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[Home](#)

> [Research Program](#)

> Responses to Information Requests

Responses to Information Requests

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20 January 2014

IRN104730.E

Iran: Treatment of anti-government activists by authorities, including those returning to Iran from abroad; overseas monitoring capabilities of the government (2012-2013)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Treatment of Anti-government Activists in Iran

The US Department of State's *Country Reports on Human Rights Practices for 2012* reported that "[i]ndividuals could not criticize the government publicly or privately without reprisal, and the government actively sought to impede criticism"(US 19 Apr. 2013, 22). In correspondence with the Research Directorate, a professor of political science and public policy at York University who has researched and published articles about Iran stated that the Iranian government is a "suppressive regime," but also noted that it is "hard to generalize" about the treatment of activists, as it depends on who the activist is and the type of activity (Professor of Political Science 5 Jan. 2014).

Sources report on arrests and detention of political activists in Iran (US 19 Apr. 2013, 17; AI 2013). *Country Reports 2012* indicates that "the judiciary continued to harshly punish, imprison, or detain without charges human rights activists, members of the political opposition, and persons linked to reform movements" (US 19 Apr. 2013, 1). *Country Reports 2012* also stated that some activists and other groups were charged with crimes such as "'propaganda against the regime' and 'insulting the regime,' treating such cases as national security trials" (ibid., 17). Sources report that some activists held in detention were "tortured" (AI 2013; IHRDC 9 Nov. 2012). Sources report on an Iranian blogger who died in November 2012 while in the custody of the Cyber Police (*The Guardian* 21 Nov. 2012; AI 2013). Amnesty International (AI) reports that he died "after lodging a complaint that he had been tortured" (ibid.). His family was reportedly pressured not to speak out about his case (ibid.; *The Guardian* 21 Nov. 2012). On 9 November 2012, the Iran Human Rights Documentation Center (IHRDC), "an NGO based in New Haven, Connecticut that aims to establish a historical record of the human rights situation in Iran (IHRDC n.d.), reported that the family of an Ahwazi Arab political activist was told that he was dead, two weeks after he was arrested by "men in plain clothes claiming to be the Islamic Revolutionary Guards Corps (IRGC) Counterintelligence agents."

Country Reports 2012 states that "[a]uthorities relied on university disciplinary committees to suspend, transfer, or expel students based on their social and political activism, involvement in student publications considered anti-regime, or participation in student associations affiliated with reformist or opposition parties" (US 19 Apr. 2013, 29). AI similarly reports on students that were not allowed to attend university because of their political activism (AI 23 Sept. 2013). AI also indicated that, as of September 2013, "dozens" of students activists remained in prison, where they were subject to "harsh interrogations, torture and other ill-treatment" (ibid.).

Country Reports 2012 indicates that government agents reportedly "entered, searched, and ransacked the homes and offices of reformist or opposition leaders, activists, political prisoners, journalists, and their

families to intimidate them" (US 19 Apr. 2013, 21). Sources indicate that some activists are subject to travel bans (US 19 Apr. 2013, 32; UN 28 Feb. 2013).

2. Post-election Treatment of Activists

Sources report on arrests of government critics in the lead up to the 2013 elections (Human Rights Watch 24 May 2013; NPR 20 May 2013). In June 2013, Hassan Rouhani, a candidate that was supported by reformists, won the presidential election (BBC 24 Nov. 2013; *The Huffington Post* 15 June 2014). Some media sources have described President Rouhani as a "moderate" president (*The Guardian* 5 Dec. 2013; Reuters 15 June 2013). In a telephone interview with the Research Directorate, a professor of modern Middle Eastern history at the University of Toronto, who has conducted research on Iran, indicated that since the elections, Iran has been in a transition phase (13 Jan. 2014). He said that the situation is not clear and has not settled yet, but that some changes are occurring and "it seems that Iran is opening up to differing political opinions, as the political space has opened up tremendously" (Professor of History 13 Jan. 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The Professor of history added that most of the activists of the Green Movement [a movement of people who protested against "official claims that Mahmoud Ahmadinejad had won the 2009 election" and turned into a "nation-wide force demanding ...democratic rights" (USIP n.d.)] who were arrested have been released, with the exception of two presidential candidates that are still under house arrest (13 Jan. 2014). BBC reports that, in September 2013, 11 "political prisoners" were released from prison, including a reformist politician and a prominent human rights lawyer (24 Nov. 2013). However, the *Guardian* reports that, although "judicial authorities released a number of prominent political prisoners" when Rouhani came into power, "a large number of political prisoners are still being held in prison" (5 Dec. 2013).

In a telephone interview with the Research Directorate, the Director of Small Media, a non-profit organization that aims to increase the flow of information in Iran and works on training, technology and research initiatives that focus on Iran, stated that

although the media and general public have the opinion that the situation in Iran has improved since the elections, in reality, nothing has changed. In fact, human rights violations are occurring at the same level as before In the past 2-3 months, approximately 40-50 online activists have been arrested. The oppression of online activists and other anti-government activists has continued. (Small Media 14 Jan. 2014)

Sources report that 16 cyber-activists were arrested in the beginning of December 2013 (ibid.; *The Guardian* 5 Dec. 2013). *The Guardian* reports that they were arrested by Iran's Revolutionary Guard (ibid.). The deputy Prosecutor General in Kerman Province reportedly said that they "are accused of acting against national security through cooperation with foreign networks and designing websites and developing content for counter-revolutionary websites with the aim of overthrowing the Islamic Republic system" (qtd. in *Tehran Times* 4 Dec. 2013).

The Guardian reported that, according to a leading opposition website, at least five Iranians who shared news about the situation of political prisoners on Facebook have recently been held by the security apparatus of the country's elite forces ...some of the five Iranians were administrators of popular cultural and social pages on Facebook but had occasionally shared or published posts about the opposition Green movement and its members behind bars in Iranian prisons (*The Guardian* 5 Dec. 2013).

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. *The Guardian* noted that it is not clear whether the five cyber activists were part of the 16 arrests made in the beginning of December 2013 (5 Dec. 2013).

Sources indicate that the president of Iran does not control the judiciary and the Revolutionary Guard (Small Media 14 Jan. 2014; *The Guardian* 5 Dec. 2013). The Council on Foreign Relations, a US-based organization, think tank and publisher on foreign policy (Council on Foreign Relations n.d.), states that Iran's Revolutionary Guard Corps is its "premier security institution" that has an army, a navy, and an airforce (14 June 2013). *The Guardian* reports that "[m]any of the arrests in recent years of activists and politicians have been carried out independently by the revolutionary guards" (*The Guardian* 5 Dec. 2013.). *The Guardian* explains that, although the government may not support the arrests, Rouhani "has so far kept muted over the new crackdown campaign" (ibid.).

The Huffington Post reports that, according to an 18 October 2012 statement by the head of Iran's judiciary, "there are absolutely no political executions in Iran" (22 Oct. 2012). However, the International Campaign for Human Rights in Iran (ICHRI), a non-profit human rights organization based in New York (ICHRI n.d.), reports that

the death penalty continues to be used as a tool to stifle political dissent, especially against ethnic minorities, such as in the case of six Kurdish Sunni activists and four Arab-Iranian men whose death sentences were recently upheld by Iran's Supreme Court and who currently face imminent execution. (8 Oct. 2013)

In correspondence with the Research Directorate, a representative of the IHRDC also reported on the execution of Kurdish activists (IHRDC 15 Jan. 2014). On 11 April 2012, the IHRDC reported that approximately 14 Kurdish activists were awaiting execution. The IHRDC adds that the Islamic Republic of Iran (IRI) fears that Kurdish activism contains a separatist undercurrent that challenges the integrity of the state. Many political activists who assert their Kurdish identity or who engage in social and political criticism of the IRI are prime targets for arbitrary arrest and prosecution on the pretext of endangering national security. (ibid. 11 Apr. 2012)

In its 2012 annual report, Iran Human Rights, a human rights organizations based in Oslo, Norway "with members inside and outside Iran" (Iran Human Rights n.d.), reports on the execution of four Ahwazi Arab activists and notes that the Iranian Supreme Court upheld the death sentences of five additional Ahwazi Arab activists charged with 'Moharabeh,' [waging war on God (IHRDC 15 Jan. 2014)] (Iran Human Rights 2013, 3). The Professor of political science said that the execution of political activists has continued under the government of Rouhani (5 Jan. 2014). According to AI, Iran carried out 40 executions between 1 January 2014 and 16 January 2014 (16 January 2014). Sources indicate that most executions in Iran are of people convicted of drug-related charges (Iran Human Rights 2013; AI 16 Jan. 2014). *Country Reports 2012* states that, according to opposition media, the government "arrested, convicted, and executed persons on criminal charges, such as drug trafficking, when their actual offenses were reportedly political" (US 19 Apr. 2013, 17). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3. Treatment of Anti-government Activists Upon Return to Iran

Several sources indicate that the treatment of anti-government activists who return to Iran is case specific (Small Media 14 Jan. 2014; Professor of History 13 Jan. 2014; Professor of Political Science 5 Jan. 2014).

The Professor of history said that, after the elections, "a number of academics in Iran who were fired from their positions based on their political opinion or secularism during the Ahmadinejad period, are now being called back to work" (13 Jan. 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

In correspondence with the Research Directorate, a representative of the United Nations High Commissioner for Refugees (UNHCR) indicated that UNHCR Turkey is aware of political activists or perceived activists who have been identified through techniques such as photographic screening or interrogation by the authorities upon their arrival at the Tehran airport from abroad (17 Jan. 2014).

The Professor of political science indicated that people "who are known for their anti-government activities outside Iran are treated harshly" when they return (5 Jan. 2014). The Director of Small Media similarly indicated that "if an activist is known to authorities, he or she will most likely be targeted and face prosecution upon return" (Small Media 14 Jan. 2014). The Director cited two recent cases of anti-government activists who returned to Iran and were arrested: one in December 2013 and another one in January 2014 (ibid.).

The IHRDC representative stated that

There have been numerous reports about Iranians who are arrested upon their return to Iran. Mahmoud Alavi, the Iranian Minister of Intelligence, has made remarks indicating that individuals who left Iran in the aftermath of the 2009 presidential election should not be afraid of returning to Iran. In recent months, however, a number of individuals who returned to Iran have been charged or arrested. Hamid Babaei, a graduate student in Belgium, was reportedly arrested and charged with espionage and having contacts with foreign enemy states. He has been sentenced to six years of imprisonment. Serajjeddin Mirdamadi, a reformist activist, was charged with national security crimes after returning to Iran. He has not been sentenced yet, but his attorney has stated that his charges could carry a sentence between three months to a year of imprisonment. Another example is Mohammad Amin Akrami, a cyber activist who was arrested after returning to Iran from India ... (15 Jan. 2014).

Other sources also report on the arrests upon return to Iran of Hamid Babaei (All Human Rights for All in Iran 9 Jan. 2014), Serajeddin Mirdamadi (Radio Zamaneh 9 Jan. 2014), and Mohammad Amin Akrami (ICHRI 18 Dec. 2013). According to All Human Rights for All in Iran, an Austrian-based NGO funded by the European Union and the Austrian Development Co-operation to assist Iranian human rights defenders (All Human Rights for All in Iran n.d.), Hamid Babaei was reportedly not arrested for his anti-government activities, but rather for

refusing to give authorities information about Iranians in Belgium (ibid. 9 Jan. 2014). Sources indicate that Samad Khatibi, a filmmaker who campaigned for President Rouhani, was arrested in November upon his return to Iran (IHRDC 15 Jan. 2014; *The Guardian* 5 Dec. 2013). *The Guardian* reports that he was arrested "upon arriving in Tehran from the Netherlands" (5 Dec. 2013). The IHRDC representative indicated that "he has since been released" (15 Jan. 2014).

According to the Director of Small Media, if the activist is not known, it is hard to say how he or she will be treated (14 Jan. 2014). He explained:

The risk upon return depends on the visibility of the individual both online and offline. If someone is not visible enough, they may not be at risk, however it is not possible to say that they will not be at risk because often the authorities act rather arbitrarily. Sometimes, even people who are not high profile activists are arrested and prosecuted upon return to Iran for minor political activities that they have done online while being outside of Iran. (Small Media 14 Jan. 2014)

The European Court for Human Rights (ECHR), in the "Case of S.F. and Others v. Sweden," states that Iranians returning from abroad are screened on arrival in Iran (ECHR 15 Aug. 2012, 15). The same source notes that some of the factors which may lead to an inquiry by the Iranian authorities on return include being of "Kurdish and Persian origin, culturally active and well-educated" (ibid., 15-16).

The Professor of history indicated that there has been an increase of intolerance for groups that identify with the armed or military opposition (Professor of History 13 Jan. 2014). He said that if someone is identified as belonging to such groups, he or she would likely be interrogated and imprisoned (ibid.). The Professor of History indicated that, "often, feuds within or between families lead people to 'turn someone in' by telling authorities that they are against the government" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

4. Overseas Monitoring Capabilities of the Iranian Government

Several sources indicate that Iranian authorities monitor online activities (Small Media 14 Jan. 2014; Professor of History 13 Jan. 2014; ECHR 15 Aug. 2012), including online activities outside of Iran (ibid.; Professor of History 13 Jan. 2014). The Director of Small Media said that such monitoring includes social media, blogs, and popular media, including small websites, which may be highly visible (14 Jan. 2014). The Professor of political science stated that "all Iranian websites are closely monitored by the regime" (5 Jan. 2014). The Professor of history indicated that the Iranian government is "very active" in cyber-monitoring, including monitoring e-mail and online conversations (13 Jan. 2014).

The ECHR, in the "Case of S.F. and Others v. Sweden" stated that relevant country information on Iran ...confirms that Iranian authorities effectively monitor Internet communications and regime critics both within and outside of Iran. It is noted that a specific intelligence "Cyber Unit" targets regime critics on the internet. (ECHR 15 Aug. 2012, 15)

Without specifying whether it applies to anti-government activists, a Small Media report indicates that the Iranian Cyber Police (FATA)

often uses unconventional methods to catch cyber criminals, including acts of manipulation on social networking sites. One of the most popular methods used by FATA is the creation of fake Facebook profiles, through which they may encourage other users to divulge personal information. (Oct. 2013, 3)

The Director of Small Media indicated that Iranian authorities do not have the technical capacity to conduct "blanket monitoring," which means that they do not follow all Iranian citizens' online activities (14 Jan. 2014). Similarly, the Professor of history indicated that the government does not seem to monitor all online activities (Professor of History 13 Jan. 2014). The Professor of history stated that the Iranian government

mostly focuses on monitoring the activities of people that they think want to overthrow the regime. Their definition of people who want to overthrow the regime does not only consist of people who want to overthrow the regime militarily, but also any real or perceived organized opposition to the regime, including people who take on the cause of religious minorities. For example, people who take on the cause of Baha'is may be considered to want to overthrow the regime ...(ibid.).

The Professor of history stated that the Iranian authorities are aware of the actions of Iranians in Canada (ibid.). He added that he is aware of a case of an Iranian living in Canada who was interrogated when visiting Iran, because the authorities knew that this person worked for an outspoken critic of the government (ibid.). OpenCanada.org, the online news source of the Canadian International Council, an independent foreign relations council that aims to "strengthen Canada's role in international affairs" (OpenCanada.org n.d.),

indicates that, according to Michael Petrou [an author of "international news and Canadian foreign policy" (Maclean's 20 June 2012)]:

[t]he Iranian embassy actively monitored the activities and loyalties of Iranians, particularly students, in Canada ...Dissidents were also tracked, and on at least one occasion security officials in Iran visited a dissident's family after he took part in an anti-regime demonstration." (OpenCanada.org 22 May 2013)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. Michael Petrou reportedly also indicates that

[t]he closure of the Iranian embassy sharply curtailed Iran's activities in Canada. However, informal ties persist between the government of Iran and members of the Iranian diaspora in Canada, as well as institutions such as mosques, and Iran's English-language broadcaster, Press TV. Several regime-linked individuals also have homes and family here. (ibid.)

The Professor of political science stated that although the Iranian embassy in Canada is closed, the regime has "many agents" among the Iranian community, including students and businesspeople (5 Jan. 2014). The Director of Small Media also indicates that Iranian authorities use human intelligence to monitor people's activities in Iranian networks abroad (Small Media 14 Jan. 2014). He said that sometimes Iranians infiltrate activist groups, and gather information on the activists (ibid.). Further information about the use of overseas agents could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: Attempts to contact the following individuals and organizations were unsuccessful within the time constraints of this Response: Foundation for Iranian Studies; Human Rights in Iran Unit, City University of New York; International Campaign for Human Rights in Iran; Professor of Near and Middle Eastern Civilizations, University of Toronto; Radio Free Europe/Radio Liberty; Radio Zamaneh Foundation;.

Internet sites, including: ecoi.net; Kayhan; Iran – Islamic Republic News Agency, Office of the Supreme Leader Sayyid Ali Khamenei.

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[Top of Page](#)

Date modified: 2014-06-11

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