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Iran: Corruption, including agencies and other government efforts to combat corruption; consequences for whistleblowers reporting on corruption
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Background

Reports and corroborating information on the extent of corruption and efforts to combat it in Iran were limited among the sources consulted by the Research Directorate.

In its 2005 *Corruption Perceptions Index*, Transparency International placed Iran 93rd out of 159 countries in terms of the degree of corruption and gave it a score of 2.9 on a scale from zero (highly corrupt) to ten (highly clean) (n.d.). A senior "lawmaker" cited in *Iran Daily*, estimated that approximately "90 per cent of economic corruption cases in Iran involved the authorities" (19 Dec. 2005). Radio Free Europe/Radio Liberty (RFE/RL) stated that, while reports of corruption were common in Iran, the lack of follow-up on these cases could be attributed to "a general lack of accountability," weaknesses in legislation and the fact that the press is "heavily politicized" (5 Apr. 2005).

Regarding anti-corruption and transparency in Iran, a Freedom House report stated that the country is "prone to corruption" (June 2005). For example, the report stated that the "bureaucracy gives preferential hiring treatment to graduates of theological seminaries, veterans of the Iran-Iraq war and Basij militiamen rather than to candidates based on their skills and merits" (Freedom House June 2005). Following the 1979 revolution, Islamic charitable foundations, or "bonyads", came under the State's jurisdiction (RFE/RL 5 Apr. 2005) and received many assets from Iran's wealthiest families (Freedom House June 2005). Freedom House estimated that *bonyads* control between 10 and 20 per cent of Iran's gross domestic product (ibid.). Sources also stated that, under the authority of the Supreme Leader, Ayatollah Ali Khamenei, and the clerics, the *bonyads* have become "huge commercial conglomerates" that operate with no accountability and are not subject to any auditing procedures (ibid.; RFE/RL 5 Apr. 2005). Freedom House also reported that "loyal supporters and relatives of the regime" are exempted from anti-corruption laws (June 2005).

Efforts to combat corruption

Although President Khatami announced in August 2004 that the government would tackle economic corruption, six months later, no steps had

been taken to that effect (Freedom House June 2005). The United States Department of State also reported that in 2005, "[a] high profile effort [was] under way in Iran to highlight corruption and discourage its spread, but some cynicism might be justified on the question of its seriousness, with an eye on those in the top infrastructure who escape punishment for apparent corruption" (*INCSR 2006* Mar. 2006, Sec. III).

Country Reports on Human Rights Practices for 2005 reported that Ayatollah Hashemi Shahrudi, judiciary chief, had claimed that, as of March 2005, there were 700 to 800 corruption files related to state officials before the judiciary (8 Mar. 2006, Sec. 3). However, Shahrudi stated that these files involved "junior administrators" and that "high officials should not be prosecuted for the activities of their subordinates" (*Country Reports 2005* 8 Mar. 2006, Sec. 3; see also RFE/RL 14 Mar. 2005). Another RFE/RL report referred to a case of corruption involving Ayatollah Ali Urumian, a member of the Assembly of Experts from the province of East Azerbaijan, regarding false documents, embezzlement, the illegal sale of government property, illegal arrests and interference with judiciary affairs (24 Jan. 2005b).

There is reportedly no legislation in Iran governing public access to government information (*Country Reports 2005* 8 Mar. 2006, Sec. 3). However, an article in *Iran Daily* described an unnamed bill to combat administrative corruption, which includes a definition of administrative corruption and defines the role and responsibilities of state organizations (25 Apr. 2006). No further information on this bill could be found among sources consulted by the Research Directorate. However, the Constitution of the Islamic Republic of Iran states:

The government has the responsibility of confiscating all wealth accumulated through usury, usurpation, bribery, embezzlement, theft, gambling, misuse of endowments, misuse of government contracts and transactions, the sale of uncultivated lands and other resources subject to public ownership, the operation of centers of corruption, and other illicit means and sources, and restoring it to its legitimate owner; and if no such owner can be identified, it must be entrusted to the public treasury. This rule must be executed by the government with due care, after investigation and furnishing necessary evidence in accordance with the law of Islam (Iran 24 Oct. 1979, Art. 49).

Whoever has a complaint concerning the work of the Assembly or the executive power, or the judicial power can forward his complaint in writing to the Assembly. The Assembly must investigate his complaint and give a satisfactory reply. In cases where the complaint relates to the executive or the judiciary, the Assembly must demand proper investigation in the matter and an adequate explanation from them, and announce the results within a reasonable time. In cases where the subject of the complaint is of public interest, the reply must be made public (*ibid.*, Art. 90).

According to RFE/RL, the Iranian Parliament approved a bill on 18 January 2005 that allows the legislature to investigate the judiciary (24 Jan. 2005a). In October 2005, *Iran Daily* stated that a bill allowing the judicial system to release the names of people involved in economic corruption cases was before parliament for approval (31 Oct. 2005). However, in January 2006 the same newspaper stated that the names of those involved in corruption were not being made public and cited Shahrudi's explanation that this was because the "dissemination of information on corruption cases should not be conducted in a way [in which] the country's management system is accused of inefficiency" (*Iran Daily* 2 Jan.

2006). Another *Iran Daily* article indicated that "the plan for announcing the names of economically corrupt people is in its final stage at the Majlis [Parliamentary] Judicial Commission and will be tabled in Majlis next week" (8 May 2006). No information as to whether either of these bills has been enacted was found among sources consulted by the Research Directorate.

Government agencies involved in fighting corruption

Information on government agencies involved in combating corruption was limited among the sources consulted by the Research Directorate. However, an article from the Iranian newspaper *Siyasat-e Ruz* stated that an anti-corruption decree, containing eight articles, was issued by the supreme leader in June 2001 (19 Dec. 2005). The newspaper *Kayhan* described the decree as an "order ... which was addressed to the heads of the three powers [the executive, the legislature and the judiciary], about the campaign against economic corruption" (4 May 2006). However, an *Iran Daily* article cited the parliamentary research centre's decision that the decree "[could not] be implemented in view of the existing laws and regulations" (10 Dec. 2005). The article also stated that, sometime after the 2001 decree, the Anti-Economic Corruption Headquarters was established (*Iran Daily* 10 Dec. 2005; see also MNA 18 Oct. 2005). In a later article, *Iran Daily* reported that the Anti-Corruption Taskforce was established in 2005 by the Supreme Leader Ayatollah Khamenei, who also directed the three branches of government to establish individual committees to work toward ending corruption (*Iran Daily* 2 Jan. 2006). An article in *Iran Daily* stated that, although the anti-corruption headquarters had been established, the legal procedures had not been implemented and, as a result, even when investigations were launched, they were abandoned before completion for "unknown reasons" (ibid. 2 Mar. 2006). A Mehr News Agency (MNA) article also described government efforts to prevent lawlessness and corruption by creating the Committee to Fight Economic Corruption (1 Nov. 2005). Another article reported that members of parliament had sent a letter to the judiciary chief Shahrudi asking for greater transparency in corruption cases, but were told that "there are no legal grounds for fighting economic corruption" (*Iran Daily* 2 Jan. 2006).

According to the Website of the Judicial System of the Islamic Republic of Iran, the State General Inspection Organization exists to "report to the president, any shortcomings, misconduct and violations in financial and administrative affairs of the ministries, foundations and institutions" (n.d.). Without providing details, an *Iran Daily* article about corruption referred to the State Inspectorate Organization and investigating committees, stating that "[b]oth institutions evaluate the performance of different organizations, try to resolve the problems and increase coordination among the governmental organizations" (23 Jan. 2006). In the article, the Head of the State Inspectorate Organization reported that his office received 11,487 complaints from 2004 to 2005, representing a 40 per cent increase over 2003 to 2004 figures (*Iran Daily* 23 Jan. 2006).

Another article referred to the Public Prosecutor's Office for Government Employees which has the authority to "revie[w] the crimes of managers and employees of Tehran Province, as well as issues beyond the province, government and judicial officials, the managers of all information departments of all provinces, and certain journalistic crimes" (*E'temad* 3 May 2006). In May 2006, the deputy head of judiciary stated that economic corruption had become a priority for the judiciary and that "special bureaus" had been established in Tehran to address the problem (*Iran Daily* 5 May 2006). In its Country Project on Iran, the United Nations Office on Drugs and Crime (UNODC) stated that "[a] special committee ha[d] been established within the judicial and legislative

domains with the mandate to fight the abuse of power" (n.d.). However, the secretary of Iran's State Expediency Council indicated that "the judiciary's record in fighting economic corruption ha[d] not been favorable" (IranMania 12 Mar. 2006).

Whistleblowers

Specific cases of whistleblowers denouncing corruption could not be found among the sources consulted by the Research Directorate.

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 additional sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: The Centre for Arab and Iranian Studies [London] and Transparency International did not provide information within the time constraints for this response.

Internet sites, including: Amnesty International, British Broadcasting Corporation, Centre for Arab and Iranian Studies [London], École des Hautes Études en Sciences Sociales [Paris], Factiva, Federation of American Scientists, Freedom House, Human Rights Watch, Integrated Regional Information Networks, International Chamber of Commerce, Internet Center for Corruption Research [Passau, Germany], *Iran Daily*, Iran Focus, Iranian Students News Agency, Islamic Republic News Agency, *Jane's Intelligence Review*, Judicial System of the Islamic Republic of Iran, Justice Administration of Tehran, Payvand, Presidency of the Islamic Republic of Iran, *Tehran Times*, Transparency International, World News Connection.

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