (<http://www.iran-interlink.org/files/info/Jul05/Ezzati150705.htm>)

*“Yasser’s father, who is introduced in your report by Yasser as an interrogator, impressed me very much. While he could not hide his paternal love and emotions for his child, he was very upset about the fact that the Ministry of Intelligence had employed him ruthlessly against his parents and family. He could not conceal his feelings about HRW taking sides with the Intelligence Ministry against him and his family. Hassan Ezati said U.S. officers from various agencies including the FBI, the State Department, etc. had met and held private interviews with Yasser a number of times and he had never wanted to leave Ashraf and go to the U.S. exit facility. Neither did he mention a word of these allegations in these interviews. At the same time, a Norwegian lawyer by the name of Mathiassen has already written to the Human Rights Watch. In this letter, he mentions that he had private talks with Yasser Ezati and he visited his place of residence at Camp Ashraf which was in satisfactory condition. Such conditions are tremendously different from the circumstances of incarceration and torture.”<sup>129</sup>*

Habib Khorami, Tahere Eskandari & Mohammad Reza Eskandari

Habib Khorami, Tahereh Eskandari and Mohammad Reza Eskandari are three of four HRW witnesses who left Iraq after the Gulf war in 1991.

Whilst in Camp Ashraf, the FOFI delegation spoke to Leila Ghanbari who said she knew three of the individuals named in the HRW Report. She is the ex-wife of Habib Khorami. Tahereh Eskandari is her sister in law and Mohammad Reza Eskandari is her sister in law’s husband. The HRW Report does not draw attention to the family tie that exists between three of their witnesses.

Leila Ghanbari took objection to allegations in the Report of a no-exit policy at Camp Ashraf. She said, *“they say there is a no-exit policy but I am living witness to the distortion of the statement. What no-exit policy?”<sup>130</sup>*

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<sup>129</sup> Letter from Lars Rise to Kenneth Roth of HRW, July 2005

<sup>130</sup> EP Delegation interview with Leila Ghanbari, 16 July 2005

Leila Ghanbari spent two years in Kermanshah prison and married Habib Khorami in 1987, both travelling to Iraq in 1988. She has lived in Camp Ashraf for 17 years and has one son.

Leila Ghambarie says she and Habib Khorami decided to send their son (Bahador) abroad for security reasons during the Kuwait crisis in 1990/1991. Bahador was sent to Canada where he stayed with a family that were PMOI sympathisers. She added,

*“The couple accepted guardianship of my son formally. After we sent my son to Canada, my husband said that he too wanted to leave. When he requested to leave he asked me to leave with him... he insisted vehemently that I go with him... because the PMOI do not interfere in family relationships they said it was my choice, but perhaps I should go to quieten him down. It was not my desire to leave, but because of that I did. I have never wanted to leave the PMOI. He threatened and intimidated me to leave and to go with him.”<sup>131</sup>*

Leila Ghanbari said the couple left Camp Ashraf with cars provided by the PMOI. The couple went to Camp Al-Tash where Ms Ghambari says MOIS agents were active. Thus, she decided that she could not stay. She therefore left Camp Al-Tash for the UN building in Baghdad. When she got there, she asked to be taken back by the PMOI. On her last night in Camp Al-Tash, she was visited by her sister in law and her husband (Tahere Eskandari & Mohammad Reza Eskandari) who tried to persuade her to stay.

Further, PMOI officials provided the delegation with evidence, which contradicts Habib Khorami’s claim to HRW that they were “held in internal MKO prisons”<sup>132</sup>. According to the PMOI officials, Habib Khorami left the PMOI on 5 March 1992 and went to camp Al-Tash in Ramadi, which was under the supervision of the UNHCR. On 10 August 1992, he wrote to the PMOI, requesting to be allowed back into the PMOI exit facility, also known as “Miehmansara” (guest house). The HRW Report refers to the “guesthouses” as places of “detention”. Consequently, on 17 August 1992 and 1 September 1992 Habib Khorami wrote to the PMOI requesting assistance to go to Europe. These letters, all having been written months after Khorami had left

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<sup>131</sup> EP Delegation interview with Leila Ghambari, 16 July 2005

<sup>132</sup> HRW Report, pg. 4

the organisation, clearly reject these witnesses' statements to HRW. It further undermines the assertion that these letters may have been taken by force, as they were written long after he had left the organisation.

In order to give some background to the type of person Habib Khorami is, Leila Ghanbari explained that in 1999 she was contacted by the family that was looking after Bahador in Canada. They informed her that Bahador's father had been in touch and had requested to see Bahador over the summer break. Leila Ghanbari had given her consent, so long as it was for a vacation. She says,

*"Bahador did not know him and was very scared to go to the Netherlands."*<sup>133</sup>

However, he was persuaded by his guardian to go to the Netherlands. Leila Ghanbari said that after the summer break, Bahador was not returned to his guardians in Canada. She described an incident at school in the Netherlands where Bahador's behaviour had aroused the suspicion of a social worker who wanted to know what was upsetting him. Bahador had opened up to the social worker saying that he wanted to go home to his mother in Canada. The social worker took Bahador to the Canadian embassy from where he was able to contact his guardians in Canada.

According to Leila Ghanbari, Bahador's guardians said Bahador was very upset when he telephoned, saying he did not want to stay with his father and that he was being bullied and put under pressure. He was scared of his father.

Ms Ghanbarie says that Habib Khorami had started a misinformation campaign against the PMOI and even took Bahador on Dutch television to claim that his mother (Leila Ghanbarie) had abandoned him. She says,

*"He abducted Bahador from his parents in Canada. He is also recognised as a convict and as a kidnapper. He was convicted of kidnapping Bahador by a Judge in Holland. I wrote to professor Copithorne to say what they are doing to the child.... He [Bahador] is now 17 years old and lives in Iran.*

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<sup>133</sup> EP Delegation interview with Leila Ghanbari, 16 July 2005

*The MOIS prevents him from coming here [Camp Ashraf] but I know he wants to come here.... He stays with my ex-husband's family. My family only tell me this through seeing him accidentally. His sister is now in Ilam, Nasrin Khorami, and she is one of the repressive agents of the regime.... They won't even let him [Bahador] contact me.”<sup>134</sup>*

Leila Ghanbarie says that after Bahador's guardians had made a formal complaint, there was a trial in the Netherlands. The whole process took nine months and ultimately, the Court decided that Bahador be returned to his guardians in Canada. However, after he lost the case, Habib Khorami, went into hiding with Bahador and later forcibly sent him to Iran. Ms Ghanbarie says,

*“He is such a thug that he threatened the guardians. He said if you don't drop the case I will kill you... when the court proceedings became serious and the Court of Appeal and the Canadian government requested the child.”<sup>135</sup>*

Leila Ghambarie explained how Bahador's guardians were very distraught when he was not returned to them after the summer break and they later learned that he had been sent to Iran. She said that they had looked after Bahador from the age of two and a half to eleven years.

Leila Ghanbarie vehemently denied the notion of a no-exit policy. She said,

*“This is the no-exit that they speak of? I left [Camp Ashraf] and went with him [Habib Khorami] to Al-Tash Camp and there was no Mojahedin in the camp, so how can they say I was forced and prevented from going with them... this is why I call the report a lie... that is why it is an insult. How can a human rights organisation write such a distorted tale? Why did they not contact me?”*

In the Report, Mohammad Reza Eskandari and his wife Tahereh Eskandari , also told HRW of being detained inside various guesthouses after requesting to leave the PMOI in 1991. They stated,

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<sup>134</sup> EP Delegation interview with Leila Ghambari, 16 July 2005

<sup>135</sup> EP Delegation interview with Leila Ghambari, 16 July 2005

*“The organization had taken our passports and identification documents upon our arrival in the camp. When we expressed our intention to leave, they never returned our documents. We were held in detention centers in Iskan as well as other locations. We were sent to a refugee camp outside the city of Ramadi called al-Tash. Life in al-Tash was extremely harsh, more like a process of gradual death. The MKO operatives continued to harass us even in Al-Tash. Eventually in September 1992, we received refugee status from Holland and were able to leave al-Tash.”<sup>136</sup>*

PMOI officials in Camp Ashraf also provided the FOI delegation with evidence refuting allegations raised by Mohammad Reza Eskandari and his wife Tahereh Khorami. PMOI officials said both Mohammad Reza Eskandari and Tahereh Eskandari crossed the border from Iran to Iraq and they never had passports to begin with. Leila Ghanbari confirmed that they did not have passports. She said,

*“In one place they say my passport was taken from me. Let me tell you that I laughed at this claim... What passport? They were escapees!”<sup>137</sup>*

On 26 July 1991, Mohammad Reza Eskandari and his wife wrote to the PMOI officials informing the organisation of their wish to leave the PMOI and go to Camp Al-Tash in Ramadi. A year later, on 1 June 1992, in a letter to the PMOI, they asked if they could stay in the PMOI exit facility (Mehmansara). This clearly shows that their statement to HRW claiming they were detained in Mehmansara (guest house) is unfounded. They wrote the letter long after they had left the organisation and therefore they cannot claim, they wrote the letter under pressure or duress. The receipts for financial help they received from the PMOI while in Al-Tash camp and the fees for their ticket to Europe further discredit their statements to HRW.

#### Other HRW Witnesses

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<sup>136</sup> HRW Report, pg. 15

<sup>137</sup> EP Delegation interview with Leila Ghanbari, 16 July 2005

In addition to the five witnesses already considered, whilst in Camp Ashraf, FOFI vigorously pursued allegations made by the other HRW witnesses, none of which could be confirmed. Indeed, all indications tend to suggest otherwise.

Of these witnesses, Karim Haqi's claims have been dealt with in other parts of the Report, which suggested his allegations are false and that he is working with MOIS. Another HRW witness, Farhad Javaheri-Yar who claims to have been imprisoned by the PMOI, provided no evidence to support his allegation. The only information that FOFI could pursue was the place he claims to have been imprisoned. FOFI visited this site and there was no prison. Farhad Javaheri-Yar is also named in a document provided to FOFI by the PMOI, as being an agent of the Iranian regime. The same is true regarding claims by the other five HRW witnesses.

### **Other cases**

#### Ali Reza Bashiri

The delegation heard from Ms Razieh Khabazan who explained that although not directly linked with the HRW Report, she could nevertheless provide good background information on her ex-husband, Ali Reza Bashiri, who she claims is working with the Iranian regime.

Razieh Khabazan has resided in Camp Ashraf for 18 years and before that in Germany. She travelled to Iraq with her husband and daughter. She said,

*“After two years my ex-husband decided to leave and asked me to go with him. This was in 1990, but I said no so he left alone. We separated from here, as we chose two separate paths. In 1993 he asked for a divorce and I agreed to his request. Because I could not go to Norway I made a power of attorney to accept the divorce. This was accepted by a court in Norway and so we legally divorced. He re-married and had two children from his second marriage. After the war (two years ago) my sister came to visit me suddenly and said Ali Reza Bashiri is coming to see you in Ashraf. I said ‘I have no relationship with him so why is he coming?’ She did not know. He came to Ashraf... but I*

*did not see him. The surprising thing was that he came from Iran, though he was a political refugee in Norway. This convinced me that the regime was behind this. One year later he came again with my daughter. After 1991, I contacted Ali Reza and said because of the war [Gulf war] she should go and he agreed to sponsor her. I did not see my daughter since then. When she came to see me last year I was told that my brother and my daughter were here, but I found out that he was not my brother but a stranger. But I kept my daughter for 5 days. When I spoke to her it was obvious she had been worked on. She was taken to Iran once and been told bad things about Ashraf. She cried and was very worried about me. She did not believe me at first but after five days she was okay... In the spring of 2005 Ali Reza returned again but through the US forces, as he knew I was not willing to see him.”<sup>138</sup>*

Knowing that his ex-wife would refuse to see him, Ali Reza Bashiri went through the Coalition forces to arrange a visit. Upon the request of the Coalition, but against her wishes, Razieh Khabazan met Ali Reza Bashiri after some 15 years. The Coalition forces had said they had received a request from HRW. Razieh Khabazan said,

*“When I spoke to him all the scenes were artificial. He claimed he had no connection with the Iranian regime and tried to convince me of this. He tried to make it a family connection but it was obvious it was a regime issue. My reason was he came from Iran while a refugee. The other two times through Syria. This is a country that extradites PMOI members... I produced Ali Reza with the evidence. I told him I am not naïve, I am a political person, I know what you are doing. Before Ali Reza came [to Ashraf] I heard through an interview with Radio Farda that there was a Norwegian Iranian that was going to bring his spouse back from Iraq. When I told him this he said I don't know a Karim Haghi. However, Karim Haghi had mentioned him and knew all the details of his intentions and plans. After I spoke to him he showed me a visa for 6 days for me to go to Norway through this visa. This was from the Norwegian Embassy in Syria. He said come with me via Syria... he said I am not with the regime. When he came he came with another ex-PMOI member.*

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<sup>138</sup> EP Delegation interview with Razieh Khabazan, 17 July 2005



*It was clear that they were trying and intending to separate any number of us. Four times from Ali Reza and once from my family I was pressured to leave... I chose my path 17 years ago. I am not being kept forcibly and no one was forced to separate from his or her spouse. In 1993 because I wanted to continue my struggle I accepted a divorce. There was no compulsion on me. I could have left with him at any time. No one could prevent me from doing so. But as a woman I have the right to decide what I do. They try to deny me this right. After 15 years he believes he is still my owner. He said 'I am very worried about you'. I said there were worse situations, but how come you remember all of this now?'<sup>139</sup>*

Razieh Khabazan said a group of individuals had supported the HRW report and had also made her daughter sign. Since her daughter was three years old when she left Camp Ashraf, Razieh Khabazan questioned how her daughter could have verified the allegations contained in the Report.

Ms Khabazan said she last saw Ali Reza Bashiri in April 2005. After the offer of a house and car were not enough to buy her over, he left Camp Ashraf. One month afterwards, Khabazan said she,

*"Heard through the website of Nourizadeh, an agent of the regime, that I had said 'if I come with you they will kill you [Ali Reza] and my child. They will cut you into pieces and run over our daughter' This is another lie on my behalf... It is very suspicious that after 15 years he cares for me. He says he cannot visit his family, but he is not my family."<sup>140</sup>*

As Razieh Khabazan told Lars Rise,

*"Since this trip took place on April 1, 2005, she is heavily suspicious that he had intended to buy her as another witness for the HRW report, particularly that earlier, Karim Haqqi, another veteran agent of the Intelligence Ministry*

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<sup>139</sup> EP Delegation report with Razieh Khabazan, 17 July 2005

<sup>140</sup> EP Delegation interview with Razieh Khabazan, 17 July 2005

*and one of the witnesses for HRW report, had said in a radio interview that some one from Norway had gone to Iraq to rescue his wife.”<sup>141</sup>*

### Javad Firouzmand

Another remarkable case was that of Javad Firouzmand who has recently been very active on anti-PMOI websites and circles, holding press conferences and radio interviews. He alleges to have been imprisoned, tortured and even condemned to execution in front of 4,000 PMOI members. He claims to be a “*victim of forced separation of his wife Mozhgan Homayounfar, who’s now in MKO Camp in the suburb of Paris*”.<sup>142</sup> The delegation spoke to Javad Firouzmand’s ex-wife, Mojgan Homayounfar in Camp Ashraf, Iraq.

Ms Homayounfar was a young girl of 20 years, active in support of the PMOI, when she was attacked in Tehran whilst waiting for a taxi. She said her attackers had wanted to kidnap her, but overcome by her resistance they attacked her using swords and then amputated her left leg. Intent on killing her, they then ran over her with a car. Even though it was late in the evening, Ms Homayounfar escaped certain death when local people helped her to hospital.

Twenty-four years after the event, the physical evidence is still visible. Ms Homayounfar walks with a limp, as she has an artificial limb and has cigarette burns on her hands. She says,

*“After two months they [the Iranian regime] found my whereabouts and took me to Evin prison where Lajevardi’s [notorious executioner] agents came and took me. For the next three years I was a witness to hangings, torture and the death of my friends.”<sup>143</sup>*

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<sup>141</sup> EP Delegation interview with Razieh Khabazan, 17 July 2005

<sup>142</sup> Radio France Farsi Section, 12 July 2005

<sup>143</sup> EP Delegation interview with Mojgan Homayounfar, 18 July 2005

Having left prison and with the help of the PMOI, Ms Homayounfar held press conferences and travelled to the UN in Geneva and New York to tell her story and highlight the human rights abuses that were taking place in Iran. She said,

*“I have since been active in the Mojahedin. I tell you this because an agent by the name of Javad Firouzmand (my ex-husband) who I had divorced fourteen years ago held a press conference to claim that the rights of the family are violated and taken away and he expressed sorrow for the fact that the PMOI fabricated the story [her torture] to get condemnation for the Iranian regime in the General Assembly of the UN... One of the things he claims is that the PMOI forced us to divorce, even though I myself two or three times asked to be separated from and then decided to divorce him... What I wanted to say is don't allow the agents of the regime to carry out their activism outside [Iran].”<sup>144</sup>*

Ms Homayounfar says after they were married, she noticed his motivation had been as a result of the fact that she was being dispatched to various countries to tell her story and he could accompany her. She maintains this was an area of dispute between them. She said she felt his wanting to travel to these countries was fine, but using her and the PMOI's resources to do so was not.

Ms Homayounfar said Firouzmand was not a high-ranking member of the organisation as he claims. She said,

*“He also claims he is high ranking in the PMOI but since I have known him he was not seen as an official or high ranking person. But what he did do was the shopping... his last position was as a shopper for Al Amara. Let me explain that this is a town where many of the agents were operating. This is where he established his relationships with the agents. I have his hand written documents where he went shopping. He got discounts and kept the difference. He pocketed it and saved to use at the right time. He had asked Iraqi locals to get in touch with the Iranian Embassy and give them the code name*

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<sup>144</sup> EP Delegation interview with Mojgan Homayounfar, 18 July 2005

*‘Mohamad Alavi’ so they know him. I am giving you these details because when he claims he is not an agent of the MOIS it is a lie.’<sup>145</sup>*

Ms Homayounfar says her ex-husband was expelled from the organisation, which is why he then said he wanted to leave. She explained that,

*“He said in a conference last week (July) in Paris that my only aim is to go to a free country and write my words freely. Let me ask you what would happen in a democratic country if somebody was caught giving sensitive information to the enemy [here the Iranian embassy]. It is espionage and we are at war with an enemy. When the PMOI allowed him to stay as a refugee this is what he does.’<sup>146</sup>*

Ms Homayounfar’s views were that with the election of Ahmadinejad, the Iranian government was now in a weak position. She said she personally never saw Ahmadinejad in prison, but had heard of a man who had fired 1,000 *coup de grace* shots at prisoners. She went on,

*“The regime has been disgraced by this and as you know there are increasing reports of repression and execution and abroad they want to pursue terrorism. These agents by these actions are preparing the grounds for this... He says [Firouzmand] that he wants to be a refugee in France. That is a surprise from an agent of the regime. What is the need for him to become a political refugee... when he was interviewed by the BBC he said that he was well treated in Iran. Well why didn’t he stay?”*

Ms Homayounfar provided the delegation with a disc of photographs of her scars from torture she endured in prison.

### Shams Haeri

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<sup>145</sup> EP Delegation interview with Mojgan Homayounfar, 18 July 2005

<sup>146</sup> EP Delegation interview with Mojgan Homayounfar, 18 July 2005

In the course of its investigations, FOI came across serious allegations made against the PMOI by Hadi Shams Haeri. According to his wife Mahin Nazarie,

*“He was not mentioned by HRW, but is one of the paramount figures of propaganda. After the gulf war of 1991 he could not continue the struggle and decided to leave so he went to Camp Al-Tash. He asked me to go with him but I refused. The PMOI asked me to go with him but I said no. This is when his resentment started. I said I wanted to stay and continue the struggle.”*<sup>147</sup>

Ms Nazarie said that after the Gulf war the couple had decided to send their children abroad for their safety. However, after he had decided to leave he asked for the children to be sent to him in Camp Al-Tash. She said,

*“He could not look after them for more than two months and left them on the streets of Baghdad. He said if you try to return the children to me I will go to the police. I looked after them and then from Europe he asked for the children again. The PMOI asked me to solve the issue. I left for Germany and there was a court case to decide the guardianship of the children. The German court did not recognise him and gave me guardianship. They [their children] both testified that they didn’t want to see him or stay with him. This is when he started the propaganda campaign. They made a determination as to where they wanted to stay. In the same court I requested an official divorce and we were divorced.”*<sup>148</sup>

The delegation was provided with a copy of the court papers that said guardianship was given to the mother of the children because of the father’s indoctrination of them. An extract of the Court’s ruling read,

*“After hearing the parents, the children and the Youth Department, the court is convinced that the children's welfare is better secured with the mother than anyone else. At the outset, the two children clearly stated in a hearing that*

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<sup>147</sup> EP Delegation interview with Mahin Nazarie, 17 July 2005

<sup>148</sup> EP Delegation interview with Mahin Nazarie, 17 July 2005

*they want to stay with their mother in the future. After the separation of the family, the mother, unlike the father, has tried to establish regular contact with the children since 1993. The Youth Department notes that in the last ten years, some sort of alienation has affected the children and their parents. The court investigation shows that the mother is doing her utmost to reduce this problem. The request by the father to appoint someone other than the mother for the children cannot be under these circumstances accepted. The parent's right to custody takes precedence over other persons. The danger of brainwashing and unilateral exertion of influence on the children appears to be greater with the father than with the mother. An example is the sudden appearance of the father at his son's school. The children's mother gives the impression that she does not see the welfare of her children solely through political indoctrination. All things considered, giving the mother custody is the best option as far as the welfare of the children is concerned."*

Ms Nazarie added that after the court case and for the remainder of their time in Germany, he continued to harass the family and even attempted to kidnap the children. Mahin Nazarie also explained that when Ms Hicks of HRW visited Germany to speak to alleged former members of the PMOI, Ms Nazarie asked for a meeting with Ms Hicks, who refused to see her. Ms Nazarie said she also met with and spoke to Professor Copithorne and Lord Avebury. Lord Avebury writes of their meeting,

*"It was unfortunate that Ms Hicks was unable to find time to see Mrs Nazari, the ex-wife of Shams Haeri, who called on me today. She says that although Mr Haeri claims to have held a high rank in the Mojahedin, he was actually employed in very low-level tasks... At the time of Desert Storm, Shams Haeri became openly hostile to the PMOI – though he had never been more than a hanger on – and when he was unsuccessful in persuading his wife to desert, he left for Ramadi, the UNHCR camp... He then asked for his two children Amir and Nusrat (who was 6 at the time) to be brought back from Germany... When it became clear that Mrs Nazari could not be persuaded to fall in with his plan, he dumped the children on the NLA. Finally, Shams Haeri managed to get to Holland, and brought an action for custody of the children in the*

*German courts. He claimed in a book and in articles that his wife had been kidnapped by the Mojahedin and that the movement had forcefully separated them from one another. The book, Mrs Nazari said, was full of lies, but it was useful to the regime, which had it translated into Arabic and circulated it widely.*"<sup>149</sup>

In conclusion Ms Haeri said, "*...this is not a parent and child dispute, but an issue between an individual and the regime.*"<sup>150</sup>

Nosrat Nazari and Amir Nazari also reside at Camp Ashraf and the delegation was able to speak to both of them. Amir Nazari said that after the Gulf war he and his sister had been sent to Germany. He had been in school for only one week when he was told he was going back to Iraq upon his father's insistence. He said he had just begun to settle into school in Germany when he was returned to a war zone. He says,

*"We were returned with great difficulty. He [Shams Haeri] thought if he could keep us, he could keep our mother too. He was prepared to compromise our safety at any cost... it was not like we were father and child. We had no feelings. We were with him for two months. I was eleven and she [Nosrat] was seven. The only thing we didn't have was love and affection. Nosrat was always at our neighbours... and I was selling cigarettes in the streets of Ramadi. He would swear against the PMOI and say 'children belong to their mother' and 'you have to return to your mother' ...we were morally messed up as we had no hobbies, no life and it was a war-riddled city. After he ran out of patience he put us in a car and drove us into town and put a letter in my pocket that said 'I have no responsibility towards these children' and 'if they are returned to me I will report you to the Iraqi Intelligence Services' ...Under the supervision of the MOIS he is labelling the PMOI as kidnappers but when he couldn't keep us we were returned again to the PMOI to take care of us."*<sup>151</sup>

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<sup>149</sup> Letter from Lord Avebury to Kenneth Roth, dated 17 February 1997

<sup>150</sup> EP Delegation interview with Mahin Nazari, 17 July 2005

<sup>151</sup> EP Delegation interview with Amir Nazari, 17 July 2005

Recalling how his father had again tried to regain the two children, Amir said,

*“Because I didn’t want to go with him, he swore at the PMOI, although they [PMOI] would have been better off to just let us all go with him, and we had this choice but we chose to remain with our mother and the PMOI paid the price for this.”*<sup>152</sup>

On one occasion (whilst Amir was in school in Germany), he was approached by his head teacher who told him there was someone to see him. Upon his head teacher’s insistence, Amir Nazari saw his father. He says,

*“When the head teacher said ‘please listen to him’ I did so even though I didn’t want to and I saw the misinformation he was spreading against the PMOI. The scene was so despicable that the head teacher threw him out and reported him to the youth officer... This harassment continued so long as we were in Germany until we went to court. Because we were under 18, guardianship was given to my mum. He got worse because of this. He is now always on the regime [internet] sites... He made a claim on a MOIS site that ‘my children are detainees of Rajavi and I want them to be free’. We answered him in a letter and said that we made a free choice. Something he commonly does is say ‘my children’. I am 25 and my sister is 21. For those who don’t know, they think we are under 18. They tried to do this in 1994, which is why I went to see HRW. I was not given an appointment. For 14 years he has been speaking against the PMOI with the excuse of his children.”*<sup>153</sup>

The delegation also spoke to Nosrat Nazari (Shams Haeri’s daughter) who is a singer in the orchestra at Camp Ashraf. In this role she is a familiar face to viewers of Iran National Television (Semmay-e Azadi), which also broadcasts about life in Camp Ashraf.

She said,

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<sup>152</sup> EP Delegation interview with Amir Nazari, 17 July 2005

<sup>153</sup> EP Delegation interview with Amir Nazarie, 17 July 2005



*“I was 7 years old in Camp Al-Tash and had no proper clothing and walked barefoot. I spent my days in other people’s homes at neighbours... if there was going to be a compassionate relationship he had the time. The intention is clearly to follow the MOIS and not to keep us... we gave him the opportunity but he abused that...*

*They say they cannot communicate with the outside world. He accused us of being cut-off from the outside world. Because I perform in an orchestra, I perform as a singer, so I do have contact with the outside world.”<sup>154</sup>*

### Ardashir Parhizkari

Shortly after publication of the HRW Report, the British broadsheet newspaper, ‘The Guardian’, published a half page article concerning the HRW Report. The Guardian begins by providing details of the PMOI’s extensive support in the British Parliament and amongst Britain’s leading human rights lawyers and then goes on to provide details of testimonies from two individuals described as ‘refugees’ from the PMOI, living in the Netherlands.

One of the individuals named in the report is Ardeshir Pahrizkari who is said to walk using crutches. The article stated,

*“His back and feet were broken, he told us, when he was punched, kicked and had chairs thrown at him at a mass meeting to denounce him organised by his commander.”<sup>155</sup>*

Whilst at Camp Ashraf, the delegation spoke to Mr Gasem Pahrizkari who is Ardeshir Pahrizkari’s cousin. He said, that because Ardeshir’s brother had been executed in Iran, they had lived together and were very close.

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<sup>154</sup> EP Delegation interview with Nosrat Nazarie, 17 July 2005

<sup>155</sup> ‘Tank girl’ army accused of torture, The Guardian, dated 31 May 2005

Ghasem Pahrizkari expressed surprise that Ardeshir, whilst describing the symptoms of Poliomyelitis (a condition he has suffered from childhood), could attribute this to evidence of torture and abuse. He said,

*“I know he was well treated because of his polio. The work given to him was very simple according to his abilities... He was regularly visited by Doctors and NLA specialists. Because of the humane relationship that exists, he had a private chauffeur and car to take him around... I know it was since he was here that he decided to co-operate with the regime... It takes several months to go to Europe [from Iraq]. How was this possible? How could he claim he escaped with this condition if he was seriously crippled he would not be able to move. This is a very unwise lie”<sup>156</sup>*

Ghasem Pahrizkari’s views were further reiterated by three of the Doctors at Camp Ashraf, each of who had treated Ardeshir whilst he was there.

Dr Hadi Medghalchi a graduate of Tehran University was Ardeshir’s Doctor for five years. He says that Ardeshir suffered polio in his back and leg muscles and that as a result, one leg was 6 to 7 inches shorter than the other. Dr Medghalchi said of the allegations of torture,

*“As a physician when I read the article I was shocked. Any distinguished physician would recognise it [Polio]. There is no special treatment. When he claims there is a bone fracture it shows the bogus nature of the allegation, in polio, the muscles are weakened and that’s why he has breaks.”<sup>157</sup>*

Furthermore, Dr Javad Ahmadi who has known Pahrizkari for many years explained how because of the fact that he had one foot shorter than the other, they had created a raised shoe for him. Thus without these he must rely on crutches. Dr Ahmadi is also a graduate of Tehran University and has over 30 years experience as a Doctor. He says,

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<sup>156</sup> EP Delegation interview with Ghasem Pahrizkari, dated 18 July 2005

<sup>157</sup> EP Delegation interview with Hadi Medghalchi, dated 18 July 2005

*“What he says, are the exact symptoms of polio, but he claims they are signs of torture. It just does not make sense. We are Doctors and we can easily recognise the difference. I am saying the symptoms he is describing are because of the polio. I was shocked... How can he explain his childhood disease as torture?”*<sup>158</sup>

The three doctors interviewed by the delegation regarding Ardeshir Pahrizkari said he was given privileged roles in the organisation because of his condition. They further argued that had ‘The Guardian’ sought a medical examination of Ardeshir Pahrizkari, they would have detected the polio and realised he had not had bones broken as a result of torture.

Also in Karim Haggi Moni’s book, which *“contains the combined input of the experiences of tens of former members”* there is a statement by Massoud Tayebi, who acknowledges that,

*“Ardeshir is physically disabled and is a wheelchair user”*.<sup>159</sup>

This is consistent with Pahrizkari having polio, and not, as he told ‘The Guardian’ he being beaten so badly that he now walks with a limp.

Interestingly, The Guardian also quotes Anne Singleton, who is said to live in Leeds. She is very critical of the PMOI, referring to it as a cult. Upon further investigation, the FOI delegation learned that Anne Singleton is in fact Anne Khodabandeh (nee Singleton). In a witness statement provided to the British Courts on 12 November 2002, Abraham Khodabandeh, the brother-in-law of Anne Khodabandeh provided further details about his sister-in-law and her husband, Massoud Khodabandeh. He states,

*“The person who set up and runs “Iran-Interlink” [a website severely critical of the PMOI] is my brother’s wife, Anne Khodabandeh... but it was not until four years ago that I began to suspect that she had links with the Iranian*

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<sup>158</sup> EP Delegation interview with Javad Ahmadi, dated 18 July 2005

<sup>159</sup> ‘Dossier of Facts on the People’s Mojahedin Organisation of Iran’ by Karim Haggi Moni, pg. 136

*clerical regime... My suspicions regarding my sister-in-law arose from the following chain of events. About four years ago (that is, in 1998) I received a number of urgent telephone calls from people I knew in the office of the International Red Cross in Baghdad. I was told that an urgent message was waiting for me from my mother (who lives in Iran). I found it very strange that she had sent me a message to the Red Cross in Baghdad... because it was easy for my mother to contact me whether directly, or through my brother Massoud... I then spoke to my mother in Iran, and asked her why she had left this message for me. She said that my brother Massoud and his wife, Anne, had asked her to, and had told her about PMOI members being ill-treated in Iraq, and prevented from leaving Iraq... I found it extraordinary that my brother would do this...*

*I then learned that Anne Khodabandeh had travelled to Iran... I found that surprising because, generally speaking, those Iranians (or their spouses) who are opponents of the regime, do not travel to Iran under any circumstances...*

*Then early this year, when I was again in Iraq, I received another call from someone I knew at the International Red Cross office in Baghdad. I was again told that there was an urgent message waiting for me. When I went to collect this message, I discovered that it was from my daughter... I called my daughter from Baghdad and asked her who had asked her to send a letter to me... she told me it was Anne Khodabandeh... I considered Anne Khodabandeh's motivation to be suspect... I believe that Anne Khodabandeh is seeking to give the world the impression that I am one of the people whom the Iranian regime, and its agents, says are being held against their will by the PMOI."<sup>160</sup>*

On a visit to his daughter in Birmingham, Abraham Khodabandeh saw his brother and sister in law, he wrote, “Anne Khodabandeh told me quite openly that she had visited Iran a few months before, showed me her photographs, and told me that during her visit she had been to Khomeini’s grave. I found this an incredible

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<sup>160</sup> Witness Statement of Abraham Khodabandeh, 12 November 2002

*statement from someone who purports, through her website, to be concerned with human rights.*”<sup>161</sup>

Further details about Massoud Khodabandeh’s involvement in the HRW Report are provided at the end of this section.

### The role of Nejat

In discussions with residents at Camp Ashraf, the delegation was informed of various forms of psychological pressure placed on the families of PMOI members living in Iran, by the Iranian regime or groups affiliated with the regime.

Upon its return, the delegation conducted research into these groups, which are said to be set up in order to save PMOI members imprisoned in Camp Ashraf. One example is an organisation by the name of ‘Nejat’ or rescue translated into Farsi. The main aim of these groups appear to be to place pressure on the family members of PMOI members in Camp Ashraf, to in turn place pressure on their relatives in Camp Ashraf to leave the Camp and return to Iran.

Hosseinali Amiri, General Director of the Judiciary in Fars province, Iran, stated,

*“Nejat Association is made up of those who have left hypocrites [the name used by the Iranian regime for the PMOI] in each province, under the supervision of the Intelligence Ministry and the section for combating hypocrites. They are very active. Without referring to Ministry of Intelligence, they are contacting almost all families of the members of the hypocrites through the country ...”*<sup>162</sup>

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<sup>161</sup> Witness Statement of Abraham Khodabandeh, 12 November 2002

<sup>162</sup> [www.nejatngo.org](http://www.nejatngo.org), 2 May 2004

## Inspection of Sites at Camp Ashraf

FOFI, having studied the Report, was eager to visit the sites of alleged abuse at Camp Ashraf. As stated in Part I, all trips were unannounced and the FOFI delegation was permitted full and unrestricted access to Camp Ashraf and its facilities.

According to the Report,

*“The testimonies of the former MKO members indicate that the organization used three types of detention facilities inside its camps in Iraq. The interviewees described one type as small residential units, referred to as guesthouses (mihmansara), inside the camps.”<sup>163</sup>*

Karim Haqi, Tahereh Eskandari, her husband Mohammad Reza Eskandari and Ali Ghashghavi describe being taken to Iskan.

Karim Haqi writes,

*“I was confined inside a building called Iskan together with my wife and our six month old child. Iskan was the site of a series of residential units that used to house married couples...”<sup>164</sup>*

Former members of the PMOI, who were at the time in Iraq and personally knew Karim Haqi, have refuted his statement. Haqi and his family *“were at a transit hotel as they were being transferred by request to go abroad.”<sup>165</sup>* According to the Iran Policy Committee, Karim Haqi is an MOIS agent, whom Dutch security warned for his recruitment efforts against Iranian dissidents and contacts with Iranian intelligence in the Netherlands.

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<sup>163</sup> HRW Report, pg. 14

<sup>164</sup> HRW Report, pg. 15

<sup>165</sup> Iran Policy Committee, interview with Manouchehr Jannati

Mohammad Reza Eskandari and his wife Tahereh Eskandari “*also told Human Rights Watch of being detained inside various guest houses after requesting to leave...*”<sup>166</sup>

As discussed earlier, the FOFI delegation was provided with convincing evidence that this statement is false.

Ali Ghashghavi provides further details. He stated,

*“They took me to a place inside Camp Ashraf called Iskan. It is at the far corner of the camp where a series of apartment buildings were used to house families. It was a rather isolated spot-barren desert and frighteningly secluded.”*<sup>167</sup>

Camp Ashraf is built on desert land. Due to the vast space it covers, buildings may appear secluded as a result of the space between them. Nevertheless, the delegation visited guesthouses or mehmansara that had in the past housed PMOI families. The delegation found nothing irregular or contrary to what one might expect.

The HRW Report also referred to a further type of detention centre, a “*bangal*”. It stated,

*“The second type of detention inside the MKO camps was called bangali shodan by the witnesses, referring to solitary confinement inside a small pre-fabricated trailer room (bangal). Dissident members who requested to leave the organization as well as ordinary members were detained in the bangals.”*<sup>168</sup>

Camp Ashraf has tens, if not hundreds of bangals described rather aptly in the Report. Bangals are small trailer rooms or mobile rooms that serve various functions. The delegation inspected several random bangals at Camp Ashraf and witnessed PMOI personnel at work. They were used as offices or for various other purposes. In any

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<sup>166</sup> HRW Report, pg. 15

<sup>167</sup> HRW Report, pg. 23

<sup>168</sup> HRW Report, pg. 15

event, due to their light and therefore weak construction, these bangals were clearly not appropriate for use as detention centres.

The third type of detention centre to which the HRW Report referred was actual prisons. The Report stated,

*“The third type of detention reported by the witnesses encompassed imprisonment, physical torture and interrogations inside secret prisons within the MKO camps. These prisons were primarily used for persecution of political dissidents. Their existence was unknown to most members. The witnesses who suffered under this form of detention told Human Rights Watch that they were unaware that the organization maintained such prisons until they experienced it firsthand.”*<sup>169</sup>

If the prisons were secret and therefore the witnesses did not know where they were, it is difficult to conceive how the witnesses could then describe these prisons. In one example, even though he states that he was blindfolded, Ali Ghashghavi still managed to describe how the prison is in the middle of the camp and even provided an avenue number.

Akbar Akbari, a HRW witness said he was taken to a place called Ghaleh Afsaneh, *“I was taken to a fort called Ghaleh Afsaneh and kept in solitary confinement for a full year...”*<sup>170</sup>

FOFI visited the site referred to and known as Ghaleh Afsaneh, and cannot support this allegation.

Two witnesses, Farhad Javaheri-Yar and Ali Ghashghavi allege to have been imprisoned in a cell in Avenue 400 of Camp Ashraf. Farhad Javaheri-Yar says, *“I was moved to a prison cell in Avenue 400 of Camp Ashraf”*<sup>171</sup>. Ali Ghashghavi said,

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<sup>169</sup> HRW Report, pg. 16

<sup>170</sup> HRW Report, pg. 27

<sup>171</sup> HRW Report, pg. 22



*“We stopped inside an area that was approximately at the centre of the camp. I didn’t know this was a prison until I was taken there. The prison was on Avenue 400 of Camp Ashraf near the water tanker.”*<sup>172</sup>

The FOFI delegation travelled along avenue 400 on several occasions. Although there is a water tanker on avenue 400 there was certainly no evidence to support the allegation that there was a prison there.

An eyewitness *“denies any mistreatment of anyone in Camp Ashraf. He knew personally three of the individuals named in footnote 12 on pg. 4 of HRW report: Mohammad Reza Eskandari, Karim Haqi, and Tahereh Eskandari. He was there in Camp Ashraf with them and knows there was no jail cells there, no bars, no prison.”*<sup>173</sup>

### **No Exit Policy**

The title of the Report and the theme throughout is of a “No Exit Policy”. Having spent a period of time with PMOI personnel at Camp Ashraf, the HRW conclusion of a ‘No Exit Policy’ is inconsistent with the FOFI delegation’s observations. Instead, the delegation spoke to men and women of varying age and rank who shared one goal, to free their people from the clerical tyrants in Tehran. As Lars Rise wrote,

*“There is a world of difference between what I saw in the PMOI in Ashraf City during several days of free investigations and first-hand interviews with different people from various ranks, and what you have depicted via just 12 hours of overseas telephone interviews with Iranian Intelligence Ministry agents. I saw dignified people who have made the greatest sacrifices to achieve freedom and democracy in their homeland. They have even pardoned infiltrators and their own murderers and sent them to Iran. No notion to deliberate or even non-deliberate maltreatment sticks to them, as they have tremendous discipline in respecting the rights of others.”*<sup>174</sup>

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<sup>172</sup> HRW Report, pg. 23

<sup>173</sup> White Paper, Iran Policy Committee

<sup>174</sup> Letter from Lars Rise to HRW, dated June 2005

Contrary to what one might imagine, Camp Ashraf is home to an army of intellectuals, comprised of well educated and predominantly middle class Iranians who have made the decision to sacrifice a conventional lifestyle, in order to join the resistance movement and free their country from oppression. Many of its residents have moved to Camp Ashraf, from the comfort of their lives in London, Paris, Berlin, Washington D.C, New York, and other cities around the world. Others have joined the movement from Iran.

During the delegation's trip to Camp Ashraf, FOFI was able to observe PMOI personnel and speak to them in an informal manner. FOFI found the residents to be both friendly and open. The delegation was free to speak to male and female residents about any manner of issues, and found the PMOI personnel very much up to date on news relating to their homeland, Iran, as well as major international developments.

For many years, before handing over their arms, the PMOI personnel operated in the structure of a fully mechanised army. Yet in Camp Ashraf, one does not have the impression of being in a military base, but rather in a city of individuals bought together by a shared goal.

A surprising feature of Camp Ashraf is the number of young residents. Contrary to the impression of 'an ageing army' reported in some of the websites critical of the PMOI, FOFI spoke to tens of young people who had travelled to Camp Ashraf to join the PMOI. It was enlightening to hear the younger generation of residents recount their reasons for leaving their lives in the West to volunteer and join the organisation.

Outside the entrance to Camp Ashraf a political tempest brews over the country, but within its walls and away from the political confusion that abounds, one thing is certain, the determination and commitment of the residents to overthrow the Iranian regime and their unwavering desire to stay put.

It is also of interest to note that on 27 May 2005, nine days after the HRW report was issued, Iraq's acting National Human Rights Inspector released a report on his

findings during a fact-finding mission to Camp Ashraf. Sofyan Abbass said in his report on the PMOI that he “*did not find any proof or reason to believe that human rights were violated in Camp Ashraf*”. His report, based on visits to Camp Ashraf between November 2004 and May 2005, noted that despite a rigorous and methodical inspection of the entire compound no “*torture centres*” or “*prisons*” were discovered. Abbass said he privately interviewed several hundred PMOI personnel and concluded that individuals in Camp Ashraf were never subjected to torture by the PMOI or abused in any way by the group.<sup>175</sup>

Further, having visited Camp Ashraf, Hannah Allam, a correspondent for Knight Ridder, wrote on 18 March 2005,

*“The U.S. military has investigated claims that the Mujahedeen were keeping people in Ashraf against their will, but found no solid evidence. As one senior U.S. military official, who spoke on condition of anonymity, put it: ‘I think they’ve been captured by ideas and dogma, but they are not prisoners. They are reasonably physically free to leave.’”*

The memorandum of understanding, signed on 1 November 2003 by Colonel Cantwell on behalf of the multinational force, and Mr. Mehdi Barai on behalf of the PMOI clearly demonstrates the PMOI policy on this issue. It states,

1. Persons wishing to leave Camp Ashraf to lead their ordinary life will stay in the Exit Facility due to the decision of U.S. forces to complete a specified interview process for all personnel at Camp Ashraf.
2. As far as the People’s Mojahedin of Iran (PMOI) is concerned, these individuals are free to leave Ashraf Camp the moment they decide to leave the camp to lead an ordinary life.
3. In light of the above reasons, the Exit Facility is under the authority of the U.S. forces based in Camp Ashraf.

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<sup>175</sup> ‘Iraqi Rights Inspector clears Iran Group of abuse charges’, Iran Focus website, 27 May 2005

4. The PMOI will continue to provide living accommodations to those who do not wish to stay at the U.S.-controlled Exit Facility until their specified interview is complete.
5. For humanitarian reasons and upon the request of U.S. forces, the PMOI will continue to provide food, repair needs and other basic supplies for the Exit Facility.
6. Upon the request of the U.S. forces, the PMOI will attend, as much as possible, to the medical needs of individuals staying at the Exit Facility.
7. The Exit Facility is under the authority of U.S. forces and the rules governing entry and exit to this facility are similar to regulations outside Ashraf Camp.
8. PMOI liaisons periodically visit the Exit Facility to make sure the personnel based in this facility do not have any shortcomings and to take appropriate measures to provide for their needs, if any.
9. Individuals based in the Exit Facility can meet with their immediate relatives in Camp Ashraf or otherwise write to them.
10. The U.S. forces will inform the PMOI, if any of the individuals staying at the Exit Facility wished to return to the PMOI. The said individual can return to the PMOI, only if the PMOI agrees to this request.

## **PART III**

### **Reaction to Human Rights Watch Report**

Having visited Camp Ashraf, the FOFI delegation also considered general reaction to the publication of the HRW Report. It found that reaction to the Report has been wide-ranging and extensive. There were those, including the witnesses in the Report, the Iranian regime's media and websites critical of the PMOI, who welcomed the Report and suggested that the Report did not go far enough. There were also large numbers who were very critical of the Report.

It was hardly unexpected that the PMOI and its members in Iraq would vehemently criticise the Report. After all, they were the subject of very serious allegations. However, what was unexpected was that criticism came not only from the accused, but also from a host of other sources, including Parliamentarians, lawyers, other human rights organisations, as well as former PMOI members, who all added their voice to the concerns raised. These people expressed misgivings and concern about what they described as the flawed methodology used by HRW in the preparation of the Report, which according to them, made the findings of the Report unsafe.

Following further scrutiny, it was found that the objections to the Report were generally based around a number of key questions or concerns, which are dealt with below. However, before addressing those concerns, it was deemed necessary to refer briefly to "The Istanbul Protocol" (The Manual on Effective Investigation and Documentation of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment). This document was submitted to the United Nations Office of the High Commissioner for Human Rights in August 1999 by its nearly 40 participating organisations, which include HRW. The aim of the Istanbul Protocol is described in the introduction as being "*to serve as international guidelines for the assessment of persons who allege torture and ill-treatment*" and "*for investigating cases of alleged torture...*"<sup>176</sup> The Istanbul Protocol is said to represent minimum standards based on

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<sup>176</sup> The Istanbul Protocol, pg. 1

the principles and should be used taking into account available resources.<sup>177</sup> The manner of its drafting and its aim is to protect victims of torture.

A perusal of Chapter III of the Istanbul Protocol, which deals with the investigation of torture, reveals certain principles that are of relevance when considering the concerns raised about the Report. In the introduction to the chapter, the fundamental principles of any viable investigation into incidents of torture are said to be, “*competence, impartiality, independence, promptness and thoroughness.*”<sup>178</sup>

In reading this Chapter, there is the clear implication that, wherever possible, alleged victims of torture should be interviewed face-to-face and that the gathering of the necessary evidence may take some time. By way of example, a part of this section states,

*“The location of the interview should be as safe and comfortable as possible, including access to toilet facilities and refreshments. Sufficient time should be allotted to interview the alleged torture victim. Investigators should not expect to get the full story during the first interview.”*<sup>179</sup>

The rationale behind this is understood in the words,

*“...it is essential that investigators observe not just the words but also the body language, facial expressions, tone of voice and gestures of the interviewee if they are to get a full picture.”*<sup>180</sup>

As will be seen below, HRW seem to have ignored these guidelines in the preparation of the Report. Despite its 12 witnesses residing in Europe, HRW decided to interview them on the telephone for a total of 12 hours.

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<sup>177</sup> The Istanbul Protocol, pg. 2

<sup>178</sup> The Istanbul Protocol, pg. 16, paragraph 73

<sup>179</sup> The Istanbul Protocol, pg. 19, paragraph 92

<sup>180</sup> The Istanbul Protocol, pg. 29, paragraph 151

Further, despite its purpose being to protect the victims of torture, the Istanbul Protocol nevertheless clearly envisages that the stories of alleged torture victims should be challenged. It warns interviewers against the risk of identifying with those alleging torture and therefore not being sufficiently challenging of the story.<sup>181</sup> It further states,

*“In obtaining background information on torture and ill-treatment, one should be cautious about suggesting forms of abuse that a person may have been subjected to. This may help separate potential embellishment from valid experiences. However, eliciting negative responses to questions about various forms of torture may also help establish the credibility of the person.”*<sup>182</sup>

The Istanbul Protocol also clearly highlights the need for investigators to interview the alleged perpetrators of torture, wherever possible.<sup>183</sup> This was again ignored by HRW, thereby inviting severe criticism. This is especially so, as it would appear to have been very easy for HRW to seek a response from the NCRI and/or the PMOI.

The Istanbul Protocol further draws attention to the importance of obtaining physical evidence. In this regard, the Istanbul Protocol states,

*“The investigators should gather as much physical evidence as possible to document an incident or pattern of torture. One of the most important aspects of a thorough and impartial investigation of torture is the collection and analysis of physical evidence.”*<sup>184</sup>

It goes on,

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<sup>181</sup> The Istanbul Protocol, pg. 19, paragraph 93

<sup>182</sup> The Istanbul Protocol, pg. 27, paragraph 139

<sup>183</sup> The Istanbul Protocol, pg. 20, paragraph 100

<sup>184</sup> The Istanbul Protocol, pg. 20, paragraph 101

*“The investigator should arrange for a medical examination of the alleged victim... A medical examination should be undertaken regardless of the length of time since the torture...”*<sup>185</sup>

In formulating a clinical impression, the Istanbul Protocol sets out six important questions to ask, including,

*“Are the physical and psychological findings consistent with the alleged report of torture?”*

*Does the clinical evidence suggest a false allegation of torture?”*<sup>186</sup>

Despite the 12 HRW witnesses alleging very severe forms of torture, such that they even allege that two individuals died under torture, HRW failed to obtain any physical evidence or medical examinations, which are said by the Istanbul Protocol to be *“the most important aspect of a thorough and impartial investigation of torture.”*

The Istanbul Protocol also suggests that an investigation of the place of torture is required. In this regard, it states,

*“Investigative personnel and other investigators should coordinate their efforts in carrying out a thorough investigation of the place where torture allegedly took place.”*<sup>187</sup>

As will be seen below, HRW attracted severe criticism for not visiting Camp Ashraf, especially as it had received invitations to do so.

The Istanbul Protocol also requires that the details of the investigator be provided, including his or her qualifications and experience.<sup>188</sup> This is not something that was done by HRW in the Report.

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<sup>185</sup> The Istanbul Protocol, pg. 21, paragraph 103

<sup>186</sup> The Istanbul Protocol, pg. 21, paragraph 104

<sup>187</sup> The Istanbul Protocol, pg. 21, paragraph 101

<sup>188</sup> The Istanbul Protocol, pg. 30, paragraph 159



Consideration of the points made in the Istanbul Protocol led FOFI to carry out a brief review of comparative studies carried out by HRW. FOFI considered a number of HRW reports including those entitled, ‘Like the Dead in Their Coffins, Torture, Detention, and the Crushing of Dissent in Iran’<sup>189</sup>, ‘Genocide in Iraq in 1993’<sup>190</sup>, ‘Darfur Destroyed, Ethnic Cleansing by Government and Militia Forces in Western Sudan’<sup>191</sup>, ‘The New Iraq? Torture and ill-treatment of detainees in Iraqi custody’<sup>192</sup>, ‘Off Target: The Conduct of the War and Civilian Casualties in Iraq’<sup>193</sup>, ‘Hearts and Minds - 2003 Post-war Civilian Deaths in Baghdad Caused by U.S. Forces’<sup>194</sup>, ‘Climate of Fear: Sexual Violence and abduction of Women and girls in Baghdad’<sup>195</sup>, and ‘Violent Response, The US Army in Al-Falluja’.<sup>196</sup>

These reports illustrate a sharp difference in the standards of investigation adopted in those studies as compared to those used by HRW in its report on the PMOI. These reports illustrate extensive efforts made by HRW to carry out on the ground investigations and to conduct face-to-face interviews with vast numbers of witnesses, often in very hazardous conditions and in war torn countries. By way of example, in the case of the report entitled ‘Genocide in Iraq in 1993’, HRW states that it sent two researchers and an assistant to the Kurdish region of Iraq on three separate missions between April 1992 and April 1993, conducting approximately 350 in-depth interviews. In another report entitled ‘The New Iraq? Torture and ill treatment of detainees in Iraqi custody’, HRW states that it interviewed ninety current and former detainees in Iraq between July and October 2004. It goes on to explain how at the time of interview over seventy of the witnesses were in prison. This is in direct contrast to its use of telephone interviews when speaking to the 12 witnesses in its report on the PMOI. This is despite these witnesses living in the heart of Europe.

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<sup>189</sup> [http://hrw.org/reports/2004/iran0604/3.htm#\\_Toc735056466](http://hrw.org/reports/2004/iran0604/3.htm#_Toc735056466)

<sup>190</sup> <http://hrw.org/reports/1993/iraqanfal/METHOD.htm>

<sup>191</sup> [http://hrw.org/reports/2004/sudan0504/10.htm#\\_Toc715317188](http://hrw.org/reports/2004/sudan0504/10.htm#_Toc715317188)

<sup>192</sup> [http://hrw.org/reports/2005/iraq0105/4.htm#\\_Toc934543000](http://hrw.org/reports/2005/iraq0105/4.htm#_Toc934543000)

<sup>193</sup> [http://www.hrw.org/reports/2003/usa1203/3.htm#\\_Toc57442229](http://www.hrw.org/reports/2003/usa1203/3.htm#_Toc57442229)

<sup>194</sup> [http://www.hrw.org/reports/2003/iraq1003/3.htm#\\_Toc54183729](http://www.hrw.org/reports/2003/iraq1003/3.htm#_Toc54183729)

<sup>195</sup> [http://hrw.org/reports/2003/iraq0703/1.htm#\\_Toc45709961](http://hrw.org/reports/2003/iraq0703/1.htm#_Toc45709961)

<sup>196</sup> <http://www.hrw.org/reports/2003/iraqfalluja/>

HRW's report entitled 'Hearts and Minds - 2003 Post-war Civilian Deaths in Baghdad Caused by U.S. Forces' further highlights the breadth of the investigations it carried out and the number of sources that it used. In that report, HRW states that it used six separate sources including direct interviews with witnesses, Iraqi police, a human rights organisation in Iraq, western news media, other NGOs and US military press releases. This is in direct contrast to the very limited nature of its sources in its report on the PMOI.

Bearing in mind what we learned in Part I of this document concerning the sophisticated misinformation campaign run by the Iranian regime to discredit the PMOI, some very pertinent concerns were raised by a US lawyer, representing the families of residents of Camp Ashraf. He wrote to HRW saying,

*"I must confess that I have never before had to censure a human rights organization for procedural flaws and substantively incorrect results in its work. But I cannot conceive of how either the procedures used, or the conclusion reached, in the report on the PMOI can be justified. And the fact that something similar occurred in 1994, when Human Rights Watch last reported on the PMOI, makes me suspicious that there is a hidden agenda."*<sup>197</sup>

He further states,

*"Surely Human Rights Watch is well aware of the extent to which the ruling regime in Tehran has made the PMOI the target of a massive disinformation campaign. For this reason alone one might have expected the investigators preparing a report on that organization to be especially vigilant to ensure that they are not being tricked or misled. One might have expected them to have taken extra steps to ensure that their information is balanced, and that they have at least given those whom they are about to condemn the opportunity to speak in their own defense. Indeed, any state organ that determined, and that invited the wider public to accept, the liability of an opposition movement for*

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<sup>197</sup> Steve Schneebum, Greenburg Traurig, 1 June 2005

*torture and imprisonment without trial, without extending the basic elements of due process, would be loudly denounced by Human Rights Watch.*"<sup>198</sup>

### **Why did HRW not visit Camp Ashraf?**

FOFI's consideration of a letter from Lord Avebury to HRW in May 2005 led to the unravelling of a decade long history of correspondence between HRW, Lord Avebury and the PMOI concerning similar allegations to those contained in the Report. In particular, in 1994 and again in 1997, Elahe Hicks of HRW conducted investigations into the PMOI.

In his letter, Lord Avebury states that he read the Report with a "*...sense of déjà vu, having had a correspondence with Christopher George in 1994 and then Kenneth Roth, Eric Goldstein and Hanni Megally of HRW in 1997.*"<sup>199</sup>

A selection of extracts from this correspondence is considered below, which appears to show a consistent willingness on the part of the PMOI to be subject to outside scrutiny and HRW's failure to take up this opportunity.

On 6 October 1994, HRW wrote to Massoud Rajavi requesting a visit to the PMOI bases in Iraq "*...in order to get to the bottom of these allegations.*"<sup>200</sup>

The following day the NCRI issued a press release, which responded to HRW's request. This is acknowledged by Christopher George of HRW in his letter of 25 October 1994, where he writes, "*we welcome the fact that your organisation has issued an invitation for an inspection to be carried out...*" but then surprisingly went on to state, "*...since we haven't received any direct reply to our letter we repeat our request...*"<sup>201</sup>

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<sup>198</sup> Steve Schneebum, Greenburg Traurig, 1 June 2005

<sup>199</sup> Letter from Lord Avebury to Joe Stork dated 25 May, 2005

<sup>200</sup> Letter from Christopher George of Human Rights Watch/Middle East to Massoud Rajavi, dated 6 October 1994

<sup>201</sup> Letter from Christopher George of Human Rights Watch to Massoud Rajavi, dated 25 October 1994

Regarding this incident Lord Avebury stated,

*“...the [6 October 1994] letter was given to IRNA [Islamic Republic News Agency] even before it was sent, let alone before Mr Rajavi had received it... copies were already in the hands of the news agencies and of the regime’s embassy in Washington...”*<sup>202</sup>

He later writes that it is “...common courtesy to ensure that the recipient sees the original letter before it appears in the newspapers”.<sup>203</sup>

Mr Rajavi responded to Christopher George’s letter of 25 October 1994, by stating,

*“...my statement of October 7 in response to your letter and statement of October 6 was forwarded to you by registered mail, and you have acknowledged its receipt... regarding your letter of October 6, I regret to have first heard of it from the official news agency of the Khomeini regime. The letter was in fact given a wide coverage in the official media of the religious, terrorist dictatorship in Iran on October 6, the very day it was written. Conversely, the same letter was not given to Mr Mohammad Mohaddessin, our official representative and Chairman of the Foreign Affairs Committee of the National Council of Resistance of Iran, who was in the New York office of Human Rights Watch/Middle East at 5 p.m. on October 6 ...Mr Mohaddessin met your predecessor and yourself in April and September 1994 respectively, inviting your organisation to visit the bases of the Iranian Resistance in Iraq, but these invitations were not answered.”*<sup>204</sup>

Mr Rajavi made a further invitation to HRW in his letter to visit the bases of the PMOI asking whether it is not true that “...the criterion of impartiality makes it incumbent on a human rights monitoring organisation to see these people face-to-

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<sup>202</sup> Letter from Lord Avebury to Christopher George of Human Rights Watch, dated 18 October 1994

<sup>203</sup> Letter from Lord Avebury to Christopher George of Human Rights Watch, dated 7 November 1994

<sup>204</sup> Letter from Massoud Rajavi to Christopher George of Human Rights Watch, dated 28 October 1994

*face, ask them questions and listen to their answers before making public statements and levelling accusations against them?”<sup>205</sup>*

Mr Rajavi writes in the same letter,

*“When we see that our previous invitations remained unanswered and then we suddenly find ourselves confronted with a variety of statements and accusations that you and your colleagues raised on October 6, I believe any fair-minded individual would give me the right to be strongly sceptical and uncertain as to whether your organisation would carry out an impartial investigation.”<sup>206</sup>*

Mr Rajavi further suggests that HRW send a representative to Paris in order to discuss the modalities of a visit with Mr Mohaddessin. He added,

*“...Now that you intend to visit the camps of the Natioanl Liberation Army of Iran... please send a representative to Paris to work out an agreement with Mr. Mohaddessin, chairman of the NCR Foreign Affairs Committee, on the procedures and details of your visit, as is customary in such cases. We wish to be reassured of the precise, unadulterated reflection of facts in your final report.”<sup>207</sup>*

A frustrated Lord Avebury writes to HRW saying if you really intend to visit the PMOI in Iraq “...I think you should stop playing games” and “get down to the details of names and dates...”<sup>208</sup>

This catalogue of correspondence reveals that since 1994 the PMOI have been inviting HRW to visit their bases in Iraq in order for them to make an informed decision on allegations of abuse, by visiting the sites at which the alleged abuse were said to have taken place and interviewing those against whom allegations of abuse

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<sup>205</sup> Letter from Massoud Rajavi to Christopher George of Human Rights Watch, dated 28 October 1994

<sup>206</sup> Letter from Massoud Rajavi to Christopher George, 28 October 1994

<sup>207</sup> Letter from Massoud Rajavi to Christopher George, 28 October 1994

<sup>208</sup> Letter from Lord Avebury to Kenneth Roth of Human Rights Watch, dated 17 February 1997

were made. These invitations have been received both in official correspondence from Massoud Rajavi as well as in person; oral invitations were made by NCRI officials to the HRW office in New York.

In a letter to HRW in 1997, Lord Avebury wrote,

*“...think about your credibility, which is not enhanced by your lapse of memory about the invitation... You can hardly expect to receive a further invitation, when there is a perfectly good one lying on the table, where it has rested for 2 ¼ years.”*<sup>209</sup>

Following the recent Report, when asked in an interview with Radio Farda about the PMOI’s invitations to visit Iraq, Joe Stork, Washington Director of HRW’s Middle East and North Africa division, replied, *“This is the first I’ve heard of it. That’s all I can tell you...this is the very first time I’ve heard of such a thing.”*<sup>210</sup>

Lord Avebury wrote to Mr Stork about this statement. In his letter, he stated,

*“Considering that it was a major issue in my correspondence with your predecessors in 1994 and 1997, that defies belief. I can’t believe that HRW is so inefficient as to have lost all knowledge of such a controversial matter, after being reminded of the numerous invitations in several of my letters. I think you knew perfectly well that HRW had been invited to visit the camps, but chose to deny it for political reasons.”*<sup>211</sup>

However, in a second interview with Radio Farda on 29 May 2005, Joe Stork changed his earlier statement and this time stated that HRW chose not to go to Iraq, because it was under Saddam Hussein’s rule. This raises the obvious question that if that was the case, why did HRW request a visit to PMOI bases in their letter of 6 October 1994?

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<sup>209</sup> Letter from Lord Avebury to Kenneth Roth of Human Rights Watch, dated 4 March 1997

<sup>210</sup> Joe Stork interview with Radio Farda, 19 May 2005  
([http://www.radiofarda.com/iran\\_article/2005/5/afb730f7-b9e4-4d1d-9e5e-3ce9b5ec22a7.html](http://www.radiofarda.com/iran_article/2005/5/afb730f7-b9e4-4d1d-9e5e-3ce9b5ec22a7.html))

<sup>211</sup> Letter from Lord Avebury to Joe Stork of Human Rights Watch, dated 25 May 2005

Remarkably, Mr Stork provided yet a further and entirely different reason for not visiting the camp when he later stated that in the preparation of the Report, HRW consulted with the US military in Iraq who he says would not give permission for this trip.<sup>212</sup>

This third statement raised yet further questions. If the US military had refused permission for the HRW trip, why did they not say so in the Report and produce evidence of such refusal? Further, why did HRW not contact the PMOI or NCRI in order to seek their assistance in facilitating the trip to Camp Ashraf or at the very least facilitating contact between HRW and PMOI members and officials in Camp Ashraf?

Bearing in mind the dozens of visits to Camp Ashraf since the fall of Saddam Hussein's regime by Parliamentarians from Europe and North America, as well as personalities, lawyers, NGO's, Think Tanks, representatives of the Red Cross and the press, it seems strange that the US military in Iraq should have denied HRW the opportunity to visit Camp Ashraf.

As Lord Avebury puts it,

*"...you have given different explanations of your reasons for not taking up the invitation to visit the PMOI camps in Iraq. On the radio programme I quoted in my previous email you said it was the first time you had heard of the invitation, and on your own admission, that statement was not true. You now say you couldn't pass through Iraq while Saddam was in charge, though others managed to do so without difficulty. Nor was this reason given when HRW received the several invitations in the mid-nineties, of which I think you must have been aware. You are now saying, apparently, that you couldn't get permission to visit Ashraf from the US military authorities. I take leave to doubt this..."*<sup>213</sup>

### **Why were the PMOI not given a right to reply?**

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<sup>212</sup> Email from Lord Avebury to Joe Stork of HRW, dated 1 June 2005

<sup>213</sup> Email from Lord Avebury to Joe Stork of Human Rights Watch, dated 1 June 2005

This was one of the matters raised by Malcolm Fowler, an experienced criminal advocate and member of the International Human Rights Committee of the Law Society of England and Wales, in his letter to HRW, where he stated,

*“As a human rights organisation, you must understand that your failure to afford the Iranian Mojahedin an opportunity to respond to the appalling allegations made against them shows your utter disregard for general principles of fairness and justice. It would be akin in a criminal trial to a Judge hearing the evidence of the prosecution and accepting its case without any scrutiny whatsoever, writing his judgement and publishing it, leaving the Defendant who did not even know that he was ever on trial to find out through the media that he had been found guilty.”*<sup>214</sup>

The Right Honourable the Lord Slynn of Hadley also wrote to HRW saying,

*“...there is no suggestion that you put these allegations to the PMOI or its representatives. There is certainly no reference to any comments made about these allegations. Your report plainly indicates overall that you accept such allegations without question and that by publishing them you wish them to be given wider credence.”*

He further stated that,

*“Having for many years recognised the need to protect human rights and supported efforts to do so, I recognise no less the need for those who uphold human rights to observe in their own behaviour the standards which human rights demand. Not to investigate alleged complaints of such gravity, before giving them wide-spread publicity, and not to give the persons accused the opportunity to comment on the detailed allegations would be of the utmost gravity.”*<sup>215</sup>

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<sup>214</sup> Letter from Malcolm Fowler to HRW, dated 20 May 2005

<sup>215</sup> Letter from Lord Slynn of Hadley to HRW, dated 9 June 2005. Lord Slynn of Hadley is a former Law Lord and former Judge at the European Court of Justice



Lord Avebury challenged HRW for not giving the PMOI the right to reply a decade earlier and pointed out that they had committed the same error in the Report. He stated,

*“you published those (earlier) allegations without giving the PMOI an opportunity of reply, and you have now done the same again. I am astonished, that after the severe criticism the previous exercise attracted, you saw fit to ignore such an elementary principle of natural justice a second time, and with the same target.”*<sup>216</sup>

In a joint statement, members of the House of Commons and the House of Lords wrote, *“Human Rights Watch, contrary to normal practice, did not ask the PMOI to comment on the allegations.”*<sup>217</sup>

Wilfred Wong of the human rights organisation, Jubilee Campaign also wrote,

*“Thorough corroboration of the allegations should have been sought before they were published and HRW should have given the accused organisation an opportunity to respond to the very serious allegations made against it, before publishing such claims.”*<sup>218</sup>

In a letter to HRW, Jean-Yves de Cara, a Professor of international law from Paris added,

*“Although HRW, with many others, has rightly proclaimed that the rights to a fair trial should be ensured to anybody in conformity with international standards, your organisation has not given the PMOI the slightest opportunity to reply to the serious allegations prior to the publications of the report. As a recent HRW report stated: ‘confessions alone should never be the basis for*

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<sup>216</sup> Letter from Lord Avebury to Joe Stork of Human Rights Watch, dated 25 May 2005

<sup>217</sup> The sanctity of human rights must be safeguarded and kept free of political manipulation, May 2005

<sup>218</sup> Letter from Wilfred Wong of Jubilee Campaign to HRW

*convictions' (Aceh at war: Torture, III – Treatment and Unfair Trials, Vol. 16, no 11[copyright sign], Sept. 2004)."*<sup>219</sup>

**Were telephone interviews a sufficient means of gathering first hand evidence of human rights abuse?**

Another recurring criticism was of HRW's decision to use international telephone calls to conduct interviews with the alleged victims of torture referred to in the Report. Bearing in mind that the witnesses are all said to live in Europe and of course HRW has offices in Europe, it is regrettable that HRW did not see it fit to meet these individuals face-to-face. By HRW's own admission, they "*interviewed by telephone twelve former members of the MKO living in Europe. These witnesses provided credible claims that they were subjected to imprisonment as well as physical and psychological abuses...*"<sup>220</sup>

The question of whether it is possible to determine the truth and credibility of claims of torture over the telephone is referred to by Wilfred Wong who wrote,

*"But how can one ascertain the credibility or otherwise of an individual based on a telephone call, especially when they are alleging severe mistreatment? It is standard practice to conduct face-to-face interviews with victims of torture, because often torment they have suffered is shown through their expressions as much as their words. At the same time, notes can be made of any scars and marks left on their body as a result of the torture they have suffered and/or medical evidence can be obtained from them... The HRW report solely relies on oral claims..."*<sup>221</sup>

UK Parliamentarians further noted,

*"Twelve hours of telephone interviews with 12 individuals are simply insufficient to produce an authoritative report. HRW conducted no face-to-*

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<sup>219</sup> Letter from Professor Jean-Yves de Cara to HRW, dated 23 June 2005

<sup>220</sup> Human Rights Watch Report, pg. 3

<sup>221</sup> Letter from Wilfred Wong of Jubilee Campaign to Human Rights Watch

*face interviews, no physical or medical examinations, and no on-site inspection of the camp where the alleged abuses are said to have occurred.”<sup>222</sup>*

This was also a concern for Malcolm Fowler who picked up on the point that the Report stated that interviews were conducted with 12 witnesses and that 12 hours of testimony were collected. He stated in relation to this issue,

*“Bearing in mind that there were 12 interviewees, the average total time devoted to the interview of each individual was approximately one hour. During this one hour, each individual was interviewed ‘several times’. How is it possible to interview in an hour an individual who alleges severe mistreatment spanning over several years, locations and events? In my experience as a criminal advocate, in order to conduct proper interviews of those involved, with the aim of ascertaining the veracity of their stories, the interviews would have needed to be carried out face-to-face and lasted many hours, if not days.”<sup>223</sup>*

As was seen earlier, this is a point supported by the Istanbul Protocol.

Congressman Edolphus Towns writes,

*“...for the Human Rights Watch to build a case against PMOI, solely based on 12 individuals’ phone testimony without any means of verifying their identity, is shameful to say the least.”<sup>224</sup>*

### **Why did HRW use these particular 12 individuals as their sole source of evidence?**

Another interesting point raised was in relation to HRW’s choice of witnesses. How did HRW find these 12 alleged former members of the PMOI? Who was the key to

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<sup>222</sup> The sanctity of human rights must be safeguarded and kept free of political manipulation, May 2005

<sup>223</sup> Letter from Malcolm Fowler to HRW, dated 20 May 2005

<sup>224</sup> Congressman Edolphus Towns letter to HRW, dated 20 May 2005

finding them and introducing them to HRW? Of the thousands of individuals who had left the PMOI and are now living around the world, most of them in Europe and North America, why did HRW select these 12 individuals?

In relation to this matter, Lord Avebury wrote in 1997,

*“I remonstrated with you about the one-sidedness of the group of people interviewed by Ms Hicks in Germany, and her refusal to see others who would have presented a different picture... I believe that the arrangements for Ms Hicks’ meetings in Paris and Cologne were made by Ms Nasser Khajeh-Nouri, a gentleman who was given refugee status in the US, but has nevertheless gone back to Iran on more than one occasion. In 1994 this man sent a list of 115 persons to various human rights organisations and to the State Department, claiming that they were former members of the PMOI. He has arranged for 14 persons to give evidence against the PMOI to Professor Copithorne in 1995. You may ask where Mr Khajeh-Nouri gets the resources to collect all his stories, and who has an interest in propagating them. I understand that Mr Khajeh-Nouri assisted with the arrangements for Ms Hicks’ visit to Tehran in 1996. Clearly the regime facilitated the visit, because they are doing their best to manipulate HRW into publishing a report blackening the NCR, and this is why Ms Hicks received favoured treatment compared with other human rights organisations such as Amnesty International. (You acknowledged in your Annual Report 1997 HRW was the only human rights NGO allowed into Iran in 1996, without speculating about the reasons why). The success of the mullahs’ efforts with Ms Hicks is evidenced by a comment she made on Voice of America’s Farsi service on July 11:*

*‘I am very optimistic about Hojjatolislam Khatami. As you know, the most important issue that Mr Khatami repeatedly underlined in his publicity campaign for the presidential elections was the rule of law, and all*

*international organisations are ready to support Mr Khatami's election platform with all the means at their disposal.*"<sup>225</sup>

A year later, HRW stated in a press backgrounder on human rights in Iran written by Elahe Hicks and Hanny Megally, that,

*"Since he came into office on August 3, 1997 after a landslide election, President Khatami has encouraged greater freedom of expression. He continues to speak out in favor of respect for human rights, including freedom of association and tolerance of diverse opinions, and he has enabled a vigorous debate about rights and freedom to blossom in Iranian media."*<sup>226</sup>

Again, it was found that this was a concern in the previous episodes, as Lord Avebury wrote,

*"you should listen to all the evidence before you reach a conclusion, and you should bear in mind that not all the critics of the PMOI are disinterested upholders of human rights... I hope you can understand my anxieties on learning that Ms Hicks was again on the trail of the PMOI, and again listening preferentially to people whose views were not entirely independent."*<sup>227</sup>

Lord Avebury further says, the PMOI,

*"...have said on many occasions that if HRW wants to visit their establishment in Iraq, they would be welcome to do so. For some reason, the offer has never been taken up, and instead, it seems, the game plan is to collect as much unverifiable material as possible from known opponents of the PMOI in Europe."*<sup>228</sup>

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<sup>225</sup> Letter from Lord Avebury to HRW, dated 20 July 1997

<sup>226</sup> <http://www.hrw.org/press98/bck-brief/iran.htm>

<sup>227</sup> Letter from Lord Avebury to Kenneth Roth of Human Rights Watch, dated 17 February 1997

<sup>228</sup> Letter from Lord Avebury to Kenneth Roth of Human Rights Watch, dated 17 February 1997

Professor de Cara writing of his own experiences says,

*“Keeping in mind my two visits to Camp Ashraf and long discussions with many members of the PMOI there, as well as U.S. military officials and lawyers, and Iraqi citizens from different ethnic and religious backgrounds, I was therefore astonished to read in your report claims by twelve individuals (of whom the accounts of eight appear in the report) that the PMOI wantonly violated the human rights of its members in Iraq. In all my contacts with individual members of the PMOI in Ashraf, in all my discussions with the U.S. officials who kept a close eye on every aspect of life on the camp, and in all my discussions with Iraqi citizens who lived in the surrounding areas and had dealt with PMOI members for years, I did not come across any evidence that would suggest such abusive behaviour toward PMOI members by the movement.”*<sup>229</sup>

The Iran Policy Committee, having conducted their own investigations into allegations of abuse, wrote,

*“The Iran Policy Committee (IPC) set up a Task Force to conduct an extensive study of witnesses cited by HRW. IPC collected firsthand and in-person accounts by over two dozen eyewitnesses, former PMOI members, family members of the supposed victims, and PMOI members presently in Camp Ashraf, Iraq. Everyone interviewed by the IPC Task Force reacted with outrage that the torture and imprisonment they and family members suffered at the hands of the regime should be perversely attributed by the HRW instead to an organization dedicated to end such abuses-the PMOI.*

*Instead, evidence abounds that individuals cited as PMOI victims by HRW are actually paid agents of the Iranian MOIS, tasked to spread disinformation about groups that oppose the Tehran regime. Among others, the MOIS dispatched from Iran to Europe one Mohammad Hossein Sobhani, whom HRW cites as a “credible” victim but who, in fact, runs an intelligence ring in*

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<sup>229</sup> Letter from Professor Jean-Yves de Cara to Kenneth Roth of HRW, dated 23 June 2005

*Europe that works under the direct supervision of MOIS deputy chief Mohammad-Reza Iravani (aka Amir Hossein Taghavi). Another HRW source is MOIS agent Karim Haqi, whom Dutch security warned for his recruitment efforts against Iranian dissidents and contacts with Iranian intelligence in the Netherlands.”<sup>230</sup>*

Lars Rise, a member of the Norwegian Parliament who recently visited Camp Ashraf to personally investigate the allegations regarding human rights violations by the PMOI wrote in a letter to HRW,

*“ It seems that your report and behavior are far distant from impartiality of human rights NGOs. My colleagues and I at the Parliament of Norway are very astonished that to prepare a report against the PMOI you have taken in the testimonies of individuals some of whom have been known agents of the Iranian Intelligence Ministry for more than a decade or are notorious as spies among Iranian activists abroad. Among these individuals, are people like Habib Khorrami who has been convicted in a Dutch court on the charge of kidnapping. Karim Haqqi and others have been questioned by the intelligence departments of Germany and the Netherlands for their connections with the Iranian regime.”<sup>231</sup>*

He further stated,

*“There is a world of difference between what I saw in the PMOI in Ashraf City during several days of free investigations and first-hand interviews with different people from various ranks, and what you have depicted via just 12 hours of overseas telephone interviews with Iran’s Intelligence Ministry agents. I saw dignified people who have made the greatest sacrifices to achieve freedom and democracy in their homeland. They have even pardoned infiltrators and their own murderers and sent them to Iran. No notion of*

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<sup>230</sup> Iran Policy Committee White Paper, 30 June 2005

<sup>231</sup> Letter from Lars Rise to Kenneth Roth of HRW, July 2005

*deliberate or even non-deliberate maltreatment sticks to them, as they have tremendous discipline in respecting the rights of others.*"<sup>232</sup>

### **Why did HRW not seek the views of the Coalition?**

When confronted with allegations of abuse, and knowing that Camp Ashraf has been under the protection of Coalition forces since May 2003, it would appear that a basic enquiry that HRW should have made is to ask Coalition officials whether they had received any allegations of mistreatment, carried out any investigations into such allegations or had any useful information in this regard. This is especially so when Coalition authorities had interviewed every member of the PMOI in Camp Ashraf as part of their 16 month investigation into the PMOI and its activities.

Further, since HRW were already in communication with the US military, (footnote 3 of the Report is an e-mail interview with US officials dated 10 March 2005), this was evidently possible. However, when Joe Stork was asked this in an interview with Radio Farda, he stated,

*"Why should we? It has absolutely nothing to do with our report. Absolutely nothing."*<sup>233</sup>

Had HRW raised the matter with the Coalition, it appears that they would have avoided a lot of criticism and at the same time heard a version of events that was not portrayed in the Report. In a letter to HRW, Colonel David Phillips wrote,

*"I am the commander of the 89<sup>th</sup> Military Police Brigade and in that role was responsible for the safety and security of Camp Ashraf from January-December 2004. Over the year long period I was apprized of numerous reports of torture, concealed weapons and people being held against their will by the leadership of the Mujahedin e-Khalq. I directed my subordinate units to investigate each allegation. In many cases I personally led inspection*

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<sup>232</sup> Letter from Lars Rise to Kenneth Roth of HRW, July 2005

<sup>233</sup> Joe Stork interview with Radio Farda, 19 May 2005  
([http://www.radiofarda.com/iran\\_article/2005/5/afb730f7-b9e4-4d1d-9e5e-3ce9b5ec22a7.html](http://www.radiofarda.com/iran_article/2005/5/afb730f7-b9e4-4d1d-9e5e-3ce9b5ec22a7.html))



*teams on unannounced visits to the MeK/PMOI facilities where the alleged abuses were reported to occur. At no time over the 12 month period did we ever discover any credible evidence supporting the allegations raised in your recent report. I would not have tolerated the abuses outlined in your report, nor would I have sanctioned any acts on the part of the MeK/PMOI to hold people against their will. Each report of torture, kidnapping and psychological deprivation turned out to be unsubstantiated. The MeK/PMOI in fact notified us on a routine basis of people who desired to leave the organization and then transported them to our gate... I've visited male and female units on a routine basis. Sometimes these visits were announced, but most frequently they were unannounced inspections. My subordinate units would randomly select billets, headquarters, warehouses and bunkers for no notice inspections. Not one time did they discover any improper conduct on the part of the MeK/PMOI. Also, the MeK/PMOI never denied entry to any of their facilities... I personally spent a year of my life in Iraq with the responsibility for Camp Ashraf... My comments are based on a full year of on location experience.*"<sup>234</sup>

Colonel Phillips also makes the extraordinary comment that *"I would like my own daughters to someday visit these units for the cultural exchange"*<sup>235</sup>. This reflects a very different picture to the one that HRW write of. Colonel Phillips concludes by saying *"your report was a direct affront to the professionalism of my units."*<sup>236</sup>

Professor Jean-Yves de Cara, wrote,

*"...your report makes no mention of extensive investigations undertaken by a half-dozen United States government agencies in Camp Ashraf in the past two years. All PMOI personnel in Camp Ashraf were interviewed during this 16-month process, searches have been conducted on the premises at the camp, and at the end of the investigations the United States formally announced that all PMOI members in Iraq were recognised as protected persons under the*

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<sup>234</sup> Letter from COL David Phillips to Kenneth Roth of HRW, dated 27 May 2005

<sup>235</sup> Letter from COL David Phillips to Kenneth Roth of HRW, dated 27 May 2005

<sup>236</sup> Letter from COL David Phillips to Kenneth Roth of HRW, dated 27 May 2005

*Fourth Geneva Convention. The U.S. also declared that the thorough screening did not come up with any grounds to bring charges against any PMOI members... while your report gives the impression to the uninformed reader that Ashraf is akin to a gulag or a concentration camp, where people are held against their will and severely maltreated if they wish to leave, I found nothing remotely resembling this. I have every reason to believe that the people in Ashraf are treated with decency and dignity. I attended performances of folklore, dancing and traditional Persian songs by PMOI members. The jovial mood and the camaraderie that were prevalent, the prominent role that women play in the leadership and administrative positions, and the opportunity for individual creativity to flourish, as one can see in the numerous works of art, drama, music, say a lot about the nature of this organisation”<sup>237</sup>*

Jørgen Mathiassen, a lawyer from Norway, wrote to HRW stating,

*“Having visited Camp Ashraf, in Mars last year together with a colleague, I was surprised to see HRW’s report. Your report draw a picture of the PMOI members, as individuals who have been forced to be in Iraq against their own will. I cannot testify to such a view. While in Ashraf we had the opportunity to meet and talk freely to any members of PMOI, also members speaking one of the Scandinavian languages, whom I spoke too in Norwegian.*

*We were there at a time of enormous pressure for the PMOI members. Their status under the Geneva Convention were not yet determined. They were threatened to be deported and even extradited to Iran, where they could face torture and execution. Under such circumstances, they still insisted that they wanted to stay in Camp Ashraf and continue their struggle for freedom and democracy in Iran. In my opinion they seemed happy, and determined to stay on in Camp Ashraf as long as possible.*

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<sup>237</sup> Letter from Professor Jean-Yves de Cara to Kenneth Roth, dated 23 June 2005

*While we were there we neither saw any prison or even signs of prison, nor have we heard about prisons or mistreatment of the members.*"<sup>238</sup>

Jørgen Mathiassen sent HRW a copy of the photograph he had taken of the exit facilities.

### **Why did HRW not respond to correspondence?**

Even as far back as 1994 and 1997, HRW have been criticised for their failure to respond to concerns raised with them. Regrettably, in the case of the PMOI, HRW for some reason simply ignore correspondence sent to them. Lord Avebury writes,

*"in the bad old days of communism, one was used to the Soviets ignoring letters addressed to them about human rights issues. Nowadays, I get no answers from the authorities in Bahrain, Indonesia, or India. It is disconcerting to say the least, when a human rights NGO plays the same game. Just as with the regimes I have mentioned, the suspicion arises when somebody fails to respond to inquiries, or answers the letter without addressing the questions posed, that there must be something to hide."*<sup>239</sup>

Lord Avebury further stated,

*"failure to answer communications is a characteristic I would expect to find in the North Korean Embassy, or in former times the Soviets, but hardly in a democratic NGO. I am therefore very concerned that you have not dealt with the points I raised concerning your dealings with the NCRI... I have always had the greatest respect for the work of Human Rights Watch in the past, and I am dismayed by your conduct."*<sup>240</sup>

This frustration in not receiving a response is a theme that is repeated in other letters to HRW about the Report and alluded to by members of the Houses of Parliament in

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<sup>238</sup> Letter from Jørgen Wille Mathiassen to HRW, dated 25 May 2005

<sup>239</sup> Letter from Lord Avebury to Kenneth Roth of HRW, dated 8 July 1997

<sup>240</sup> Letter from Lord Avebury to HRW, dated 23 December 1994

the United Kingdom. Andrew Mackinlay, Labour MP and member of the Foreign Affairs Committee writes,

*“I am aware that a number of my Parliamentary colleagues from both Houses of Parliament have already written to you at length setting out full particulars of the flaws and errors in your report – from the methodology used, to its content and conclusions. Regrettably, from what I can ascertain, you have not so far had the courtesy to respond to any of the entirely valid points and arguments that they have raised in their letters to you. The political nature of your report, your failure to hear the PMOI before publishing the report and your failure to respond to valid queries raised by my colleagues simply point to a ploy to discredit the PMOI.”*<sup>241</sup>

Lars Rise said in his letter in this regard,

*“I was also informed that the Human Rights Watch has so far not provided any response to the criticisms and objections raised to its report. This approach causes grave concern and is not worthy of a non-governmental organization in a democratic country.”*<sup>242</sup>

### **What did the PMOI & former members of the PMOI make of the allegations?**

As allegations centred around what is alleged to have taken place at Camp Ashraf, it is essential to take a look at the reaction of the residents of Camp Ashraf. When the Report was first posted on the HRW website, according to Mr Behzad Saffari, *“The leadership in Ashraf facilitated every body to read the complete version of the Farsi translation of the report downloaded from HRW.”*<sup>243</sup> Therefore, everyone in Camp Ashraf had the opportunity to make themselves aware of the contents of the Report.

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<sup>241</sup> Letter from Andrew Mackinlay to Human Rights Watch

<sup>242</sup> Letter from Lars Rise to Kenneth Roth of HRW, July 2005

<sup>243</sup> Behzad Saffari e-mail to Lord Avebury, dated 1 June 2005

On 22 May 2005, four days after the Report was posted on their website, a statement was released by PMOI members and supporters residing in Camp Ashraf entitled 'Human Rights Betrayed'. In it they write,

*“All of us have been screened several times in the past two years by the U.S. agencies and the Coalition Forces. We were ultimately recognised as “protected persons” under the Fourth Geneva Convention, leaving no room for the lies contained in HRW’s report. That any one has been mistreated or harassed because of political or ideological differences with the PMOI, deprived of living accommodation which others enjoyed, kept here against his/her will, or forced into divorcing his/her spouse, are sheer lies and are designed to misrepresent the sacrifice and humane values admired by the people of Iran.”*<sup>244</sup>

Even those PMOI personnel who have since left the organisation stated in a statement signed by 500 of them,

*“you have prepared this report by interviewing 12 individuals and claimed that a heavy price must be paid to leave the PMOI. Yet, you have not approached hundreds of people who have spent years in PMOI camps in Iraq and now reside in Europe and the United States and able to provide you with their first-hand observations.”*<sup>245</sup>

These individuals then go onto say,

*“in the many years we were staying in Iraq and in PMOI camps, we never saw or hear of any one being held against their will or being harassed, persecuted or tortured. The claim that any one had been imprisoned for differing with the PMOI or its officials is both stupid and ridiculous. All persons in the camps were volunteers. That husbands and wives were forcibly divorced is even more unacceptable. Contrary to your report, almost all of us left Iraq with the*

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<sup>244</sup> Statement of PMOI members and supporters residing in Ashraf City, Iraq, dated 22 May 2005

<sup>245</sup> Open letter to Human Rights Watch signed by over 500 former members and supporters of the People’s Mojahedin Organisation of Iran who have previously spent some time in PMOI camps in Iraq and are now living in Europe and North America, after deciding to leave the organisation

*help and assistance of the PMOI... our presence in Europe is the best testament that the claims by those you interviewed were completely false and fabricated by the MOIS.*"<sup>246</sup>

The Iran Policy Committee having interviewed one former PMOI member wrote,

*"he and his friends collected 470 signatures of former MEK members now in Europe denouncing the HRW Report as a collection of untrue, false accusations. He wanted to give the list of signatures to HRW representatives in NYC and Washington DC, but HRW refused to see him and his friends, and also refused to schedule meeting to hear their stories."*<sup>247</sup>

Having had the opportunity to speak to many former PMOI members living in Europe, and having read the IPC's conclusions from their interviews with former PMOI members living in North America, FOFI is able to reach the conclusion that the 12 individuals on whom HRW relied for their Report, do not represent a fair or accurate representation of 'former members of the PMOI'.

Labour Member of the British Parliament, Dr Rudi Vis writes of this,

*"I know that there are many former PMOI members living across the world who at various stages left the organisation, because of the difficulties of struggle against such a barbaric regime as that of the mullahs. The vast majority of these individuals continue to actively support the PMOI and some still have relatives in Camp Ashraf. There are also others who have decided to simply continue with their ordinary lives. Why is it that none of these many individuals have made the allegations made by your report? Could it be that the allegations are not true?"*<sup>248</sup>

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<sup>246</sup> Open letter to Human Rights Watch signed by over 500 former members and supporters of the People's Mojahedin Organisation of Iran who have previously spent some time in PMOI camps in Iraq and are now living in Europe and North America. After deciding to leave the organisation, dated 22 May 2005

<sup>247</sup> Iran Policy Committee interview with Mahmoud Tabrizi

<sup>248</sup> Letter from Rudi Vis to Joe Stork of Human Rights Watch, dated 30 May 2005

Dr Rudi Vis further wrote,

*“When one considers the context in which you have prepared your report on the PMOI, it is clear that it had never been your intention to carry out a genuine and independent investigation into allegations of mistreatment against the PMOI by individuals claiming to be former members. If you had such an intention, you would not have failed to (i) refer the allegations to the PMOI and give them an opportunity to respond, (ii) accept the PMOI’s invitations to go to their bases and carry out on the ground investigations, and (iii) seek the views of the Coalition forces in Iraq who have responsibility for and full control of Camp Ashraf and all its residents. Further, you would have carried out proper enquiries into the sources of your ‘information’, including their credibility and their motives. Even the most basic enquiries would have at the very least revealed very serious questions about the 12 individuals whom you interviewed on the telephone.”<sup>249</sup>*

The questions put to HRW by Lars Rise highlight on the one hand his grave concerns over the HRW report and on the other hand HRW’s unacceptable attitude in not responding to any of the concerns raised with it, including the very questions put forward by Lars Rise. He says,

- “1. Why did you use 12 sources in your report whose contacts with the Iranian Intelligence Ministry were known to the Iranian community in the West and some European police and intelligence agencies since years ago?*
- 2. How did you come to believe that although some of your witnesses were introduced by their former Intelligence colleagues as Iranian agents, they are not agents and can be used?*
- 3. How did you find these individuals simultaneously in Europe?*
- 4. Why did you not interview any impartial party in compiling this report, or why did you fail to include their comments in the report?*

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<sup>249</sup> Letter from Dr Rudi Vis, MP to Joe Stork, dated 30 May 2005

5. *What is your response to the contradictions in your sources' remarks compared to what they had said in other interviews, such as how Sobhani fled?*
6. *What is your opinion about the 470 former PMOI members (as compared to your 12) who have left the PMOI camps and are leading ordinary lives in Europe and the U.S.? They have signed a declaration rejecting HRW's allegations. Your New York and Washington offices have refused to receive their representatives and have not given them any other appointment.*
7. *How did you check long-distance, over-the-telephone claims by people who are said to be Iranian agents?*
8. *Why did you not check the claims of these individuals with others who knew them such as their former spouses and relatives who were available?*
9. *You had refused to visit PMOI camps for an impartial investigation, so why did you not consult those who had investigated the claims of torture, murder and prison in the PMOI (such as U.S. Army commanders) in writing the report?*
10. *Was there a link between some of your officials' endorsement of the Iranian regime's elections as being democratic and demonizing the main Iranian opposition?*
11. *What is your response to hundreds of letters rejecting your report from members of the U.S. Congress, European parliamentarians, human rights organization and activists and individuals who have come from PMOI camps in Iraq? Why have they all been left unanswered?"<sup>250</sup>*

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<sup>250</sup> Letter from Lars Rise to Kenneth Roth of HRW, July 2005



## The Political Nature of the Report

After lengthy research and investigation, which was conducted and based on all the evidence collected, FOFI reached the conclusion that the HRW report contains serious flaws, the most important of which is the selection of the witnesses. A glance at various sites run by these individuals and their associates, illustrate a campaign against the PMOI, which is believed to be orchestrated by Iran's Ministry of Intelligence.

In the introduction to this document, attention was drawn to the unexpectedly political nature of the HRW Report, and its detailed focus on the terrorist designation of the PMOI. Nowhere was the political message clearer than in the HRW press release made in Paris on 19 May 2005.

In five long paragraphs, the press release describes how the PMOI were first listed as a terrorist organisation by the US government in 1997, followed by the EU in 2002. The Report then goes on to explain how the NCRI have been lobbying the US government and EU countries to remove the terrorist designation and how the NCRI is "*presenting itself as a 'democratic alternative' to Iran's government...*" and "*as the Iranian 'government in exile'...*", clearly implying that HRW does not consider the NCRI to be either of these things.

The press release also provides details of a public call by 40 European Parliamentarians for the removal of the terror tag against the PMOI and efforts by certain US Congressmen and the Iran Policy Committee (a US think tank) to promote the PMOI and have the terrorist designation removed from the organisation.

HRW concludes its political review by stating that although the Iranian government has a dreadful human rights record, it would be "*a huge mistake to promote an opposition group that is responsible for serious human rights abuses.*" Reading between the lines, HRW's message comes through loud and clear - the PMOI should not be promoted and its terrorist designation should not be removed.

The political nature of the report is also evident in an e-mail sent by Gary Sick, Chair of HRW's Middle East Advisory Committee, to the recipients of the Gulf 2000

mailing list the day after the report was published. This e-mail, written originally by William Beaman reads,

*“The Human Rights Watch report on MKO (MEK) abuse comes just in time for the consideration of H.R. 282/S. 333--The Iran Freedom Support act, sponsored by Rep. Ileana Ros-Lehtinen (R-Florida) and Sen. Rick Santorum (R-Pennsylvania). Aside from renewing the ineffective economic sanctions against Iran, Section 302 of the bill provides for support for groups opposing the current Iranian regime. Since Representative Ros-Lehtinen is one of the strongest supporters in Congress of the MKO/MEK, one assumes that this proposed appropriation is designed to go to them, at least in part. The Human Rights Watch report on the MKO/MEK would seem to disqualify them from funding under the provisions of the bill.”<sup>251</sup>*

A day later Gary Sick distributed another email, this time from Massoud Khodabandeh who is said to have close contact with Iran’s Ministry of Intelligence. This email reads in part,

*“There is enough, as yet unverified, information to suggest that the MEK in Camp Ashraf is currently in severe crisis and on the point of collapse, and that the camp is only held together by an atmosphere of fear and repression at the hands of the MEK’s leaders. The most recent reports suggest that if the flag of the US army is replaced by the flag of the Red Cross more than 80 percent of the people in the camp will go to the North camp”<sup>252</sup>*

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<sup>251</sup> E-mail from Gary Sick to gulf2000 mailing list, 19 May 2005

<sup>252</sup> E-mail from Massoud Khodabandeh to gulf2000 mailing list, 20 May 2005

## **Conclusion**

After conducting exhaustive research and investigation, FOFI, based on all the evidence, reached the conclusion that the HRW report contained serious flaws, both in methodology and substance.

The organisation has clearly violated the most fundamental principles of a fair and impartial investigation. It failed to accord the PMOI the right to respond to the allegations, ignored other available information, including detailed replies to some of the allegations, did not seek the opinion of the coalition forces who had first hand knowledge about life in Camp Ashraf, and chose not to visit the camp where most of the abuses were alleged to have taken place, despite repeatedly being invited by the PMOI to make such a trip.

In FOFI's view, relying on 12 hours of telephone interviews with 12 individuals, already accused of having ties to Iran's Ministry of Intelligence and security, is not sufficient to reach definitive conclusions about serious allegations, as HRW have done.

Based on evidence and testimonies collected in the course of FOFI's investigation, the delegation conclude the substance of the report is also flawed and distorted. FOFI's findings are further corroborated by Colonel David Phillips' account of his one-year assignment in Camp Ashraf and investigation conducted on such allegations.

FOFI was able to confirm that several specific cases of alleged rights violations in the report are completely bogus. There were also a number of alleged incidents about which FOFI was unable to pass definitive judgment, but the available information indicates they too were false.

The allegation by HRW witnesses that Mr Gorbanali Torabi was killed under torture is false, as both his sister and wife denied it and confirmed he had died of a heart attack.

FOFI confirms allegations raised by Mohammad Hossein Sobhani regarding his solitary confinement, were false. This conclusion was reached based on the testimony of his ex-wife, and other documents as well as a blatant contradiction in his own story. FOFI confirms that specific allegations made by a number of other HRW witnesses, including Mohammad Reza Eskandari, Tahereh Khorami and Habib Khorami, that they were imprisoned were also false.

FOFI concludes those in Camp Ashraf, are there because they choose to be and are not imprisoned.

Finally, FOFI believes there is sufficient evidence to conclude that the HRW report was politically motivated. Far beyond the mandate of a human rights organisation and in tandem appeasement advocates, HRW lashed out at Iran's main opposition, tacitly recommending that the group be taken off the terrorist lists.

It is wholly inappropriate for a human rights NGO to become a party to a political dispute and lobby in defence of a particular policy under the pretext of human rights. FOFI has refrained from dealing with the political aspect of the issue. Nevertheless, as the HRW recommendation is a political one, FOFI disagrees with its recommendation. The PMOI must be removed from terror lists.

Recent developments in Iran leave little doubt that the policy of appeasement has failed. The time has come to end the policy of appeasement. Continuing with this policy is a recipe for disaster as far as the Iranian people and the international community is concerned.