



*Shirin Ebadi leaves court with the mother of Zahra Kazemi, 2004
Credit: Reuters/Morteza Nikoubazl*

VIEW FROM IRAN

Nobel Peace Prize laureate **Shirin Ebadi** reflects on the state of free expression

Index: Standing up for free speech is fundamental to your work as a lawyer. If you look back over your career, what do you feel has been the most important case in terms of freedom of speech?

Shirin Ebadi: When you ask a mother which one of her five children is her favourite, she can't give you the best answer. I feel the same way about all of my cases. I've loved all of them. In the right context, each one of them has been the best and most important case for me.

Index: You have received an increased number of death threats this year. Do you think this is a sign of a wider deterioration or is it linked to particular work you're doing?

Shirin Ebadi: The issue of the threats goes back many years and at the same time I'm not the only one who's been threatened. There are people, as we say in Farsi, who bring about change in the way of thinking in Iranian society and all these kinds of people have been given death threats.

Index: You've said that Iran's human rights records has deteriorated over the last two years, with more dissidents being jailed and more executions. I'm wondering whether you have an explanation.

Shirin Ebadi: What I can pinpoint specifically is the treatment of women. Close to 50 Iranian women now have cases pending against them, only because they sought the full equality of rights between men and women. They recently arrested the Bahai faith leaders in Iran. None of them was engaged in any armed activity; their only crime was that they were sticking to their belief system and faith. A group of our students have gone to prison. And from among those, several of them have actually, in writing, informed the court that they have been tortured. Workers have held demonstrations objecting to low wages and several of them were arrested. I can especially point to Mansour Osanloo [president of the transport workers' trade union], one of those arrested, who is also suffering from diabetes – healthwise, he is really in danger in prison. A teacher called Farzad Kamangar has been issued a death sentence [in February]. Even a Kurdish journalist named Adnan Hassanpour has received a death sentence [in July 2007]. Luckily these sentences are being reviewed in the appeals court and they may change, but you know, this just points to the severity of the conditions we are

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facing there. There are many, many other examples but I can't really talk and name all of them because that will take a whole lot of time.

Index: And the perception is that things are worse.

Shirin Ebadi: Yes, that's the case. Compared with eight years ago, things have worsened. Compared with 20 years ago, things are better.

Index: Are the charges being brought against people changing? For example, people being accused of being spies, of having connections to foreign institutions. I'm thinking for example of Haleh Esfandiari, who I know you represented [Esfandiari, an Iranian-American academic based in the US, was detained while visiting Iran last year. She was charged with 'endangering national security through propaganda against the system and espionage for foreigners'].

Shirin Ebadi: I sometimes think that the Iranian government suffers from a phobia because they believe that everybody is ready to overthrow the regime. Even women, whose only demand was equal rights, were actually accused of undermining national security when their cases came up. Workers seeking higher wages are also accused of taking measures against national security. The government basically considers the step towards higher wages or pretty much any measure taken by these groups as measures taken against national security.

Index: In the case of Haleh Esfandiari and the other Iranian American academics who were detained – what do you think was the main reason for the detention? Is it part of a war of rhetoric between Iran and America?

Shirin Ebadi: It could be. It could also be that the government is basically using every opportunity to show to the world that it is being threatened by the United States.

Index: One of the most famous cases that you took on was the murder of the dissidents and intellectuals Dariush and Parvaneh Forouhar [in 1998; their murders were part of a number of serial killings of dissidents. Fifteen intelligence ministry agents were found guilty in 2001]. I know that you've said that this was a critical case because it was the first time that the

state acknowledged that it had murdered its critics. And I'm wondering if that remains the only real instance there's been of that kind of acknowledgment?

Shirin Ebadi: That's the only case, and only under pressure from Mr Khatami [then president of Iran]. And that's why I respect Mr Khatami.

Index: Can you see a time where that kind of mood will return to Iran?

Shirin Ebadi: I hope so, because people prefer that kind of leadership.

Index: One other case I wanted to ask about was the terrible murder of the Iranian-Canadian phototographer, Zahra Kazemi. And I just wanted to ask what stage you're at with that [Kazemi died in custody in prison in 2003 after taking pictures of a demonstration].

The government believes everybody is ready to overthrow the regime

Shirin Ebadi: It's taken about four years . . . during which time different courts basically declared that they are unable to find who the murderer is. And this is the most laughable thing a court can say. Zahra Kazemi was killed in a prison cell, a place where all entries and exits are monitored – plus the fact that there's a video camera that records everything as well. We raised a lot of objections, and I brought a lot eyewitnesses and a lot of evidence that I presented to the court. The court pretty much dismissed all the evidence I presented. Until four years later, when one court came and said, 'All the rulings that have been issued have to be re-issued again.' So now, apparently, the plan is that they will review the case the very same way we requested from day one. Of course it is unclear whether, even after this new review, the judgment that comes out will be fair or not. And I'm afraid that another 20 years will pass and they will still be reviewing the case. Zahra Kazemi was a case in which an order could have been issued within a month.

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Index: We are in the 60th year of the Universal Declaration of Human Rights and in many countries it remains an ideal that will clearly never be realised. Should we be celebrating or should we actually be worrying, trying to consider what we can do to bring greater change?

Shirin Ebadi: I would say both. We should be celebrating because that was an effort that was made that resulted in the declaration, and everything that followed, and it was a multilateral effort. At the same time, we need a multilateral effort to address the existing problems and issues. □

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Shirin Ebadi is a celebrated lawyer and human rights activist – the first Iranian to win the Nobel Peace Prize (2003). She was also the first female judge in Iran and has taken on some of the most politically sensitive cases in the country. She lectures at Tehran University. Her most recent book is *Refugee Rights in Iran* (Saqi)