

Sexual torture of women political prisoners in the Islamic Republic of Iran
Justice for Iran

Based on a submission by Justice for Iran (JFI) on sexual violence in the Islamic Republic, the October 2013 report by the UN Special Rapporteur on Violence against Women, Professor Rashida Manjoo to the UN General Assembly ended the cycle of silence on one of the most traumatic forms of state-sponsored human rights abuse aimed at women in custody in Iran, the raping of virgins prior to execution.¹ Tucked in among other forms of sexual torture propagated by the order and hands of Islamic Republic prison officials against incarcerated Iranians, the rape of virgins acts as a catalyst to draw attention to the use of violence, in particular sexual violence as a significant state instrument by the Iranian judiciary over the past three decades.

The aforementioned submission by JFI was the result of detailed and pioneering research published in a two-part report entitled 'Crime and Impunity' the first part of which clearly establishes that raping virgin girls, arrested for political activism, prior to their execution took place systematically inside Iranian prisons during the 1980s, in particular, the 1988 mass executions when thousands of prisoners were summarily tried, tortured, raped, executed and buried in mass graves.² The rapes, rooted in a twisted misrepresentation of one of Ayatollah Khomeini's orders, were justified under the religious term of *siqih* or temporary marriage. Ayatollah Montazeri, the deputy leader of the time who went on to become an opponent of Ayatollah Khomeini, was able to convince the leader of the revolution that girls (young women), who were due to be executed, should not be, as there are Islamic interpretations stating that they should be given prison sentences, as is prescribed for female apostates. However the judicial and security officials, who had no intention of halting the execution of women, interpreted the order as a dictate to kill as long as the girls were to lose their virginity prior to their execution. This was one reason behind the raping of a large number of female political prisoners prior to their execution; different prison officials in the 1980s tried to find or create so-called shari'a-based justifications for this action.

According to the interpretations of the International Criminal Court, such acts can be construed as crimes against humanity. Rape before execution was a systematic action. The fact that it continued for so many years also means it could not have been unknown to higher officials within the government, and thus the entire regime is implicated in this atrocity, not just those committing these crimes. The officials that sanctioned such cruel treatment of women prisoners should be brought to justice as well. A thorough, public discussion of the government's misuse and manipulation of religion to excuse or legitimise violence against women would enhance public consciousness (which is the foundation for the development of a humane political culture and society), would denounce such actions, and would demand it should never again be repeated. It is an ethical duty upon all humanity and, in particular, human rights activists to make an issue of these uncivil developments and unethical practices, in this case carried out in the name of ethics and religion, to prevent them from happening again.

Our findings indicate that marrying off female political prisoners in the 1980s, often as a condition to escape execution, was an issue that recurred in a number of prisons across the country and this indicates the systematic nature of this policy. These marriages are thus classified as forced marriages and any sexual relations resulting from them are a form of sexual torture in accordance with the principles of international law. Those who perpetrated these rapes enjoyed impunity as a result of the absolute denial by Iranian officials that there was any wrongdoing in the prisons of the Islamic Republic. Many of the prisoners have experienced it happening to them or their cellmates. Placing pressure on female prisoners to accept the marriage proposal of the interrogator, prison or judicial official ranged in reason from personal vendetta to an effort at controlling the female prisoner even after her release. Based on what was concluded from our interviews with former female political prisoners, pressuring the prisoner to accept marriage was often done by placing marriage as a condition for release or as a guaranteed exemption from torture or execution. On multiple occasions, young female political prisoners, particularly those who had become *tavvab*³, who were psychologically pressured in the harsh conditions of the prison, including by interrogation and torture, developed an attraction toward their interrogators.

Many of the female political prisoners resisted these severe and unbearable pressures and did not agree to enter into marriage in prison. However, even those prisoners who agreed to the marriages, regardless of their condition or the intention behind the agreement, could not be classified as having entered into a

¹ Justice for Iran, UN Expert breaks global silence on rape of young virgin girls in Iranian prisons, November 2013, <http://justiceforiran.org/call-for-action/english-un-expert-breaks-global-silence-on-rape-of-young-virgin-girls-in-iranian-prisons/?lang=en>

² Justice for Iran, Crime and Impunity, May 2012, <http://justiceforiran.org/wp-content/uploads/2012/05/CrimeImpunity.pdf>

³ Prisoners who recanted and as a proof of their recantation assisted prison authorities in the suppression of other prisoners.

'consensual' relationship because the conditions necessary to form real 'consent' were absent inside the prisons. Hence, such marriages are better classified as forced marriages, and any sexual relations resulting from them a form of sexual torture in accordance with the principles of international law.

Iranian officials, both past and present, have unilaterally denied the existence of any form of torture in Iranian prisons during the 1980s. However, many reasons can be cited for the existence of rape in prisons. Some reasons are political, such as the use of rape as a tool to break the resistance of female prisoners. Other reasons stem from the sexual desires of the official who happened to find just the right time to carry out his act.

The second part of the Crimes and Impunity report indicates that, in contrast to what one might expect of an Islamic regime, in addition to the rape of virgins, the majority of female political prisoners experienced at least one form of sexual harassment throughout the second and third decade of the Islamic Republic. What this means is, if we were to rely on the definitions resulting from the decisions of the International Criminal Court, certain forms of sexual torture were inflicted on female political prisoners in a widespread manner. Amongst these was verbal abuse inflicted with the intention of reducing female political prisoners to the level of a sexual object, and denying their political identity. Other forms included striking genitals while forcing the inmates to crawl on their hands and feet, sex-based cruelty, cavity search as a means of demoralising the prisoners, and other forms of sexual harassment following release involving both the prisoners and their family members.⁴ Many of the women interviewed considered the pain caused by insults to far exceed that of lashing, a serious form of physical torture, as the former questioned their identity as a human being.

However, sexual torture inside prisons was not limited to verbal insults. Many female political prisoners were placed in conditions where they feared being raped. Some were even threatened with rape. Fear of rape was especially prominent in prisons where all the personnel, including the wardens, were male. Furthermore, the women's bodies were assaulted in a variety of different ways. Although the Iranian regime's principles of shari'a ban any contact between female and male bodies, except in familial or spousal relations, female political prisoners reported that inside interrogation and torture chambers, the torturers and interrogators sat on different parts of the their bodies, particularly their buttocks and waists, while lashing them. These reports were common in prisons across the country.

In addition to the above, the report also uncovered an extraordinarily violent method of torture prevalent at Ghezel Hesar prison, one of the largest and most heavily populated prisons of the 1980s. Haji Davoud Rahmani,⁵ head of Ghezel Hesar prison, and other male prison officials, forcefully kicked female political prisoners between their legs whilst forcing them to crawl on the floor or stand facing the wall. The violent kicks caused heavy bleeding in many of the female prisoners. Some of the female prisoners had never before spoken of this form of torture, only recounting it during our interviews. Three decades later, the severe trauma caused by this torture is still present in those who suffered through it.

Given that many of the detained women were young, a notable number of them were pregnant or had their young children with them at the time of their arrest. Pregnancy and the presence of small children in detention augmented the physical, psychological and gender-specific violence endured by women prisoners. Increased forms of torture sometimes led to miscarriage or the inability to breastfeed, and abuses such as the deprivation of food, diapers, milk formula, clothing and medical care prolonged the illnesses of children in the wards. Physical torture, such as being beaten, lashed and raped in front of their children, also created psychological trauma for both mother and child. Motherhood in prison was undoubtedly one of the most painful experiences for a large number of women political prisoners; however these horrific occurrences had not been examined, prior to this report, as a form of gender-specific torture.

Over the second and third decades of the Islamic Republic, interrogators subjected prisoners to a widespread and systematic campaign of intimidation and interrogation in order to extract false confessions regarding details of their sexual relations. The transcripts or recordings were often publicised in the national media, as a means of forcing prisoners to admit to espionage and acting against national security because of the stigma associated with sex outside of marriage.

Such a pattern of torture can be fully understood within the context of Iranian culture, which views sexual relationships outside of marriage or between individuals of the same sex, as a 'sin' or 'taboo'. Within such

⁴ Justice for Iran, *Raped Out of Prison* (p25-35), June 2013, <http://justiceforiran.org/wp-content/uploads/2013/06/CWP-2th-EN.pdf>

⁵ Justice for Iran, *Crime and Impunity* (p162), May 2012, <http://justiceforiran.org/wp-content/uploads/2012/05/CrimImpunity.pdf>

a cultural context, the pressure exerted by interrogators to extract false confessions regarding illegitimate sexual relationships breaks down the prisoners so that they prefer to accept political lies to the taboo of sexual promiscuity. This is a particularly powerful means of silencing and subjugating female political prisoners, as any accusation involving illegitimate sexual activity can greatly diminish the position of a female activist and undermine her identity as a respectable woman within her family unit as well as her community. This in turn undermines the validity of her political activities. This may be the reason why, once released, former female detainees live in fear of their false confessions coming to light, as once known, they can be subjected to inquisition and ill-treatment at the hands of their family and community members.⁶

It is hoped the long and dark silence of Iranian society will come to an end, a silence that has failed the nation in protecting and providing support for countless young women whose only crime was that of political expression and participation in the public sphere, one that the regime intended to monopolise for their supporters and loyalists. Public dialogue on the reasons behind the silence and societal soul-searching is a required first step for Iranians today in order to develop a cultural coding that removes shame from the victims of sexual violence and transfers it to the perpetrators. The development of a general consensus on the forms of retributive justice and public identification of the perpetrators is another step that is crucial in order to ensure the condemnation and deterrence of such behaviour in the future. This public discourse may also go a long way to help initiate a healing process for the victims and the families and friends who have suffered the loss of their loved ones. Hence, a third crucial step is reparative justice with a focus on the victims of these crimes.

At the national level, an atmosphere must be created that provides victims with the opportunity to speak about their experiences, particularly through the formation of support groups and access to psychological services, without the fear of social repercussions or the breach of cultural taboos. Furthermore, the development of a long-sought democracy in Iran depends on whether the nation fulfils its commitment to freedom of expression, protection of human rights for all and development of a pluralistic political culture through law and national instruments. Recognition of the women who, because of their political participation and vision of a more inclusive role for women in the public sphere, have suffered excruciating repercussions, would have to start with documenting the truth of what went on and continues to go on behind the walls of Iranian prisons.

At the international level, the JFI report, Crimes with Impunity, provides the grounds for officials at the United Nations, international organisations and EU member states to support the proposal for the appointment of a special or joint envoy focussed on sexual torture in Iranian prisons with a particular focus on fully investigating the use of the rape of virgins as a torture mechanism in Iranian prisons. The proposed envoy may be mandated to carry out a full fact-finding mission both in and outside Iran in order to bring to account those responsible for the use of this mechanism against Iranian prisoners.⁷

⁶ Justice for Iran, 'Raped Out of Paradise: Women in the Prisons of the Islamic Republic of Iran', June 2013, <http://justiceforiran.org/wp-content/uploads/2013/06/CWP-2th-EN.pdf>

⁷ Justice for Iran, Raped out of Prison, June 2013, <http://justiceforiran.org/wp-content/uploads/2013/06/CWP-2th-EN.pdf>

