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What Happened to Ehsan Fattahian?

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by MUHAMMAD SAHIMI in Los Angeles

15 NOV 2009 14:41

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In early morning of Wednesday, November 11, 2009, Ehsan Fattahian, a 28-year-old Kurdish activist, was executed in Sanandaj, the provincial capital of Kurdistan. He was a member of Komalah, a Marxist opposition group that has been active against the central government in Tehran since the 1960s.

Fattahian had been arrested on July 20, 2008, in Kamyaran in Kurdistan and charged with "working with armed opposition groups." He was put on trial by the Revolutionary Court in Sanandaj. Like most political trials in Iran, the entire proceedings were behind closed doors and without an independent jury, in direct violation of Article 168 of Iran's Constitution. He was also denied an attorney, another violation of law. Fattahian rejected all charges against him. His family also stated that he had done nothing illegal.

The Revolutionary Court sentenced Fattahian to 10 years in prison, to be served in exile in Ramhormoz, a city in Khuzestan province in southwestern Iran. Both Fattahian and the prosecutor appealed the verdict. In January 2009, the Appeals Court overturned the initial verdict. But instead of reducing the sentence or ordering a new trial, the Appeals Court sentenced Fattahian to death on the charge of *Moharebeh*, or enmity against God.

The new sentence also represented a violation of Iran's laws. Article 285 of the law, which pertains to the Appeal Courts, states that a sentence can be increased by the Appeals Court only if the initial sentence given to the convicted is less than the minimum sentence for the offense. In Fattahian's case, the minimum sentence for the offense with which he had been charged was one year in jail, but he had been given a sentence of 10 years in exile. Therefore, in handing down a death sentence, the Appeal Court grossly violated the relevant law.

In addition, a death sentence can usually be appealed. But, in Fattahian's case, the death sentence was never subject to an appeal, in violation of both Iranian and international laws. Moreover, given

that Fattahian was a political prisoner, giving him a death sentence for a purely political offense, even if all the charges against him were completely true, was highly unusual and inappropriate according to the basic human rights standards.

All appeals made to the Islamic Republic by international organizations, as well as his family, not to execute the young man, were ignored. As international pressure mounted, the government appeared to suspend the execution. But it now appears that that was only a tactic to lessen pressure.

Before he was executed, Fattahian and several other Kurdish political prisoners went on a hunger strike for several days. Fattahian never accepted the charges against him, even though there were reports that he had been tortured to confess. He was transferred to solitary confinement on November 10, and was not even allowed to see his family one last time before being executed, which is neither Islamic nor humane.

The circumstances surrounding Fattahian's execution are suspicious. Not only was his family not allowed to see him one last time before the execution, his body was never returned to his family, despite an official announcement to the contrary. He had been buried in a cemetery in Kermanshah, his hometown in western Iran, after which his family was informed of his burial site. His family was ordered to have a "quiet" memorial for him.

Human rights advocate Shirin Ebadi, a lawyer who won the 2003 Nobel Peace Prize, winner, has called the circumstances of Fattahian's execution and burial unusual. In an interview with BBC Persian radio, Ebadi called the execution of Fattahian "rushed" and "unprecedented." She said she found it highly objectionable that his family was not allowed to meet with him before his execution. Ebadi said the haste to bury Fattahian was another reason for "further suspicion." It is very unusual that they [the government] want to execute someone in such a rush that they do not let his family meet him on his last night," she said. "This is a very unusual approach that raises more suspicion about the real cause of death."

Ebadi reiterated, "I do not want to prejudge... but because of the inappropriate treatment in Iran's prisons, and especially [the treatment of] political prisoners, which unfortunately has become the norm, it is only fair to doubt Ehsan's cause of death."

"I suggest to the family of the late Fattahian to have his body examined by a trusted medical doctor, to make sure that he did not pass away in jail under difficult conditions," Ebadi was quoted in an interview with Rooz, the online daily. "It is not very likely that this may have happened, but it is better not to reject it outright either."

As Ebadi said, the probability that Fattahian passed away in jail, before he was hanged is small, if that actually did happen, it would not be the first time that a political prisoner passed away in an Iranian jail under suspicious circumstances. Ali Akbar Saidi Sirjani, a well-known writer died in prison in November 1994. It is widely believed that he was murdered by the agents of Ministry of Intelligence. Zahra Kazemi, a Canadian-Iranian photojournalist, died in custody in Evin Prison in June 2003. Medical examination of her body indicated that she had died from a fractured skull, and had been beaten and possibly raped.

Akbar Mohammadi, a student activist, passed away in the Evin on July 30, 2006. He had been arrested for participating in the university student demonstrations of July 1999 and sentenced to 15 years in prison. Dr. Zahra Bani Yaghoub, a 27-year-old physician, died in October 2007 while in custody in Hamedan, in western Iran. Ebrahim Lotfallahi died in a detention center in Sanandaj around January 15, 2008. His parents were informed on January 15 that their son had been buried in a local cemetery. Abdolreza Rajabi, a member of the Mojahedin-e Khalgh Organization, passed away suddenly on October 30, 2008. It is not even clear where he died, because he had been transferred from Evin prison to Rajaei Shahr prison near Karaj before his death was officially announced.

Valiollah Faez Mahdavi died in prison after a hunger strike, but the official cause of his death was suicide. On March 6, 2009, Amir Hossein Heshmat Saran passed away in jail after 5 years in prison. He had been imprisoned for founding a political group, the United National Front. Omid-Reza Mir Sayafi, a blogger, passed away in Evin prison on March 18, 2009, about six weeks after starting a 30-month sentence.

Fattahian was not the only Kurdish activist on death row. Twelve others are on death row: Zeynab Jalalian, Habib Latifi, Shirkouh Moarefi, Ramezan Ahmad, Farha Chalesh, Rostam Arkia, Fazih Yasamini, Rashid Akhkandi, Ali Heydarian, Farhad Vakili, Hossein Khazari, and Farzad Kamangar. Of these, Moarefi, 24, has apparently been transferred to solitary confinement, a move which usually precedes execution. He was arrested last year in Saghez in Kurdistan and was convicted and sentenced to death.

Amnesty International and Moarefi's parents have called on the government not to execute him. "The Iranian authorities must halt the imminent execution of Shirkouh Moarefi, a Kurdish man convicted of 'enmity against God' over his alleged membership of a proscribed Kurdish organization," Amnesty said in its statement. "We demand all international forums and human rights groups... to enter into negotiation with the Islamic Republic in connection to his execution." Amnesty International has listed Iran as the world's second most prolific executioner in 2008, only after China. By its estimate, Iran put to death at least 346 people last year.

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28 COMMENTS

BIJE KURDISTAN!!!

Asif / November 15, 2009 9:17 PM

This so called Islamic government has a disgraceful record on human rights. Like many other aspects of the way this regime governs Iran, it is barbaric, backward, unjust and inhumane

Agha Irani / November 15, 2009 9:58 PM

I am appauled that President Obama has opted to talk to this brutal regime, instead of siding with its people. Ehsan was only 28. They denied a last visit with the family and they buried him without letting the family know. In doing all these they knew they would never be criticized by the US government. But if in Baluchestan, a Revolutionary guard commander famous for butchering Baluchis, gets killed or injured, the US reacts immediately! what a shame!

Kiana / November 16, 2009 2:07 AM

I find this just as troubling as the case of Dilawar and Habibullah, who died of extreme torture in United States military captivity at Bagram in 2002. They never even received the formality of a trial.

Or the extreme torture death of Manadel al-Jamadi and 28 others in US military and CIA captivity at Abu Ghraib; again without trials.

Just awful stuff, all of it.

Pirouz / November 16, 2009 3:20 AM

I lie in my bed after four years of fighting cancer. As I lie here I wish to extend myself as one human being to another. To those guilty of evil crimes against others, I beg you to look inside yourselves and ask forgiveness and repentance.

I ask you to do what you can to reverse the evil you have participated in and be disturbed knowing others are witness to that evil.

To those frustrated and in such tremendous sorrow, I promise my prayers and requests of God for peace in your lives.

God bless you

Francis Kabisch / November 16, 2009 6:13 AM

Kiana, The people of Iran hate the Islamic Republic with passion. This regime is destined for the garbage of history, with or without the Obama's of the world.

Amiri R. / November 16, 2009 7:41 AM

It was supposed to be democratic republic at first. they say that they are elected by god, what do you want to do? You cant do anything cause its against god rules!!!!!!!!!!!!

Reza / November 16, 2009 8:24 AM

Abadi is really a fighter!!! words she used unusual unprecedented it is fair to say you got Nobel Prize for this kinds of challenges !! WOW !!!!

Are you the agent of Mulla as well ? madam Abadi

bidar / November 16, 2009 10:07 AM

I am disgusted at the human race. I am nauseaus from reading this. I am repulsed at anything Islamic or Middle Eastern. How primitive. How evil. They should have sent him to another country where he could lead the life he chooses. This regime should be wiped off the face of the earth.

LiLy Simone Pierre / November 16, 2009 11:23 AM

Sad.

Tony / November 16, 2009 11:26 PM

ignorant they worship devil nothing godly about this kind of inhuman thing,

Anonymous / November 17, 2009 1:14 AM

Francis Kabisch wrote "The people of Iran hate the Islamic Republic with passion".Unfortunately, that is not true. Most Persian Iranian in Iran are extremely religious and they follow their Imam blindly and unconditionally. Let us face it; there is no secular opposition party except minority political parties. Mujahidin is same religiously oriented and advocate same religious garbage as Imam's in Iran. The Shah's follow living high life in LA and pretend they are leading a revolution. It is a sad situation for people of Iran. Most Iranian do not even support the minority rights. Ehsan Fattahian was a Kurd, as Iranian Kurd he died for right of his people and all Iranians. Right to read and write in his mother tongue, to be recognized as a nation like Arabs, Turks and Persians, and to live in a secular nation without religious rules and restrictions.

Azad / November 17, 2009 1:22 AM

i support the islamic republic though disagree with the aftermath of the elections.
i will not forgo the long term interest of my country and be blinded and sidelined by short term troubles and skirmishes.

ali reza / November 17, 2009 2:05 AM

Amiri R. wote" The people of Iran hate the Islamic Republic with passion"
Unfortunately, that is not true. Most Persian Iranian in Iran are extremely religious and they follow their Imam blindly and unconditionally. Let us face it; there is no secular opposition party except minority political parties. Mujahidin is same religiously oriented and advocate same religious rubbish as Imam's in Iran. The Shah's followers are living high life in LA and pretend they are leading a revolution. It is a sad situation for people of Iran. Most Iranian do not even support the minority rights. Ehsan Fattahian was a Kurd, as Iranian Kurd he died for right of his people and all Iranians. Right to read and write in his mother tongue, to be recognized as a nation like Arabs, Turks and Persians, and to live in a secular nation without religious rules and restrictions.

Azad / November 17, 2009 2:08 AM

The government of Iran is a disgrace to humanity & Islam religion. Shame on the people that keep them in power, these people are truly carbage. God never said to behave this way.
I am sorry President Obama gives cold shoulder to the voice of people in Iran.

Melody / November 17, 2009 4:16 AM

Ehsan is not the first and certainly wont be the last, not only in iran but all over the world people are suffering on daily basses, when we try to find the cause for all these sufferings aside with the capitalist system we can not deny the fundamental effect religion has on every aspect of life as we know it, we can not see any real change in this world if we keep ignoring this reality,,we must bring down the religion and close the darkest chapter in history of human evolution.

manoochehr sohrabi / November 17, 2009 7:53 AM

Fattahian's execution reminds me of the unfair execution of Yaghoub Mehrnahad in the southeastern city of Zahedan. Mehrnahad was convicted of having links to the terrorist Jundullah group. I am not sure about his alleged links to Jundullah, but it is crystal clear that he was a Sunni activist striving for alleviating the regime's discrimination towards Baluchis ethnics and Sunni minorities. He was executed on August 2008 but his family haven't seen him since February 2008. Reports then said that his was in a severely poor health condition. He could have been died under duress without being led to the gallows.

Angie / November 17, 2009 10:43 AM

Bidar, please go to Iran and make similar claims as Shirin Ebadi. She is brave, and it is pure stupid to call her agent of mullas. We need to grow up and be responsible. You can call anyone anything you want, but please back it up with evidence. Hope for a free Iran from any religion, dictatorship and ignorance!

Omid / November 17, 2009 1:03 PM

Azad Wrote: "Most Persian Iranian in Iran are extremely religious and they follow their Imam blindly and unconditionally."
I don't know which Persian Iranians you refer to. I know while it's true that a lot of the people in the country are religious, no more than a handful follow the leader (or any other religious government figure,) "blindly." Maybe you're talking about Iran 25 years ago during the Iran-Iraq war. It's likely if all you can name for opposition are the Mojahedin and the royalists. The people of Iran have come a long way and secularism has grown within them due to higher education. They not only see the regime's criminal core through its Islamic facade, they are also aware of Islam's own

shrouded human rights violations. Listen to the Green Movement's newest slogans: "jomhoori-e-Irani" (Iranian Republic) and "Freedom of thought doesn't come with a beard." You'll see how far the Iranian people have come from their Islamic fanaticism of 1979.

Sahar / November 17, 2009 11:50 PM

I am disgusted and repulsed by LiLy Simone Pierre, reflecting her ignorance and prejudice about Middle Eastern (including Israel) and anything Islamic! There are a lot of disgusting and evil things happening in the world done by all kind of people and governments. A friend of mine got murdered by a gang of youth in front of his 3yr old grand daughter outside a London mosque for no apparent reason other than standing outside a mosque! There is an Islamophobic tint in some of your commentators and the tendency to blame Islam as a faith for the wrongdoing of individuals or governments. No one blames Christianity for GWB's war on 'terror' which has caused so much death and suffering in both Iraq and Afghanistan especially considering his claim that God spoke to him. The Koran equates the death of an innocent person as being equal to that of the whole of humankind. If Iran is to change for the better, then those who would want to take the reins of power need to demonstrate better conduct otherwise what will be the difference as far as the ordinary Iranian is concerned.

rezvan / November 18, 2009 4:17 AM

These mullahs and their criminal thugs are a stain in Iranian civilization. They represent Ahriman and Satan, not Ahura-Mazda or Allah. They believe in no justice, no truth or law. They are a bunch of murderers, liars and thieves

Rahim asgard / November 18, 2009 4:00 PM

@rezvan

I too am disgusted and repulsed by LiLy Simone Pierre.

However, "No one blames Christianity for GWB's war on 'terror'" is not entirely accurate.

And "The Koran equates the death of an innocent person as being equal to that of the whole of humankind" is a nice selective reading of a book that has no harsh words to say about slavery and recommends death in circumstances that most civilised people would disagree with such a sentence. In fact the Koranic definition of "innocent" is open to quite murderous interpretation.

Speaking from the point of view of one who has read most, so called, holy texts and is disgusted and repulsed by both the bible and the koran.

Peace and Love

Enemyofcertainspecificgodsandgoddesses

secularist / November 18, 2009 9:39 PM

I agree with so many of your comments here. Unfortunately all or many religions throuot the world are manipulated by those who wish to control without any respect for human rights. I truly believe that whatever energy we put out (be it good or bad) leaves an imprint in the universe.

I also believe we all are ONE with God. Why do we continue to destroy one another. Is it greed, ego, hate, power? Why can't we just rejoice in our differences and become richer for it.

Just a note here to Resvan: I would have loved to have heard the conversation between GWB and God. I'm almost sure God told him to back off the threats and wars and to be willing to sit down with most other leaders of the world and listen instead of threaten.

Teney / November 18, 2009 11:25 PM

Rezvan wrote "I am disgusted and repulsed by LiLy Simone Pierre"

Lily like me and many non-Iranians are sick and disgusted of bunch Imam's ruthlessness against political prisoners. Rezvan, are you justifying Islamic Republics inhumane treatment of Iranian people? Or you try to defend Taliban in Afghanistan and Saddam's follower in Iraq. George W saved the people of Iraq from the dictator.

Azad / November 19, 2009 1:33 AM

One positive aspect of Mr. Khomeini's regime is the emphasis he placed on education. Unfortunately, he did not consider the fact that knowledge is nourishment...and that the more intelligent his people would become, the more they would question his oppressive occupancy as their leader. How could he not foresee the fact that he would be condemning over a million of his own people to a tragic death...perhaps he just did not care?...if he truly loved "his" country and "his" people he would not have prolonged the war (for 6 years after Saddam called a ceasefire 2 years in) and stood by while a million people (many young boys) died for his Islamic republic of Iran. Whether it was the tens of thousands directly executed publicly or privately by the regime itself or the hundreds of thousands that died in the war...the fact remains that under no other government has Iran lost so many souls as it did during the short period of Khomeini's time as supreme leader. I wouldn't be surprised if he knew about the Iraq war all along...or that perhaps they would discover he is not even of true Iranian descent... ALWAYS ASK WHY

Bittersweetsoul-ja / November 19, 2009 2:51 AM

Azad, there is a difference between being disgusted by "Islamic Republics inhumane treatment of Iranian people" and being repulsed "at anything Islamic or Middle Eastern".....

Kouros / November 19, 2009 1:43 PM

What happened to Ehsan Fattahian is disgusting but unfortunately the norm for Iran.

Iran is truly hell on earth! Bachebazjad and the Mullahs are a Satanic cancer on their own country and the power of Islam (a religion forced on the Persians by the Arabs) over the people, most of whom are brainwashed by the religious garbage they've been spoon fed all their lives, is all encompassing.

The day this evil regime is toppled and hung in unison from the highest crane in Tehran and Islam finally undergoes a reformation and enlightenment similar to what happened to Christianity centuries ago can't come soon enough. We may even experience something resembling world peace when that happens.

Freedom for all those that strive for it.

R.I.P., Ehsan.

Kafir Harami / December 3, 2009 6:10 PM

What happened to never again? not using an oven to wipe out your undesirables is not a good excuse for the world to turn a blind eye to what is going on in Iran. people of the world stand and fight for humanity. Thank you PBS for having the courage to air this type of brutality. Ms. Ebadi please give back your Nobel prize you are a chicken dressed in a lion's gown!

Kasra / February 27, 2010 10:11 PM

