

Iran : retour des personnes en lien avec les Moudjahiddines du peuple (OMPI)

Recherche rapide de l'analyse-pays

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1 Introduction

Situation : la personne kurde a été incarcérée à plusieurs reprises en raison de ses liens avec les Moudjahiddines du peuple (*Mojahedin-e-Khalq / People's Mojahedin Organization of Iran* (OMPI ou PMOI en anglais)). Avant son départ, elle a vécu plusieurs années en Iran avec de faux documents d'identité.

Les questions suivantes ont été tirées d'une demande adressée à l'analyse-pays de l'OSAR :

1. Peut-on partir du principe que la personne n'est pas menacée en cas de retour, du fait qu'elle a précédemment séjourné plusieurs années en Iran avec des papiers falsifiés sans être inquiétée par les autorités ?
2. Une personne présentant ce genre de profil est-elle en danger en cas de retour ?

Pour répondre à ces questions, l'analyse-pays de l'OSAR s'est fondée sur des sources accessibles publiquement et disponibles dans les délais impartis (recherche rapide) ainsi que sur des renseignements d'expert-e-s.

2 Moudjahiddines du peuple (OMPI)

Moudjahiddines du peuple, Mojahedin-e-Khalq, Organisation des moudjahiddines du peuple iranien (OMPI). D'après un rapport du Service de recherche du Congrès des États-Unis (CRS) de janvier 2018, ceux qu'on appelle les moudjahiddines du peuple, connus aussi en tant que *Mojahedin-e-Khalq Organization* (MKO ou MEK) ou Organisation des moudjahiddines du peuple iranien (OMPI), sont le plus connu des groupements d'opposition iraniens en exil. Selon un renseignement plus ancien de l'OSAR (2010), l'OMPI est aussi connue sous le nom d'*Organisation of the People's Holy Warriors of Iran*, de *National Council of Resistance (NCR)*, de Conseil national de la résistance iranienne (*NCRI*) et de Société musulmane des étudiants iraniens. Le CRS décrit l'OMPI comme laïque et politiquement à gauche. Elle a, selon lui, été fondée dans les années 1960, dans l'intention de renverser le chah d'Iran. La même source rapporte que l'idéologie de l'organisation se base sur diverses influences inspirées du marxisme, du féminisme et de l'islam. Pendant la révolution iranienne, l'OMPI a soutenu l'Ayatollah Khomeini. Au début des années 1980, l'organisation a été chassée d'Iran et exilée en Irak après s'être opposée à Khomeini (CRS, 2018). Elle a été rendue responsable de diverses attaques et a participé à la première guerre du Golfe entre 1980 et 1988 en tant qu'alliée des Irakiens. En 1987, l'organisation a fondé un bras armé, l'Armée de Libération nationale d'Iran (ALNI), et mené à partir de 1988 des opérations armées à partir de la base d'Ashraf située à 60 kilomètres de Bagdad. Durant cette période, les autorités iraniennes ont exécuté des centaines, voire des milliers de membres de l'OMPI en les qualifiant de traîtres et d'ennemis de la Nation. L'OMPI a été officiellement déclarée organisation terroriste par une série d'États, dont les États-Unis, l'UE et la Grande-Bretagne. En 2003, elle s'est désarmée et a déclaré renoncer à la violence (OSAR, 2010). En 2008, 2009 et 2012, l'OMPI a été retirée de la liste des organisations terroristes de la Grande-Bretagne, de l'UE et des États-Unis (CRS, 2018 ; OSAR, 2010). À partir de 2011, la plupart des membres de l'OMPI exilés en Irak se sont établis en Albanie dans le cadre d'un transfert soutenu par le HCR (CRS,

2018). Les derniers Moudjahiddines du peuple doivent avoir quitté leur camp en Irak en septembre 2016 (CRS, 2018 ; *Die Zeit*, 2016).

L'OMPI interdite en Iran, considérée comme une organisation terroriste et menacée par les autorités iraniennes. Les autorités iraniennes considèrent les Moudjahiddines du peuple comme une organisation terroriste et ennemie interdite en Iran (DFAT, 2018; *Government of Iran*, 2018 ; *Amnesty International*, 2017 ; HRC, 2017 ; ACCORD, 2015). Elles accusent régulièrement l'OMPI d'instiguer des manifestations en Iran (ACCORD, 2015). D'après les indications de deux personnes de contact, l'OMPI aurait redoublé d'activité ces derniers temps avec le soutien des États-Unis et de l'Arabie saoudite ; elle aurait renforcé sa propagande et ses activités subversives. C'est pourquoi le gouvernement iranien la perçoit comme un réel danger et comme l'« ennemi no 1 » (indications fournies par courriel le 8 juillet 2018 par la *personne de contact A experte de la situation des droits humains en Iran* ; indications fournies par courriel le 5 juillet 2018 par la *personne de contact B experte de la situation des droits humains en Iran*). Un diplomate iranien a été arrêté en juillet 2018, parce qu'il aurait planifié un attentat à la bombe contre une réunion de l'OMPI à Paris (Reuters, 2018). Des observateurs interprètent cela comme un indice supplémentaire du fait que les autorités iraniennes considèrent l'OMPI comme une menace (indications fournies par courriel le 8 juillet 2018 par la *personne de contact A experte de la situation des droits humains en Iran*). Le *Ministère fédéral allemand de l'Intérieur* relève dans son rapport de 2017 que le Ministère iranien du Renseignement (VAJA, généralement abrégé MOIS) se focalise en particulier sur l'OMPI et sur son bras politique, le « Conseil national de la Résistance d'Iran » (NCRI) dans ses activités en Allemagne. Le 19 juillet 2016, le Tribunal suprême de Berlin a condamné un ressortissant iranien âgé de 32 ans à une peine privative de liberté de deux ans et quatre mois en raison de son activité d'agent secret. L'intéressé aurait procuré au MOIS de nombreuses informations complètes sur l'OMPI et sur le NCRI (*Ministère fédéral allemand de l'Intérieur*, 2017).

Persécution des personnes en lien avec l'OMPI. Selon les indications de trois spécialistes, les personnes en lien avec l'OMPI doivent s'attendre à être arrêtées et traduites en justice en Iran (indications fournies par courriel le 8 juillet 2018 par la *personne de contact A experte de la situation des droits humains en Iran* ; renseignement fourni par courriel le 6 juillet 2018 par la *personne de Human Rights Watch experte de l'Iran* ; indications fournies par courriel le 5 juillet 2018 par la *personne de contact B experte de la situation des droits humains en Iran*). La personne de contact B relève que la situation politique actuelle et le rejet plus massif manifesté par la population iranienne dans les rues et sur les places publiques ont amené les autorités iraniennes à se montrer moins tolérantes à l'égard des groupements d'opposition. Le nombre croissant d'arrestations, de condamnations à de longues peines d'emprisonnement et d'exécutions reflète cette réalité (indications fournies par courriel le 5 juillet 2018 par la *personne de contact B experte de la situation des droits humains en Iran*). D'après *Amnesty International* (2017), les défenseurs des droits humains sont souvent accusés de soutenir l'OMPI. De nombreuses sources confirment que des gens ont été arrêtés en raison de liens présumés avec l'OMPI ou de soutien à cette organisation et parfois condamnés à de lourdes peines de prison ou même à mort sous le chef d'accusation « hostilité à l'égard de Dieu » (*Mohareb*) (*Amnesty International*, 2017 ; HRC, 2017 ; *Iran Focus*, 2016 ; *Nonviolent Radical Party et. al.*, 2016 ; ACCORD, 2015). Des gens ont parfois été arrêtés et traduits en justice parce qu'ils avaient des liens de parenté avec des membres présumés de l'OMPI. Maryam Akbari Monfared a ainsi été condamnée à 15 ans de prison pour avoir eu une conversation téléphonique avec des proches membres de l'OMPI et pour leur avoir une fois rendu visite en

Irak (*Amnesty International*, 2017). Selon des indications fournies par *Amnesty International* en 2014, le poète et écrivain Arzhang Davoodi a été condamné à mort parce qu'il était accusé de faire partie de l'OMPI. D'après les indications d'*Amnesty International*, il n'entretenait toutefois aucune forme de lien avec l'OMPI ; l'accusation reposerait uniquement sur le fait qu'il a insisté en prison pour désigner l'OMPI par son nom officiel et non par le terme de *Monafeghin* (« les hypocrites ») utilisé par les autorités iraniennes (ACCORD, 2015).

Retour de la personne qui a auparavant vécu des années en Iran avec des papiers falsifiés. D'après les indications concordantes de trois personnes de contact, on ne peut pas partir du principe qu'une personne ne court aucun danger en cas de retour, uniquement parce qu'elle a séjourné plusieurs années en Iran avec des papiers falsifiés sans être inquiétée par les autorités (indications fournies par courriel le 8 juillet 2018 par la *personne de contact A experte de la situation des droits humains en Iran* ; renseignement fourni par courriel le 6 juillet 2018 par la *personne de Human Rights Watch Experte de l'Iran* ; indications fournies par courriel le 5 juillet 2018 par la *personne de contact B experte de la situation des droits humains en Iran*). Deux personnes de contact indiquent que la véritable identité d'un-e requérant-e d'asile débouté-e est dévoilée en cas de rapatriement en Iran (indications fournies par courriel le 8 juillet 2018 par la *personne de contact A experte de la situation des droits humains en Iran* ; indications fournies par courriel le 5 juillet 2018 par la *personne de contact B experte de la situation des droits humains en Iran*). La *personne de contact A* estime qu'il suffirait que la personne concernée soit d'ethnie kurde et sympathisante de l'OMPI, qu'elle ait fait l'objet d'arrestations et même de condamnations enregistrées, pour que les autorités la poursuivent pénalement pour ses opinions politiques. Ce serait tout particulièrement le cas dans la situation politique actuelle où l'OMPI est perçue comme un réel danger à cause du soutien des États-Unis (indications fournies par courriel le 8 juillet 2018 par la *personne de contact A experte de la situation des droits humains en Iran*). La *personne de contact B experte de la situation des droits humains en Iran* part elle aussi du principe qu'une personne présentant un tel profil éveillerait les soupçons des autorités, surtout à l'heure actuelle, étant donné que l'administration du président américain Donald Trump soutient fortement l'OMPI. Pour ces raisons, il est possible que la personne coure un danger en cas de retour (indications fournies par courriel le 5 juillet 2018 par la *personne de contact B experte de la situation des droits humains en Iran*).

Risque en cas de retour pour les personnes kurdes en lien avec l'OMPI. D'après le renseignement fourni par courriel le 6 juillet 2018 par la *personne de Human Rights Watch experte de l'Iran*, une personne présentant ce profil (personne kurde ayant des liens avec l'OMPI) court clairement le risque d'être persécutée en cas de retour en Iran. D'après la même source, les sympathisants de l'OMPI peuvent être arrêtés, torturés et traduits en justice par les agences de renseignement. Si la personne kurde vient d'une ville plus petite que Téhéran dont la population atteint huit à dix millions d'habitants et qu'elle a de fortes attaches familiales, il est encore plus facile pour les autorités de l'identifier. Dans les régions kurdes, les autorités placent généralement le seuil plus bas qu'à Téhéran pour traîner en justice les militant-e-s (renseignement fourni par courriel le 6 juillet 2018 par la *personne de Human Rights Watch experte de l'Iran*). Comme indiqué ci-dessus, deux autres personnes de contact partent également du principe qu'une personne présentant un tel profil peut se retrouver dans le collimateur des autorités et courir un danger (indications fournies par courriel le 8 juillet 2018 par la *personne de contact A experte de la situation des droits humains en Iran* ; indications fournies par courriel le 5 juillet 2018 par la *personne de contact B experte de la situation des droits humains en Iran*).

Torture et mauvais traitements en détention. D'après le rapport d'avril 2018 de l'*US Department of State* (USDOS), le recours à la torture physique et psychique dans le but d'extorquer des aveux est très répandu en Iran. En particulier en détention préventive. Selon la même source, il y a ainsi des rapports crédibles affirmant que les forces de sécurité et le personnel pénitentiaire maltraitent et torturent des détenus. Les méthodes de torture comprennent des menaces d'exécution et de viol, « des tests de virginité et des tests anaux » effectués sous la contrainte, des privations de sommeil, des électrochocs, des brûlures, des positions de stress (*pressure positions*), ainsi que des coups violents et répétés. La *rapporteuse spéciale des Nations Unies sur la situation des droits de l'homme en République islamique d'Iran* Asma Jahangir se réfère aux rapports des détenus qui ont été victimes de chantages, de coups et d'autres maltraitements physiques. Selon les indications de plusieurs organisations de défense des droits humains, d'atroces tortures sont infligées aux adversaires politiques du gouvernement de manière prolongée dans plusieurs prisons d'Iran, dont la prison Evin à Téhéran et la prison Rajai Shahr à Karaj. D'après la même source, il y a en outre des prisons secrètes et des centres de détention officiels en dehors du système carcéral national. Selon des rapports, des mauvais traitements y seraient également pratiqués (USDOS, 2018).

Services médicaux refusés en détention, y compris à une prétendue sympathisante de l'OMPI. Selon le rapport de mars 2017 du *Secrétaire général des Nations unies*, il arrive de plus en plus souvent que les administrations pénitentiaires ou le ministère public refusent des services médicaux à des détenus et les placent ainsi en danger de mort. Un nombre croissant de cas a été signalé en Iran depuis juin 2016. Le *Secrétaire général des Nations unies* précise qu'il s'agit là d'un modèle de comportement des autorités iraniennes bien documenté. De nombreux rapports stipulent que l'interruption de traitements ou la confiscation de médicaments sont des pratiques délibérément utilisées pour intimider et punir des prisonniers politiques (« *political prisoners and prisoners of conscience* »). La même source indique que l'autre possibilité consiste à refuser délibérément des services médicaux pour extorquer des aveux ou des « remords ». Le *Groupe de travail des Nations unies sur la détention arbitraire* rapporte ainsi le cas de la militante politique Zeinab Jalalian. Pendant qu'elle purgeait une peine de prison à vie, on lui a refusé une opération des yeux dont elle avait urgemment besoin. Le gouvernement n'a en outre pas démenti le fait que l'intéressée a été torturée à plusieurs reprises, qu'une aide médicale lui a été refusée et que des injections lui ont été administrées sous la contrainte. Le rapport de mars 2017 du *Secrétaire général des Nations unies* signale aussi le cas d'Akbari Monfared qui purge une peine de 15 ans de prison pour sa prétendue appartenance aux Moudjahiddines du peuple (OMPI). En octobre 2016, Akbari Monfared s'est vu refuser des traitements médicaux, après avoir publié une lettre où elle réclamait justice pour ses frères et sœurs exécutés en 1988 (HRC, mars 2017).

3 Sources

ACCORD, 2015:

«As indicated by the Netherlands Ministry of Foreign Affairs (*Ministerie van Buitenlandse Zaken* , BZ) in its December 2013 COI report on Iran, which covers the period from September 33 2012 to November 2013, the **MEK is illegal in Iran and regarded as hostile by the Iranian**

authorities , although there were no violent activities of the MEK in Iran during the reporting period (BZ, 24 December 2013, p. 39). The MEK's current activities are focused on influencing public opinion and collecting information about the situation in Iran. **The country maintains a black list of about 100 MEK supporters (leaders, in particular) who cannot go back to Iran as they would be targeted upon return.** (BZ, 24 December 2013, p. 39 [translated from Dutch]). (...) Walter Posch, senior researcher at the Institute for Peace Support and Conflict Management (IFK) of the Austrian Defence Academy (Austrian Armed Forces), explained in an April 2015 interview (...) **that the Ministry of Intelligence (MOI) is the primary institution interested in targeting MEK members, followed by the intelligence service of the Islamic Revolutionary Guard Corps (IRGC).** (...) However, Alex Carlile, a member of the UK House of Lords, notes in an October 2012 article published in the Guardian newspaper that **the Iranian state “fears the MEK’ s influence within the country ” and its “ability to rally Iranians ” in support of their cause. He argues that the fact that the government has “ constantly assail[ed] the MEK as the instigator of [...] demonstrations in Tehran and other Iranian cities, and imprison[ed] and execute[ed] [...] MEK activists and supporters ” shows the “ MEK’ s popularity among Iranians ”.** (Guardian, 12 October 2012) An overview of the MEK is provided on the Italian news website *Politicamentecorretto.com* , which refers to the group as the “largest and most active opposition movement in Iran”. **Despite being repressed by the government, the network of the MEK has remained active in Iran. Thus all eleven persons sentenced to death for their roles in the protests of 2009 (of whom three have been executed) were accused of MEK membership.** (*Politicamentecorretto.com*, 3 October 2012 [translated from Italian]) (...) In a June 2014 interview with *Epoch Times Italia*, Giulio Terzi di Sant’ Agata, an Italian diplomat and former Minister of Foreign Affairs, mentions that **“like the Shah, [the Islamic Republic’s leaders] Khomeini and Khamenei have always viewed the MEK as a danger to the regime.** The source notes that many MEK supporters today fear that the West would again be tempted to sacrifice the group’s security and survival in order to achieve a “rapprochement” with Iran. The source notes that 52 Mojahedin in camp Ashraf (Iraq) were killed by Shia militias in September 2013. (*Epoch Times Italia*, 23 June 2014 [translated from Italian]) (...) An August 2014 Human Rights Watch (HRW) report on political prisoners states that **there were members or supporters of MEK (or alleged MEK members) among several dozen political opposition members imprisoned in Karaj (Alborz province) on whom the organization has compiled information** (HRW, 18 August 2014, p. 30). The same HRW report documented the **following cases of persons convicted of “ moharebeh ” (“ enmity against God ”) for activities allegedly linked to MEK: “ [A]uthorities at Rajai Shahr prison [in Karaj] hanged Gholamreza Khosravi Savadjani, convicted of moharebeh for assisting the Mojahedin-e Khalq Organization (MEK), on June 1, 2014 .”** (HRW, 18 August 2014, p. 12) **“ Authorities convicted Jafar Eghdami, a rights activist, on charges of moharebeh or ‘enmity against God,’ according to a source familiar with the case. The source told Human Rights Watch that Eghdami was arrested after attending memorial services at Khavaran Cemetery in Tehran, where hundreds of members of the Mojahedin-e Khalq and leftist groups are believed to have been buried after summary executions in several prisons in and near Tehran, including Rajai Shahr, in 1988 (then called Gohardasht prison).** [...] The source told Human Rights Watch that a Tehran revolutionary court initially sentenced Eghdami to five years’ internal exile in a prison in southeastern Iran, but the prosecutor appealed the decision and he ultimately received a 10-year sentence, which he is currently serving in Rajai Shahr prison.” (HRW, 18 August 2014, S. 23) The Guardian newspaper reported in April 2014 that armed guards at Evin prison in Tehran subjected dozens of inmates to physical abuse, noting that: **“ Reports from Iran suggested that guards were particularly violent towards those prisoners accused of having links with the Iranian**

dissident group the People ' s Mujahideen of Iran (MEK) and held for many years. [...] A large number of people reportedly attacked on Thursday had nothing to do with the MEK . ” (Guardian, 22 April 2014) In October 2014, Amnesty International (AI) states that Saeed Shirzad, a human rights activist and member of the Society for Defending Street and Working Children, was detained and placed in solitary confinement in Evin prison for over two months before being transferred to another section in the prison. During solitary confinement, he was interrogated by officials of the Ministry of Intelligence (MOI) who accused him of supporting the MEK and threatened to have him convicted of “enmity against God” (moharebeh) and executed. Saeed Shirzad has denied having any links with the MEK and that the accusation is merely based on his support in 2014 to the daughter of a MEK prisoner “who was at risk of dropping out of university, due to financial difficulties resulting from her father’s imprisonment”. (AI, 3 October 2014) In July 2014, AI reported that Arzhang Davoodi, a writer and poet who had already been in prison for eleven years was sentenced to death on a new charge of “enmity against God” for alleged membership and support of the MEK. According to AI, he has no ties with the MEK and is believed to have been accused “merely because in prison he insisted on calling PMOI by its official name, Mojahedin, rather than by the term used by the Iranian authorities, Monafeghin (hypocrites).” (AI, 24 July 2014) In November 2013, AI reports on the appellate decisions on the following cases of persons who were accused of having links with the MEK: Abdolreza Ghanbari (death sentence commuted to 10 years in prison , September 2013), Javad Lari (death sentence commuted to two years in prison in February 2012 ; released the same month after time served), Farah Vazehan (death sentence overturned in January 2011 ; released in September 2013), Mohsen Daneshpour Moghadam and Ahmad Daneshpour Moghadam (death sentences upheld in 2010) (AI, 28 November 2013). The UN Special Rapporteur on human rights in Iran notes in a March 2015 report to the UN Human Rights Council (HRC): “Ms. Motahareh Bahrami, the wife of Mr. Daneshpour Moghadam, was arrested on 27 December 2009 and sentenced to 15 years in prison for allegedly supporting the Mojahedin-e-Khalq Organization. Mrs. Bahrami is serving her sentence in the women’s ward of Evin Prison and suffers from advanced rheumatoid arthritis, which has reportedly contributed to severe difficulty with mobility.” (HRC, 12 March 2015, p. 36) In February 2012, Amnesty International (AI) reports on the situation of individuals associated with the MEK (referred to as PMOI here): “During 2011, a number of individuals appear to have been arrested solely on account of their family links to members of the PMOI. In other cases, unduly harsh sentences appear motivated by family links with PMOI members. [...] Some people with links to the PMOI have been sentenced to death, and a few even executed. Three alleged PMOI supporters – Ali Saremi, Ja’far Kazemi and Mohammad Ali Haj Aghaei – were executed in Iran in December 2010 and January 2011. All three men had been convicted of ‘enmity against God’ in relation to contacts with the PMOI.” (AI, 28 February 2012, pp. 53 -54).» Source: ACCORD – Austrian Centre for Country of Origin and Asylum Research and Documentation: Iran: Political Opposition Groups, Security Forces, Selected Human Rights Issues, Rule of Law, juillet 2015, p. 32-33; 34-35: www.ecoi.net/en/file/local/1138103/4543_1436510544_accord-iran-coi-compilation-july-2015.pdf.

Bundesministerium des Inneren (Ministère allemand de l’intérieur), juillet 2017:

«Die Ausspähung und Bekämpfung oppositioneller Bewegungen im In- und Ausland bleibt die zentrale Aufgabe des iranischen Nachrichtendienstapparates. Darüber hinaus

beschaffen die Dienste im westlichen Ausland Informationen aus den Bereichen Politik, Wirtschaft und Wissenschaft. **Hauptakteur der gegen Deutschland gerichteten Aktivitäten ist weiterhin das Ministry of Intelligence** (VAJA, zumeist MOIS abgekürzt). In seinem Fokus stehen insbesondere die „Volksmodjahedin Iran-Organisation“ (MEK) und ihr politischer Arm, der „Nationale Widerstandsrat Iran“ (NWRI). Daneben belegen nachrichtendienstliche Aktivitäten im In- und Ausland ein anhaltendes Aufklärungsinteresse des MOIS in den Bereichen Außen- und Sicherheitspolitik. (...) **Am 19. Juli 2016 verurteilte das Kammergericht Berlin einen 32-jährigen iranischen Staatsangehörigen zu einer Freiheitsstrafe von zwei Jahren und vier Monaten wegen geheimdienstlicher Agententätigkeit. Er hatte für das MOIS zahlreiche und umfassende Informationen über die MEK und den NWRI beschafft.** Das Verfahren gegen einen ebenfalls angeklagten iranischen Staatsangehörigen wurde am 10. Juni 2016 unter Auflagen eingestellt.» Source: Bundesministerium des Inneren, Verfassungsschutzbericht 2016 (Deutschland), juillet 2017, p. 274-277: www.bmi.bund.de/Shared-Docs/pressemitteilungen/DE/2017/07/vorstellung-verfassungsschutzbericht-2016.html.

CRS, 2018:

«The best-known exiled opposition group is the **Mojahedin-e-Khalq Organization (MEK)**, also known as the **People's Mojahedin Organization of Iran (PMOI)**. **Secular and left-leaning, it was formed in the 1960s to try to overthrow the Shah of Iran and has been characterized by U.S. reports as attempting to blend several ideologies, including Marxism, feminism, and Islam, although the organization denies that it ever advocated Marxism.** It allied with pro-Khomeini forces during the Islamic revolution and, according to State Department reports, supported the November 1979 takeover of the U.S. Embassy in Tehran. The group was driven into exile after it unsuccessfully rose up against the Khomeini regime in September 1981. It has been led for decades by spouses Maryam and Massoud Rajavi, but in 2011 Ms. Zohreh Akhiani was elected as MEK Secretary - General. Maryam Rajavi is based in France but the whereabouts of Massoud Rajavi are unknown. The State Department designated the PMOI as an FTO in October 1997 - during the presidency of the relatively moderate Mohammad Khatemi. The NCR was named as an alias of the PMOI in October 1999, and in August 2003, the Department of the Treasury ordered the groups' offices in the United States closed. State Department reports on international terrorism for the years until 2011 asserted that the members of the organization were responsible for the alleged killing of seven American military personnel and contract advisers to the former Shah during 1973 - 1976; bombings at U.S. government facilities in Tehran in 1972 as a protest of the visit to Iran of then - President Richard Nixon; and bombings of U.S. corporate offices in Iran to protest the visit of then - Secretary of State Kissinger. The reports also listed as terrorism several attacks by the group against regime targets (including 1981 bombings that killed high - ranking officials), attacks on Iranian government facilities, and attacks on Iranian security officials. However, the reports did not assert that any of these attacks purposely targeted civilians. The group's alliance with Saddam Hussein's regime contributed to the designation, even though Saddam was a U.S. ally during 1980 - 1990. **The PMOI challenged the FTO listing in the U.S. court system and, in June 2012, the Appeals Court gave the State Department until October 1, 2012, to decide on the FTO designation, without prescribing an outcome. On September 28, 2012, maintaining there had not been confirmed acts of PMOI terrorism for more than a decade and that it had cooperated on the Camp Ashraf issue (below), the group was removed from the FTO list as well as from the designation as a terrorism supporter under Executive Order 13224.** However, State Department officials, in a background briefing that day, said "We

do not see the [PMOI] as a viable or democratic opposition movement “ The NCR - I reopened its offices in Washington, DC, in April 2013. The State Department has been meeting with the MEK since its removal from the FTO list, including in Iraq. Camp Ashraf Issue The delisting of the group has not resolved the situation of PMOI members in Iraq. U.S. forces attacked PMOI military installations in Iraq during Operation Iraqi Freedom (March 2003) and negotiated a ceasefire with PMOI elements in Iraq, according to which the approximately 3,400 PMOI members consolidated at Camp Ashraf, near the border with Iran. Its weaponry was placed in storage, guarded first by U.S. and now by Iraqi personnel. In July 2004, the United States granted the Ashraf detainees “protected persons” status under the 4th Geneva Convention, although that designation lapsed when Iraq resumed full sovereignty in June 2004. The Iraqi government’s pledges to adhere to all international obligations with respect to the PMOI in Iraq have come into question on several occasions: on July 28, 2009, Iraq used force to overcome resident resistance to setting up a police post in the camp, killing 13 residents of the camp. On April 8, 2011, Iraq Security Forces killed 36 Ashraf residents; the State Department issued a statement attributing the deaths to the actions of Iraq and its military. In December 2011, the Iraqi government and the United Nations agreed to relocate Ashraf residents to the former U.S. military base Camp Liberty, near Baghdad’s main airport. The relocation was completed by September 17, 2012, leaving a residual group of 101 PMOI persons at Ashraf. The group asserted that conditions at Liberty are poor and the facility is unsafe. On February 9, 2013, the camp was attacked by rockets, killing eight PMOI members; the Shiite militia group Kata’ib Hezbollah (KAH) claimed responsibility. A rocket attack on the camp took place on June 15, 2013. On September 1, 2013, 52 of the residual Ashraf residents were killed by gunmen that appeared to have assistance from Iraqi forces. Seven went missing. All survivors of the attack were moved to Camp Liberty, and Ashraf has been taken over by Iran-backed Shiite militias. An October 29, 2015, rocket attack on the camp killed 24 residents and a rocket attack on July 4, 2016, did not kill any residents, but wounded some. The FY2016 National Defense Authorization Act (P.L. 114 -92) calls for “prompt and appropriate step ” to promote the protection of camp residents. Since 2011, the U.N. High Commission for Refugees (UNHCR) has sought to resettle PMOI members outside Iraq. **In September 2016, the 280 remaining residents of Camp Liberty were resettled in Albania and there are no more PMOI members there.**» Source: United States Congressional Research Service (CRS), Iran: Politics, Human Rights, and U.S. Policy, 8 janvier 2018, p. 35: www.refworld.org/docid/5a5f83524.html.

Die Zeit, 2016:

«Die letzten Mitglieder der iranischen Volksmudschaheddin haben ihr Lager im Irak verlassen. Wie der Nationale Widerstandsrat Iran (NWRI) am Freitag mitteilte, wurden die verbleibenden 280 Mitglieder der Gruppe nach Albanien umgesiedelt. Damit sei die Umsiedlung der Volksmudschaheddin außerhalb des Irak erfolgreich abgeschlossen, erklärte der politische Arm der Oppositionsgruppe. Das UN-Flüchtlingshilfswerk UNHCR bestätigte, dass die letzten Volksmudschaheddin Camp Liberty verlassen hätten.» Source: Die Zeit, Die letzten Volksmudschaheddin verlassen irakisches Lager, 9 septembre 2016: www.zeit.de/news/2016-09/09/iran-die-letzten-volksmudschaheddin-verlassen-irakisches-lager-09223008.

DFAT, 2018:

«The most prominent exile group is the Mojahedin - e Khalq Organisation of Iran (MeK), a left - leaning group committed to the military overthrow of the Islamic Republic. The MeK cooperated with pro - Khomeini forces during the 1979 revolution, but fell out with them shortly afterwards. The group unsuccessfully rose up against the government in September 1981, conducting a number of terrorist attacks and assassinations, after which much of the organisation went into exile in various locations, including Iraq. Iranian authorities imprisoned and/or killed large numbers of those who remained: In 1988, Ayatollah Khomeini issued a fatwa (religious instruction) that mentioned apostasy as a legitimate reason to execute MeK members, leading to the execution of at least 3000 MEK prisoners (a conservative estimate). Most MeK prisoners who escaped execution have reportedly renounced their membership in exchange for easier conditions of detention, or have subsequently been released from prison . The MeK fought on the Iraqi side during the Iran - Iraq war, and received most of its military assistance and financial backing from Saddam Hussein until his overthrow in 2003 . A number of countries, including Australia, have designated the group a foreign terrorist organisation due to its involvement in terrorist activities and ties to Saddam (these designations have now mostly lapsed). **The MeK remains active in exile, and its top leadership is reportedly based in France.** Several members of the Trump Administration in the US have endorsed the group's claims to national significance. **DFAT concurs with the assessment of international observers that the group has a negligible remaining presence within Iran itself (outside the prison system) and little to no popular support. Nevertheless, Iranian authorities continue to label the group a terrorist organisation, and have repeatedly called for its leaders to be returned to Iran.**»

Source: Australian Government - Department of Foreign Affairs and Trade (DFAT), DFAT Country Information Report Iran, 7 juin 2018, p. 26: www.ecoi.net/en/file/local/1437309/1930_1530704319_country-information-report-iran.pdf.

Amnesty International, 2017:

«**The authorities routinely equate the defence of human rights to “espionage”, “collusion against national security”, “incitement to sedition”, and support of the “hypocrites” – a derogatory term used by the Iranian authorities to refer to people with real or perceived links to the People’s Mojahedin Organization of Iran (PMOI), a banned opposition group that advocates the overthrow of the Islamic Republic.** (...)»

Maryam Akbari Monfared was arrested on 31 December 2009 and forcibly disappeared for five months. It later transpired that she had been held in solitary confinement for the first 43 days after her arrest, during which she was subjected to intense interrogations without access to a lawyer. She met her state-appointed lawyer for the first time at her trial, which was limited to one brief hearing lasting less than an hour. **She was sentenced to 15 years in May 2010 after Branch 15 of a Revolutionary Court in Tehran convicted her of “enmity against God” (moharebeh). The conviction was solely based on the fact that she had made phone calls to her relatives, who are members of the banned People’s Mojahedin Organization of Iran (PMOI), and had visited them once in Iraq. Her husband has said that during her trial session, the judge told her she was paying for the activities of her relatives with the PMOI. Branch 33 of the Supreme Court upheld the sentence in August 2010.** » Source: Amnesty International, Caught in a Web of Repression: Iran's Human Rights Defenders Under Attack, 2 août 2017, p. 7; 52-53: <http://www.refworld.org/docid/59832cb74.html>.

Government of Iran, 2018:

«The plurality of violent and bloody acts of terrorist groups, **in particular the MKO terrorist group** during the early years of the Islamic Revolution, which witnessed the martyrdom of the President, the Head of the Judiciary, the Prime Minister, more than 72 MPs, the clerical and scientific authorities and martyrdom (assassination) of the 17,000 innocent civilians have made Iran the largest victim of terrorism in the world. The intelligence cooperation of the MKO hypocrites with Saddam Hussein during the imposed war, the assassination of the Iraqi Shiites, the suppression of the Shabbaniyya uprising of the Iraqi people by the MKO and, in addition, the intelligence cooperation with the organizations of some foreign countries, leading to the assassination of the Iranian nuclear scientists have been among other crimes committed by the terrorist group. (...) **According to the existing documents, the ruling sectarian situation in the organization of the MKO hypocrite group is in such a way that the personal relations of the members are dominated by the iron dominance. Examples of this include self-immolation (in the photo of the detention of leaders in Paris), the forced marriage and organizational divorce, the dissolution of the relationship between parents and children, forced abortion and the requirement to live in camps and institutional homes including Camp Ashraf (Ashraf Camp) in Iraq. The disclosures of hundreds of members of the organization inside and outside the country are available online and offline, and the fabricated stories and allegations and accusations of the terrorist organization are well demonstrated by the relevant authorities of the Islamic Republic of Iran.**» Source: Government of Iran (Autor), veröffentlicht von UN Human Rights Council (HRC), Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran: comments by the State, 12 mars 2018, p. 9-10: www.ecoi.net/en/file/local/1426594/1930_1521023568_g1806134.pdf.

HRC, mars 2017:

«Access to adequate health care for people in detention 28. **Since June 2016, an increasing number of cases of denial of medical care attributed to the Prosecutor's Office or the prison administration have been reported. In many cases, denial, discontinuation and withholding of medication and treatment, as well as denial of release on medical grounds, were reported as intentional acts to intimidate and punish political prisoners and prisoners of conscience, or to extract forced confessions or statements of "repentance" from them.** Between July and December 2016, at least 15 such cases were reported.⁹ 29. In April, the Working Group on Arbitrary Detention issued an opinion on the arbitrary nature of the arrest and detention of Zeinab Jalalian and requested the authorities to release her immediately. 10 The Working Group observed that she had been denied transfer to a hospital for **urgently needed eye surgery and that the Government had not refuted allegations that she was repeatedly tortured, deprived of adequate medical treatment and forced to receive injections.** At the end of 2016, Ms. Jalalian was still in detention and **had reportedly not yet received medical care.** 30. In July, the Office of the Prosecutor reportedly refused to consider an alternative sentence for Hossein Ronaghi Maleki, a blogger who had been sentenced to 13 years' imprisonment for his blog, although the Iranian Legal Medicine Organization had declared in a written statement that he was not fit to serve time in prison.¹¹ 31. **In October, Akbari Monfared, who was serving a 15-year prison sentence in relation to her alleged membership of the banned opposition group known as the People's Mojahedin Organization of Iran, was reportedly denied medical treatment after publishing a letter demanding justice for her brothers and sisters who were reportedly executed in 1988.** 32. Several human rights defenders currently in detention, including Narges Mohammadi, Arash Sadeghi and Ali Shariati, were also denied medical treatment. At the time of writing of

the present report, Mr. Sadeghi and Mr. Shariati were consequently still at risk of death or irreversible damage to their health. Several journalists have also been denied medical care, including Issa Sahrkhiz and Afarin Chitsaz. 33. **The Secretary-General observes that depriving prisoners of medical care and putting their life at risk is a well-documented pattern in the Islamic Republic of Iran.** He recalls that access to health care for prisoners is a right enshrined in both international and Iranian law and that depriving a prisoner of medical care often causes severe pain or suffering. When health care is denied as a form of punishment, intimidation or to extract a forced confession, it constitutes torture. The Secretary-General calls on the authorities to investigate all cases of denial of medical care, to take firm action against the perpetrators and to provide redress and rehabilitation to the victims.

Torture and ill-treatment upon arrest and in detention facilities 34. **Other forms of ill-treatment of prisoners, such as the widespread use of solitary confinement and incommunicado detention, and the denial of the right to family visits (including contact with children), continue to be reported.** An analysis of the 33 communications sent by special procedure mandate holders to the Government in 2016 shows that half the individuals covered by those communications were subjected to solitary confinement.» Source: UN Human Rights Council (HRC), Situation of human rights in the Islamic Republic of Iran; Report of the Secretary-General [A/HRC/34/40], 30 mars 2017, p. 6: www.ecoi.net/en/file/local/1416911/1930_1510069938_g1707754.pdf.

Iran Focus, 2016:

«**Two family members of members of the main Iranian opposition group People's Mojahedin Organisation of Iran (PMOI or MEK) have been arrested for marking the fifth anniversary of the deaths of their relatives at Camp Ashraf in Iraq.** Azam Madadzadeh, the sister of the two PMOI members killed, and her husband Karim Kohandel were arrested in a raid on their home at noon on 7 April.» Source: Iran Focus, Iran arrests relatives of MEK dissidents in Tehran, 24 avril 2016: www.iranfocus.com/en/index.php?option=com_content&view=article&id=30439&catid=5&Itemid=110.

Nonviolent Radical Party et. al., 2016:

«**Journalists, bloggers and opposition activists continue to be arrested by the regime. In addition, many political prisoners of the 1980s and supporters of the People's Mojahedin Organization of Iran (PMOI) were re-arrested and persecuted in the past year.**» Source: Nonviolent Radical Party, the Transnational and Transparty; Women's Human Rights International Association (Autor), veröffentlicht von UN Human Rights Council (HRC), Joint written statement submitted by the Nonviolent Radical Party, the Transnational and Transparty, non-governmental organization in general consultative status, the Women's Human Rights International Association, non-governmental organization in special consultative status; Human rights situation in the Islamic Republic of Iran, 22 février 2016: www.ecoi.net/en/file/local/1077280/1930_1459339613_g1603306.pdf.

OSAR, 2010:

«**L'Organisation des Moudjahidines du Peuple iranien (PMOI/MKO), dont le nom persan est Mojahedin-E Khalq (MEK) ou Sazeman-e Mojahedin-e Khalq-e Iran, est aussi connue sous différents autres noms: Organisation of the People's Holy Warriors of Iran, National Council of Resistance (NCR), National Council of Resistance of Iran (NCRI) et Muslim**

Iranian Students' Society. Elle a été formée en Iran dans les années 1960. L'organisation se base sur une idéologie islamique et socialiste et a été originellement créée pour lutter contre le régime du Shah et son gouvernement capitaliste et pro-occidental. Après la révolution islamique de 1979, n'ayant pas gagné le pouvoir, l'organisation a continué sa lutte armée contre le nouveau gouvernement islamique. La PMOI a été responsable de nombreux attentats à la bombe et d'attaques violentes en Iran et dans d'autres pays et a combattu avec l'Irak dans la guerre contre l'Iran entre 1980 et 1988. 6 Depuis les années 1980, elle s'est exilée en Irak, sur invitation du président de l'époque Saddam Hussein. En 1987 l'organisation a créé son bras armé, le National Liberation Army (NLA) et dès 1988 elle a mené ses opérations armées à partir de la base d'Ashraf, située à 60 kilomètres environ de Bagdad. Pendant ce temps, les autorités iraniennes ont exécuté des centaines, voire des milliers, de détenus de la PMOI en Iran, considérés comme des ennemis de la nation et des traîtres. Suite à l'invasion américaine de l'Irak en 2003, les membres de la PMOI se sont désarmés, ont annoncé avoir renoncé à la violence et ont reçu le statut de «personnes protégées» selon la quatrième convention de Genève. L'organisation est toujours considérée comme une organisation terroriste par les Etats-Unis ainsi que par l'Irak. Le Royaume-Uni et l'Europe toutefois, l'ont retirée de leur liste des organisations terroristes respectivement en 2008 et 2009.» Source: Organisation suisse d'aide aux réfugiés (OSAR), Iran: Situation actuelle de l'organisation des Moudjahidines du Peuple iranien et risques en cas de retour, 26 août 2010, p. 1-2: www.osar.ch/assets/herkuntftslander/mittlerer-osten-zentralasien/iran/iran-situation-actuelle-de-l-organisation-des-moudjahidines-du-peuple-iranien-pmoi.pdf.

Reuters, 2018:

«An Iranian diplomat has been arrested along with two people suspected of plotting a bomb attack on a meeting of an exiled Iranian opposition group in France attended by Donald Trump's lawyer Rudy Giuliani, Belgian authorities said on Monday. (...) Several former European and Arab ministers also attended the meeting of the Paris-based National Council of Resistance of Iran (NCRI) - an umbrella bloc of opposition groups in exile that seek an end to Shi'ite Muslim clerical rule in Iran. (...) The NCRI meeting, which attracted a crowd of thousands, took place on Saturday in Villepinte, just outside Paris, a three-hour drive from Brussels. (...) The People's Mujahideen Organization of Iran, is the main component of NCRI. The group, also known by its Persian name Mujahideen-e-Khalq, was once listed as a terrorist organization by the United States and the European Union but is no longer. Tehran has long called for a crackdown on the NCRI in Paris, Riyadh, and Washington. The group is regularly criticized in state media.» Source: Reuters, Iran diplomat among six arrested over suspected plot against opposition meeting, 2 juillet 2018: www.reuters.com/article/us-europe-attacks-belgium-iran/diplomat-among-six-arrested-over-suspected-plot-against-iran-opposition-meeting-idUSKBN1JS1C3.

USDOS, avril 2018:

«c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment
Although the constitution prohibits all forms of torture "for the purpose of extracting confession or acquiring information," **use of physical and mental torture to coerce confessions remains prevalent, especially during pretrial detention. There were credible reports that security forces and prison personnel tortured and abused detainees and prisoners throughout the year. Commonly reported methods of torture and abuse in prisons included**

threats of execution or rape, forced virginity and sodomy tests, sleep deprivation, electroshock, burnings, the use of pressure positions, and severe and repeated beatings. UNSR Jahangir highlighted reports of prisoners being subjected to blackmail, beating, and other physical abuse. Human rights organizations frequently cited some prison facilities, including Evin Prison in Tehran and Rajai Shahr Prison in Karaj, for their use of cruel and prolonged torture of political opponents of the government, particularly Wards 209 and Two of Evin Prison, which were reportedly controlled by the IRGC. Authorities also allegedly maintained unofficial secret prisons and detention centers outside the national prison system where abuse reportedly occurred.

Judicially sanctioned corporal punishments continued. These included flogging, blinding, stoning, and amputation, which the government defends as “punishment,” not torture.

Iran Human Rights reported the case of three prisoners accused of theft having their hands amputated on September 21 at Qom Central Prison. UNSR Jahangir reported that in January, Hossein Movahedi, a reporter in Najafabad accused of disseminating falsehoods, was flogged for inaccurately reporting the number of student-owned motorcycles impounded by the Najafabad police department. Extrajudicial punishments involving degrading public humiliation of alleged offenders were also frequently reported throughout the year.» Source: US Department of State (USDOS), Country Report on Human Rights Practices 2017 - Iran, 20 avril 2018: www.state.gov/j/drl/rls/hrrpt/2017/nea/277241.htm.