

Dangerous Borders, Callous Murders

Documenting the Killings of Couriers in
Iran's Western Provinces



INTERNATIONAL CAMPAIGN
FOR HUMAN RIGHTS IN IRAN



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ABOUT US

The International Campaign for Human Rights in Iran is a non-partisan, independent human rights non-profit 501(c)3 organization based in New York that works actively in Latin America, the United States, and Europe. The Campaign's team is comprised of trained lawyers, researchers, and journalists with extensive research and advocacy experience in international organizations and publications.

The mission of the Campaign is to promote human rights to ensure a culture of respect for the human dignity and rights of all and to hold Iranian state actors accountable to their international obligations.

The Campaign documents human rights violations in Iran via first-hand and original sources within the country, and publishes statements, appeals, blog posts, multimedia productions, and comprehensive reports in both English and Persian. The Campaign advocates with national governments and intergovernmental institutions, and cooperates with a broad range of civil society organizations on behalf of strategies aimed at protecting civil society and improving human rights in Iran.



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“Several of my friends, who were their families’ breadwinners, were killed by the police and military forces.... The people of this region have no other option of employment. They are taking risks with their lives in order to feed their families.” — a *kulbar* from Baneh, in an interview with the International Campaign for Human Rights in Iran



Photo by Sherko Jahani Asl

DANGEROUS BORDERS, CALLOUS MURDERS

In 2006, Iranian authorities began implementing a new border security program intended to prevent terrorists and smuggled goods from crossing its borders. In the months between March 2011 and April 2012, at least 74 low-income Iranian citizens working as cross-border couriers were killed in the border regions, and at least another 76 were injured, largely by security forces. These killings and injuries, featured in a full list below, all occurred between March 2011 and April 2012 within the context of Iran's Border Closure Plan.¹

The numerous cases of border security forces killing couriers, often called *kulbar*, in the northwestern provinces of West Azerbaijan, Kurdistan, and Kermanshah represent a growing pattern of excessive use of lethal force. The sudden increase in border killings and injuries appears to be an outcome of Iran's "comprehensive project of sustainable security," as Deputy Interior Minister for Security Affairs Ali Abdollahi called the Border Closure Plan.²

"Iranian law regards the activities of the kulbari as a crime that is punishable by several months of detention or a fine equal to the value of the seized commodities," explains a March 2012 report by UN Special Rapporteur on human rights in Iran Ahmed Shaheed. "[H]owever ... Iranian border guards [reportedly] indiscriminately shoot at these individuals, thereby killing and wounding dozens of kulbari annually, as well as their horses."

This briefing paper features a growing list of victims of border security violence and exposure to the inhospitable conditions of the less-patrolled areas of Iran's southwestern, northwestern, and western borders, which PressTV reported as "the Interior Ministry's priorities."³

¹ International Campaign for Human Rights in Iran interviews, Kermanshah, West Azerbaijan, and Kurdistan provinces, April 2012.

² "Iran plans to close off borders" *Press TV*, April 23, 2011, <http://www.presstv.ir/detail/176342.html>, accessed July 17, 2012.

³ *Ibid.*



The provinces of Kermanshah, Kurdistan, and parts of West Azarbaijan are predominantly populated by Kurds, an ethnic minority in Iran. The border towns are marked by a general dearth of economic infrastructure and development proportionate to the population, resulting in high rates of unemployment.

Due to the high rate of unemployment, many locals engage in transporting and importing foreign goods through unofficial channels in return for a small fee. These *kulbar* carry packages on their backs or on horses through hard-to-reach mountain passes over borders and into the region's towns and villages. Individuals who transport goods by car into larger towns and the country's central region are called *kasebkar* or tradesmen. *Kasebkar* typically employ *kulbar*.

"Goods transported by *kulbar* and border tradesmen into the country mostly include audio and video equipment, clothing and fabric, makeup, car tires, cigarettes, and, in a very limited way, alcohol," a local expert familiar with the subject and with those regions where encounters between the *kulbar* and security forces frequently occur told the Campaign.

Massoud Kordpour, a Sanandaj-based journalist and activist, told *Deutsche Welle* news agency in an interview in April 2011: "You see all the individuals who are *kulbar* and who die for this. This phenomenon of working as a *kulbar* shows that the economic situation of the region is so bad that people are forced to take on a job that has a security component and carries the danger of death and being shot."⁶

Iran's Border Closure Plan

According to Campaign research based on statements and observations by local activists, *kulbar* and *kasebkar* are known to use border regions as far south as Nosood in Kermanshah Province and as far north as Salmas in West Azarbaijan Province.

⁵ <http://www.dw.de/dw/article/0,,15025855,00.html>, accessed April 26, 2012.

⁶ Keyvandakht Ghahari interview with Massoud Kordpour, "Looking for Employment in Kurdistan," ("Negahi be Eshtaqal dar Kurdistan"), *Deutsche Welle*, April 23, 2011, <http://www.dw.de/dw/article/0,,15025855,00.html>, accessed April 26, 2012.

The border region near the town of Sardasht, in West Azerbaijan, has seen the most alleged killings of border couriers and tradesmen by the Iranian police, followed by the Marivan and Baneh border regions in Kurdistan.

The Border Closure Plan affects all of the regions where *kulbar* and *kasebkar* live. State media do not cover the killings of *kulbar* and *kasebkar*, leading to a lack of public information and therefore no public discussion about the human cost of the plan.

The Establishment of the Plan

A local human rights activist told the Campaign that the recent surge in killings of *kulbar* coincided with the beginning of Iran's Border Closure Plan in 2006. That year, a large budget was approved for the implementation of several projects in several border areas in the country, most notably West Azerbaijan Province, and projects continued in

Border security have intentionally shot and killed horses and other beasts of burden used to transport goods, according to local sources. Police have reportedly set fire to several animals carrying smuggled fuel into Iraqi Kurdistan, burning them alive.



Photo by Sherko Jahani Asl

Kurdistan Province and areas of Kermanshah Province into 2008.⁷ The plan aimed to combat goods smuggling and illegal traffic across the borders, and a crackdown on border couriers, known as *kulbar*, and border tradesmen, known as *kasebkar*, has intensified since that time.

Various Iranian officials have claimed that the plan has contributed to a decline in border smuggling, but there is no evidence to back up such claims. Unfortunately, after this plan was implemented, the statistics of border couriers and tradesmen who were killed rose considerably.

During a visit to the border areas of Kurdistan Province in December 2008, Ahmad Reza Radan, Deputy Commander of Iran's Police, told reporters at a press conference, "The ultimate goal of the Border Closure Plan, which aims to combat smuggling and illegal trade, is the country's economic growth and development.... According to this plan, problem border areas, whether by land or water, will be completely closed by erecting monitoring towers, digging canals, setting up barbed wire, building walls, [and] using electronic equipment and thermal cameras, in order to prevent smuggling and to cut off the reach of smugglers and gold diggers through illegitimate means."⁸

On December 18, 2009, Alireza Sheikh Robat, Khuzestan Province's Deputy Governor for Security and Police Affairs, told Fars News Agency, "During recent months, the High Council on National Security has asked the Interior Ministry to prepare a comprehensive project on border management in the country. This plan will organize the borders in all dimensions, including border closure, legal issues, livelihood, and welfare of border region residents and organization of border ports."⁹

⁷ International Campaign for Human Rights in Iran interview with local rights activist, April 2012.

⁸ Vazeh, "Commanders: The Border Closing Project aims for the country's economic development," ("Sardarraadan: Tarh-e ensedaad-e marzha ba hadaf-e towse-e eghtesaadi-ye keshvar soorat migirad"), *Vazeh*, December 16, 2008, <http://www.vazeh.com/n-3140793.html>, accessed April 23, 2012.

⁹ Fars News, "The country's borders in Khuzestan is organized," ("Marzha-ye keshvar dar Khuzestan saamandahi mishavad"), *Fars News*, December 18, 2010, <http://www.farsnews.com/newstext>.

Plan Budget

Since its inception, hundreds of millions of dollars have been spent on the Border Closure Plan, though no government official has so far announced the total funds allocated to the project. "This year, \$106 million will be spent on the country's Border Closure Plan," said the Interior Minister, Mostafa Najjar, during a press conference in 2010.¹⁰ In a public appeal to the Iranian Parliament to request more funding for the Border Closure Plan on December 16, 2011, Police Commander Esmaeel Ahmadi Moghaddam complained about the inadequacy of the 2011 budget, saying, "The figure of \$85,000 for the Border Closure Plan is a small figure; it has been reduced compared to the project's initial year budget of \$125 [thousand]."¹¹ However, just a few days later, on January 19, 2012, Ali Abdollahi, the Security-Police Deputy for Iran's Interior Ministry told *Ettela'at Newspaper* that since 2007, the budget allocated to the Border Closure Plan had increased. "The development work on the borders has increased 1,200%, and the related budget has also grown 17 times, but these resources are still insufficient," he said.¹²

Combatting Terrorism: The Official Narrative of the Border Closure Plan

In October 2010, Ali Abdollahi, Deputy Interior Minister for Security, told Fars News Agency, "Closure of western borders is a top priority for the Interior Ministry." Abdollahi described Iran's

<http://www.farsnews.com/newstext.php?nn=8909270960>, accessed April 23, 2012.

¹⁰ West Azerbaijan Province Official Website, "Closing the border will cost the country 1000 and 60 billion rials," ("Yek hezar va 60 milliard rial eetebaar baraye ensedaad-e marzi dar keshvar"), *West Azerbaijan Province Official Website*, April 10, 2010, <http://www.ostan-ag.gov.ir/tabid/871/articleType/ArticleView/articleId/501/-60-----.aspx>, accessed April 23, 2012.

¹¹ Jam-e Jam Online, "The budget for closing borders is low," ("Budje ensedaad-e marzha kam ast"), *Jam-e Jam Online*, December 16, 2011, <http://77.104.65.1/newstext.aspx?newsnum=100862164620>, accessed April 23, 2012.

¹² Ettelaat, "The overall plan for closing the borders is for combatting drug smuggling," ("Tarh-e saraasariye ensedaad-e marzha baraye maghabeleh ba ghaachaagh-e kaalaa va mavaad-e mokhader"), *Ettelaat*, January 19, 2012, <http://www.ettelaat.com/new/index.asp?fname=2012%5C01%5C01-19%5C20-53-05.htm>, accessed April 23, 2012.

borders as mountain borders, field borders, and water borders. “The closure of borders has taken place according to geographical conditions. In some areas, in order to close the borders we had to erect cement walls, in some areas barbed wire, in some canals, as well as establishing police stations and monitoring towers,” he said. “Of course, establishing border police stations in western Iran is a priority for the Interior Ministry, as so many police stations in this area were destroyed during the Iran-Iraq War,” he emphasized.¹³

Officials discuss two main objectives for the Border Closure Plan: protecting Iran against terrorists and staunching the flow of smuggled goods in and out of the country. While most of the border activity involves transportation of goods, Iranian officials use the language of terrorism to justify heavily arming the border patrol.

Regarding Iran’s western borders, Police Commander Moghaddam stated at a press conference on April 26, 2011, “The Hypocrites [i.e., the Mojahedin-e Khalgh Organization, the MEK] did not have border activities in Iran’s western borders because the Iraqi government prevented their efforts through border control. The PJAK grouplet has been active in the western and northwestern areas, which have naturally been monitored by the IRGC forces who are responsible for the border security in this region, and there have been effective efforts to confront this grouplet.”¹⁴

¹³ Fars News, “Border closing in the west of the country is one of the priorities of the Interior Ministry,” (“Ensedaad-e marzha-ye qarb-e keshvar az avaliyatha-ye vezaarat-e keshvar ast”), *Fars News*, October 23, 2010, <http://www.ghatreh.com/news/nn6170833/%D9%85%D8%B9%D8%A7%D9%88%D9%86-%D8%A7%D9%85%D9%86%DB%8C%D8%AA%DB%8C-%D9%88%D8%B2%DB%8C%D8%B1-%DA%A9%D8%B4%D9%88%D8%B1-%D8%A7%D9%86%D8%B3%D8%AF%D8%A7%D8%AF-%D9%85%D8%B1%D8%B2%D9%87%D8%A7%DB%8C-%D8%BA%D8%B1%D8%A8-%DA%A9%D8%B4%D9%88%D8%B1-%D8%A7%D9%88%D9%84%D9%88%DB%8C%D8%AA-%D9%87%D8%A7%DB%8C>, accessed April 23, 2012.

¹⁴ IRNA, “Ahmadi Moghaddam: The closing project of the country’s land borders will be followed seriously,” (“Tarih-e ensedaad-e marzha-ye khoshki keshvar ba jediyat donbaal mishavad”), *IRNA*, April 27, 2009, <http://www.irna.ir/NewsShow.aspx?NID=80097486>, accessed April 23, 2012.

On the economic side, in May 2009 Commander Hossein Sajedinia told Mehr News that there had been an 80% drop in the amount of goods smuggled through Iran’s western borders through the country’s Border Closure Plan. “So far, with the allocation of \$1.03 million, we have been able to dig 350 kilometers of 4-meter deep and 8-meter wide canals, 114 kilometers of walls, and 800 kilometers of barbed wire for closing the country’s borders,” he said.¹⁵

Police Commander Moghaddam described the economic aspect of the Border Closure Plan at the same April 2011 press conference:

“By enforcing these plans, we minimize and close traffic from the other side of land borders, where it is possible for cars and livestock to enter, and we have been pretty successful in this area.... This year we will put in more effort to realize the goal of supporting goods manufactured in Iran while reducing smuggled foreign goods.... This year, \$100 million of the Police Force’s defense budget has been allocated for equipping the border patrol, and \$103 million has been allocated from the government budget for completing the border closure operations.”¹⁶

Economic Consequences for Residents

At its inception, together with preventing goods smuggling, the Border Closure Plan promised job creation and assistance for the livelihood of border region residents. None of those promises, however, have materialized for the residents.

¹⁵ Mehr, “An 80% reduction in smuggled imports from the western borders,” (“Kaaresh-e 80 dar sadi-ye vorood-e kaalaa-ye ghaachaagh az marzhaye gharbi”), *Farda News*, May 2, 2009, <http://www.fardanews.com/fa/news/81749/%DA%A9%D8%A7%D9%87%D8%B4-80-%D8%AF%D8%B1%D8%B5%D8%AF%DB%8C-%D9%88%D8%B1%D9%88%D8%AF-%DA%A9%D8%A7%D9%84%D8%A7%DB%8C-%D9%82%D8%A7%DA%86%D8%A7%D9%82-%D8%A7%D8%B2-%D9%85%D8%B1%D8%B2%D9%87%D8%A7%DB%8C-%D8%BA%D8%B1%D8%A8%DB%8C>, accessed April 23, 2012.

¹⁶ IRNA, “Ahmadi Moghaddam,” *IRNA*.

While officials held up the Border Closing Plan as a program to stimulate economic growth within Iran, the regions along Iran's western border remain among the most economically depressed in the country.¹⁷ Without any other opportunities to earn money and feed their families, many of the people in these regions are resorting to border smuggling even as it becomes ever more dangerous.

In December 2008, Fakhreddin Heydari, an Iranian Parliament Member representing Kurdistan Province's Saghez and Baneh towns, demanded a comprehensive approach to the Border Closure Plan which would augment the plan with a job creation scheme that would include constructing border shopping malls, easing imports and exports, and encouraging financial investment in the region. "People's participation would guarantee the success of every plan, especially in social and economic areas, on the condition that the plan's objectives would not be in contradiction with the society's legitimate goals," Heydari told the reporters.¹⁸

Even with government statistics that many believe consistently paint a more favorable picture of Iran's economy, with 2011's high unemployment rates of Ilam and Kermanshah at 15.7%, Kurdistan at 14%, and Western Azerbaijan at 13%, Iran's western provinces are among those with highest unemployment rates in the country.¹⁹

Government officials have claimed that there was a sharp drop in the value of smuggled goods in 2010

¹⁷ International Campaign for Human Rights in Iran interviews with local activists, April 2012.

¹⁸ Shahr News, "Member of Parliament: The success of the border closing project requires the organizing of marketplaces on the border" ("Namaayande-ye Majles: Movafaghiyat-e tarh-e ensedaad-e marzha mostalzem saamaandahi-ye bazarchehaye marzi ast"), *Shahr News*, December 24, 2008, <http://www.sharnews.com/cms/?p=1544>, accessed April 23, 2012.

¹⁹ Doniya-ye Eghtesad, "Unemployment rents in the double digits in 23 provinces," (Narkh-e bikaari-ye do raghmi dar 23 ostan), *Farda News*, April 16, 2012, <http://www.fardanews.com/fa/news/197599/%D9%86%D8%B1%D8%AE-%D8%A8%DB%8C%DA%A9%D8%A7%D8%B1%DB%8C-%D8%AF%D9%88%D8%B1%D9%82%D9%85%DB%8C-%D8%AF%D8%B1-23-%D8%A7%D8%B3%D8%AA%D8%A7-%D9%86>, accessed April 23, 2012.

Kulbar carry packages on their backs or on horses through hard-to-reach mountain passes over borders and into the region's towns and villages. "Even if we were to escape, we would not cause heavy damage to the government, warranting their wanton direct targeting of us." — a *kulbar* from Baneh



Photo by Sherko Jahani Asl

(\$5 billion according to Saeed Mortazavi, then Head of the government's Task Force Against Smuggling), and in 2011 (\$6 billion, according to Mohammad Ilkhani, the Deputy for Legal Affairs at the Task Force Against Smuggling), attributing much of this success to the Border Closure Plan.²⁰ Private sector economic experts, however, believe that due to

²⁰ Hamshahri Online, "5 billion dollar decrease in the volume of smuggled goods to the country in the year 89" ("Kaahesh-e 5 miliyaard-e dolaari hojoom-e ghaachaag-e kaalaa be keshvar dar saal 89"), *Hamshahri Online*, December 31, 2011, <http://www.hamshahrionline.ir/news-155546.aspx>, accessed April 23, 2012; Eco News, "6 billion dollar decrease in smuggled goods," ("Kaahesh-e 6 miliyaard-e dolaari ghaachaagh-e kaalaa"), *Eco News*, July 2, 2012, <http://www.econews.ir/fa/NewsContent.aspx?action=print&id=172605>, accessed July 23, 2012.

the government's economic and banking policies, not only did the smuggling statistics not decrease, but there was even a serious jump in the value of goods smuggled into Iran over the past year.²¹

Contrary to official claims, the Border Closure Plan and related government policies that are not designed to facilitate legal gainful employment for border residents have pushed border region residents to work as *kulbar* and *kasebkar* as the only means to earn a living in a depressed economy.

Residents of Iran's western provinces told the Campaign that the increased risk of death or injury has not contributed to a decrease in goods smuggling, but has simply made the trade more dangerous for them. They said that because the economic conditions in their region are so poor, they have no other option than to work as *kulbar* or *kasebkar*.

²¹ Donya-e-Eghtesaad, "Conflicting statistics of the amount of smuggling," ("Amaarha-ye motenaaghez az mizaan-eghaachaagh"), *Donya-e-Eghtesaad*, July 3, 2012, http://www.donya-e-eqtesad.com/Default_view.asp?@=307510, accessed July 23, 2012.

CASES

The Campaign has documented 74 deaths and 76 injuries to individuals working as *kulbar*, couriers that carry illegally imported goods, such as tobacco, electronics, and tires, on their backs, and *kasebkar*, tradesmen who transport similar goods into larger towns. These killings and injuries, featured in a full list below, all occurred between March 2011 and April 2012 within the context of a new government border control program.

"These *kulbar* are unarmed—if they were armed it would aggravate any charges they might face," a local expert on the *kulbar* told the Campaign.²²

Of the 74 deceased *kulbar* and *kasebkar*, 70 were allegedly shot and killed by government border forces, and four reportedly died as a result of landmine explosions, avalanches, and exposure to severe cold. Among the 76 injured, eight were hurt during landmine explosions, and the rest by border security. These numbers only represent individuals whose identities and case particulars the Campaign was able to verify independently or through reliable local sources. There may be many more cases; however, due to the economic and geographic isolation of the *kulbar* these cases are likely under-reported.

The local expert told the Campaign that, in practice, fines can be several times the value of the seized goods. "If they encounter the authorities, they simply try to run away to avoid what would be a hefty fine. Because they usually cannot afford such an amount, they would be thrown in prison," the expert added.²³

A *kulbar* who has worked almost 10 years in the

²² International Campaign for Human Rights in Iran interview with local expert on *kulbar*, April 2012.

²³ Ibid.

Kulbar and *kasebkar* are mostly active in the mountainous border region between the towns of Qasr-e Shirin and Khoy in Iran, along its northwestern borders with Iraq and Turkey. This geography spans the provinces of Kermanshah, Kurdistan, and West Azerbaijan.



Photo by Sherko Jahani Asl

border town of Baneh told the Campaign,

Because of the border closing project, during the past several years, without regard for our lives, the police have been waiting in mountainous and hard-to-pass areas for us. After warning us to stop, without firing a warning shot, they shoot at us directly.... Several times during these past few years, bullets have flown by the side of my head and hands....

Kulbar carry goods such as cigarettes, textiles, and video equipment. Even if we were to escape, we would not cause heavy damage to the government, warranting their wanton direct targeting of us....

Several of my friends, who were their families' breadwinners, were killed by the police and military forces.... The people of this region have no other option of employment. They are taking risks with their lives in order to feed their families.²⁴

Another local source told the Campaign,

As an example, on 22 March 2011, during confiscation of goods from several border tradesmen in the town of Nosood, the Deputy Border Commander of Nosood shot at several *kulbar* inside the town's

²⁴ International Campaign for Human Rights in Iran interview with *kulbar* from Baneh, April 2012.

Moallem Square. A young Kurdish man by the name of Pourmand Madhatnia was murdered during the shooting and three other citizens were injured.²⁵

The killing of Madhatnia triggered protests by locals of the town. The police initially detained the officer involved in the shooting, then transferred him to a post in another town. Later, however, the police attacked and arrested several of those who had participated in the protest, the source said.

In an earlier example of excessive force, in February 2010, police severely beat Mohammad Reza Khalidi, a 60-year-old Kurdish-Iranian bulldozer operator in the border region of Chalehcheremi in Nosood, leading to his death. Authorities had mistakenly thought Khalidi was a *kulbar*.²⁶

A close friend of Khalidi told the Campaign, “After his family filed a lawsuit with the military court, the police denied the incident, even though several locals testified to it, and after several months, under pressure from the police, the case was shelved.”²⁷

Not all arrests lead to legal limbo. According to a local source quoting a family member of Hashem Nazari, a *kulbar* from Javanrood who was arrested for “carrying smuggled goods” on November 26, 2010, Nazari died a suspicious death inside the Nahavand-Kangavar road police station detention center. After his arrest, Hashem Nazari was sentenced to cash fines by the Kangavar Governmental Discretionary Punishments Organization, and was to be transferred to Kermanshah Central Prison. However, before being transferred to prison, he died inside the police detention center.²⁸

Police authorities who contacted his family stated

²⁵ International Campaign for Human Rights in Iran interview with local source familiar with *kulbar*, April 2012.

²⁶ International Campaign for Human Rights in Iran interview with local source familiar with Khalidi’s case, April 2012.

²⁷ International Campaign for Human Rights in Iran interview with friend of Khalidi, April 2012.

²⁸ International Campaign for Human Rights in Iran interview with individual close to the family of Hashem Nazari, April 2012.

his cause of death as “suicide.” His family’s demands for an investigation into his cause of death have been futile. Police authorities have stated that they performed an autopsy on his body and sent the results to Tehran to determine of the cause of death, but as of this writing, the family has not received any responses.

Another example of excessive use of force is the murder of Kamyaran *kulbar* Bakhtiar Rahmani. During a pursuit of several automobiles carrying foreign cigarettes, forces from Kermanshah’s Anti-Smuggling Office directly shot and killed the driver of one of the cars. After the Kurdish man’s murder, the Anti-Smuggling officers were unable to find any goods in the tradesman’s automobile. Furthermore, after returning Bakhtiar Rahmani’s body to his family, they pressured his family to introduce Rahmani’s friends to the police.

In addition to the deaths and injuries sustained by *kulbar* themselves, some *kulbar* and their families and friends have reported that border security have intentionally shot and killed their horses and other beasts of burden used to transport goods. Sources in the towns of Marivan and Sardasht also claim that police have set fire to several animals carrying smuggled fuel into Iraqi Kurdistan, burning them alive.

According to sources, police kill the animals to increase the cost of the trade for couriers, tradesmen, and their families, aiming to deter this type of work in the border areas.

Lack of Redress and Accountability

Due to the levels of extreme violence facing *kulbar* and *kasebkar*, many live in fear of attacks that could maim or kill them. However, due to the general poverty and lack of education in the regions where *kulbar* and *kasebkar* reside, many never file complaints for fear of fines or imprisonment, or worse. A local activist familiar with the situation told the Campaign that even those who do file cases will

A *kulbar* in Piranshahr City, a common stopping point for both *kulbar* and *kasebkar*, prepares his horse to join the caravan crossing Iran's western border from West Azerbaijan Province into Iraq.



Photo by Sherko Jahani Asl

rarely follow up with the courts, out of the same fears.²⁹

The Campaign investigated the cases of dozens of injured *kulbar* and the families of killed *kulbar* who filed complaints with the Iranian Judiciary. In some cases the Judiciary effectively quashed hearings by postponing them indefinitely. In other cases, according to the families, authorities never even responded to their complaints. In one case authorities paid the complaining family *diyeh* or blood money, which is the financial compensation provided in cases of murder.

Two Kurdish *kulbar*, who were paralyzed in their arms and legs during separate incidents of direct shootings by the police, filed lawsuits against the police in military courts. Their family members told the Campaign that their lawsuits have not been addressed, despite testimonies by several eyewitnesses and reports from the medical examiner. One

²⁹ International Campaign for Human Rights in Iran interview with local expert on *kulbar* and *kasebkar*, April 2012.

of the *kulbar* was from the Nosood border region in Kermanshah Province, and the other from the Rash Mountain border in the town of Salmas in West Azerbaijan Province.³⁰

Another obstacle the *kulbar* face is lack of access to legal representation and the courts. The family of the paralyzed *kulbar* from Nosood told the Campaign he could not afford a lawyer. After several years of pursuing a lawsuit in military court and repeated postponements by the court, his case has in effect been abandoned since the court has not reacted to his lawsuit. The other paralyzed *kulbar*, from Salmas, does have a lawyer, his family told the Campaign. Nevertheless, the military court judge, who is presiding over the case in Tehran, has postponed his court sessions every month for several years, despite his vigorous pursuit of the case, the family said.³¹

³⁰ International Campaign for Human Rights in Iran interviews with the families of injured *kulbar* from Nosood and Salmas, April 2012.

³¹ International Campaign for Human Rights in Iran interview with the family of Salmas *kulbar* injured by border patrol, April 2012.

INTERNATIONAL CONCERNS AND LAW

The killings of and severe injuries to the *kulbar* violate Iran's obligations under both domestic and international law. Attacking the *kulbar*, who are from some of the poorest areas of Iran, is using lethal force—without charges or trials—against people relegated to this activity by their economic circumstances. Furthermore, killing the animals they use for their trade amounts to imposing a punishment without due process.

In his March 2012 report, UN Special Rapporteur on human rights in Iran Ahmed Shaheed raises concerns over the reported “systematic killings of *kulbars* (back carriers) and *kasebkaran* (tradersmen), Kurds residing in border areas. The *kulbaran*, who ferry cargo across the border on their backs or smuggle commodities such as tea, tobacco and fuel to earn a living, are particularly affected.”³²

Furthermore, Shaheed describes the discrepancies between the criminal punishments Iranian law describes for the *kulbar* and the fate that awaits them in practice. “Iranian law regards the activities of the *kulbari* as a crime that is punishable by several months of detention or a fine equal to the value

³² Human Rights Council, “Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran,” A/HRC/19/66, March 6, 2012, http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-66_en.pdf (accessed April 23, 2012).

of the seized commodities. [H]owever ... Iranian border guards [reportedly] indiscriminately shoot at these individuals, thereby killing and wounding dozens of *kulbari* annually, as well as their horses.”³³

International law grants states the authority to control their borders, including imports and exports to and from their country. Nonetheless, international law does put limitations on law enforcement.³⁴

These killings violate the right to life enshrined in article 6 of the International Covenant on Civil and Political Rights, to which Iran is a state party.

The UN Human Rights Committee, in general comment 6 on the right to life, considered “that States parties should take measures ... to prevent arbitrary killing by their own security forces. The deprivation of life by the authorities of the State is a matter of the utmost gravity. Therefore, the law must strictly control and limit the circumstances in which a person may be deprived of his life by such authorities.”³⁵

In October 2011, Christof Heyns, UN Special Rapporteur on extrajudicial, summary or arbitrary executions, explained, “[L]ethal force should not be used unless there is a reasonable suspicion that the suspect has committed a crime involving serious violence, or has threatened to do so, [but] that is not enough. For deadly force to be used by the police, there must be an immediate or ongoing threat to the public if the person were to escape.”³⁶

³³ Ibid.

³⁴ United Nations Code of Conduct for Law Enforcement Officials, adopted December 17, 1979, G.A. res. 34/169, annex, 34 U.N. GAOR Supp. (No. 46) at 186, U.N. Doc. A/34/46 (1979).

³⁵ UN Human Rights Committee, General Comment 6, Article 6, The right to life (Sixteenth session, 1982), Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, U.N. Doc. HRI/GEN/1/Rev.1 at 6 (1994).

³⁶ “UN human rights expert questions targeted killings and use of lethal force,” *UN News Centre*, October 20, 2011, <http://www.un.org/apps/news/story.asp?NewsID=40136&Cr=heyms&Cr1> (accessed April 24, 2012).



RECOMMENDATIONS

To the Government of Iran:

- Put an end to the use of lethal force against unarmed *kulbar* and *kasebkar*.
- Uphold promises to enhance the economic situation of the residents of border regions.
- Adopt policies respecting economic and social rights and create conditions favorable to legal employment at livable wages in the border regions.
- Clear the landmines in border regions.
- Stop harassing local human rights activists who shed light on abuses committed by border security.

To the Iranian Judiciary:

- Investigate those killings that have occurred and hold perpetrators accountable.
- Stop using illegal methods to intimidate and silence victims and their families.
- Stop harassing the families of those who seek accountability and justice.

To the Iranian Police:

- Train border security officials to respect domestic and international law, human dignity, and life.
- Adopt clear policies to stop unlawful and unnecessary killing.

To the Iranian Parliament:

- Review border security measures and the growing pattern of border security forces killing *kulbar* and *kasebkar* without cause.
- Craft legislation to stop unlawful and unnecessary killing.
- Develop the budget of the Border Closure Plan to ensure economic improvement in the region.

To the International Community:

- Monitor the situation of *kulbar*, *kasebkar*, and residents of Iran's border regions.
- Hold the Iranian government accountable for these human rights violations.
- Take appropriate action to encourage the Iranian government to ensure the economic and social rights of border residents.

FULL LIST OF KULBAR AND KASEBKAR KILLED AND INJURED

 MARCH 2011 – APRIL 2012³⁷

Name	Place of residency	Place of occurrence	Date of occurrence	Shot & killed or injured	Additional notes
Pourmand Madhatnia	Nosood	Moallem Square, Nosood	22 March 2011	Shot and killed	
Shavan Salamatian	Nosood	Moallem Square, Nosood	22 March 2011	Injured	
Loghman Azeri	Nosood	Moallem Square, Nosood	22 March 2011	Injured	
Farshad ...	Marivan	Border	22 March 2011	Injured	
Hiva Mohammadi	Nosood	Moallem Square, Nosood	22 March 2011	Injured	
Jamal ...	Marivan	Border	22 March 2011	Injured	
Shirkoo Amini	Baneh	Border	23 March 2011	Injured	
Khaled Sharif Joola	Baneh	Border	23 March 2011	Injured	
Parviz ...	Saqqez	Saqqez	29 March 2011	Injured	
Majid ...	Saqqez	Saqqez	29 March 2011	Injured	
Houshang Ayouri	Salmas	Border	11 April 2011	Injured	
Ayoub Parlak	Van	Khoy	13 April 2011	Shot and killed	
Adel Parlak	Van	Khoy	13 April 2011	Shot and killed	
Salah ...	Sanandaj	Sanandaj	14 April 2011	Injured	
Arkan ...	Sanandaj	Sanandaj	14 April 2011	Injured	
Mohammad Amin Fatahi	Piranshahr	Border	22 April 2011	Injured	Mine explosion
Mohammad Rafigh	Marivan	Border	26 April 2011	Injured	
Abdoljabbar Yousefi	Savoji village, Marivan	Savoji, Marivan	27 April 2011	Injured	Mine explosion
Mohammad Moradi	Divandareh	Divandareh	2 May 2011	Injured	Mine explosion
Ata Mohammadi	Marivan	Gholghooleh region	4 May 2011	Injured	Mine explosion
Kamal Mohammadi	Marivan	Gholghooleh region	4 May 2011	Injured	Mine explosion
Massoud Nikkhah	Marivan	Border	11 May 2011	Injured	
Karavan Saeednia	Marivan	Border	13 May 2011	Shot and killed	
Sardar ...	Sardasht	Border	17 May 2011	Injured	
Idris ...	Sardasht	Saqqez	17 May 2011	Injured	
Vahid Seyyed Teh	Mahabad	Mahabad	17 May 2011	Injured	
Abdollah Savoji	Village of Savoji	Border of Marivan	22 May 2011	Shot and killed	
Ibrahim Khezrpour	Piranshahr	Border	24 May 2011	Shot and killed	
Molla Kakaee	Sardasht	Khadravi region	24 May 2011	Shot and killed	
Abdollah Azeri	Marivan	Border	29 May 2011	Shot and killed	
Mohammad Abbeh	Marivan	Border	29 May 2011	Shot and killed	
Mahmoud Mostafanejad	Oshnavieh	Border	30 May 2011	Shot and killed	
Bakhtar Amami	Javanroud	Border	14 June 2011	Injured	
Abdollah Ismaili	Sardasht	Border	20 June 2011	Shot and killed	
Ismail Dariushi	Saqqez	Saqqez	20 June 2011	Shot and killed	
Bakhtiar	Saqqez	Saqqez	20 June 2011	Injured	
Ismail Karimpour	Saqqez	Jadeh Saveh, Tehran Province	21 June 2011	Shot and killed	

³⁷ International Campaign for Human Rights in Iran interviews with *kulbar*, *kasebkar*, their family members, their friends, and local activists in Kermanshah, Kurdistan, and West Azerbaijan provinces, March 2011 – April 2012.

Souran ...	Marivan	Gholghooleh village	21 June 2011	Shot and killed	Another person was also injured
Malmal Salehian	Sardasht	Goolini region	24 June 2011	Shot and killed	
Hossein Boro	Baneh	Border	25 June 2011	Injured	
Niz Hameh Mostafa	Baneh	Border	25 June 2011	Injured	
Shirkoo Zardoubi	Baneh	Border	25 June 2011	Injured	
Jamal Fatahi	Tachinavi village	Oshnavieh border	25 June 2011	Shot and killed	
Ibrahim Talaghan	Tachinavi village	Oshnavieh border	25 June 2011	Injured	
Sharif Shafiee	Kamyaran	Jadeh Eylam Andimeshk	26 June 2011	Injured	Also detained
Sardar Khani	Baneh	Border	27 June 2011	Shot and killed	Had three children
Aras ...	Sardasht	Border	30 June 2011	Injured	
Sarkout	Sardasht	Border	30 June 2011	Injured	
Azad ...	Sardasht	Border	30 June 2011	Injured	
Esmat Alakhani	Salmas	Border	30 June 2011	Injured	
Sajjad Mamadi	Salmas	Border	30 June 2011	Injured	
Parvaneh Ayouri	Salmas	Border	30 June 2011	Injured	
Vali Razavi	Nosood	Chadargah region	3 July 2011	Injured	
Siavash Seyyed Mahiodini	Mahabad	Mahabad	4 July 2011	Shot and killed	
Youcef Choupani	Boukan	Jadeh Mian Doab	16 July 2011	Shot and killed	
Ahmad Abdollahzadeh	Boukan	Jadeh Mian Doab	16 July 2011	Injured	
Akbar Abdollahi	Javanroud	Border	18 July 2011	Injured	
Baghoub Aziz	Sardasht	Border	21 July 2011	Injured	
Aram Khosravi	Sanandaj	Jadeh Ghanvin	21 July 2011	Shot and killed	
Salehi	Sardasht	Border	21 July 2011	Shot and killed	
Abed ...	Baneh	Hehnageh Jali Baneh	26 July 2011	Injured	
Mostafa Oj	Piranshahr	Jadeh Marzi	27 July 2011	Shot and killed	Chased and caught
Arman Mollae	Marivan	Border	31 July 2011	Shot and killed	Kulbar for 15 years
Osman Mahmoudian	Sardasht	Dasht Vazneh	3 August 2011	Shot and killed	Kulbar for 19 years
Bakhtiar Rahmani	Kamyaran	Jadeh Islamabad Gharb	6 August 2011	Shot and killed	Driver chased and caught
Bahman Navkhasi	Marivan	Maraneh border	9 August 2011	Shot and killed	
Jamal Ghorbani	Sahjz	Border	16 August 2011	Injured	Mine explosion
Mohammad Mostafanejad	Piranshahr	Border	20 August 2011	Shot and killed	
Hossein Dariushi	Marivan	Doulehbi border	1 September 2011	Shot and killed	
Sivan Fathi	Nosood	Border	4 September 2011	Injured	
Mozaffar ...	Sardasht	Border	7 September 2011	Injured	Mine explosion
Ali Mohammadzadeh	Sardasht	Border	7 September 2011	Injured	Mine explosion
Hamed Rahmanipour	Baneh	Border	7 September 2011	Shot and killed	
Mohammad Koupari	Piranshahr	Border	7 September 2011	Shot and killed	
Rahim Ghorbani	Sardasht	Border	8 September 2011	Shot and killed	
Imam Assadzadeh	Salmas	Border	10 September 2011	Injured	
Hamadi Khooshnamak	Marivan	Doulehbi border	12 September 2011	Shot and killed	
Shirzad Amani	Sardasht	Hourmazava region	16 September 2011	Shot and killed	24 years old

Teh ...	Baneh	Sourkiv border	17 September 2011	Shot and killed	Minor; two others injured
Ovat Youcefi	Sardasht	Marghani village	18 September 2011	Shot and killed	Driver
Ribvar Azizi	Baneh	Border	20 September 2011	Injured	
Ahmad Setari	Ghehleh Rash village	Darman Ova region in Sardasht	21 September 2011	Shot and killed	
Moutalab ...	Baneh	Karimabad village	21 September 2011	Shot and killed	
Omid ...	Baneh	Karimabad village	21 September 2011	Shot and killed	
Soleiman Moradi	Piranshahr	Border	25 September 2011	Shot and killed	32 years old, had 3 children
Youcef Karimi	Mahabad	Mahabad	25 September 2011	Shot and killed	
Pashtivan Soleiman-nejad	Sardasht	Border	25 September 2011	Shot and killed	
Bahman Tolooiyan	Makoo	Diloukash region	25 September 2011	Shot and killed	
Khabat Kouleh Hardi	Sanandaj	Sanandaj	1 October 2011	Shot and killed	
Towfigh Ahmadi	Toujali village, Sardasht	Bardehpan border	2 October 2011	Shot and killed	Married and kulbar
Jalal Koukhi	Baneh	Border	12 October 2011	Injured	
Erdal Yalmaz	Van	Orumiyeh border	15 October 2011	Shot and killed	
Mohammad Shahrani	Kanirash village	Sardasht	16 October 2011	Injured	
Hossein Shahrani	Kanirash village	Sardasht	16 October 2011	Injured	
Ismail Ghasemi	Gholekhani village	Mileh Marzi Chal-daran	16 October 2011	Shot and killed	
Teh Savareh	Baneh	Sourkiv border	18 October 2011	Shot and killed	Two people were also injured
Motaleb Ghaderzadeh	Baneh	Baneh	22 October 2011	Shot and killed	
Arami Mohammad Hajji	Baneh	Kileh border	22 October 2011	Shot and killed	
Towfigh Hajji Mostafa	Baneh	Border	24 October 2011	Shot and killed	
Salim Azizi	Baneh	Border	24 October 2011	Shot and killed	
Bijan ...	Sanandaj	Sanandaj	24 October 2011	Injured	
Hamed Divollah	N/A	N/A	25 October 2011	Injured	
Rahmat Nalaseh	Sardasht	Border	25 October 2011	Injured	
Zanyar ...	Marivan	Border	26 October 2011	Shot and killed	
Salim Ahmadi	Sardasht	Ghandil border	27 October 2011	Shot and killed	
Farzad Karimi	Sardasht	Ghandil border	27 October 2011	Shot and killed	
Soleiman Mohammadi	Sardasht	Ghandil border	27 October 2011	Shot and killed	
Katooneh ...	Orumiyeh	Rajan Orumiyeh	27 October 2011	Shot and killed	
Mohammad Khezrzadeh	Gardehrash village	Sivehtal region, Sardasht	29 October 2011	Shot and killed	
Jafar Amini	Piranshahr	Border	31 October 2011	Shot and killed	
Ibrahim Elahi	Bakhsh Rabat	Baneh jir, Sardasht	17 November 2011	Shot and killed	Driver
Rahman Bayzidi	Mahabad	Ahmad Bariv region, Sardasht	22 November 2011	Shot and killed	
Nasser Rassouli	Sardasht	Border	22 November 2011	Injured	
Sassan Farkhi	Salmas	Border	24 November 2011	Shot and killed	
Khaled Farkhi	Salmas	Border	24 November 2011	Shot and killed	
Nasser Bapiri	Sardasht	Border	25 November 2011	Injured	
Nouzad ...	Sardasht	Border	25 November 2011	Injured	

Hashem Nazeri	Javanroud	Kangavar Detention Center	27 November 2011	Suspicious death	
Loghman Shikheh	Yangijeh village	Doulbi Marivan border	28 November 2011	Injured	
Borzu Azimi	Sar Pol-e-Zahab	Sar Pol-e-Zahab	2 December 2011	Shot and killed	
Lawant Tonj	Van	Orumiyeh border	4 December 2011	Shot and killed	
Abdollah Kourani	Mahabad	Kanizard, Piranshahr	10 December 2011	Injured	
Vahed Khezri	Banoukhalaf village	Boulehfat region, Sardasht	12 December 2011	Injured	
Mostafa ...	Saqquez	Saqquez	14 December 2011	Injured	
Farrokh Najafi	Kermanshah	Tazehabad border	14 December 2011	Shot and killed	
Hamid Mohammadi	Kermanshah	Tazehabad border	14 December 2011	Injured	
Akoo ...	Marivan	Doulehbi border	14 December 2011	Injured	Son of Hossein
Bahaedin Rostami	Baneh	Border	16 December 2011	Injured	
Ovat Rahimi	Mahabad	Tourjan Boukan	20 December 2011	Shot and killed	Driver
Omar Khedri	Saqquez	Saqquez	23 December 2011	Shot and killed	
Mostafa Shokri	Sar Pol-e-Zahab	Sar Pol-e-Zahab	31 December 2011	Shot and killed	
Selah Ghaderi	Rabat	Rabat, Sardasht	3 January 2012	Shot and killed	
Saleh Koulkeh Rashi	Sardasht	Houmeli border	14 January 2012	Injured	
Ibrahim Ahmadi	Bidoush village, Sardasht	Ghayer Mis border	17 January 2012	Injured	
Omar Nourbadan	Sardasht	Border	19 January 2012	Injured	
Amir Zendi	Sanandaj	Jadeh Ghazvin	18 January 2012	Shot and killed	
Shapour Zendi	Sanandaj	Jadeh Ghazvin	18 January 2012	Injured	
Saleh Zendi	Sanandaj	Jadeh Ghazvin	18 January 2012	Injured	
Heyva Naqshbandi	Vashmazin village	Sardasht border	30 January 2012	Died	Mine explosion
Rahim Amidi	Vashmazin village	Sardasht border	30 January 2012	Died	Mine explosion
Ismail Ahmadi	Shalmash village	Sardasht border	1 February 2012	Died	Avalanche
Rahim Ahmadi	Shalmash village	Sardasht border	1 February 2012	Died	Avalanche
Rashad Karahancher	Van	Orumiyeh border	10 February 2012	Shot and killed	
Sivan Bahloufhar	Paveh	Paveh	11 February 2012	Injured	Mine explosion
Nouri Seyyed Sader	Baneh	Border	21 February 2012	Injured	
Nizam Bashiri	Orumiyeh	Border	21 February 2012	Injured	
Eyhan Kahrizi	Orumyeh	Border	21 February 2012	Injured	
Osman Hajji Sharif	Sardasht	Border	28 February 2012	Injured	
Ibrahim Rasti	Sardoush village	Doulbi border, Marivan	28 February 2012	Shot and killed	24 years old
Reza Moulaei	Kashkavij village	Kouzerash region, Salmas	7 March 2012	Shot and killed	35 years old
Heydar Rahimi	Saqquez	Saqquez	11 March 2012	Shot and killed	

Dangerous Borders, Callous Murders

Documenting the Killings of Couriers in
Iran's Western Provinces

Iranian law regards the activities of the kulbari as a crime that is punishable by several months of detention or a fine equal to the value of the seized commodities. [H]owever ... Iranian border guards [reportedly] indiscriminately shoot at these individuals, thereby killing and wounding dozens of kulbari annually, as well as their horses.

—Ahmed Shaheed, UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

In 2006, Iranian authorities began implementing a new border security program intended to prevent terrorists and smuggled goods from crossing its borders. In the months between March 2011 and April 2012, at least 74 low-income Iranian citizens working as cross-border couriers were killed in the border regions, and at least another 76 were injured, largely by security forces. These killings and injuries, featured in a full list herein, all occurred between March 2011 and April 2012 within the context of Iran's Border Closure Plan.

The numerous cases of border security forces killing couriers, often called kulbar, in the northwestern provinces of West Azerbaijan, Kurdistan, and Kermanshah represent a growing pattern of excessive use of lethal force. The sudden increase in border killings and injuries appears to be an outcome of Iran's "comprehensive project of sustainable security," as Deputy Interior Minister for Security Affairs Ali Abdollahi called the border-closing project.

This report features a growing list of victims of border security violence and exposure to the inhospitable conditions of the less-patrolled areas of Iran's southwestern, northwestern, and western borders, which PressTV reported as "the Interior Ministry's priorities."

Other reports by the International Campaign for Human Rights in Iran



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One Year into the
Mandate of the
Special Rapporteur
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