



Memorial | Omid, a memorial in defense of *human rights in Iran*

One Person's Story

Dariush Foruhar

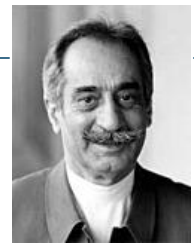
ABOUT

Age: 70

Nationality: Iran

Religion: Islam (Shi'a)

Civil Status: Married



CASE

Date of Killing: November 22, 1998

Location of Killing: No. 18, Moradzadeh Alley, Hedayat St., Sa'di St., Tehran, Tehran Province, Iran

Mode of Killing: Stabbing

Charges: Unknown charge

About this Case

In his youth, Mr. Foruhar organized young activists in support of nationalizing the oil industry. Decades forward, his critique of the state's "concentration of power," continued to attract young Iranians.

Mr. Dariush Foruhar, founder and leader of the banned Iran Nation Party, and his wife, Parvaneh, are two of the victims named in the 2000 Report of United Nations Special Representative. The report included their assassination in the "string of disappearances and suspicious deaths in the second half of 1998 of intellectuals and dissident political figures."*

"Popular reaction," the Special Representative noted, "was strong and immediate and became more so as it became clear that the killings were part of what became known as serial killings,** committed by officials in or close to the Ministry of Information (Security)." The information regarding this case has been drawn from several sources (see endnote).

Mr. Dariush Foruhar was born on December 28, 1928 in Esfahan. He became interested in politics in high school. He enrolled in the Tehran University Law School in 1948 and joined the Pan Iranist Party. Mr. Foruhar married Ms. Parvaneh Eskandari on April 23, 1961. They had two children.

Mr. Foruhar was one of the founders of the Iran Nation Party in 1951. He was arrested and imprisoned for the first time in 1950, subsequent to his speech as the representative of students of Tehran University, in favor of

nationalization of the oil industry. He was wounded in clashes with the forces that carried out the coup d'état and overthrew the nationalist government in August 1953. Mr. Foruhar was exiled to Qeshm Island. His activism led to several arrests and he spent a total of 14 years in prison under the previous regime (Ms. Foruhar's blog). In 1977, he co-signed along with Dr. Bakhtiar and Dr. Sanjabi a letter of grievances addressed to the Shah, (Ms. Foruhar's blog).

After the Revolution of 1979, Mr. Foruhar was appointed the Minister of Labor in the interim government. "[T]he creation of the [Labor] Loans Fund, Unemployment Benefits, and the increase of minimum wage were some of his achievements during his short period in the office" (Parastu Foruhar's blog).

Mr. Foruhar resigned later that year and was arrested in 1982. His family was unaware of his whereabouts for many months. Mr. Foruhar is quoted saying that the few months he spent in Evin Prison were much harsher than his 14 years of overall imprisonment during the previous regime (his daughter's interview in *Iran Emrooz*).

Mr. and Ms. Foruhar were proponents of a democratic and independent Iran. They supported the separation of state and religion. They believed, and publicly stated, that the current structure of the state institutions in the Islamic Republic led to the concentration of power, and made reforms, particularly constitutional reforms, very difficult. With the relative opening of public space in the late 1990s, their persistent effort to promote their ideas attracted student groups who promoted democracy. The couple's funeral was attended by thousands of Iranian men and women who gathered spontaneously in spite of the overwhelming presence of security services.

The Iran Nation Party was founded in 1951 as the result of a split from the Pan Iranist Party. The nationalist Iran Nation Party endorsed Dr. Mohammad Mossadeq's policies and actively resisted the coup of August 18, 1953, which overthrew the Mossadeq government. The Iran Nation Party excluded Pan Iranism from its ideology in 1961. The Iran Nation Party joined the National Front, which was led by Dr. Shapur Bakhtiar, Dariush Foruhar, and Dr. Karim Sanjabi. The Party remained a member of this coalition until the Revolution. In 1979, the Iran Nation Party joined the Islamic Revolution forces and accepted the leadership of Ayatollah Khomeini. In June 1981, when the Iranian government intensified its oppression of political opposition and banned political parties, the Iran Nation Party limited its activities. The relative political opening that followed the presidential election of May 23, 1996, encouraged the Iran Nation Party to resume its activities unofficially, in particular among students.

Murders

On November 22, 1998, the bodies of Mr. and Ms. Foruhar were found in their house in Tehran. They both had been brutally murdered and stabbed multiple times. Persons who saw Mr. Foruhar's body later told his daughter that her father's arm was broken though the official forensic report only mentioned the knife wounds. To this date, the exact circumstances of the Foruhars' death remain unknown to their family.

Following the murders, the couple's daughter, Parastu, was called in to identify the bodies. None of the family's friends were allowed to accompany her. She was taken to an ambulance, where her parents' bodies were laid. The authorities hastened the process, transferring the bodies immediately after she signed the necessary documents, and rejecting her request to stay a moment by her parents. The Foruhars' children were denied for a week access to the family house, which was left in a state of total chaos after the police search. Parastu Foruhar reported that documents and writings were confiscated and never returned to the family (Melliun Iran).

State Investigation

The state investigation and prosecution of the case lasted several years, during which state authorities made various contradictory announcements, resulting in much confusion surrounding the circumstances of the murders.

On November 29, the Iranian President, Mohammad Khatami, condemned the killings, calling them "repulsive crimes" and called for an investigation (*Iran Mania*). On December 14, following the discovery of the bodies of two other dissidents, Mohammad Mokhtari and Mohammad Ja'far Puyandeh, the President created a special

committee to investigate the case, which became known as the “serial murders.” The Ministry of Intelligence announced, on January 5, 1999, that some of the Ministry’s officials were involved in the murders of the four dissidents. The announcement stated: “With the cooperation of the specially appointed Investigatory Committee of the President, the Ministry has succeeded to identify the group responsible for the killings, has arrested them, and started to process their cases through the judicial system.” The announcement blamed a few “irresponsible, misguided, and rogue elements, under the influence of foreign powers” (in *Hamshahri* 1999). The Minister of Intelligence resigned on February 9, 1999 (Shahbazi).

The case of the serial murders was referred to the Judicial Complex for the Armed Forces. On June 20, the Prosecutor of this entity stated that the mastermind behind the murders was a high-ranking official of the Ministry of Intelligence, named Sa’id Emami (arrested on Jan. 25, 1999; Shahbazi), who had committed suicide while in custody. Mr. Emami was the advisor to the Minister of Intelligence at the time (Radio Farda, 2008).

On August 4, 1999, the military prosecutor’s office issued a communiqué stating that the perpetrators of the “serial murders” intended not to “strike at the opposition, but at the government itself, in order to internationally damage the reputation of the Islamic Republic” (Parastu Foruhar’s blog). On January 15, 1999, the Supreme Leader had condemned the killings during the Friday sermon, attributing them to foreign powers (Shahbazi). Footage of the interrogation of the suspects, which leaked to the media and was partially released on January 21, 2002 (Indy Media) and posted on-line, indicated that suspects were under pressure to confess that they had links with foreign entities. The footage included 300 hours of filmed interrogations.

In September 2000, with the completion of the investigation, the victims’ family and lawyers were given ten days to review the files of “over a thousand pages,” learn about the findings, and take notes (Parastu Foruhar’s blog). In response to a list of grievances presented by the family, the authorities undertook some revisions, which they declared complete by November 2000. The trial of the 18 individuals***, who were arrested between November 22 and January 5, 1999 and accused of ordering or participating in the murder of the Foruhars and the two other victims, was held behind closed doors and lasted about a month (12 sessions). The families, who objected to the investigation’s inadequacies and inconsistencies, refused to attend.

On January 27, 2001, the Fifth Branch of the Tehran Military Court condemned three individuals to death, sentenced 12 individuals to prison terms (from two and half years to life imprisonment) and acquitted 3 individuals. The verdict also stated that the murders have harmed the reputation of the regime, since tolerating the victims, with oppositional political beliefs, was a sign of state benevolence; and that even if these victims were enemies of the state, nevertheless they were harmless enemies. The ruling asserted that the Foruhar family needed to pay half of the blood money of the individual convicted of Ms. Parvaneh Foruhar’s murder**** (*Hamshahri* 2001).

In the Islamic Republic Penal Code, the family of a murdered victim determines whether or not the death penalty is enforced. In the case of the “serial murders,” the Foruhars and the two other families involved announced their opposition to the death penalty. Therefore, the defendants sentenced to death were not executed. Instead, the verdicts were referred to the court of appeal. On May 27, 2002, the sentences were commuted to between three to ten years imprisonment (Ms. Foruhar’s blog).

The Islamic Republic authorities have shown little tolerance for criticism regarding their handling of the investigation and, in particular, the fact that no high official was investigated and the murders were attributed to rogue elements. On December 10, 2000, Dr. Naser Zarafshan, the lawyer of the Foruhar and Puyandeh families, was summoned before a court “in connection with comments that he made about the case” (Amnesty International 2003, *Iran Mania*). In March 2002, the court, which Amnesty International called “unfair and closed,” sentenced him to 5 years imprisonment and 70 lashes (Ms. Foruhar’s blog).

Publications, which investigated the “serial murders” and attempted to expose the high ranking officials involved in the murders, were closed down and their journalists silenced. One such newspaper was *Khordad*, which

covered the “serial murders” and criticized the investigation of the case. The editor-in-chief of *Khordad* was tried in a special clergy court, which on December 27, 1999, condemned the editor to 5 years imprisonment and ordered *Khordad* to be closed for five years (*Nehzat-e Azadi*). Similarly, the *Salam* newspaper was closed on July 6, 1999 (BBC, 2004), reportedly based on a news story that Emami had initiated a new law on mass media to limit press freedom (*Iran Mania*); the closure of *Salam* led to the events of Tehran University, two days later. Additionally, the publication of *Gam-e No*, a student periodical, was suspended for two months, starting on May 7, 2001, in part in connection with an article on the “serial murders” (ISNA).

Family's Objections and Statements

The families of the victims of the “serial murders,” who tried to pursue justice through the Iranian justice system, believe they have been denied justice in Iran. They have thus taken their case to the United Nations. They have repeatedly called attention to fundamental inconsistencies in the investigation of the murders, their lack of access to key testimonies and documents, the reported loss of evidence, and to the flawed judicial process, which did not investigate those responsible for ordering the murders. They also objected to the referral of the case to the Judicial Complex for the Armed Forces.

The Foruhars believe that the murder of their parents was politically motivated and ordered by high ranking state officials, rather than an act carried out by a few “rogue elements” within the Ministry of Intelligence. Ms. Parastu Foruhar noted that most of the accused continued their work in the Ministry of Intelligence while they were under investigation (her blog). She pointed out to the authorities that their house had been under state surveillance, and that the religious judge in charge had told her, in the first 40 days after the murder, that he was certain that the murders were politically motivated (*Melliun Iran*).

Ms. Foruhar further questioned the thoroughness and the reliability of the interrogations. For example, the interrogators ignored important statements by the accused, who testified that the physical elimination of political opponents was one of their duties, and had been carried out on the order of the Minister of Intelligence many times prior to the fall of 1998 (*Melliun Iran*). According to the report of the *Hamshahri* newspaper (2001), the military Prosecutor decided against the prosecution of the Minister of Intelligence stating that the defendants' claim was not backed by sufficient evidence. According to Amnesty International, in March 2002 “new video evidence indicated that those interrogated were not permitted to refer to [the Minister of Intelligence] or his alleged role in the killings.” Further, the investigators failed to challenge contradictions in testimonies of the accused and allowed the defendants to conceal their identity (*Melliun Iran*).

The family also protested the fact that the case was classified as a national security matter soon after the murder. As a result, the authorities were able to deny the victims' families and lawyers' access to information during the investigation.

In September 2000, the authorities gave the family and their lawyers an un-extendable ten day period to read the files but did not allow them to make copies (her blog). The files were missing crucial information, including the events and circumstances of the murders, as well as the statements of three defendants, including Sa'id Emami, the leader of the assassination team, who reportedly committed suicide in prison. The authorities had initially reassured the family after the death of Emami that his testimony was available in the file. However the file presented to the family did not contain Emami's testimony, which, according to the authorities, was “not relevant” to the case. The authorities also claimed that tapes of other defendants' statements and pictures of the victims had been lost.

The family noted, further, that the authorities never qualified the claim that foreign powers were involved in the murders. When Ms. Foruhar questioned whether there was hard evidence to support this claim, the authorities told her that this was an analytical, yet accurate conclusion, without providing any further details (*Melliun Iran*).

In order to protest against the authorities' indifference to the objections of the victims' families, on December 20, 2000, the latter decided to file a complaint with a Parliamentary Commission (empowered under Article 90 of the

Constitution to oversee the work of any of the three branches of the government). The Commission met on December 24. The head of the Commission later stated: "Our investigations led to certain people whom we did not have the power to deal with. That's why the investigations stopped" (ISNA, November 2004, in Human Rights Watch).

In the face of Islamic Republic authorities' refusal to address the grievances of the victims' families, as well as the irregularities in the investigation of the case, the families rejected the competence of the court which prosecuted the accused, and did not attend the trial. They referred the murders of their loved ones to the United Nations Office of the High Commissioner on Human Rights.

The Foruhars' children persist to organize a commemoration every year on the anniversary of their parents assassination and in spite of official bans, threats, and intimidation of those who try to attend.

*Information about the extra-judicial killing of Mr. and Ms. Foruhar and the prosecution of a number of individuals accused of having carried out the assassinations has been drawn from, among other sources, the interviews and writings of Parastu Foruhar, their daughter, (her blog; the *Melliun Iran* website, Nov. 19, 2002; interview with Mohammad Heidari, *Iran Emrooz* website, Nov. 25, 2003). Additional sources include Human Rights Watch report (Dec. 2005), Amnesty International (2003 Report), UN Special Representative Report (E/CN.4/2000/35, Jan. 18, 2000), Arman Mostofi's article (Radio Farda website, May, 21, 2008), the *Hamshahri* newspaper (Jan. 6, 1999; Jan. 28, 2001), the special report by *Iran Mania*, Farzad Moshiri (*Melli Mazhabi* website, Sep. 25, 2005), the website of Abdollah Shahbazi, *Iranian Students News Agency* (May 7, 2001), the website of Nehzat-e Azadi (Dec. 1, 1999), Mas'ud Behnud's article on British Broadcasting Corporation (Jul. 6, 2004), the website of UK Indy Media (Mar. 19, 2002), and the *Iran* newspaper (May 15, 2002).

** Although the official legal process of the "serial murders" followed the killing of four individuals, "[t]here were demands that the investigation be broadened to include many other suspicious deaths going back to 1994... [involving] 50 or more unexplained deaths in recent years. Included were the 1994 deaths of three Christian ministers which had been officially attributed to the Mujahedin, the deaths of Sunni community leaders, and the deaths of dissidents in bombings in Europe" (UN Special Representative).

*** Two individuals accused of ordering murder (initially condemned to life imprisonment), three individuals accused of murder (initially condemned to death), and thirteen individuals accused of conspiracy to murder (initially either acquitted or condemned to imprisonment).

**** In the Iranian Penal Code, murder is punishable by execution (retribution), giving the family of the victim the right to consent to the execution sentence or forgive the perpetrator. At the same time, the blood money of a woman is half that of a man. Consequently, if the family of a female victim decides to uphold the death sentence of the male perpetrator, the victim's family must pay half of the blood money of the male perpetrator to his family.

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