

Rafsanjani blames those 'foreigners' for gas crisis



IranTimes: Former President Ali-Akbar Hashemi-Rafsanjani says foreign oil companies are at fault for Iran's gas crisis because they have sabotaged Iran's gas production plans. After more than three weeks, Turkmenistan has still not resumed gas shipments to Iran—and Iran has not resumed gas shipments to Turkey. But senior Iranian officials insist they have now adjusted the gas distribution system so that no one anywhere in the country is short of gas. In his sermon at Friday prayers last month, Rafsanjani said it is important for all countries to maintain a reserve supply of fuel for emergencies. He said the Islamic Republic has "a clear policy" calling for a reserve, not by stocking extra gas in a tank but by having more production and distribution capacity than is routinely needed. He said Iran ought to be able to pump 10 percent more than it normally requires. But it doesn't have that capacity, Rafsanjani said. It is the fault of the foreigners to an extent," he told the congregation. "They have created disruptions in our gas production in the south." He said if Phase 9 of the South Pars gasfield had become operational as scheduled, then Iran would not be fac-

ing any shortage at all. Phase 9 was put under contract in September 2002. Sixty percent of that contract is held by two Iranian firms—Oil Industries Engineering & Construction (OIEC) and Pars Oil & Gas. The remaining 40 percent is owned by LG Engineering & Construction, a South Korean firm. Rafsanjani did not say what exactly the South Koreans had done to "disrupt" Phase 9 or why they would have any interest in disrupting it. Rafsanjani said other phases of the South Pars project "are facing the same difficulties." Turkmenistan reduced the gas supply to Iran on December 29 and shut the tap completely the next day. A week later, Iran closed the pipeline that sends Iranian natural gas to Turkey. Turkmenistan has given no hint of when it might resume gas deliveries. It first said the closure was for routine preventive maintenance, although preventive maintenance is not normally scheduled for the middle of winter. Later, Turkmenistan said the repair was being delayed because Iran had not made any payments for gas after the supply was cut off. For the past month, Turkmenistan has been silent. In the Majlis, Deputy Kamal Daneshyar, chairman of the Energy Committee, said, "American pressure may have influenced Turkmenistan to cut off the gas... but we believe the main reason is that Turkmenistan wants to double the price." Iranian officials are regularly threatening to file a suit against Turkmenistan for cutting off supplies. The Turks, who have seen their Iranian gas supplies cut off almost every winter, and sometimes multiple times during the winter, have made up for the loss with increased gas from Russia and aren't threatening suits. While Rafsanjani said there was not enough production, part of the problem in the northwest appears to be an inadequate distribution system. During each severe cold spell, gas supplies to Turkey are shut down but communities in the northwest still complain that there isn't enough gas on the coldest days.

Iranian-American widow wins terror victim suit in U.S. court



IranTimes: The Iranian-American widow of a dual national executed by the Islamic Republic a decade ago has been awarded almost a half-billion dollars by the U.S. courts. The award was made under the 1996 law that allows "victims of terrorism" to sue countries listed by the U.S. government as "state sponsors of terrorism," currently Iran, Syria, Sudan,

Cuba and North Korea. Only American citizens can sue. In this case, the man who was executed, Siavash Bayani, and his wife had become naturalized Americans almost three years before he was hanged in Iran. The Bayanis are believed to be only the second Iranian-American family to sue and win a case in the United States. The huge award Mrs. Bayani won will join a long list of others exceeding \$6 billion that are unpaid. Iran has few assets in the United States they can attach and foreign courts have not yet recognized the American law that allows these suits. Governments are normally exempt from being sued in foreign countries, although there are normally some exemptions. A U.S. law dating from the 1790s provides such "sovereign immunities" with a few exceptions. In 1996, Congress added a new exception by saying American victims of terrorism could sue states on the terrorist list. Bayani first came to the United States as a college student, but returned to Iran to join the Imperial Air Force. His government sent him back to the United States in 1977 to supervise Iranian students studying at the Oceana Naval Air Station in Virginia. After the revolution, Bayani, his wife, Fatameh, and their two children were granted asylum in the United States. Bayani and his wife received American citizenship October 20, 1994. The family returned to Iran February 2, 1995, as Bayani's mother was ill. Five months later, he told his wife she should leave Iran immediately with their children. He gave no de-

tailed explanation. Mrs. Bayani and her children flew to the United States July 17, 1995. The next day, her husband was arrested and accused of being a CIA spy. The judgment issued late last month by the U.S. District Court for the District of Columbia said, "Siavash, in fact, was never employed by the Central Intelligence Agency or any other U.S. government agency and never received money from the U.S. government for information about the Islamic regime in Iran or for any other services." After Bayani's arrest, his family was unable to contact him for a year. In August 1996, he was allowed to telephone his family for "eight to 10 minutes" while interrogators in Iran listened in, the court record says. He said he had been tortured and warned his wife not to return to Iran. He repeated the warnings in letters. A few months after Bayani telephoned his family, Iranian "government officials contacted Siavash's mother and offered to help gain his release in exchange for large sums of money in U.S. dollars," the ruling said. Mrs. Bayani used the family's life savings, withdrew the maximum amount from her credit cards and took out loans from family and friends. "These efforts yielded \$95,000, which she sent to Siavash's mother so that she could pay government officials to gain access to Siavash," Judge Henry H. Kennedy jr. wrote. "A few months later, Siavash's mother-in-law received a phone call from an Iranian government official, notifying her that Siavash had been hung by the neck until dead," Judge Kennedy wrote. "The execution took place only hours after Siavash's mother had died." The court's judgment awarded \$66.3 million in compensatory damages to the family, whom it characterized as suffering post-traumatic stress disorder. Further, "Punitive damages shall be assessed against the Iranian Revolutionary Guard Corps" for \$400 million. The lawsuit, handled by Iranian-American attorney Zohreh Mizrahi, was filed on behalf of Bayani's widow, two children and estate. It named the Islamic Republic, the Ministry of Intelligence, the Pasdaran and several government leaders, including Ali-Akbar Hashemi-Rafsanjani, who was president when Bayani was hanged, and Supreme Leader Ali Khamenehi. In the ruling, Judge Kennedy said the suit did not provide evidence that Rafsanjani or Khamenehi were liable.

Solouki allowed to leave, closing drama



Mehrnoushe Solouki, a French-Iranian dual national, was allowed to fly out of Iran Friday, closing out the last known case of dual nationals detained in Iran last year by the Islamic Republic. The box to the left lists all the cases involving Iran of people who have been arrested or have disappeared that surfaced in a spate over seven months in late 2006 and early 2007. Solouki, 38, was a graduate student at the Universite du Quebec in Montreal who was in Iran last year researching her thesis. At a cemetery south of Tehran, she says she stumbled across the mass grave apparently containing the remains of Mojahedin-e Khalq members executed en masse by the regime in 1988. That was apparently the cause of her arrest. That distinguishes her from the highly publicized cases of four Iranian-American dual nationals who were accused of working with the U.S. government to plot a "velvet revolution" against the Islamic Republic. Solouki was arrested and jailed February 17. After one month, she was allowed out of Evin prison on payment of bail of 1 billion rials (\$108,000), but her passport was kept and she was not allowed to leave Iran until Friday. Solouki said in November that the authorities told her she was accused of "attempting to produce a propaganda film." Solouki holds French citizenship, but has been a permanent resident of Canada since 2004. The French embassy in Tehran worked to win

permission for her to leave Iran and allowed her to sleep in the embassy when she feared attacks. At one point, she was knocked to the ground and injured by a man on a motorcycle. On January 13, 11 months after her arrest, she appeared in court. To her surprise, she was told she had been acquitted and her passport and bail money were returned. Of all the cases that arose last year, only two remain completely up in the air. One involves an Iranian, Ali Asgari, a former deputy defense minister, who disappeared into thin air in December 2006 while visiting Turkey. No information on what happened to him has ever surfaced. The other case involves Robert Levinson, a private investigator and retired American FBI agent, who disappeared into thin air while visiting Iran to probe cigarette smuggling in March 2007. Records show he checked out of his hotel on Kish Island, but there are no records of him flying out of Iran.

Iran rated 'not free' in new study

In its annual "Freedom Of The World" report released last month, the New York-based Freedom House group rated Iran "not free," and labeled the Iranian regime a "dictatorship." This year's study, which measured political and civil freedoms in 193 countries, found that one-fifth of the countries surveyed, actually became "less free" last year. The study reported that none of the states ranked "not free" in 2006 showed any improvement last year.

It was also the first time in the report's five-year history, that a two-year decline had been recorded. On a scale of 1 to 7, 1 being "free" and 7 being "not free" in terms of political rights and civil liberties, Iran ranked 6. Of the 193 countries surveyed, 90 were ranked "free," 60 were

ranked "partly free," and 43, including both Iran and Iraq, were ranked "not free." The report called the Islamic Republic a "dictatorship," accusing the regime of not only suppressing the rights of its people, but also of spreading its influence into other countries through the support given to Muslim militants. The former Soviet bloc states received some of the worst ratings and Russia, with parliamentary elections late last year, was rated "not free." The report said, "Of the 12 non-Baltic former Soviet republics, seven of those are assessed by Freedom House as 'not free,' four are 'partly free,' and one [Ukraine] is 'free.' So, it's a very challenging landscape for freedom in that part of the world," the report said.

Medical marijuana users can be fired



SAN FRANCISCO (Reuters) - Companies can fire employees who use marijuana for medical reasons even if California law allows such use because federal law prohibits it, the state's Supreme Court ruled on "Under California law, an employer may require preemployment drug tests and take illegal drug use into consideration in making employment decisions," Justice Kathryn Werdegar wrote. The court's 5-2 decision is another blow to advocates of so-called medical marijuana. In March last year, a federal court based in San Francisco said a California woman with an inoperable brain tumor had no fundamental right to marijuana for medical purposes.

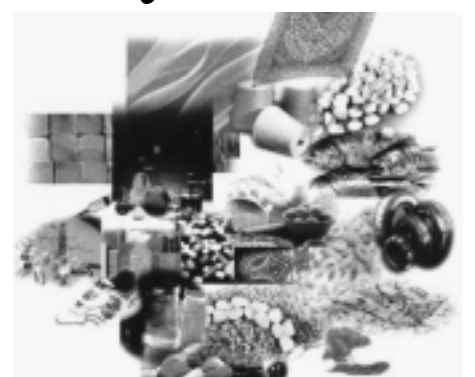
Such rulings have confirmed that federal law governs when there are clashes with state law. California voters backed an initiative in 1996 allowing the smoking of marijuana for medical purposes -- a use barred by federal law. "No state law could completely legalize marijuana for medical purposes because the drug remains illegal under federal law," Werdegar wrote. In the latest case, Gary Ross said he began using marijuana in 1999 on a doctor's recommendation because of back pain. Ross said that after he was offered a job at a company in 2001, he took and failed a drug test and was fired. He sued the company, privately held RagingWire Telecommunications, because he said it failed to make reasonable accommodation for his disability. The Pacific Legal Foundation, which backed the employer, said the ruling would help keep drug-impaired employees from workplaces. Proponents of medical marijuana said they were looking for support from lawmakers in the nation's most populous state. "We remain hopeful that the legislature will come to the aid of patients by preventing the sort of discrimination that is likely to occur from such a decision," said Joe Elford, chief counsel of Americans for Safe Access.

Iran selling almost entirely to Asia now

Ninety percent of Iran's non-oil exports now go to Asian countries, the director of Iran's Trade Promotion Organization, Mehdi Ghazanfari, has announced. The statistics cover the first nine months of the Persian year, from March to December of last year. The following is a list of the top 10 countries to which Iran exported non-oil goods in that period:

- UAE \$1.671 billion • Iraq \$1.164 billion
- China \$894 million • Japan \$738 million
- India \$574 million • Turkey \$412 million
- Italy \$408 million • Afghanistan \$341 million
- South Korea \$339 million • Kuwait \$292 million

Shifting to imports, the United Arab Emirates (UAE) was the largest source of Iran's import goods, sending \$7.422 billion worth of goods to Iran, followed by Germany at \$3.862 billion.



Much of the goods coming from the UAE are transshipments, rather than goods originating in the UAE. American goods are often shipped to Iran through the UAE to avoid the U.S. trade embargo.