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2009 Human Rights Report: Iran*

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

[2009 Country Reports on Human Rights Practices](#)

March 11, 2010

The Islamic Republic of Iran, with a population of approximately 65.8 million, is a constitutional, theocratic republic in which Shia Muslim clergy dominate the key power structures. Government legitimacy is based on the twin pillars of popular sovereignty--albeit restricted--and the rule of the supreme leader of the Islamic Revolution. The current supreme leader, Ayatollah Ali Khamenei, was not directly elected but chosen by a directly elected body of religious leaders, the Assembly of Experts, in 1989. Khamenei's writ dominated the legislative, executive, and judicial branches of government. He directly controlled the armed forces and indirectly controlled internal security forces, the judiciary, and other key institutions. The legislative branch is the popularly elected 290-seat Islamic Consultative Assembly, or Majles. The unelected 12-member Guardian Council reviewed all legislation the Majles passed to ensure adherence to Islamic and constitutional principles and also screened presidential and Majles candidates for eligibility. On June 12, Mahmoud Ahmadi-Nejad was reelected president in a multiparty election that many Iranians considered neither free nor fair. Due to lack of independent international election monitors, international organizations could not verify the results. The final vote tallies remained disputed at year's end. Civilian authorities did not fully maintain effective control of security forces.

The government's poor human rights record degenerated during the year, particularly after the disputed June presidential elections. The government severely limited citizens' right to peacefully change their government through free and fair elections. The government executed numerous persons for criminal convictions as juveniles and after unfair trials. Security forces were implicated in custodial deaths and the killings of election protesters and committed other acts of politically motivated violence, including torture, beatings, and rape. The government administered severe officially sanctioned punishments, including death by stoning, amputation, and flogging. Vigilante groups with ties to the government committed acts of violence. Prison conditions remained poor. Security forces arbitrarily arrested and detained individuals, often holding them incommunicado. Authorities held political prisoners and intensified a crackdown against women's rights reformers, ethnic minority rights activists, student activists, and religious minorities. There was a lack of judicial independence and of fair public trials. The government severely restricted the right to privacy and civil liberties, including freedoms of speech and the press, assembly, association, and movement; it placed severe restrictions on freedom of religion. Official corruption and a lack of government transparency persisted. Violence and legal and societal discrimination against women, ethnic and religious minorities, and lesbian, gay, bisexual, and transgender (LGBT) persons; trafficking in persons; and incitement to anti-Semitism remained problems. The government severely restricted workers' rights, including the right to organize and bargain collectively, and arrested numerous union organizers. Child labor remained a serious problem. On November 20, for the seventh consecutive year, the UN General Assembly (UNGA)

adopted a resolution on Iran expressing concern about the country's "serious, ongoing, and recurring human rights violations."

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Following the June 13 announcement of President Ahmadi-Nejad's reelection, hundreds of thousands of citizens took to the streets to protest. Police and the paramilitary Basij violently suppressed demonstrations. The official death count was 37, but opposition groups reported approximately 70 individuals died, and human rights organizations suggested as many as 200. In August the judiciary estimated that authorities detained approximately 4,000 persons. Authorities continued to arrest numerous political activists throughout the rest of the year. On August 5, with many of those arrested charged with fomenting a "velvet revolution," the head of the national security forces, Esmail Ahmadi-Moghaddam, said in an interview that the government was holding individuals it considered the most dangerous offenders in Kahrizak Prison, and the rest were taken to Tehran's Evin Prison. The Green Movement, the opposition that formed from many disparate groups to protest the election results, organized demonstrations throughout the country on various dates after the election, including Qods Day (September 18), the anniversary of the U.S. Embassy seizure (November 4), Students' Day (December 7), Grand Ayatollah Montazeri's funeral (December 21), and Ashura (December 27). During the December 27 protests, at least eight civilians, including the nephew of presidential candidate Mir Hossein Mousavi, died in confrontations with authorities. Authorities responded to all the demonstrations with raids on opposition activists' offices. Police reportedly arrested approximately 300 protesters and 10 opposition leaders in relation to the December 27 demonstrations alone.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were reports that the government and its agents committed multiple acts of arbitrary or unlawful killings during the year. During the June election protests, scores of protesters and nonprotesting bystanders were killed, especially during antigovernment rallies; government sources reported the death toll at 37, opposition groups reported approximately 70 individuals died, and human rights organizations suggested as many as 200.

On June 15, security forces shot Sohrab Arabi in the chest and abducted him during an antigovernment demonstration. On June 19, according to the nongovernmental organization (NGO) the International Campaign for Human Rights in Iran (ICHRI), Arabi's body arrived at the coroner's office. It was unclear whether Arabi died immediately from the gunshot wound or if he was first taken to a hospital for treatment. In the days following his abduction and death, Arabi's case became widely publicized on the Internet, and he became a symbolic figure for the opposition.

Also on June 15, security forces arrested 47-year-old Behzad Mohajer for his participation in a protest march, according to Iran Human Rights Voice (IHRV). On August 1, the coroner's office returned his body to his family. In photos authorities showed to Mohajer's sister, the body appeared to have bullet holes in the chest.

On June 20, according to eyewitnesses, Basij militia killed Neda Agha-Soltan in Tehran. Although she was in close proximity to an antigovernment demonstration at the time of the shooting, her fiancé and others report that she was not participating in the demonstration. The video of her death appeared on YouTube and became a symbol of the opposition movement. In the wake of their children's death, Neda Agha-Soltan and Sohrab Arabi's mothers joined a group of women calling themselves the Mourning Mothers, who held regular evening vigils on Saturdays in Laleh Park during the year. According to Amnesty International (AI) and the ICHRI, authorities repeatedly broke up the vigil's protests, and on December 5, police arrested 15 members of the group. By year's end all had been released on bail.

Also on June 20, security forces reportedly beat Mahmud Raisi Najafi when he was caught up in a crowd fleeing unspecified armed forces on his way home from work. On June 28, he died of his injuries.

Also on June 20, Basij forces shot and killed Ashkan Sohrabi, who was participating in street protests in Tehran. He was reportedly shot three times in the chest.

In late June Basij militia severely beat and arrested Amir Mirza. He was subsequently sent to prison where security forces allegedly tortured and beat him for three days. He died a few days later in detention due to complications involving internal bleeding and meningitis. Local human rights groups reported that authorities denied him medical care.

On June 28, according to AI and the ICHRI, Basij forces arrested Taraneh Mousavi when she was on her way to a demonstration at Ghoba mosque. Reports indicated authorities detained her for five hours, and then she disappeared. AI and the ICHRI reported an allegation that police raped and tortured Mousavi. On July 16, authorities reportedly informed her parents that they could pick up a burned body resembling their daughter. According to AI, authorities subsequently took her mother into protective custody.

On July 1, according to IHRV, plainclothes security forces arrested Mohammad Naderipour, chairman of the student chapter in Mousavi's election campaign, in the city of Sirjan. Forty-eight hours later, his body was found inside his vehicle. Local human rights groups reported Naderipour's stereo and wallet had been left untouched in the car. The coroner determined that Naderipour's death was the result of "a blow by a blunt object to the back of the head." Authorities reportedly demanded the family bury his body immediately; IHRV reported that authorities wished to avoid further investigation into the causes of Naderipour's death.

On July 9, security forces arrested university students Amir Javadifar, Mohammed Kamrani, and Mohsen Rouhalmami during protests. On July 16, Mohammed Kamrani died in Mehr Hospital after being detained at Kahrizak Prison. Authorities labeled the cause of death as meningitis, but the family told the press that his body bore the marks of severe beating. On July 23, Rouhalmami, the son of Abdelhossein Rouhalmami, an advisor to conservative presidential candidate Mohsen Rezaei, died under suspicious circumstances in detention. His father spoke publicly about seeing bruises on his son's body when he picked the body up from the hospital. On July 25, police contacted Javadifar's father and instructed him to pick up the body of his son from the coroner's office in Kahrizak Prison. Authorities claimed he died from a preexisting condition, but medical reports show he had been beaten, had several broken bones, and his toenails had been pulled out. On July 28, the supreme leader ordered Kahrizak Prison closed (see section 1.c.). On December 20, an investigatory committee of the judiciary confirmed publicly that prison officials in Kahrizak Prison beat to death Kamrani, Rouhalmami, and Javadifar, and it charged 12 prison officials of various crimes, including murder.

On July 27, former student activist Alireza Davoudi died in a psychological hospital under suspicious circumstances. Davoudi served as the Isfahan spokesman for Students for Equality and Freedom in Iran (SEF) and was editor of a student publication until he was expelled from Isfahan University reportedly for his political activities. On February 12, Ministry of Intelligence and Security (MOIS) officers allegedly attacked Davoudi in his home in Isfahan and took him into custody, where he reportedly underwent torture, including cigarette burns, beatings, and hanging from the ceiling for three days. On April 25, authorities released him on bail awaiting trial, but his family hospitalized him soon afterward to help him with psychological problems stemming from the alleged torture. His family said officials warned them not to publicize his funeral.

In September security forces arrested Saeedeh Pouraghaee for chanting "Allahu Akbar" ("God is the greatest") from the rooftop of her home in Tehran. Before the 1979 revolution, protesters used this chant to express resistance to the Shah's regime; during the year protesters used the chant to express opposition to the current government, which treated such chants as support for the opposition and therefore considered it a crime. Two days after Saeedeh's arrest, authorities

summoned her mother to identify and claim her daughter's body. According to Saeedeh's family, the body had been partially burned to hide evidence of rape and torture.

On November 10, Ramin Pourandarjani, a physician who worked at Kahrizak Prison, died under suspicious circumstances. Earlier in the year, Pourandarjani had testified to a parliamentary committee that authorities told him to list meningitis as the cause of death for Mohsen Rouhalmami (see above), whom Pourandarjani claimed actually died as a result of injuries inflicted during torture. Officials gave conflicting reports of the cause of Pourandarjani's death, including a heart attack and an auto accident, before police chief Ismail Ahmadi Moghaddam announced that Pourandarjani had committed suicide by eating a salad laced with heart medication, traces of which were found in his blood, and that a suicide note explained he feared charges over his alleged failure to give detainees adequate medical treatment. The conflicting reports regarding the cause of death resulted in opposition accusations that authorities had poisoned the 26-year-old doctor to silence him about what he had witnessed at the prison.

The government made only limited attempts to investigate allegations of abuses. For instance, despite numerous reports of death and torture of arrested prisoners, the government launched investigations only after the death of Mohsen Rouhalmami, the son of a conservative politician.

On December 10, AI reported an allegation that 44 bodies were buried in anonymous graves after the election. Cemetery officials said the deceased were unidentified drug abusers, but news reports alleged that some of the coroner reports were falsified.

There were no developments in the 2008 cases of suspicious deaths in government custody of Ebrahim Lotfallahi, Kaveh Azizpour, Bahman Rigi, "Mohammed," or Ali Sadeqi; or the 2007 deaths of 11-year-old Roya Sarani or Zahra Bani Ameri (also known as Zahra Bani Yaghoub). The government did not release any reports or issue any charges that would indicate an investigation into any of the preceding incidents.

On December 2, Canadian courts heard arguments in a civil lawsuit against the Iranian government in the 2003 death of Zahra Kazemi, a dual Iranian-Canadian citizen. The Kazemi family was suing the government, including Supreme Leader Khamenei, Tehran prosecutor Saeed Mortazavi, and prison official Mohammad Bakhshi, for 17 million Canadian dollars (\$16.2 million). The Iranian government claimed immunity based on Canada's State Immunity Act. Kazemi, a photojournalist arrested for taking pictures outside Evin Prison during a student-led protest, died in custody after security forces allegedly tortured her.

According to international press reports, authorities executed approximately 250 individuals during the year after trials that were conducted in secret or that did not adhere to basic principles of due process. Exiles and human rights monitors alleged that many persons supposedly executed for criminal offenses such as narcotics trafficking were actually political dissidents. The law criminalizes dissent and applies the death penalty to offenses such as apostasy (conversion from Islam), "attempts against the security of the state," "outrage against high-ranking officials," "enemy of god," and "insults against the memory of Imam Khomeini and against the supreme leader of the Islamic Republic." Public executions continued throughout the year; AI reported that the government executed at least 14 persons in public during the year.

On May 28, authorities hanged three Baluch men in public less than 48 hours after the People's Resistance Movement of Iran (also known as Jondollah) bombed a crowded mosque during a worship service.

On November 11, according to the ICHRI, prison officials hanged Ehsan Fattahian, reportedly a member of a Kurdish Marxist opposition group, for acting against national security. Fattahian originally faced a prison term of 10 years, but an appeals court increased the sentence and ordered him executed. The ICHRI claimed the execution occurred without due process and without ample evidence.

There was no further information available about the approximately 50 detainees executed in Sistan va Baluchistan province in 2007 after reportedly unfair trials for terrorist attacks against government officials, nor was there information about the status of seven Ahvazi Arabs sentenced to death after allegedly unfair trials in Khuzestan province.

The government executed individuals for crimes committed when they were minors despite an October 2008 judicial directive banning the practice. During the year the government executed approximately five individuals who committed crimes as minors. As of October, according to Iranian human rights lawyers, at least 130 juvenile offenders were on death row, many for offenses such as homosexual conduct, apostasy, or acts incompatible with chastity.

On January 21, the government executed Molla Gol Hassan, an Afghan national convicted of the 2004 murder of a person known only as Fakhreddin; he was 17 when he allegedly committed the crime.

On May 1, the government executed Delara Darabi, age 22, for a murder she allegedly committed during a robbery when she was 17; she later said she confessed to protect her boyfriend, who she said was the actual killer. Authorities did not inform her lawyer that her execution was being carried out despite a two-month stay of execution granted by the head of the judiciary to allow for further legal review and a legal requirement that a defendant's lawyer be given 48 hours' notice of an execution. Darabi's family reportedly learned she was to be executed when her executioner allowed her to call them immediately before her hanging.

On October 11, the government executed Behnoud Shojaii in Evin Prison for killing another boy in 2005 when he was 17, reportedly during a street fight involving a dozen youths. According to AI, Shojaii had no legal representation at his trial, and his family could not afford to pay the 6.2 billion rials (\$625,000) in diyeh, or blood money, that the victim's family demanded in return for pardoning him. While Shojaii was on death row, three individuals raised money for the diyeh and campaigned for his release; according to local human rights organizations, the judiciary froze the diyeh account and threatened to arrest the individuals.

On December 17, authorities reportedly hanged Mosleh Zamani, a 23-year-old Kurd, at Dizel Abad Prison for having had sexual relations outside wedlock with his girlfriend when he was 17.

Adultery remained punishable by death by stoning, and on January 11, according to AI, judiciary spokesman Ali Reza Jamshidi said a 2002 directive suspending executions by stoning had no legal weight and could be ignored. The law provides that a victim of stoning is allowed to go free if he or she escapes. It is much harder for women to escape, as they are buried to their necks, whereas men are buried only to their waists. In December 2008 authorities in Mashhad stoned three men convicted of adultery; two died and the third, an Afghan citizen, was severely wounded but escaped. On March 5, according to AI, Vali Azad, convicted of adultery, was secretly stoned to death in Lakan Prison in Rasht. According to several sources, five to nine persons were at imminent risk for death by stoning at year's end.

b. Disappearance

There was an increase in reports of politically motivated abductions during the year. Plainclothes officers or security officials often seized journalists and activists without warning and detained them incommunicado for several days or longer before permitting them to contact family members (see section 1.d.). The ICHRI issued a report on July 8 noting that arbitrary detention and disappearances were "widespread." Families of executed prisoners did not always receive notification of their deaths (see section 1.a.). Human rights groups reported numerous disappearances related to the protests during the year.

On July 7, unidentified persons arrested Fayzolah Arabsorkhi, a member of the central body of the reformist Islamic Revolution Mujahedin Organization and former deputy minister of commerce. The individuals did not present a warrant or identify themselves as police. Arabsorkhi remained missing at year's end.

The Iranian-American Jewish Federation reported that 11 Jewish men who disappeared in 1994 and 1997 remained missing. In 2007 witnesses claimed they saw some of the men in Evin Prison.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit torture, but there were numerous credible reports that security forces and prison personnel tortured detainees and prisoners, especially those arrested after the June election. In Tehran alone, 37 detained protesters, male and female, claimed prison or security officials had raped them. Major human rights and news organizations reported "systematic" torture of individuals after the election.

Common methods of torture and abuse in prisons included prolonged solitary confinement with extreme sensory deprivation (sometimes called "white torture"), beatings, rape and sexual humiliation, long confinement in contorted positions, kicking detainees with military boots, hanging detainees by the arms and legs, threats of execution, burning with cigarettes, pulling out toenails, sleep deprivation, and severe and repeated beatings with cables or other instruments on the back and on the soles of the feet. Reported practices also included wetting prisoners before beating them with electric cables, to intensify the abuse. Prisoners also reported beatings on the ears, inducing partial or complete deafness; blows in the area around the eyes, leading to partial or complete blindness; and the use of poison to induce illness.

Some prison facilities, including Evin Prison in Tehran, were notorious for cruel and prolonged torture of political opponents of the government. Authorities also maintained "unofficial" secret prisons and detention centers outside the national prison system where abuse reportedly occurred. The government reportedly used white torture especially on political prisoners, often in detention centers outside the control of prison authorities, including Section 209 of Evin Prison.

On June 15, according to the ICHRI, authorities arrested Saeed Hajjarian, a former presidential advisor and prominent journalist. During his incommunicado detention at Evin Prison, prison authorities reportedly interrogated Hajjarian in direct sunlight at high temperatures and then doused him with ice water, causing him to have heart palpitations. Since sustaining a spinal cord injury in an assassination attempt in 2000, Hajjarian has used a wheelchair and required a number of medications; according to the ICHRI, authorities denied him medication and allegedly give him psychotropic drugs to weaken his mental state. On September 30, authorities released Hajjarian after his appearance in the "show trials" (see section 1.e.). On October 17, the Revolutionary Court of Tehran sentenced Hajjarian to a five-year suspended sentence for inciting postelection unrest.

During a week of detention that began June 22, security personnel reportedly sexually assaulted Ibrahim Sharifi, who had been arrested for participating in antigovernment demonstrations. Sharifi went to authorities to lodge a complaint, but they initially refused to launch an investigation to determine the veracity of his allegations. On August 19, former presidential candidate and head of the National Trust Party Mehdi Karoubi and a high-ranking judiciary official took Sharifi's testimony. Tehran prosecutor Saeed Mortazavi also requested an interview with Sharifi. On August 20, Mortazavi's deputy interviewed Sharifi, but rather than trying to collect details of Sharifi's experience, he reportedly focused on gathering information to support the assertion that Karoubi was paying Sharifi to make false claims of torture and rape. On August 23, an unidentified man Sharifi suspected of being a government agent warned him against testifying to a parliamentary committee about his allegations of abuse.

On July 30, according to Human Rights Watch (HRW), authorities arrested Maryam Saberi during the commemoration of the 40th day after the death of Neda Agha-Soltan (see section 1.a.). Saberi was arrested after her photo appeared on a

Web site connected to the Iran Revolutionary Guard Corps (IRGC) that posted pictures of protesters and asked viewers to identify persons in the photos for arrest. According to Saberi, prison guards raped her four times before they released her on August 12.

On July 26, according to HRW, authorities arrested Ebrahim Mehtari, a computer science student and political activist, whom they released on August 1. On August 19, several officers Mehtari believed to be IRGC members abducted him from his workplace and transferred him to a location in eastern Tehran. Mehtari told HRW that his jailers beat him severely and repeatedly and sodomized him with a baton or stick during his detention. On August 24, his captors reportedly dropped him on a street in Tehran semiconscious, bleeding, and with his hands and feet tied; passers-by found him and took him to a hospital. The medical examiner's office, which reports to the judiciary, examined Mehtari the next day. The report described in detail the extent of his injuries. When the medical examiner's office learned Mehtari had just been released from detention, officials tried to destroy the report, but Mehtari's father was able to make a copy of it while visiting his son in the hospital.

Ahvazi Arabs also alleged that authorities tortured and raped community activists during the year (see section 6, Minorities).

There were no updates in the October 2008 case of Peyman Fatahi, hospitalized after security officials reportedly beat him severely during questioning related to his association with the Ale-Yasin Community, a religious society.

At year's end the government had not made public the results of its reported investigation into the 2007 torture of three student activists in Evin Prison, nor had it responded to HRW's April 2008 call to investigate torture allegations by student activists and SEF members Behrooz Karimizadh, Peyman Piran, Ali Kantouri, and Majid Pourmajid. Authorities had arrested the four in 2007 and released them in 2008--Karmizadh and Pourmajid in April, Piran in May, and Kantouri in October.

Some judicially sanctioned corporal punishment constituted cruel and inhuman punishment, including amputation for multiple theft offenses and lashings and execution by stoning for adultery. On November 9, international press reported that the head of the Criminal Investigation Unit called on judges to rely more heavily on Islamic law for sentencing and advocated the use of amputations. In January 2008 authorities in Sistan va Baluchistan province amputated the right hands and left feet of five men convicted of armed robbery and kidnapping. In December 2008, according to domestic press reports, prison authorities amputated the hand of a man convicted of robbery.

During the year the government initiated limited investigations into reports of torture or cruel, inhuman, or degrading treatment or punishment; according to AI, these investigations focused more on covering up abuses than revealing the truth or punishing those believed responsible.

Prison and Detention Center Conditions

Prison conditions were poor. Many prisoners were held in solitary confinement or were denied adequate food or medical care as a way to force confessions. Overcrowding was a significant problem. Numerous prisoners complained that authorities intentionally exposed them to extreme cold for prolonged periods and said they lacked access to medical care in prison.

On February 6, Amir Hossein Heshmat Saran, a political prisoner in Karaj, died under suspicious circumstances. In an interview with the media, his lawyer claimed his death was the result of poor prison conditions, specifically insufficient medical care. The medical specialist who treated Saran told Saran's wife her husband had a brain hemorrhage and a lung infection that had spread throughout his body. Saran was serving an eight-year sentence imposed in 2004 for establishing the United National Front political party.

On March 18, blogger Omid Reza Mirsayafi died in Evin Prison, reportedly due to an overdose of sedatives; the ICHRI alleged neglect (see section 2.a., Internet Freedom).

On November 8, a domestic human rights Web site reported that political prisoner Mansour Radpour was suffering from severe gastric and kidney ailments and had been denied medical treatment in Ward 4 of Gohardasht Prison near Karaj. In 2007 Radpour was convicted of supporting terrorist organization Mujahadeen-e-Khalq (MEK) and sentenced to three years' imprisonment.

At the end of July, Supreme Leader Khamenei ordered Kahrizak Prison closed after detainees alleged abuse and inhumane conditions. The prisoners were transferred to Evin Prison.

In September 2008 the UK-based International Center for Prison Studies reported that more than 150,000 prisoners in the country occupied facilities constructed to hold no more than 65,000 persons. Human rights activists and international media reported cases of political prisoners confined with violent felons. There were also reports of juvenile offenders detained with adult offenders. Pretrial detainees occasionally were held with convicted prisoners.

The government did not permit independent monitoring of prison conditions by any outside groups, including UN groups or special rapporteurs. On July 28, a parliamentary committee visited Evin Prison to investigate conditions. At year's end its report had not been published.

In 2007 the government granted foreign journalists a tour of Evin Prison for the second time in two years. According to Agence France-Presse (AFP), during the visit Tehran prison director Sohrab Soleimani denied there were political prisoners in Evin Prison but told journalists there were 15 prisoners in Evin on "security" charges.

d. Arbitrary Arrest or Detention

Although the constitution prohibits arbitrary arrest and detention, these practices significantly increased during the year.

Role of the Police and Security Apparatus

Several agencies share responsibility for law enforcement and maintaining order, including the MOIS, the Law Enforcement Forces under the Interior Ministry, and the IRGC. The Basij and informal groups known as the Ansar-e Hezbollah (Helpers of the Party of God) were aligned with extreme conservative members of the leadership and acted as vigilantes. On October 4, the government announced the merger of the Basij into the IRGC ground forces. While some Basij units received formal training, many units were disorganized and undisciplined. During government led crackdowns on demonstrations, the Basij were primarily responsible for the violence against the protesters. The decentralized organization of the Basij forces contributed to individual Basijis being less accountable for their actions, further contributing to their excesses.

Corruption and impunity were problems. Regular and paramilitary security forces committed numerous serious human rights abuses, but there were no transparent mechanisms to investigate security force abuses and no reports of government actions to reform the abusers.

Arrest Procedures and Treatment While in Detention

The constitution and penal code require a warrant or subpoena for an arrest and state that an arrested person must be informed of charges within 24 hours. Authorities rarely followed these procedures in practice. Authorities held detainees, at times incommunicado, often for weeks or months without charge or trial, frequently denying them prompt contact with family or timely access to legal representation. In practice there was neither a time limit for detention nor judicial means to

determine the legality of the detention. According to the law, the state is obligated to provide indigent defendants with attorneys only for certain types of crimes. The courts set prohibitively high bail, even for lesser crimes, and in many cases courts did not set bail. Authorities often compelled detainees and their families to submit property deeds to post bail. Prisoners released on bail did not always know how long their property would be retained or when their trials would be held.

The intelligence arm of the IRGC reportedly conducted arrests during the year. Additionally, security forces executed general warrants to arrest protesters or those perceived as opponents of the government. The use of these general warrants precluded the need for individual warrants.

There were numerous reports of arbitrary and false arrests during the year, and the trend dramatically accelerated in the aftermath of the disputed June 12 election. On August 11, media reported the judiciary estimated that authorities detained approximately 4,000 people in the aftermath of the election; officials claimed they released 3,700 within a week. Human rights groups believed the number of detainees was much higher.

On March 9, university security officers reportedly beat and arrested Yasser Torkman, a student at Amir Kabir University and member of the Islamic Students Organization in Tehran. University security staff reportedly called Torkman to the university gates and told him he was banned from classes and not permitted on campus grounds. According to eyewitnesses, two security officers beat Torkman before taking him away. On April 25, Torkman was released on bail of approximately two to three billion rials (\$200,000 to \$300,000).

On June 13, according to AI, police arrested former government spokesman Abdollah Ramezanzadeh and seriously beat him, causing injuries to his head and rib cage. After 74 days in incommunicado detention without charge, he appeared at the August 1 "show trial" (see section 1.e.). On December 24, he was sentenced to six years in prison for acting against state security, propagating lies against the establishment, and possessing classified documents. While on a four-day furlough during his sentencing proceedings, Ramezanzadeh told news organizations he had spent 116 days in solitary confinement.

On June 25, plainclothes police officers arrested Mohammad Mostafaei, the lawyer for approximately 25 juvenile offenders on death row. On July 1, authorities released Mostafaei from Section 209 of Evin Prison on bail of one billion rials (\$100,000). Mostafaei was accused of "conspiring against state security" and "propaganda against the system."

On July 1, authorities arrested Clotilde Reiss, a French national teaching assistant at Isfahan University, on charges of espionage. She was present at the August "show trials" along with French Embassy employee Nazak Afshar and British Embassy employee Hossein Rassam, who were also charged with espionage and plotting to overthrow the government. Reiss was released on bail and resided at the French Embassy until her trial on December 23, which continued at year's end. Rassam was sentenced to four years in prison. Afshar was released on August 11.

On July 31, border guards detained three foreigners on the Iran-Iraq border. Authorities interrogated them and held them in solitary confinement for extended periods of time during the first months of their detention. At year's end the three remained detained in Evin Prison, without formal charges or contact with their families.

In November, according to the ICHRI, security forces arbitrarily arrested scores of students throughout the country in an attempt to stifle protests expected on Students' Day, December 7. For instance, on November 3, media reported that authorities had arrested civil activists and student leaders Hasan Asadi Zaidabadi and Mohammad Sadeghi. At year's end their status and whereabouts were unknown.

During protests in December after the death of Grand Ayatollah Montazeri and during Ashura celebrations, authorities detained 200 to 1,000 persons, according to the ICHRI and IHRV. At year's end many of them remained in jail.

During the year, as in previous years, security forces arrested several Iranian-American journalists and academics on charges of espionage and "acting against national security." Prison authorities subjected the activists to harsh interrogation techniques and solitary confinement and in most cases kept them in prison for several months. At year's end two remained in prison.

There were no developments during the year in arbitrary arrest cases from previous years.

At year's end Ebrahim Mirnehad remained in prison; authorities sentenced him in September 2008 to five years' imprisonment on charges of "acting against national security" and "spreading propaganda," charges that, according to AI, stemmed from his public condemnation of his brother's execution earlier in the year. Authorities reportedly did not grant Mirnehad access to a lawyer and tortured him in custody.

In June 2008, according to AI, authorities arrested Arash and Kamiar Alaei, physicians specializing in the prevention and treatment of HIV/AIDS, and detained them for six months in Evin Prison without charges or trial. In a summary trial in December 2008, the Alaei brothers were found guilty of "cooperating with an enemy government" under article 508 of the Islamic Penal Code. Kamiar was sentenced to three years' imprisonment and Arash to six years, and the two were serving their sentences at year's end.

Pretrial detention was often arbitrarily lengthy, particularly in cases involving alleged violations of national security laws. Approximately 25 percent of prisoners held in state prison facilities were reportedly pretrial detainees. According to HRW, a judge may prolong detention at his discretion and pretrial detention often lasts for months.

During the year the government reportedly continued to use house arrest without due process to restrict the movement and communication of senior Shia religious leaders whose views regarding political and governance issues were at variance with the ruling orthodoxy; however, there were no new confirmed instances of this practice during the year. Grand Ayatollah Montazeri, the most prominent cleric under such restrictions, died on December 20.

e. Denial of Fair Public Trial

The constitution provides that the judiciary be "an independent power"; in practice the court system was corrupt and subject to government and religious influence. After the 1979 revolution, the judicial system was revised to conform to an Islamic canon based on the Koran, Sunna (the traditions of the Prophet), and other Islamic sources. The constitution provides that the head of the judiciary is a cleric chosen by the supreme leader. The head of the Supreme Court and prosecutor general also must be clerics.

Traditional courts adjudicate civil and criminal offenses, and Islamic revolutionary courts try offenses viewed as potentially threatening to the Islamic Republic, including threats to internal or external security, narcotics and economic crimes, and official corruption. A special clerical court examines alleged transgressions within the clerical establishment, and a military court investigates crimes connected with military or security forces. A media court hears complaints against publishers, editors, and writers, including Internet cases. The Supreme Court has review authority over some cases, including appeals of the death penalty.

Trial Procedures

Many aspects of the prerevolutionary judicial system survive in the civil and criminal courts. According to the constitution and criminal procedure code, a defendant has the right to a public trial, presumption of innocence, a lawyer of his or her choice, and the right of appeal in most cases that involve major penalties. These rights were not respected in practice. Panels of judges adjudicate trials; there is no jury system in the civil and criminal courts. In the media court, a council of 11

persons selected by the court adjudicates cases. No defendants in any court had the right to confront their accusers, nor were they granted access to government-held evidence.

During the year human rights groups noted the absence of procedural safeguards in criminal trials. On August 13, the UN special rapporteur on torture and other cruel, inhuman, or degrading treatment or punishment, the special rapporteur on the situation of human rights defenders, and the vice chairperson of the working group on arbitrary detention expressed "serious concern" about the situation of detainees in the country. AI, HRW, Reporters Without Borders (RSF), and several other human rights groups specifically condemned trials in the revolutionary courts for disregarding international standards of fairness.

The government often charged individuals with vague crimes such as "antirevolutionary behavior," "moral corruption," and "siding with global arrogance." Prosecutors imposed strict penalties on government critics for minor violations. For example, according to local news reports, journalist Hengameh Shahidi received a six-year prison sentence for disturbing traffic during postelection riots. Another reformer, Behzad Nabavi, also received a six-year sentence for a similar infraction. When postrevolutionary statutes did not address a situation, the government advised judges to give precedence to their knowledge and interpretation of Islamic law. The head of the judiciary chose revolutionary court judges in part due to their ideological commitment to the system. Secret or summary trials of only five minutes' duration frequently occurred. Other trials were deliberately designed to publicize a coerced confession.

On August 1, the Tehran Revolutionary Court convened the first of a series of televised mass trials for more than 100 opposition politicians and activists detained after the June 12 election; the opposition referred to them as "show trials." Among those on trial were senior proreform politicians, lawyers, and journalists, including former vice president Muhammad Ali Abtahi; journalist and former interior ministry official Muhammad Atrianfar; intellectual and prodemocracy activist Saeed Hajjarian; filmmaker and *Newsweek* reporter Maziar Bahari (see section 2.a.); an Iranian-American academic; and Mohsen Mirdamadi, the leader of the largest reformist party, the Islamic Iran Participation Front. The prosecution accused the defendants of fomenting a "velvet revolution," acting against national security, and having ties to British spies. Authorities did not permit any of the defendants access to legal counsel prior to the trial. Some of those charged read aloud "confessions" in which they denounced former colleagues and declared there had been no fraud in the election. There were allegations that several defendants, including Abtahi and opposition candidate Mousavi supporters Mostafa Tajzadeh, Abdollah Ramezanzadeh, and Mohsen Aminzadeh, underwent "massive interrogation" in Evin Prison. There were also reports that authorities tortured Hajjarian in detention (see section 1.c.).

At year's end human rights groups reported that 20 of the "show trial" defendants had been sentenced to six months to 15 years in prison; three unnamed individuals were sentenced to death. Some human rights groups believed the decision by authorities not to release the names of those sentenced to death was an intimidation tactic to deter people from protesting. At year's end authorities had released a limited number, including Bahari, Hajjarian, and Abtahi, but most of the show trial defendants remained in prison.

Opposition groups continued to question the legitimacy of the special clerical court system. The clerical courts, which investigate alleged offenses and crimes by clerics and which the supreme leader directly oversees, are not provided for in the constitution, and they operated outside the domain of the judiciary. According to a 2007 AI report, defendants could be represented only by court-nominated clerics who are not required to be qualified lawyers. According to the AI report, in some cases a defendant was unable to find a cleric willing to act as defense counsel and was tried without legal representation. Critics alleged that clerical courts were used to prosecute clerics for expressing controversial ideas and for participating in activities outside the sphere of religion, such as journalism or reformist political activities. For instance, in October, according to Tehran chief prosecutor Abbas Jafari-Dolatabadi, the special clerical court was preparing a case

against leading opposition figure Mehdi Karoubi for alleging that security officers raped detainees in the aftermath of the June 12 election. At year's end there was no update on the investigation, and no charges had been filed against Karoubi.

Political Prisoners and Detainees

Statistics regarding the number of citizens imprisoned for their political beliefs were not available, but human rights activists estimated the number in the hundreds, not including the approximately 4,000 to 5,000 persons detained in the aftermath of the June election protests and the approximately 1,000 persons detained during and after the Ashura protests. Human rights groups believed that approximately 200 persons remained in detention at year's end. According to opposition press reports, the government arrested, convicted, and executed persons on questionable criminal charges, including drug trafficking, when their actual "offenses" were reportedly political. The government charged members of religious minorities and others with crimes such as "confronting the regime" and apostasy and followed the same trial procedures as in cases of threats to national security. During the year the government rounded up students and political activists prior to demonstrations to prevent them from organizing or participating in the events.

Authorities occasionally gave political prisoners suspended sentences or released them for short or extended furloughs prior to completion of their sentences, but they could order them to return to prison at any time. Suspended sentences often were used to silence and intimidate individuals. The government also controlled political activists by temporarily suspending baseless court proceedings against them, allowing authorities to rearrest them at any time, and it attempted to intimidate activists by calling them in repeatedly for questioning. Numerous observers considered Tehran public prosecutor, Saeed Mortazavi, the most notorious persecutor of political dissidents and critics. According to international press reports, Mortazavi was put in charge of interrogations at Evin prison where most of the postelection protesters were detained.

Authorities routinely held political prisoners in solitary confinement for extended periods and denied them due process and access to legal representation. Political prisoners were also at greater risk of torture and abuse in detention. The government did not permit access to political prisoners by international humanitarian organizations or UN special rapporteurs.

The government imprisoned minority activists (see also section 6); Kurdish human rights organizations reported that 16 Kurdish political prisoners faced execution at year's end. The government also reportedly held some persons in prison for years under charges of sympathizing with outlawed groups such as the MEK.

On February 19, authorities arrested Shabnam Madadzadeh, a member of the Islamic Association and deputy general secretary of the student organization Tahkim Vahdat, along with her brother Farzad Madadzadeh. Authorities accused her of disseminating propaganda against the state and "enmity with God." Despite her lawyer's protests against her detention, the judge refused to assign a bond for her release, arguing that she was a flight risk. As of mid-October, she was reportedly being held in the women's general section of Evin Prison.

On March 14, police arrested Hesam Firouzi, a physician and blogger, on the order of the Tehran Revolutionary Court, reportedly for spreading news through his lawyer about the death of blogger Omid Reza Mir Sayafi in Evin Prison. Firouzi was charged with acting against the country's national security, distorting public opinion, distributing lies, and giving refuge and medical treatment to political prisoners. On January 6, the court sentenced Firouzi to 15 months in prison, and he was serving his sentence at year's end.

On June 16, authorities arrested without a warrant Abdolfattah Soltani, a prominent human rights lawyer and spokesman for the NGO Defenders of Human Rights Center (DHRC). Authorities gave no reason for the arrest but held him for 72 days, including 17 days in solitary confinement, until his release August 27.

On June 17, authorities arrested Ebrahim Yazdi, former foreign minister and the secretary-general of the Freedom Movement of Iran, a civil rights organization. He was released on June 22 but rearrested on December 28. Yazdi reportedly suffered from prostate cancer and required constant medical attention. He remained in detention at year's end.

On June 21, police arrested Abdollah Momeni, spokesperson for the Alumni Association of Iran (Advar-e Tahkim Vahdat), a legally registered political organization. On September 14, Momeni appeared at the fifth session of the "show trials" and confessed to crimes against the state, and in November authorities sentenced him to eight years in prison. According to AI, Momeni was charged with disseminating propaganda against the Islamic Republic by transmitting news of street protests and colluding to harm national security. AI reported that authorities used as evidence against him Momeni's "contacts" with AI and HRW. At year's end Momeni remained in prison despite repeated calls for his release on medical grounds.

Also in June, according to various sources, authorities arrested at least two members of the Student Committee for the Defense of Political Prisoners, Naseh Faridi and Ali Bikas, the latter of whom was also an Azeri minority activist. Faridi, released on bail of 500 million rials (\$50,000) on September 1, faced libel and national security-related charges at year's end, according to IHRV. Authorities accused Bikas of being a "field agent for a velvet revolution" during the show trials. At year's end Bikas remained in prison, without access to counsel or family members.

On July 8, police arrested Mohammad-Ali Dadkhah, a member of the Center for Defending Human Rights and an attorney for several political activists, at his office and charged him with meeting with "foreign enemies." On September 14, authorities released him from Evin Prison on a 5 billion rial (\$500,000) bail. HRW reported that at the time of his arrest he was meeting with colleagues to discuss the judiciary's proposed legislation to change the legal code to restrict the independence of the bar association and increase the power of the judiciary.

On July 9, authorities arrested an Iranian-American academic on charges of espionage. The government based its case on his association with the Open Society Institute, which the government had previously approved, and his subscription to the Gulf/2000 mailing list run by an unnamed American citizen, whom the prosecution identified as a CIA agent. He was one of many politicians, academics, journalists, and others arrested in the wake of the postelection protests, and he appeared before the "show trials" in August. On October 20, he was sentenced to 15 years in prison. At year's end his case was before the appellate court.

On September 8, a revolutionary court sentenced Misagh Yazdan-Nejad, a 23-year-old university student, to 14 years in Gohardasht Prison in Karaj for participating in a ceremony in 2007 to commemorate those killed in the 1988 mass executions of political prisoners reportedly associated with the MEK. The government had previously executed three of Yazdan-Nejad's uncles and imprisoned both his parents on political grounds.

On September 11, a reformist Web site reported police detained Mohammad Ozlati-Moghaddam, head of opposition leader Mousavi's veterans' affairs committee, following a search of his home. At year's end there was no update on his status or whereabouts.

Authorities continued to prevent former political prisoner Siamak Pourzand from leaving the country to receive medical care and to join his wife, Mehrangiz Kar, also a former political prisoner, and family abroad.

On December 3, authorities sentenced Saeed Leylaz, an economist and journalist, to nine years in prison for allegedly maintaining ties with foreigners and working to overthrow the government, his lawyer told a news agency. During the August "show trials," authorities accused Leylaz of having dealings with Hossein Rassam, an Iranian employed as a political analyst at the British Embassy who was sentenced in October to four years in prison for fomenting violence. Authorities also charged Leylaz with keeping classified documents at his home, apparently due to his possession of a

public report issued by parliament that had been posted on the Internet, according to his lawyer. At year's end he remained in prison.

On December 28, authorities rearrested former political prisoner Emadeddin Baghi, founder of the Committee for the Defense of Prisoners' Rights. On November 9, authorities had prevented his travel to Geneva to receive an award for human rights defenders from the Office of the UN High Commissioner for Human Rights. Authorities had imprisoned Baghi previously for his activities as a journalist and his campaigns against the government's execution of juvenile offenders. At year's end Baghi remained in prison without charge.

According to the DHRC, judicial authorities denied an appeal request for Kurdish and women's rights activist Zeinab Bayazidi. At year's end she was serving a four-year sentence for acting against national security. Security forces arrested her in July 2008; she was reportedly tried behind closed doors without access to an attorney of her choosing.

At year's end Abbas Khorsandi, a political activist and founder of the Iran Democratic Party, an Internet forum for political debate, remained in Evin Prison, where authorities reportedly prevented him from seeing a doctor despite his poor health. In July 2008, according to human rights groups, a Tehran revolutionary court upheld an eight-year prison sentence against Khorsandi for "acting against national security through formation of an illegal association." Security forces arrested him at his place of business in 2007 and held him incommunicado for three months.

There were no updates in the following 2008 cases; all individuals were believed to be in prison at year's end: writer and student leader Amin Ghazain Tehran; human rights lawyer Saleh Kamrani; Hadi Qabel, reformist cleric and member of the reformist political group Islamic Iran Participation Front; and Office for Consolidating Unity spokesman Ali Nikunesbati.

Authorities transferred Ayatollah Mohammad Kazemeini Boroujerdi to Evin Prison despite appeals for his release on medical grounds; at year's end he remained in the special ward for clergy. Human rights groups claimed he has been in solitary confinement without access to an independent lawyer since his arrest at his home in 2006. Prior to Boroujerdi's arrest, the government had increased pressure on him for his belief that religion and the state should be separate.

Political prisoner Behrouz Javid-Tehrani, who spent four years in prison for his activities during the 1999 student uprising and was sentenced in 2005 to seven more years in prison following a secret trial without legal representation, remained in prison at year's end. According to human rights organizations, Branch 26 of the Revolutionary Court of Tehran convicted Javid-Tehrani of having contact with foreign opposition groups. At the time of the most recent conviction, Javid-Tehrani was in solitary confinement in Gohardasht Prison in Karaj, where he alleged security agents severely tortured him on numerous occasions.

Civil Judicial Procedures and Remedies

By law the judiciary is independent from the executive and legislative branches; in practice it remained under the influence of executive and religious government authorities. According to the constitution, the Court of Administrative Justice, under the supervision of the head of the judiciary, investigates the grievances of citizens with regard to government officials, organs, and statutes. In practice citizens had limited ability to sue the government. Citizens were not able to bring lawsuits against the government for civil or human rights violations. Dispute resolution councils are available to settle minor civil and criminal cases through mediation before referral to courts.

Property Restitution

The constitution allows the government to confiscate property acquired illicitly or in a manner not in conformity with Islamic law, and the government particularly targeted religious minorities, especially members of the Baha'i faith (see section 2.c.).

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution states that "reputation, life, property, [and] dwelling[s]" are protected from trespass except as "provided by law," but the government routinely infringed on this right. Security forces monitored the social activities of citizens, entered homes and offices, monitored telephone conversations and Internet communications, and opened mail without court authorization. There were widespread reports that government agents entered, searched, and/or ransacked the homes and offices of reformist journalists in an attempt to intimidate them.

On June 26, HRW reported that Basij forces carried out raids at night, destroying public property, entering homes, and beating civilians in an attempt to stop nightly protest chants. On June 22, according to a resident of the Vanak neighborhood in Tehran, Basij forces entered the home of his cousin and destroyed doors and automobiles in response to opposition-organized chanting in the area. In a second report, a woman from the Velenjak neighborhood in Tehran claimed Basij forces responded to chants during the night of June 23 by kicking down doors or climbing over walls and entering homes through interior doors. Once inside the homes, Basij members beat residents and destroyed property. HRW collected similar reports of raids by Basij and security forces in neighborhoods throughout Tehran.

During the year vigilantes continued to attack young persons considered "un-Islamic" in their dress or activities, invade private homes, abuse unmarried couples, and disrupt concerts. During the year the government continued its crackdown on un-Islamic dress or "bad hijab" (when a headcovering is brightly colored or does not completely cover the wearer's hair). According to press reports, morality police have stopped or detained more than two million individuals since 2007 for inappropriate hairstyles (usually related to the length of men's hair or beards) or bad hijab. In September the BBC reported that the morality police stopped male shopkeepers from selling women's undergarments, and the *Los Angeles Times* reported stores were forced to ensure that mannequins had appropriate dress. In December, according to local news reports, Basij forces patrolled universities to arrest male students with inappropriate dress or long hair, which they considered a sign of dissent.

There were reports during the year that the MOIS harassed family members of political prisoners and rights activists, banning them from speaking to foreign media or traveling abroad, blocking their telephone conversations, making false criminal charges against them, and blocking their access to higher education.

MOIS agents reportedly threatened to arrest family members of Kurdish political prisoner Shirko Moarefi if they protested or publicized his execution, scheduled for November 14. The execution was subsequently delayed, and at year's end Moarefi remained on death row.

On December 28, intelligence officers reportedly arrested Nushin Ebadi, a professor of dentistry and sister to Nobel Prize-winning human rights lawyer and activist Shirin Ebadi, at her home. According to Shirin Ebadi, Nushin was not involved in human rights issues and did not participate in any of the postelection protests. At year's end she remained in prison.

There were also reports that authorities threatened and arrested family members of expatriates who posted critical comments about the country on social networking Web sites such as Facebook. According to media accounts, an Iranian-American studying abroad reported he received an e-mail warning him that his relatives in Iran would be harmed if he did not delete an online petition he had created relating to the imprisonment in Iran of a human rights activist; he claimed that security agents arrested his father two days later and held him briefly.

Authorities occasionally entered homes to remove satellite television dishes, which are illegal in the country.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of expression and of the press, except when the words are deemed "detrimental to the fundamental principles of Islam or the rights of the public." In practice the government severely restricted freedom of speech and of the press. There were no basic legal safeguards for freedom of expression, and the government--notably the judiciary--arbitrarily enforced censorship measures against the independent press. Government censorship and self-censorship limited dissemination of information during the year. The government frequently threatened and jailed journalists as a consequence of their work, and it closed the offices of the journalists' union in August (see section 7).

Individuals could not criticize the government publicly or privately without reprisal, and the government actively sought to impede criticism. On June 9, a court reportedly sentenced singer and composer Mohsen Namjoo in absentia to five years' imprisonment for "disrespecting religious sanctities" based on the way he used Koranic verses in a private 2005 recording purportedly leaked on the Internet earlier in the year without his approval. Namjoo continued to live outside the country at year's end.

The country's media outlets were varied, including state-controlled television, radio, and print publications, as well as private newspapers and magazines that cover current affairs, politics, the arts, and sports. The government closely monitored all media outlets, and private media lacked independence in practice. Journalists who failed to abide by government guidelines faced intimidation, arrest, or closure of their publications. As a result, the government held significant influence over all media in the country. The government's Press Supervisory Board (PSB) was responsible for issuing press licenses, which it sometimes revoked in response to articles critical of the government, and for examining complaints filed against publications or individual journalists, editors, or publishers.

According to article 175 of the constitution, private broadcasting is illegal. The government controlled and maintained a monopoly over all television and radio broadcasting facilities through a state-controlled entity, the Voice and Vision Organization. Radio and television programming--the principal source of news for many citizens, especially in rural areas--reflected the government's political and socioreligious ideology. Satellite dishes that received foreign television broadcasts were forbidden, and the government periodically confiscated them from homes. For instance, on June 24, according to HRW, uniformed police officers forced residents in the Niavaran and Dorous neighborhoods of Tehran to take down their satellite dishes and returned later to confiscate many dishes. Nevertheless, most satellite dishes in individual homes reportedly continued to operate.

International media did not operate freely. The government required foreign correspondents to provide detailed travel plans and topics of proposed stories before it granted visas. Authorities also closely monitored reporters and attempted to influence them to garner more favorable coverage. The government issued standard one-week visas for foreign journalists who entered the country to cover the June election, but it reportedly denied most of the journalists' extension requests as the postelection protests developed. The government also forbade foreign journalists to report on the protests, in some cases confining reporters to their hotel rooms or offices during the protests. Some journalists reported authorities told them they would face arrest if they had a camera on the streets.

According to a June 5 report from the German weekly newsmagazine *Focus*, the Iranian press attache' in Berlin, Mehrzad Tabatabai, informed *Focus's* country expert Andrea Hoffman that the Iranian government would censor her reporting from inside Iran on the June election. When Hoffman refused to accept Iranian censorship of her reporting, the Iranian Embassy denied her visa application.

During the year the government banned, blocked, and closed publications that were critical of the government. Public officials often lodged criminal complaints against reformist newspapers; the PSB referred complaints to the media court for further action, including closure and fines. The court conducted its hearings in public with a jury of appointed clerics, government officials, and editors of government-controlled newspapers. Some human rights groups asserted that the increasingly conservative media court assumed responsibility for cases before PSB consideration. The government

censored both reformist and conservative newspapers after they published articles contradicting the official line, and it permanently closed others, including more than 10 national dailies such as *Kalameh Sabz* (June 13), *Etemad-e Melli* (August 17), the business newspaper *Sarmayeh* (November 2), and *Hayat-e no* (closed December 8 after carrying reports about the crackdown on the Student Day protests).

On January 1, the PSB closed down Farsi-language daily *Kargozaran* for allegedly downplaying the actions of the Israeli armed forces during the December 2008 military operation in Gaza and finding fault with Hamas for its tactics during the conflict. The paper remained closed at year's end.

On February 5, the PSB shut down the pro-Ahmadi-Nejad weekly *Hemat* on the charge of "insulting higher officials."

On May 16, the proreform daily *Yas-e Now* reappeared on newsstands after a five-year ban. The judiciary shut down the paper in 2004 after it published a letter criticizing the mass disqualification of candidates from the 2004 election. Later on May 16, the Commission of Press Authorization and Surveillance, acting on orders from Tehran prosecutor Saeed Mortazavi, shut down the paper again. Mortazavi claimed legal proceedings from the original closure in 2004 were still under way, despite an April 11 decision by Branch 76 of Tehran's penal court allowing the paper to open. The *Yas-e Now* editor wrote an open letter to President Ahmadi-Nejad accusing him of shutting down the newspaper to restrict the opposition's access to the public.

On June 11, the day before the presidential election, Tehran prosecutor Mortazavi forbade pro-opposition newspapers to lead with stories announcing their candidate's victory, according to RSF. Authorities reportedly threatened to confiscate the printing press *Kalameh Sabaz*, a newspaper owned by opposition leader Mirhossein Mousavi, until it rewrote its front-page story that proclaimed Mousavi had won.

On August 17, authorities banned the publication of reformist newspaper *Etemad Melli* due to its publication of a critical article on the country's detention centers.

In October the PSB revoked the publication licenses of the Shiraz-based *Tahleel-e Rooz* and Tehran newspapers *Farhang -e Aashti* and *Arman*.

On November 23, authorities banned for one day the publication of daily newspaper *Hamshahri* after it published a picture from the temple of the banned Baha'i faith.

On January 1, the judiciary lifted the ban on *Tehran-e Emrouz*, a daily newspaper affiliated with Tehran mayor Mohammad Baqer Qalibaf. The government banned the paper in June 2008 after it published articles authorities deemed offensive.

The media law forbids censorship by the government but also forbids disseminating information that may damage the Islamic Republic or offend its leaders and religious authorities, and censorship occurred. Government officials also routinely intimidated journalists into practicing self-censorship.

On September 17, according to IHRV, the Supreme National Security Council declared illegal the publication of any news related to presidential candidates Mehdi Karoubi or Mir-Hossein Mousavi or the presidential election.

On December 20, according to RSF, the Ministry of Culture and Islamic Guidance issued a directive banning print and Internet articles about cleric Grand Ayatollah Montazeri, a critic of the government who died on December 19. RSF also reported that broadcast of a BBC documentary on Montazari was jammed.

At various times in 2008, government officials advised reporters not to use the names of unauthorized political parties and to "censor pages which are likely to create a dispute," observing the country's "religious, moral, and national sensitivities.

In September 2008 former deputy interior minister Mostafa Tajzadeh said the government imposed censorship "to the greatest degree" regarding nuclear policy.

During the year the government detained, jailed, tortured, or fined numerous publishers, editors, and journalists (including Internet media) for their reporting. The penal code states that "anyone who undertakes any form of propaganda against the state" can be imprisoned for as long as one year; the law does not define "propaganda." The law also subjects writers to prosecution for instigating crimes against the state or national security or "insulting" Islam; the latter offense is punishable by death.

In late January security agents confiscated the passport of Saeed Razavi-Faghih, a former editorial writer for several reformist newspapers and former member of the Office of Consolidating Unity (a reformist student organization), and informed him of his summons to a revolutionary court on charges of acting against national security. Razavi-Faghih was returning to the country from France, where he had been studying since 2004. On February 2, authorities arrested Razavi-Faghih and sent him to Evin Prison; he was released on bail 16 days later.

On May 1, according to RSF, during International Workers Day demonstrations, authorities arrested several journalists, including Alireza Saghafi, who edited the magazine *Rah Ayandeh* until authorities closed it in May 2008, and Amir Yaghoubali, a journalist for the daily *Etemad*. On May 26, authorities released Yaghoubali from Evin Prison, pending his trial on charges of "activities against national security" and "disturbing public order" based on his writings. On June 10, authorities released Saghafi on 700 million rial (\$70,000) bail pending trial on charges related to his participation in the May 1 demonstration.

According to RSF, authorities arrested more than 100 journalists after the June 12 election, and 30 others fled the country, the largest exodus of journalists since the 1979 revolution. RSF reported that 43 journalists remained in detention at year's end.

On June 17, authorities detained Global Radio News freelance correspondent and *Washington Times* reporter Iason Athanasiadis-Fowden, a British-Greek citizen, in the Tehran airport as he was leaving the country. Intelligence officials held Athanasiadis in Evin Prison for three weeks, during which they interrogated and abused him, accusing him of being a British spy. He was released on July 6 after 20 days of incarceration.

On June 20, security agents reportedly arrested Mohammad Ghouchani, a journalist and editor in chief of *Etemad Meli* daily, after the newspaper published leading opposition figure Mehdi Karoubi's letter to the Guardian Council calling for the election results to be canceled. Authorities charged Ghouchani with "participation in illegal gatherings to endanger national security" and "writing articles instigating unrest," and he appeared in two of the "show trials." According to AI, Ghouchani's family paid one billion rials (\$100,000) bail on August 23, but authorities delayed his release from Evin Prison until October 30.

On June 20, authorities arrested journalist and women's rights defender Bahman Ahmadi-Amoee and his wife, Zhila Baniyaghouh, also a journalist, in their home. Authorities released Baniyaghouh on August 26, but Ahmadi-Amoee remained in prison at year's end. Authorities reportedly prevented Ahmadi-Amoee's access to legal counsel and held him in solitary confinement for 65 days; his lawyer had no access to any government evidence against him. In March 2008 authorities sentenced Ahmadi-Amoee to a six-month suspended prison term for "activity against national security."

On June 21, authorities arrested Iranian-Canadian journalist Maziar Bahari, a reporter for *Newsweek*. While in detention, Bahari was held in solitary confinement and underwent daily interrogations. Officials reportedly forced him to make a televised confession acknowledging Western journalists as spies. He was among the political prisoners present during the

"show trials" but was released on October 20. At year's end Bahari had left the country but still faced trial on espionage charges.

On June 30, according to IHRV, authorities arrested journalist Hengameh Shahidi, a member of the Committee for Human Rights Reporters, and sentenced her on December 9 to six years in prison for participating in postelection demonstrations and "spreading propaganda against the holy Islamic Regime," based on an interview with the "antirevolutionary" BBC.

On December 20, authorities arrested journalist and blogger Shiva Nazar Ahari and two of her colleagues from the Committee for Human Rights Reporters as they were headed to Qom for Grand Ayatollah Montazeri's funeral. On December 28, authorities arrested another member of the organization, Nasrin Vaziri. At year's end no further information on their arrests was available. According to human rights organizations, authorities arrested seven of the nine leaders of the organization during the year and pressured the group to close its Web site. Security forces previously arrested Ahari on June 14 at her workplace in Tehran, reportedly on charges of being a member of the MEK and organizing demonstrations; authorities released her on bail August 23. The day before her arrest, security forces searched her home in her absence and confiscated some of her personal possessions.

On December 27, according to international media and RSF, authorities arrested Dubai television journalist and Syrian national Reza Al-Bacha while he was covering demonstrations. The Ministry of Culture and Islamic Guidance stated that Al-Bacha was not acting as a journalist at the time of his arrest.

On December 28, according to RSF, authorities arrested *Kaleme Sabz* editor Alireza Behshtipour Shirazi. At year's end he remained in prison.

On December 28, authorities arrested writer and journalist Mostafa Izadi at his home. Izadi worked for the daily *Sobh-e Emrouz* and was formerly editor in chief of the *Ava* weekly. He also authored a biography of Grand Ayatollah Montazeri. At year's end he remained in prison.

There were several developments in cases from previous years.

On March 26, authorities rearrested journalist and activist Mahboubeh Karami and others as they prepared to visit families of detained activists (see section 6, Women). In June 2008 authorities arrested Karami after she criticized police for beating demonstrators and detained her until August 2008.

There were no updates in the July 2008 case of Kurdish journalist Saman Rasoulpour, charged with "distributing propaganda against the state" and released on bail in August 2008.

On September 9, authorities transferred imprisoned journalist Mohammad-Hossein Falaheizadeh to Evin Prison's medical clinic due to his critical health situation. Falaheizadeh had served his September 2008 prison sentence for reporting on street protests by members of the Ahvazi Arab minority, but MOIS officials reportedly stated his release was contingent on setting bail. Human rights groups claimed this was a ploy by government officials to keep Falaheizadeh imprisoned as they know that he cannot afford to pay bail.

On July 11, a revolutionary court summoned Iranian Azerbaijani journalist Said Matinpour and handed down his eight-year sentence of one year for "propaganda against the Islamic Republic" and seven years for "maintaining relations with foreigners." Matinpour was originally arrested in 2007 and held in pretrial detention until his release on bail in February, with no contact with his family or lawyer for most of that time. According to activists, MOIS officials tortured Matinpour and detained his younger brother to coerce him to confess.

On July 19, the Mahabad revolutionary court began the trial of Mohammad Sadegh Kaboudvand, a Kurdish journalist and founder of the Human Rights Organization of Kurdistan (HROK), for allegedly spreading antigovernment propaganda in publications on Kurdish women's rights, according to NGO reports. Police originally arrested Kaboudvand in 2007, and he was serving a 10-year prison sentence imposed in May 2008 for establishing an illegal organization and other crimes. At year's end he remained in Evin Prison, despite severe health problems, including a second heart attack in December 2008.

In March 2008 a court sentenced Kurdish journalist Abdolvahed "Hiva" Boutimar to death for a second time on espionage-related charges. He remained on death row at year's end. Kurdish journalist Adnan Hassanpour, Boutimar's cousin and colleague, continued to await his retrial on charges of espionage and working with outlaw parties.

The Ministry of Culture and Islamic Guidance must grant permission to publish any book, and it inspected foreign printed materials prior to their domestic release.

Internet Freedom

NGOs reported that the government continued to increase control over the Internet during the year as more citizens used it as a source for news and political debate. According to 2008 International Telecommunication Union statistics, approximately 31 percent of the country's inhabitants used the Internet.

The government monitored Internet communications, especially via social networking Web sites such as Facebook, Twitter, and YouTube, with technology it purchased at the end of 2008. The government threatened, harassed, and arrested individuals who posted comments critical of the government on the Internet; in some cases it reportedly confiscated their passports or arrested their family members (see section 1.f.). Freedom House and other human rights organizations reported that authorities sometimes stopped citizens at Tehran International Airport as they arrived in the country, asked them to log into their YouTube and Facebook accounts, and in some cases forced them to delete information.

All Internet service providers (ISPs) must be approved by the Ministry of Culture and Islamic Guidance. The government also required all owners of Web sites and blogs in the country to register with the Ministry of Culture and Islamic Guidance; in practice, this regulation was rarely enforced. The government used filtering software to block access to domestic blogs and some Western Web sites, reportedly including the Web sites of prominent Western news organizations and NGOs. According to RSF, the government blocked access to thousands of Web sites during the year, and in some cases ISPs redirected computer users from opposition Web sites to progovernment news sites. The government also censored Web site content to control citizens' access to information. According to Freedom House, content from opposition leaders' Web sites was deleted during the year.

During the period prior to the June presidential election, authorities blocked access to Facebook and Twitter. On election day, authorities reportedly blocked access to YouTube, Facebook, Twitter, and other social networking sites through which individuals were reporting on the election.

The government also imposed limits on Internet speed and technology, making it difficult to download Internet material or to circumvent government restrictions to access blocked Web sites. After the June election, there was a major drop in bandwidth, which experts posited the government may have caused in its effort to prevent activists involved in the protests from accessing the Internet and especially from uploading large video files.

The Press Law and Islamic Penal Code both apply to electronic media, and the PSB and judiciary used such laws to close Web sites during the year. In December 2008 the Tehran prosecutor general announced the creation of a special office to review Internet and text message-related crimes related to the June 2009 presidential election.

During the year the government prosecuted and punished persons for peaceful expression of dissenting views via the Internet. During the "show trials," prosecutors often cited activities on the Internet or e-mails sent to foreigners as evidence of illegal activity. According to RSF, seven bloggers remained detained at year's end.

On September 2, authorities arrested Ali Asghar Jamali, a blogger and doctor based in the northern city of Qasvin, and other activists for "inciting actions against national security including protests and insults against government officials by means of publications and meetings," according to the news agency Fars. Jamali, who defends workers' rights, writes a blog called *Dr. Social-Democrat*. At year's end there was no update on his case.

On December 20, according to RSF, police arrested journalist and blogger Mohammad Norizad. The previous evening, he had posted on his blog that a court had summoned him by telephone to appear and answer to charges of insulting the head of the judiciary. In December Norizad wrote an article criticizing the new head of the judiciary, and earlier in the year Norizad posted statements on his blog that criticized the supreme leader. The Tehran prosecutor's office reportedly stated that Norizad was under investigation for "publicity against the regime and insulting the authorities."

During the year there were developments in several cases from previous years.

On March 18, authorities released blogger Esmail Jafari from prison on payment of bail pending his sentencing. In April 2008 authorities had arrested him and seized his computer equipment, which allegedly held photos of a demonstration in Bushehr, and in December 2008 a court sentenced him to five months in prison for "antigovernment publicity."

Also on March 18, Omid Reza Mirsayafi, a 25-year-old blogger, died in the medical ward of Evin Prison, reportedly due to an overdose of a medication he received from the prison clinic for depression. According to the ICHRI, Mirsayafi died as a result of neglect by prison authorities. In April 2008 security forces arrested Mirsayafi, and in December 2008 a Tehran revolutionary court sentenced him to 30 months in prison for propaganda against the state and criticism of the supreme leader.

Internet journalist and cleric Mojtaba Lotfi continued to serve a four-year prison sentence imposed in November 2008 for posting online a sermon by Grand Ayatollah Hussein Ali Montazeri, a well-known opponent of Supreme Leader Khamenei, that criticized President Ahmadi-Nejad's claim that Iran was "the world's freest country." According to RSF, Lotfi suffered from lung problems stemming from Iran-Iraq war injuries.

Well-known blogger, author of the first Persian-language blogging guide, and dual Iranian-Canadian citizen Hossein Derakhshan reportedly remained in Evin Prison, where he was subjected to psychological and physical abuse, according to the group Human Rights Activists in Iran. Authorities arrested Derakhshan in November 2008 while he was visiting the country.

On January 5, domestic media sources reported an appeals court in Azerbaijan province had upheld blogger and women's rights activist Shahnaz Gholami's six-month prison sentence. Gholami had been in Tabriz Prison since her November 2008 arrest for publishing "propaganda against the Islamic Republic" and "jeopardizing national security." A court sentenced her to six months in prison. Gholami was released on bail of 200 million rials (\$20,000) on January 19.

On February 3, according to HRW and the ICHR, the Judiciary Court sentenced four bloggers (three in absentia)--Omid Memarian, Roozbeh Mirebrahimi, Shahram Rafizadeh, and Javad Gholamtamimi--to prison terms of up to three years, fines, and flogging for "participating in the establishment of illegal organizations," "membership in illegal organizations," propaganda against the state," "disseminating lies," and "disturbing public order," despite the judiciary head's admission that the bloggers' confessions were coerced. Authorities arrested the four in 2004 and detained them without charge at Evin Prison until they were released on bail later the same year. All four claimed authorities physically and psychologically

abused them in detention, including subjecting them to prolonged periods of solitary confinement in a secret detention center without access to legal counsel or family. Memarian, Mirebrahimi, and Rafizadeh left the country after their 2004 release on bail and remained abroad at year's end; Gholamtamimi continued to reside in the country. The government had not made public the full findings of any investigation, nor had it announced any penalties or prosecution for the abuse.

Academic Freedom and Cultural Events

The government significantly restricted academic freedom. Authorities working with universities continued to dismiss university professors in accordance with a 2006 presidential call for the removal of secular and liberal professors. To obtain tenure, professors had to refrain from criticism of authorities. According to AI, in August the Supreme Council for the Cultural Revolution instructed the Institute for Humanities and Cultural Studies to revise the humanities curriculum. Earlier in the year Supreme Leader Khamenei had made a speech noting worrisome trends in the teaching of humanities, including what he considered encouraging doubt of religious principles.

According to AI, in October authorities banned from teaching five prominent law professors from Alameh Tabatabai University's law school. Local news reports noted that the professors taught human rights courses at the university.

Admission to universities was politicized; in addition to standardized examinations, all applicants had to pass "character tests" in which officials eliminated applicants critical of the government's ideology. Basij members were given advantages in the admissions process. Student groups reported that a "star" system inaugurated by the government in 2006 to rank politically active students was still in use. Students deemed antigovernment through this system reportedly were banned from university admission or prevented from registering for upcoming terms. During the previous three years, according to the ICHRI, government interference with university admissions considerably increased with a coordinated assault by the Ministry of Higher Education, the MOIS, and the judiciary aimed at preventing student activists from continuing their education. On February 2, a human rights organization reported that in the past few years authorities had barred 58 students from matriculating at graduate programs at universities in the country due to their prior participation in student activism. HRW also reported during the year that authorities used university disciplinary committees to expel or transfer students to other universities as punishment for peaceful political activities.

On November 10, according to the Mehr news agency, the leader of the student Basij organization, Mohammad Saleh Jokar, announced that 6,000 Basij units would be created in the country's elementary schools. Jokar said the action aimed to expand and promote Basij and revolutionary ideals among young persons. He added that approximately 4.5 million students and 320,000 teachers were members of the Basij.

The government censored cultural events with stringent controls on cinema and theater and a ban on Western music. A 2006 NGO report noted that censorship by authorities and a culture of self-censorship strongly inhibited artistic expression in the country. The government monitored cultural associations and continued to crack down on underground music groups (i.e., any group that failed to obtain a recording license from the Ministry of Culture and Islamic Guidance), especially those it considered inspired by Satan such as heavy metal or other Western-type music.

In May Basij militia members and Revolutionary Guard officers reportedly raided an underground music concert in Shiraz and arrested 104 individuals for "immoral" and "Satanic" behavior, as well as for drinking alcohol. In October in Orumiyyeh, police reportedly arrested 12 underground musicians accused of promoting "Satanism." There was no information at year's end about the status or whereabouts of those arrested in either case.

On November 21, IHRV reported that authorities had banned broadcasting of certain singers' music and certain songs from government-owned radio stations for unspecified reasons. The censure list contained the following artists' names: Shahin Aryen, Feraydoun Aseraei, Alireza Eftakhari, Majid Akhshabi, Alireza Afshar, Mohammad Isfehiani, Esmailzadeh,

Shahram Amiri, Ehsan Khajeh-Amiri, Masoud Khadem, Hossein Zaman, Kouros Sarhangzadeh, Naser Abdullahi, Alireza Assar, Fataali Ovaisi, Golshan, Ali Lahrasbi, Mohammad Nouri, and Kambiz Afzali.

As the main source of production funding, the government effectively censored domestic filmmaking. Producers were required to submit scripts and film proposals to government officials in advance of funding approval. Movies promoting secularism, feminism, unethical behavior, drug abuse, violence, or alcoholism were illegal, and some domestic directors were blacklisted. The government prevented distribution of citizen Bahman Ghobadi's film on censorship, *No One Knows About Persian Cats*.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution permits assemblies and marches "provided they do not violate the principles of Islam"; in practice the government restricted freedom of assembly and closely monitored gatherings to prevent antigovernment protests. Such gatherings included public entertainment and lectures, student meetings and protests, labor protests, women's gatherings and protests, funeral processions, and Friday prayer gatherings. According to activists, the government arbitrarily applied rules governing permits to assemble, with conservative groups rarely experiencing difficulty and groups viewed as critical of the government experiencing harassment regardless of whether a permit was issued.

The government continued to prohibit and forcibly disperse peaceful demonstrations during the year. Paramilitary organizations such as Ansar-e Hizballah also harassed, beat, and intimidated those who demonstrated publicly for reform. They particularly targeted university students.

On February 5, according to AI, authorities arrested four men from Tehran Polytechnic (Amir Kabir) University's Islamic Students Association, Esmail Salmanpour, Majid Tavakkoli, Hossein Torkashvand, and Koroush Daneshyar. The students had taken part in a ceremony commemorating the life of Mehdi Bazargan, the first prime minister appointed after the 1979 revolution. As the gathering was beginning, authorities interrupted the ceremony and arrested approximately 20 participants, 16 of whom were later released. The four students reportedly initiated a hunger strike in protest of their detention. No updates were available at year's end.

On February 23, more than 1,500 Amir Kabir University students demonstrated against the government's plan to rebury soldiers from the Iran-Iraq War on university grounds. According to AI, security forces arrested four Amir Kabir University students, Abbas Hakimzadeh, Mehdi Mashayekhi, Nariman Mostafavi, and Ahmad Qasaban, along with 70 other students during the demonstrations. Authorities later released 40 of the students. There was no information regarding the status of the remaining detained students at year's end.

On March 26, authorities arrested Khadijeh Moghaddam, Mahboubeh Karami, and 10 others as they prepared to visit families of detained activists (see section 6).

After the June 12 election and as protests continued throughout the year, police reportedly preemptively arrested numerous student activists.

On December 7, thousands of opposition supporters and students gathered in Tehran and cities across the country to mark the anniversary of the killing of three students by security forces in 1953. According to AI, security forces used excessive violence in suppressing student-led demonstrations, where scores of protesters were beaten and detained. In a number of instances, Basij militia and other security forces reportedly used batons and tear gas to disperse opposition supporters.

Many individuals who participated in demonstrations since 2006 were imprisoned at year's end. For example, on January 31, judicial officials from the Revolutionary Court of Tehran arrested Alieh Eghdamdoust in her hometown of Foman to begin serving a three-year prison sentence for participating in an "illegal gathering" based on her participation in a 2006 women's rights protest in Haft Tir Square in Tehran; she remained in Evin Prison at year's end.

Freedom of Association

The constitution provides for the establishment of political parties, professional associations, Islamic religious groups, and organizations for recognized religious minorities, as long as such groups do not violate the principles of "freedom, sovereignty, and national unity" or question Islam as the basis of the Islamic Republic. The government limited freedom of association in practice through threats, intimidation, imposing arbitrary requirements on organizations, and arresting group leaders and members. According to a January 9 HRW report, under the Ahmadi-Nejad administration, municipal, provincial, and national councils--established by 2005 regulations ostensibly to facilitate NGOs' permit process--instead served to suppress NGO activities. Such councils generally denied NGOs' applications without written explanation, especially in minority regions, where those who successfully obtained permits nevertheless faced harassment (see section 6, National/Ethnic/Racial Minorities).

Throughout the year the government reportedly continued to exert significant pressure on the DHRC, a Tehran NGO headed by Nobel Peace Prize laureate Shirin Ebadi (see section 5).

The journalists' union and other labor-related groups also continued to face problems during the year (see section 7).

c. Freedom of Religion

The constitution states that Shia Islam is the state religion and that all laws and regulations must be based on Islamic criteria. The constitution also nominally protects other Islamic denominations, Zoroastrianism, Christianity, and Judaism. In practice the government severely restricted freedom of religion, particularly the Baha'i faith.

The central feature of the country's Islamic system was rule by the "religious jurisconsult." Its senior leadership consisted principally of Shia clerics, including the supreme leader of the revolution, the head of the judiciary, and members of the Assembly of Experts and the Guardian Council.

Apostasy was punishable by death, according to Shari'a law. In September 2008 the Majles enacted a revision to the penal code to make conversion from Islam punishable by death for men or life imprisonment for women. The legislature reportedly implemented the revision on a one-year trial basis. On June 23, the Legal and Judicial Committee of the Majles recommended removing the revision from the penal code, but it remained at year's end. There were no reported instances of courts imposing the death penalty for apostasy during the year.

Government rhetoric and actions created a threatening atmosphere for nearly all non-Shia religious groups, most notably for Baha'is, as well as for Sunni Muslims, evangelical Christians, and members of the Jewish community. According to human rights activists, the government grew increasingly intolerant of Sufism and increased restrictions on Sufi houses of worship (husseiniya). If a Sufi student's faith was revealed, the university expelled him or her. The government continued to repress Baha'is and prevent them from prevent people from meeting in homes to worship. It banned them from government and military leadership posts, the social pension system, and public schools and universities unless they concealed their faith. The courts denied Baha'is the right to inherit property, and the government does not recognize Baha'i marriages or divorces; the government, however, accepts a notary certificate acknowledging the union which allows couples to live together legally. According to the law, Baha'i blood is considered mobah, meaning Baha'is may be killed with impunity. The government repeatedly pressured Baha'is to recant their religious beliefs in exchange for relief from

mistreatment.

On January 14, according to AI and Baha'i groups, authorities raided the homes of 12 Baha'i and arrested six persons. One was released shortly after he was arrested, but the other five spent two months in prison before being released.

On February 18, Radio Free Europe reported plainclothes police officers had destroyed a library and a religious hall at a Sufi house of worship in Ifsahan.

On March 5, security forces arrested two Christian women, Maryam Rostampour and Marzieh Amirizadeh Esmaeilabad, interrogated them, and detained them in several police stations without charging them before they appeared before Branch 2 of the Revolutionary Court in Tehran on March 18 to face charges of "taking part in illegal gatherings" and "acting against state security." During their continued detention in an overcrowded cell in Evin Prison with 27 other women, they reportedly received no medical attention for infections and fevers. On October 7, authorities brought them before court again and charged them with three additional crimes: antistate activities, propagation of the Christian faith, and apostasy. On November 18, authorities released both women without bail, but it was uncertain whether they would face further court proceedings based on charges against them.

On July 23, according to the Iran Minorities Human Rights Organization, riot police and security forces arrested 20 Sufi practitioners (dervishes) in Gonabadi who were part of a group of 200 to 300 dervishes protesting the arrest of Hossein Zareya, a local leader. Police reportedly used force and tear gas to disperse the crowd, injuring several dervishes. According to Radio Free Europe, authorities had arrested Zareyi for presiding over the burial of a dervish at the cemetery. Authorities had purportedly banned dervishes from being buried at the cemetery for ecological reasons, but the dervishes claimed the ban was part of a government campaign against Sufis.

On September 27, MOIS officers in Yazd searched the home of Soheil Rouhanifard and confiscated belongings and materials related to the Baha'i faith. The next day, Rouhanifard appeared at the local MOIS office in response to a summons. Authorities interrogated and released him. He was summoned again on October 19 and arrested without charge. At year's end he remained in prison and was not permitted family visits.

On October 12, MOIS officers arrested Behnam Rouhanifard, brother of Soheil Rouhanifard. Two days later authorities summoned his wife to appear at the local MOIS office, where authorities interrogated her for two hours. At year's end Rouhanifard's family had not heard from him since October 17, when he was permitted to call home; his whereabouts were unknown.

On October 31, MOIS officers searched the home of Baha'i member Ali Bakhsh Bazrafkan, confiscated items linked to his faith, and arrested him. Bazrafkan was a member of the former Baha'i administrative group (Khademin) in Yasouj. According to IHRV, Bazrafkan received a 30-month prison sentence followed by five years in exile in a remote area in the province of Kohgiluyeh va Boyer-Ahmad.

According to human rights groups, all seven members of the Baha'i national leadership body, arrested in March and May 2008, and a total of at least 48 Baha'is, 29 of whom had been arrested during the year, were imprisoned at year's end. Authorities scheduled capital punishment trials for the seven leaders on several occasions during the year, only to cancel each time at the last minute. At year's end the trial date was set for January 12, 2010.

Human rights organizations reported that the government demolished several Sunni mosques during the year.

With the exception of Baha'is, the government generally allowed recognized religious minorities to conduct religious education of their adherents in separate schools, although it restricted this right considerably in some cases. The Ministry of Education, which imposed certain curriculum requirements, supervised the schools and must approve all textbooks, including religious texts. Sunni leaders reported bans on Sunni religious literature and teachings in public schools, even in predominantly Sunni areas. The government reportedly allowed Hebrew instruction but limited the distribution of Hebrew texts, particularly nonreligious texts, making it difficult to teach the language. With few exceptions, directors of private religious schools must be Muslim. The law required all Muslim students to take Islamic studies courses.

The government did not respect the right of Muslim citizens to change or renounce their religion. On November 2, MOIS officers entered a venue where a Baha'i gathering was underway. They filmed the event, distributed forms committing participants to respond to any summons from the local MOIS office, and arrested a man with the surname Ghanavati. When officers asked participants if anyone was absent, Sonia Ahmadi's name came up; the officers subsequently went to her home, searched it, and arrested her. Some reports speculated that their arrest was due to Ahmadi having converted Ghanavati from Islam more than 30 years previously. At year's end both individuals remained in prison.

Proselytizing of Muslims by non-Muslims was illegal. The authorities continued to increase vigilance in curbing proselytism by evangelical Christians. On October 19, authorities arrested Peyman Kashfi, a Baha'i, after he appeared before the Tehran Revolutionary Court in response to a summons. Prior to his arrest, an unidentified government official demanded Kashfi be terminated from his job due to his alleged proselytizing of colleagues. His employer refused the demand. At year's end Kashfi was reportedly being held in Section 209 of Evin Prison.

The government, specifically the Ministry of Culture and Islamic Guidance and the MOIS, monitored all religious activity and the statements and views of all religious leaders, including the country's senior Muslim religious leaders. It restricted the movements of several Muslim religious leaders who had been under house arrest for years and continued to detain at least one dissident cleric, Ayatollah Boroujerdi. The government pressured all ranking clerics to ensure their teachings conformed to (or at least did not contradict) government policy and positions. Since the June elections, the government has pressured proreform clerics to refrain from calling into question the election results and from criticizing the government's response to the demonstrations. For instance, on November 25, the opposition Web site Rahesabz reported that Ayatollah Hashemi Rafsanjani, a moderate cleric often critical of the current government, would not be leading Eid Qorban prayers for the first time in several years and that Rafsanjani would be replaced by conservative Ayatollah Ahmad Khatami, according to an announcement by the Tehran Friday Prayers Office. Khatami also replaced Rafsanjani in leading prayers on Qods Day.

The government also required evangelical Christian groups to compile and submit congregation membership lists.

President Ahmadi-Nejad continued a virulent anti-Semitic campaign, stating in news conferences during the year that "Zionists" and Israel must be destroyed.

Jewish citizens were free to travel out of the country but were subject to the general restriction against travel by the country's citizens to Israel. This restriction was not enforced.

The government reportedly continued to confiscate private and commercial properties, as well as religious materials, belonging to Baha'is. In 2006 the UN special representative on housing reported approximately 640 documented cases of Baha'i property confiscations since 1980, instances of numerous undocumented cases, and court verdicts declaring confiscation of property from the Baha'is legally and religiously justifiable. The constitution did not recognize rights of members of the Baha'i faith, and they had no avenue to seek restitution or compensation for confiscated property.

Societal Abuses and Discrimination

Government actions continued to support elements of society who created a threatening atmosphere for some religious minorities.

All religious minorities--including but not limited to Sunni Muslims, Christians, Baha'is, and Sufis, and Mandeans--experienced varying degrees of officially sanctioned discrimination, particularly in employment, education, and housing. Inheritance laws favored Muslims over non-Muslims. Broad restrictions on Baha'is undermined their ability to practice their faith and function as a community. Baha'i groups reported that the government often denied their applications for new or renewed business and trade licenses. Baha'is could not teach or practice their religious beliefs or maintain links with coreligionists abroad. It was difficult to distinguish whether the cause of government discrimination against Sunni Muslims was religious or ethnic as most Sunnis are also members of ethnic minorities.

The government's anti-Israel stance, in particular the president's repeated speeches decrying the existence of Israel and calling for the destruction of its "Zionist regime," created a threatening atmosphere for the 25,000-person Jewish community. Government officials continued to make anti-Semitic statements, organize events during the year designed to cast doubt on the Holocaust, and sanction anti-Semitic propaganda. The government also limited distribution of nonreligious Hebrew texts and required Jewish schools to remain open on Jewish Sabbath.

For a more detailed discussion, see the *2009 International Religious Freedom Report* at www.state.gov/g/drl/rls/irf.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of movement within the country, foreign travel, and emigration, and repatriation. The government placed some restrictions on these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) with regard to refugees from Afghanistan and Iraq.

The government required exit permits for foreign travel for all citizens. Some citizens, particularly those whose skills were in demand and who were educated at government expense, had to post bond to obtain an exit permit. The government restricted foreign travel of some religious leaders and individual members of religious minorities and scientists in sensitive fields, and it increasingly targeted journalists, academics, and activists--including women's rights activists--for travel bans and passport confiscation during the year. The government banned travel to Israel, but this ban was reportedly not enforced.

On March 17, authorities imposed a travel ban on human rights lawyer and writer Naser Zarafshan. Authorities confiscated his passport at the airport in Tehran as he was about to board a plane to Brussels to attend a conference on the environment.

On April 7, authorities prevented academic Mehdi Zakerian from leaving the country to take part in a conference in Italy on international legal issues. Officials confiscated his passport and other personal belongings, including his computer and research papers. Zakerian, a board member of the Center for Scientific Research and Middle East Strategic Studies, was detained for several months in August 2008 on espionage charges based on his contacts with foreign diplomats related to his work and research activities; no verdict had been issued on his case at year's end.

On May 10, the government reportedly stopped DHRC deputy head Narges Mohammadi and peace activist Soraya Azizpanah at the Tehran airport. Mohammadi and Azizpanah were on their way to Guatemala to speak at a conference about the role of women in democracy. Authorities seized their passports and prevented them from traveling.

According to the *New York Times*, authorities prevented filmmaker Jafar Panahi, whom authorities briefly detained after the June election, from leaving the country to attend an October 29-November 5 Indian film festival.

A woman must have the permission of her husband, father, or other male relative to obtain a passport. A married woman must receive written permission from her husband before she leaves the country.

The government did not use forced external exile, but it used internal exile as a punishment. Many dissidents practiced self-imposed exile to be able to express their beliefs freely.

There were indications that members of all religious minorities were emigrating at a high rate, although it was unclear whether the reasons for emigration were religious or economic.

Protection of Refugees

The country was a party to the 1951 Convention relating to the Status of Refugees and its 1967 protocol. The law provides means for granting asylum or refugee status to qualified applicants, and the government reportedly had a system for providing protection to refugees, but the UNHCR did not have any information as to how the country made asylum determinations. The government did not consistently provide protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

As of December, approximately 980,000 refugees registered by the Bureau for Aliens, Foreigners, and Immigrant Affairs were living in the country; 935,600 were Afghans and 44,400 were Iraqis. Approximately 70 percent of the Afghan and Iraqi refugees in the country had lived there for 20 to 30 years.

The number of registered Afghan refugees opting for voluntary repatriation declined since 2007 due to a combination of factors, including concerns about security in Afghanistan. The government continued to postpone discussions to renew the tripartite repatriation agreement, but at an international conference on resettlement and repatriation held in Kabul in November 2008, the government verbally committed to permit registered Afghan refugees to stay until they voluntarily repatriated or resettled elsewhere.

In addition to the 935,600 registered Afghan refugees, the UNHCR estimated as many as 1.5 million Afghans illegally resided in the country as migrant workers. In March 2008 the government announced it would deport all Afghans who lacked refugee documentation. According to the UNHCR, the government deported 200,000 Afghans in the first six months of the year and more than one million in the last three years. On March 22, the UN Children's Fund (UNICEF) and provincial authorities reported that more than 1,000 children deported to Afghanistan's western province of Herat in 2008 faced poverty and were at risk of abuse.

There were reports of some registered refugees included in mass deportations during the last several years, although these reports were not officially documented. According to HRW, many of those deported received no warning that they were being deported, and many were separated from their families or had little time to collect belongings and wages. Other deportees claimed they were beaten, detained, or required to perform forced labor for several days before they were deported. Among the deportees were vulnerable individuals and families who required humanitarian assistance upon arrival in Afghanistan. At the November conference in Kabul, the Iranian delegate stated that Afghan refugees would continue to be treated as "respected guests" and that the two countries were discussing the issuance of 300,000 visas to Afghan workers. No new visa arrangement had been announced by year's end.

Since 2007 authorities maintained approximately 19 "No Go Areas" in the country for Afghan refugees, according to the UNHCR. Refugees were required to register and relocate in areas the government approved; those who did not were considered unregistered and remained subject to deportation. According to the UNHCR, the government's reregistration campaign launched in 2008 to assist male refugees to obtain work permits enabled more refugees to work in the country.

In July, according to the UNHCR, the government announced a policy to treat the enrollment of all school-age children, including lawful foreign residents and registered refugees, in the same manner. At year's end, however, there was no information available about how the new policy was enforced. The U.S. Committee for Refugees and Immigrants reported in 2008 that Afghan refugee children were charged fees, while Iraqi refugee children were able attend public school for free. In some cases, local government officials reportedly suspended education services for refugees to encourage them to repatriate.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides citizens the right to change peacefully the president and the parliament through free and fair elections, but the authority of unelected representatives over the election process severely abridged this right in practice. The Assembly of Experts elects the supreme leader, the recognized head of state, who may be removed only by a vote of the assembly. The supreme leader exercises influence over the government appointments of the 12 clerics and religious jurists who make up the Guardian Council. The Guardian Council then approves the list of candidates for the Assembly of Experts, whose 86 members must also be clerics, who serve eight-year terms and are chosen by popular vote. There was no separation of state and religion, and clerical influence pervaded the government. The supreme leader also approved the candidacy of presidential candidates.

Elections and Political Participation

On June 12, the country held its 10th presidential election, which outside observers regarded as neither free nor fair. International observers were not allowed entry to monitor the election results.

The Guardian Council approved only four candidates out of more than 450 prospective candidates, including 42 women and former officials. Authorities increased censorship and surveillance during the campaign, blocking cell phone signals and access to social networking and opposition Web sites (see section 2.a., Internet Freedom). Conversely, this election campaign also witnessed an unprecedented number of televised debates between the candidates. The government also reportedly harassed and arbitrarily arrested political activists, members of the country's religious and ethnic minority communities, students, trade unionists, and women's rights activists during the preelection period. For example, on April 19, authorities detained Mehdi Mo'tamedi Mehr, a member of the Committee to Defend Free, Healthy and Fair Elections and the banned political organization the Freedom Movement of Iran, after the Committee published a statement about *civil society institutions as election observers*. On December 28, according to local press reports, the MOIS summoned Mehr and other members of the Freedom Movement, and at year's end they remained in detention. On May 27, authorities detained Emad Bahavar, also a member of the Freedom Movement, for "spreading propaganda against the system" by campaigning for presidential candidate Mousavi. According to IHRV, he was released 96 hours later.

Anecdotal evidence suggested that authorities forced some election observers representing opposition candidates to leave polling stations and that millions of unused paper ballots went missing. Before all polls closed and ballot counting had commenced, government-controlled media announced that President Ahmadi-Nejad had been reelected in the first round of elections, obtaining a majority of the votes. Contrary to the election law, Supreme Leader Ayatollah Khamenei approved the election results before the Guardian Council certified the election and before the Interior Ministry announced the final results.

Independent analysts studied election data and concluded there were a number of irregularities, including at least two provinces showing a turnout of more than 100 percent and absence of long-standing regional variations in turnout. According to official government data, President Ahmadi-Nejad took not only all former conservative voters, all former centrist voters, and all new voters, but also up to 44 percent of former reformist voters, a scenario analysts questioned.

The constitution allows for the formation of political parties, although the Interior Ministry granted licenses only to parties with ideological and practical adherence to the system of government embodied in the constitution. There were more than 240 registered political organizations that generally operated without restriction or outside interference, but most were small entities, often focused around an individual, and did not have nationwide membership. Political parties and candidates faced harassment during the year.

On June 19, presidential candidate Mir-Hossein Mousavi's spokesperson reported that plainclothes police ransacked Mousavi's offices and arrested many of his staffers. At year's end several of his campaign members remained in jail.

On September 8, the Tehran prosecutor closed the offices of Mehdi Karoubi, a proreform cleric and former presidential candidate, and ordered Karoubi and his staff to leave the building. Judiciary officials took documents, computer disks, computers, and films from the office. Previously, Karoubi had turned over films and other materials to a parliamentary committee documenting authorities abusing detained protesters.

According to the Guardian Council's interpretation, the constitution barred women and persons of non-Iranian origin or religions other than Shia Islam from becoming president. Women were also barred from serving as supreme leader; as members of the Assembly of Experts, Guardian Council, or Expediency Council (a body responsible for mediating between the Majles and the Guardian Council and serving as a consultative council for the supreme leader); and as certain types of judges. One of the 10 vice presidents and one cabinet minister were women. Twelve women served in the Majles during the year.

Five Majles seats were reserved for recognized religious minorities. Other ethnic minorities in the Majles included Arabs and Kurds. There were no non-Muslims in the cabinet or on the Supreme Court.

Section 4 Government Corruption and Transparency

The law provides criminal penalties for official corruption, but the government did not implement the law effectively, and official corruption remained a serious and ubiquitous problem in all three branches of government.

Many officials expected bribes for providing even routine service. Individuals routinely bribed officials in order to obtain permits for illegal construction. Under President Ahmadi-Nejad, the IRGC has been a major beneficiary of state contracts for infrastructure projects. According to Freedom House, the hard-line clerical establishment also grew wealthy through its control of bonyads, tax-exempt foundations that monopolize many sectors of the economy such as cement and sugar production.

All government officials, including cabinet ministers and members of the Guardian Council, Expediency Council, and Assembly of Experts, were required to submit annual financial statements to the state inspectorate. There was no information available regarding whether these officials obeyed the law.

Numerous government agencies existed to fight corruption, including the Anticorruption Headquarters and the Anticorruption Task Force, both established in 2005, as well as the Committee to Fight Economic Corruption and the General Inspection Organization.

On February 5, media reported that a National Audit Office report to the Majles revealed that the Oil Ministry had not returned 12 trillion rials (\$1.2 billion) in oil revenues during the 2006-07 budget to the treasury. At least one opposition presidential candidate blamed President Ahmadi-Nejad for the missing revenue.

In November a special parliamentary commission to investigate the government's recent privatization efforts criticized the management of the process, singling out the sale of the Telecommunication Company of Iran (TCI) to a company

reportedly linked to the IRGC. The commission concluded that the consortium contesting the bid was a front and that the government essentially gave the TCI to the IRGC. A RAND Corporation report during the year noted allegations that the IRGC controls much of the country's black market trade.

On February 25, government officials granted bail to Abbas Palizdar, allegedly a former member of a parliamentary committee to investigate economic corruption, after he reportedly had served 13 months of his 10-year prison sentence for "acting against national security." Palizdar reportedly accused several prominent clerics of money laundering during speeches he gave at Shiraz and Hamedan universities in June 2008. The Judicial Inquiry and Review Committee continued to deny any connection to Palizdar, who failed to provide evidence to back his claims. Following his speeches, which were widely circulated on the Internet, judiciary officials arrested and indicted 11 persons Palizdar named, most of them government employees, on corruption charges.

There were no laws providing for public access to government information.

Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The government continued to restrict the work of human rights groups and activists and sometimes responded to their inquiries and reports with harassment, arrests, monitoring, unlawful raids, and closures (see also sections 1.d., 1.e., 2.a., 2.c., 6, and 7). The government continued to deny the universality of human rights and stated that human rights issues should be viewed in the context of a country's "culture and beliefs." In May 2008 judiciary chief Hashemi Shahroudi told the Human Rights Task Force, an intragovernmental entity established in 2001, that the international community uses human rights as a weapon against Muslim majority countries.

Hundreds of domestic NGOs focused on issues such as health and population, women's rights, development, youth, environmental protection, human rights, and sustainable development, despite the restrictive environment, including pressure not to accept foreign grants. NGOs must register with the Interior Ministry and apply for permission to receive foreign grants. According to various sources, independent human rights groups and other NGOs faced intensifying harassment and threat of closure from government officials as a result of prolonged and often arbitrary delays in obtaining official registration.

During the year the government increasingly prevented human rights defenders, civil society activists, journalists, and scholars from traveling abroad, particularly to attend international conferences (see section 2.d.). Human rights activists reported receiving intimidating phone calls and threats of blackmail from unidentified law enforcement and government officials. Government officials routinely harassed family members of human rights activists (see section 1.f.). Courts routinely applied suspended sentences to human rights activists; this form of sentencing acted as de facto probation, leaving open the option for authorities to suddenly and arbitrarily arrest or imprison individuals. This threat was sometimes enough to silence activists or pressure them into providing information about other activists.

Professional groups representing writers, journalists, photographers, and others attempted to monitor government restrictions in their respective fields, as well as harassment and intimidation against individual members of their professions. The government severely curtailed these groups' ability to meet, organize, or effect change.

Throughout the year the government reportedly continued to exert significant pressure on the DHRC, a Tehran NGO headed by Nobel Peace Prize laureate Shirin Ebadi. According to a June 7 letter from Ebadi to President Ahmadi-Nejad, during the year a Basij student mob attacked Ebadi's offices and home; the government pressured at least two of the DHRC's employees to resign; authorities prevented several DHRC members from traveling outside the country; officials arrested and detained a DHRC secretary, Jinnous Sobhani, for 55 days; officials regularly summoned DHRC members for

interrogation; and security officials warned individuals not to attend the DHRC's gatherings, some of which police dispersed. On November 22, authorities reportedly confiscated Ebadi's Nobel Peace Prize and diploma from her safety deposit box while Ebadi was out of the country; the medal was reportedly returned two weeks later. Authorities also tried to tax the award money, although Ebadi maintained the prize was exempt. On December 28, officials arrested Ebadi's sister, a professor of dentistry.

In December 2008 security forces unlawfully raided and closed the DHRC's offices. The raid occurred immediately before a scheduled ceremony to celebrate the 60th anniversary of the Universal Declaration of Human Rights. A foreign ministry spokesperson said the government closed the center for operating without a valid permit; the DHRC had not received a permit at year's end despite its assertion that authorities had approved its application in 2006. Also in December 2008 government security officers posing as tax officials raided Ebadi's private law offices, seizing office files and computers.

Despite numerous appeals, the government denied requests from international human rights NGOs to establish offices in or conduct regular investigative visits to the country. The last visit by an international human rights NGO was AI's 2004 visit as part of the EU's human rights dialogue with the country.

The ICRC and UNHCR both operated in the country with some restrictions. According to HRW, since the government issued a standing invitation to all UN human rights agencies in 2002, there have been six visits to the country by UN special human rights institutions. The government generally ignored recommendations these bodies made and failed to submit required reports to the UN Human Rights Committee or the UN Committee on Economic, Social, and Cultural Rights. The government ignored repeated requests for visits by UN special rapporteurs. On December 18, the UNGA passed a resolution expressing "deep concern that, despite the Islamic Republic of Iran's standing invitation to all thematic special procedures mandate holders, it has not fulfilled any requests from those special mechanisms to visit the country in four years and has not answered numerous communications from those special mechanisms." The UNGA "strongly urge [d] the Government of the Islamic Republic of Iran to fully cooperate with the special mechanisms, especially the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the situation of human rights defenders, the Working Group on Arbitrary Detention and the Working Group on Enforced or Involuntary Disappearances."

In 2001 the supreme leader called for the creation of a human rights task force, chaired by the judiciary chief and composed of the ministers of intelligence, interior, foreign affairs, justice, and culture, as well as other judicial and military officials. The committee, which did not convene until 2006, was not considered effective. Mohammed Javad Larijani, brother to Ali Larijani, speaker of the Iranian parliament, and Sadeq Larijani, head of the judiciary, headed the committee.

Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

Although the constitution formally prohibits discrimination based on race, gender, disability, language, and social status "in conformity with Islamic criteria," the government did not effectively enforce these prohibitions.

Women

Rape is illegal and subject to strict penalties, but it remained a problem. Spousal rape is not illegal. Cases of rape were difficult to document due to social stigma against the victims. Most rape victims did not report the crime to authorities because they feared societal reprisal such as ostracism or punishment for having been raped. According to the penal code, rape is a capital offense, and four male witnesses or three men and two women are required for conviction. A woman or man found making a false accusation of rape is subject to 80 lashes.

The law does not specifically prohibit domestic violence. Spousal abuse and violence against women occurred. According to a study published in 2008 using 2005 data, 52.7 percent of women reported being physically abused during their married lives. Abuse in the family was considered a private matter and seldom discussed publicly, although there were some efforts to change this attitude, particularly by the "One Million Signatures for the Repeal of Discriminatory Laws," or "Change for Equality," Campaign (OMSC). Some nongovernmental shelters and hotlines assisted victims during the year.

A man may escape punishment for killing a wife caught in the act of adultery if he is certain she was a consenting partner. According to a police official quoted in a domestic newspaper in 2008, 50 honor killings were reported during a seven-month period, although official statistics were not available. The punishment for perpetrators was often a short prison sentence.

In February, according to a local newspaper, a father killed his 16-year-old daughter for suspicious activity.

There were no reports of developments in the May 2008 case of a man known as "Ahmad," who allegedly killed his daughter after her former brother-in-law kidnapped and slept with her, or the June 2008 case of "Morteza," who allegedly killed his sister after she married a man without her family's permission.

Prostitution is illegal, but it took place under the legal cover of *sigheh* (temporary marriage). International press reports described prostitution as a widespread problem. The problem appeared aggravated by difficult economic conditions and rising numbers of drug users and runaway children.

According to a May 29 AI report, an unemployed couple in Eastern Azerbaijan province prostituted themselves to local officials. On October 5, authorities reportedly hanged the husband, Rahim Mohammadi, for sodomy; at year's end his wife, Kobra Babaei, awaited execution by stoning.

In March 2008 authorities arrested and dismissed from his post Tehran police chief Reza Zarei after he was discovered in a brothel during a police raid. In April 2008 he was reportedly taken to the hospital following a suicide attempt in prison. There were no further updates in his case during the year.

There was a lack of reliable data on the prevalence of sexual harassment in the country. Media reports indicated that unwanted physical contact and verbal harassment occurred. There are laws addressing sexual harassment in the context of physical contact between men and women.

In early January a court sentenced to 30 lashes Zanzan University deputy dean Hassan Madadi, caught on camera pressuring a female student for sexual favors in June 2008. The female student also received a sentence of 30 lashes. Courts suspended both punishments.

The 1993 family planning law recognizes the basic right of married couples to decide freely and responsibly the spacing and timing of their first three children, and to have the information and means to do so free from discrimination, coercion, and violence. According to the law, health and maternity benefits are cut for the family after three children. Local clinics and rural health centers disseminated information on family planning under the guidance of the Ministry of Health and Medical Education. There were no restrictions on the right of married persons to access contraceptives. According to the Population Reference Bureau, nearly 80 percent of married women of reproductive age used family planning methods, 75 percent of whom used modern methods of contraception. Couples who plan to marry must take a class in family planning. Men and women received equal access to diagnosis and treatment of sexually transmitted infections. According to UNICEF, 97 percent of women gave birth with a skilled attendant present.

The constitution nominally provides women with equal protection under the law and all human, political, economic, social, and cultural rights in conformity with Islam. Provisions in the Islamic civil and penal codes, particularly sections dealing

with family and property law, discriminate against women. Shortly after the 1979 revolution, the government replaced those laws that provided women with increased rights in the home and workplace with a legal system based largely on Shari'a practices. On March 12, President Ahmadi-Nejad instructed the relevant bodies to implement a law in which women's share of their husband's inheritance would increase to one-fourth from the previously stipulated one-eighth of his property. At year's end there was no information on the law's implementation. The governmental Center for Women and Family continued to publish reports on feminism with a negative slant and limited the debate on women's issues to matters related to the home.

Although a man (or boy) can marry at age 15 without parental consent, the law states that a virgin woman or girl needs the consent of her father or grandfather to wed, or the court's permission, even if she is older than 18. The country's Islamic law permits a man to have as many as four wives and an unlimited number of sigheh, based on a Shia custom in which a woman may become the wife of a Muslim man after a simple religious ceremony and a civil contract outlining the union's conditions. Sigheh wives and any resulting children were not granted rights associated with traditional marriage. The government does not recognize marriages between Muslim women and non-Muslim men, or Baha'i marriages.

A woman has the right to divorce only if her husband signs a contract granting that right, cannot provide for his family, or is a drug addict, insane, or impotent. A husband was not required to cite a reason for divorcing his wife. Traditional interpretations of Islamic law recognized a divorced woman's right to part of shared property and to alimony. These laws were not enforced. According to a study by the National Organization for Civil Registration quoted in a book by a women's rights activist, more than 89 percent of women did not receive their due alimony, and 9 percent did not receive their share of the wedding gift (wedding contracts traditionally stipulate that in case of divorce the groom give his bride the wedding gift for financial support). The law provides divorced women preference in custody for children up to age seven; divorced women who remarry are forced to give the child's father custody. After the child reaches age seven, the father is entitled to custody (unless the father has been proven unfit to care for the child). The court determines custody in disputed cases.

Women sometimes received disproportionate punishment for crimes such as adultery, including death sentences. The testimony of two women is equal to that of one man. The blood money paid to the family of a female crime victim is half the sum paid for a man.

Women had access to primary and advanced education. Reportedly, 65 percent of university students were women. Government officials acknowledged the use of quotas to limit women's university admissions in certain fields such as medicine and engineering. In addition, social and legal constraints limited women's professional opportunities. Women were represented in many fields, including the legislature, municipal councils, police, and firefighters, but a woman must seek her husband's consent before working outside the home. According to a World Economic Forum report during the year, the unemployment rate for women, who constituted 33 percent of the workforce, was 15.8 percent, compared with 9.3 percent for men. Women cannot serve in many high-level political positions or as judges, except as consultant or research judges without the power to impose sentences.

The government enforced gender segregation in most public spaces, including medical care, and prohibited women from mixing openly with unmarried men or men not related to them. Women must ride in a reserved section on public buses and enter public buildings, universities, and airports through separate entrances.

On January 26, media sources reported that authorities fined and suspended managers and coaches involved in the first mixed (men versus women) soccer game since the 1979 revolution. The Esteghlal soccer club's technical manager and both head coaches received suspensions of six months to one year and fines of as much as 50 million rials (\$5,000).

The penal code provides that if a woman appears in public without an appropriate hijab, she can be sentenced to lashings and fined. However, absent a clear legal definition of "appropriate hijab" or the punishment, women were subject to the

opinions of disciplinary forces or judges. Pictures of uncovered or immodestly dressed women in the media or in films were often digitally altered.

The government continued its intense crackdown against members of the OMSC, which activists launched in 2006 to promote women's rights.

On January 30, authorities arrested three OMSC members--Nafiseh Azad, Bigard Ebrahimi, and a person who wished to remain anonymous--while they were collecting petition signatures and held them for several days. Authorities charged Azad with "acting against national security through propaganda against the state," according to the ICHR. On August 18, a judge gave Azad a one-year suspended sentence, but in late October an appeals court acquitted her of all charges.

On March 26, according to the *ICHR*, security forces detained 12 members of the *OMSC* and the NGO *Mothers for Peace*--Delaram Ali, Khadijeh Moghadam, Leila Nazari, Farkhondeh Ehtesabian, Mahboubeh Karami, Bahara Behravan, Ali Abdi, Amir Rashidi, Mohammad Shoorab, Arash Nasiri Eghbali, Soraya Yousefi and Shahla Forouzanfar--at a street corner in Tehran as the group met to make traditional Nowruz (New Year) visits to families of several political prisoners. The ICHR suggested that security and intelligence forces must have eavesdropped on activists' private communications to apprehend them. Judge Matin Rasekh charged the women with "disturbing public opinion" and "disrupting public order," and they were transferred to Section 209 of Evin Prison under MOIS control. On March 29, authorities released 10 of the activists on bail, and on April 7 and 8, they released Mahboubeh Karami and Khadijeh Moghadam. According to lawyer Nasim Ghanavi, Moghadam was also charged for participating in a January 11 demonstration with Mothers for Peace **against the Israeli military operation in Gaza**. On May 8, the security deputy of the Tehran Revolutionary Court summoned Moghaddam and her husband, Akbar Khosrowshahi. They appeared in court with their attorney, and Moghadam answered questions about assistance she gave to victims of the 2003 Bam earthquake, as well as her advocacy on behalf of detained labor activists and a fellow women's rights defender. Moghadam was previously detained in April 2008 and charged with "spreading propaganda against the state," "disrupting public opinion," and "actions against national security."

On April 25, authorities arrested Maryam Malek in Tehran, charged her with "propaganda against the system" in connection with her membership in the OMSC, and detained her in Evin Prison. On April 29, authorities released her on a third-person guarantee, as she could not pay bail set at 200 million rials (\$20,000).

On May 7 and 8, authorities in Qom arrested two OMSC members, Maryam Bidgoli and Fatemeh Masjedi, along with the male author of *The Women's Movement in the East*, Gholamreza Salami. Intelligence agents searched both women's homes and took personal belongings. According to news reports, the women had previously been investigating an honor killing. They were released later in May.

In December, according to the IHRDC, authorities arrested Zohre Tonkaboni and Mahin Fahimi, members of Mothers for Peace. The same month, authorities arrested OMSC members Atiey Youseffi, Somayeh Rashidi, and Mansourreh Shojaaei. According to the ICHRI, Rashidi reported authorities were holding her in solitary confinement at Evin Prison. At year's end all reportedly remained in prison.

Several members of the OMSC, including Parvin Ardalan, remained under suspended prison sentences and travel bans at year's end.

On January 31, a revolutionary court reportedly sentenced Mehri Moshrefi and her husband to a two-year suspended sentence. In November 2008 authorities arrested Moshrefi, her husband, and two of her children at a cemetery where the

OMSC was staging a protest and transferred them to Evin Prison, despite activists' claims that the family was not involved in the gathering. Authorities held Moshrefi's two children (one of whom was a minor) for one month, and prison officials did not allow the family to contact their third child, who was not with the rest of the family at the time of arrest, for more than two weeks.

In April a court sentenced Ronek Safazadeh to six years in prison for spreading propaganda about the government and membership in the armed opposition group Free Life Party of Kurdistan, with which her lawyer maintained she was only marginally involved. In 2007 security agents arrested Safazadeh in Sanandaj for collecting signatures for the OMSC petition.

On February 26, authorities released Hana Abdi, whom police arrested in 2007 for collecting signatures for the OMSC petition. In October 2008 a court reduced her five-year sentence to 18 months.

At year's end Maryam Hosseinkhah had found temporary refuge in Ireland, and Jelvah Javaheri remained in the country, where she spent the month of May in prison for her participation in demonstrations on International Workers Day and faced a six-month prison sentence issued in October. Police originally arrested both women in 2007 for "propaganda against the system."

Children

Citizenship is derived by descent when a child is born to a citizen father regardless of the child's country of birth. In general, birth within the country's borders does not confer citizenship, except when a child is born to unknown parents; when both parents are noncitizens, but at least one parent was born in the country; or when a child born to noncitizens continues to reside in the country for at least one year after age 18.

Although primary schooling up to age 11 is free and compulsory for all, media and other sources reported lower enrollment in rural areas for girls than for boys.

There was little information available to reflect how the government dealt with child abuse, including child labor. Abuse was largely regarded as a private family matter. According a 2005 study by the UN's Integrated Regional Information Network, child sexual abuse was rarely reported.

The law requires court approval for the marriage of girls younger than 13 and boys younger than 15, but it was reportedly not unusual in rural areas for parents to have their children marry before they became teenagers, often for economic reasons. Sex outside of marriage is illegal.

There were reportedly significant numbers of children working as street vendors in Tehran and other cities and not attending school.

International news reported on the plight of children of imprisoned mothers. According to State Prisons Organization regulations, children could stay in prison with their mothers until the age of three; according to a report by the Association for Defending Prisoners' Rights, children sometimes stayed through the age of six.

On December 31, according to the IHRC, authorities arrested Maryam Zia, a leader of a child welfare organization and wife of a labor leader. Zia was previously arrested in 2006 during a women's rights protest in Haft Tir Square.

Trafficking in Persons

The law prohibits trafficking in persons. According to publicly available information from NGOs, the media, international organizations, and other governments, trafficking in persons was an extensive problem, and the country was a source, transit, and destination point for trafficking. Women and girls were trafficked from the country to Pakistan, Turkey, Europe, and the Gulf States for sexual exploitation and involuntary servitude. Men, women, and children from Bangladesh, Pakistan, and Afghanistan were trafficked through the country to the Gulf States and sometimes to Europe for purposes of employment. Afghan women and girls were trafficked to the country for sexual exploitation and forced marriages. Internal trafficking for sexual exploitation and forced labor also occurred. Media reports indicated that criminal organizations played a large role in human trafficking to and from the country.

In some cases authorities reportedly tried and convicted persons involved in trafficking, but aspects of the law and practice --such as punishment of victims for prostitution or adultery--hindered efforts to combat trafficking. There was no evidence that the government took steps to protect trafficking victims or to prevent trafficking during the year.

The Department of State's annual *Trafficking in Persons Report* can be found at www.state.gov/g/tip.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities. The law also provided for state-funded vocational education for persons with disabilities, but according to domestic news reports, vocational centers were confined to urban areas and were unable to meet the needs of the entire population. Building accessibility for persons with disabilities remained a widespread problem. The Welfare Organization of Iran is the major governmental agency charged with protecting the rights of persons with disabilities.

National/Racial/Ethnic Minorities

The constitution grants equal rights to all ethnic minorities and allows for minority languages to be used in the media and in schools; in practice, minorities did not have equal rights, and the government consistently denied their right to use their language in school. The government disproportionately targeted minority groups, including Kurds, Arabs, Azeris, and Baluch, for arbitrary arrest, prolonged detention, and physical abuse. These groups reported political and economic discrimination, particularly in their access to economic aid, business licenses, university admissions, permission to publish books, and housing and land rights. In 2007 then interior minister Mustafa Purmohammadi ranked ethnic divisions as one of the biggest problems his ministry had to address. The government blamed foreign entities, including a number of Western countries, for instigating some of the ethnic unrest.

On January 9, HRW released a report documenting government persecution of the 4.5 million Kurds in the country, who have frequently campaigned for greater regional autonomy. The report documented the government's use of security laws, media laws, and other legislation to arrest and persecute Kurds solely for exercising their right to freedom of expression and association (see also section 1.e., Political Prisoners and Detainees). According to the report, the government consistently banned Kurdish-language newspapers, journals, and books and punished publishers, journalists, and writers for opposing and criticizing government policies. Although the Kurdish language is not banned, schools did not teach it. Authorities suppressed legitimate activities of Kurdish NGOs by denying registration permits or bringing spurious charges of security offenses against individuals working with such organizations. Kurds were not allowed to register certain names for their children in official registries.

IHRV reported that two Kurdish students who passed entrance exams for graduate school during the year were denied admission based on their ethnicity.

On January 13, the Sanandaj revolutionary court sentenced Kurdish political activist Jebraeil Khosravi to a 20-year prison term for membership in an illegal party. At year's end he remained in Bandar-Abbas Prison.

On January 15, IHRV reported that authorities arrested Kurdish writer Abbass Jalilian, who goes by the name "AKO." In November an appeals court upheld his 15-month sentence for espionage, issued by the Kermanshah revolutionary court in March. His initial court proceedings reportedly took place without his lawyer present.

On August 3, authorities released Kurdish journalist and human rights activist Massoud Kordpour after he completed his one-year prison term in Mahabad Central Prison. In August 2008 security forces arrested Kordpour on espionage charges related to interviews he gave to foreign media outlets. Authorities reportedly held Kordpour incommunicado for several months.

In July the Supreme Court upheld Farrad Kamangar's February 2008 death sentence for "endangering national security" based on his alleged involvement with the Turkey-based Kurdish Workers Party. Kamangar, superintendent of high schools in Kamayaran, was affiliated with a number of civil society organizations, including the local teachers' union, an environmental group, and the HROK. The court also sentenced fellow Kurdish activists Ali Heydarian and Farhad Vakili to death, and all three remained on death row at the end of the year. Authorities originally arrested the three men in 2006 because of their human rights activism.

Foreign representatives of the Ahvazi Arabs of Khuzestan claimed their community of two to four million in the country's southwest encountered oppression and discrimination, including the lack of freedom to study and speak Arabic. Ahvazi and human rights groups alleged torture and mistreatment of Ahvazi Arab activists, including allegations that in September IRGC intelligence officers raped two female activists.

In October relatives of seven men sentenced to death for killing a clergy member in Ahwaz told local human rights organizations that authorities had tortured them to coerce confessions.

Ethnic Azeris comprised approximately one-quarter of the country's population, were well integrated into government and society, and included the supreme leader among their numbers. Nonetheless, Azeris complained that the government discriminated against them, banning the Azeri language in schools, harassing Azeri activists or organizers, and changing Azeri geographic names. Azeri groups also claimed a number of Azeri political prisoners had been jailed for advocating cultural and language rights for Azeris. The government charged several of them with "revolting against the Islamic state."

On May 26, media sources reported that 16 ethnic Azeris were injured during clashes with police in the city of Tabriz; 15 demonstrators were arrested. Protests also took place in the town of Orumiyeh and in Tehran. The demonstrations commemorated 2006 riots in Tabriz and other cities protesting a newspaper caricature depicting Azeris as cockroaches.

In a series of arrests beginning in July 2008, police reportedly detained at least eight Azeri-Iranian students in Tabriz and charged them with "establishing illegal groups in order to disrupt national security" and "propaganda against the state." According to AI, the student activists were campaigning for greater cultural and linguistic rights, including the right to education using the Azeri language and the right to celebrate Azeri culture and history. In October 2008 authorities released all but one on bail; the remaining prisoner, Dariush Hatemi, was released in November 2009.

No updates were available in the case of a group of Azeri cultural rights activists--including author Hasan Rashedi, poet Mehdi Naimi Ardabili, writer Alireza Sarafi, and journalist Saeed Mohammadi Moghalani--whom authorities arrested in September 2008 at an Iftar celebration. Authorities held the men incommunicado and without charge for several weeks before releasing them on bail in November 2008.

Local and international human rights groups alleged serious economic, legal, and cultural discrimination against the Baluch minority during the year. Baluch journalists and human rights activists faced arbitrary arrest, physical abuse, and unfair trials, often ending in execution. In August 2008 authorities executed Baluch journalist and education activist Yaghoob Mirnehad in Zahedan for alleged membership in the militant group People's Resistance Movement of Iran (formerly Jundallah), which the government considers a terrorist group.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The Special Protection Division, a volunteer unit of the judiciary, monitored and reported "moral crimes." The law prohibits and punishes homosexual conduct; sodomy between consenting adults is a capital crime. The law defines transgender persons as mentally ill, encouraging them to seek medical help in the form of gender-reassignment surgery. The government censored all materials relating to lesbian, gay, bisexual, and transgender (LGBT) issues. In September 2008 President Ahmadi-Nejad called homosexual activity an "unlikable and foreign act" that "shakes the foundations of society." The size of the LGBT community was unknown, as many individuals feared identifying themselves. There were active LGBT NGOs in the country, but most activities to support the LGBT community took place outside the country.

According to a November 4 HRW report, three men--Mehdi P., Moshen G., and Nemat Safavi--faced execution based on homosexual conduct allegedly committed when they were minors. At year's end they were still believed to be in prison. According to HRW, the last confirmed death sentences for homosexual conduct were handed down in 2005, although there were allegations of executions related to homosexual conduct in 2006 and 2007. The punishment of a non-Muslim gay man or lesbian was harsher if the gay man or lesbian's partner was Muslim. Punishment for homosexual behavior between men was more severe than for such behavior between women.

The government provided grants of as much as 45 million rials (\$4,500) and loans of as much as 55 million rials (\$5,500) for transgender persons willing to undergo gender reassignment surgery. Human rights activists and NGOs reported that some members of the gay and bisexual community have been pressured to undergo gender reassignment surgery to avoid legal and social persecutions in the country. In September international newspapers reported that a family court allowed the first transsexual marriage between a woman and her male partner, previously also a woman.

Other Societal Violence or Discrimination

Persons with HIV/AIDS reportedly faced discrimination in schools and workplaces. The government supported programs for HIV/AIDS awareness and generally did not interfere with private HIV/AIDS-related NGOs. Government hospitals diagnosed and treated AIDS patients free of charge.

Section 7 Worker Rights

a. The Right of Association

The law provides workers the right to establish unions; in practice the government did not permit independent unions. A national organization known as Workers' House was the sole authorized national labor organization. It served primarily as a conduit for government control over workers. The leadership of Workers' House coordinated activities with Islamic labor councils in industrial, agricultural, and service organizations comprising more than 35 employees. According to the ICHRI, these councils, which consisted of representatives of workers and a representative of management, were essentially management-run unions that undermined workers' efforts to maintain independent unions, but they nonetheless frequently blocked layoffs and dismissals in support of workers' demands. During the year the government pressured workers to join the government-sponsored councils.

The 1990 labor code stipulates that workers may establish an Islamic labor council or a guild at any workplace, or that workers may appoint an official representative. The law strongly favors Islamic labor councils; no other form of representation is allowed in a workplace where such a council has been established. Although Workers' House oversees Islamic labor councils, the Interior Ministry, the Ministry of Labor, and the Islamic Information Organization draft councils' constitutions, operational rules, and election procedures.

Restrictions on the ability of workers to associate continued during the year as the government and the judiciary regularly abused the justice system to imprison and silence labor activists.

On April 26, authorities arrested Sajad Khaksari, the 25-year-old son of Mohammad Khaksari and Soraya Darabi, leaders of the Teachers' Trade Association, which the government banned in 2007. Authorities first arrested Sajadin in 2006 for his writings in a union publication and again in January for taking photographs of a government building. His April arrest was for attending an "illegal teachers' gathering" in front of the parliament. On June 6, a revolutionary court acquitted him of all charges, and an appeals court commuted the six-month prison sentence for his first arrest. In the aftermath of the postelection crackdown on activists, the prosecutor ordered the court to send Sajad's file to a different revolutionary court branch that retried him, without his lawyer present, and sentenced him to one year in prison on the charges for which he had been acquitted. Sajad appealed the sentence and was reacquitted on two of the three charges. The final charge had yet to be heard by a public court in Tehran at year's end.

On March 8, media sources reported that MOIS agents raided the residence of Ali Nejati, president of the board of directors of the Haft Tapeh Sugar Cane Company Workers' Syndicate, and arrested Nejati and five others. On the evening of February 28, MOIS agents had previously raided and searched his home and confiscated some documents related to the syndicate. After holding him in solitary confinement for one month, authorities tried and convicted him of "propaganda against the system" in connection with interviews he gave about working conditions. On October 12, another court convicted Nejati and four others--Mohammed Heydari Mehr, Feridoun Nikoufard, Jalil Ahmadi, and Ghorban Alipour--on charges related to union activity in 2007. The court sentenced each to four to six months' imprisonment followed by four- to six-month suspended sentences. At year's end the men remained in prison.

On May 1, authorities reportedly arrested 100 to 200 people in Laleh Park in Tehran during International Workers Day (May Day) celebrations. Detainees included members of trade unions, journalists, women's and children's rights activists, and others active on behalf of civil society. On May 2, authorities released 25 men and two women on third-party guarantees. All remaining detainees were reportedly sent to Ward 240 of Evin Prison where, according to those who were released, the detainees suffered mistreatment and were not allowed contact with their families or lawyers. According to the Iran Free Trade Union's Web site, authorities demanded that bail of approximately 500 million rials (\$50,000) be posted for some of the detainees, including Jafar Azimzadeh, Shahpour Ehsani, and Bahram (Issa) Abedini. At year's end there had been no developments on the status of the detainees.

On June 14, during a general crackdown on dissidents, authorities arrested Iranian Teachers' Organization head Alireza Hashemi and detained him for 25 days. At year's end he remained under a three-year suspended sentence on charges related to a 2007 protest calling for teachers to receive pay and benefits equal to those of government employees.

On August 6, security officers closed the offices of the Association of Iranian Journalists (AIJ) immediately before a union general meeting and President Ahmadi-Nejad's swearing-in. On December 28, according to RSF, plainclothes men arrested the spokesperson for the organization. In June 2008 the Ministry of Labor and Social Affairs threatened to dissolve the AIJ because it allegedly failed to uphold its internal regulations. According to RSF, authorities sought removal

of the association's executive committee on grounds of alleged procedural irregularities in voting during its general assemblies. The AIJ held internal elections to satisfy the Ministry of Labor's concerns but had yet to receive approval at the end of the year.

On February 18, authorities reportedly flogged two female labor activists, Sussan Razani and Shiva Kheirabadi, in Sanandaj Central Prison for participating in International Workers Day celebrations in May 2008. Razani received a sentence of 70 lashes and a nine-month suspended sentence, and Kheirabadi received 15 lashes (originally 40, but reduced by an appeals court) and a four-month suspended sentence. The court sentenced two other labor activists, Abdullah Khani and Syed Ghalib Husseini, to prison terms and flogging for participating in the same event.

Also on February 18, authorities released trade union member and writer Mohsen Hakimi from Evin Prison, where he allegedly endured physical and psychological abuse. In December 2008 security agents reportedly arrested Hakimi on unspecified charges.

There was no further information about the 2007 case in which nine members of the Hamedan Teachers' Association were sentenced to 91 days' imprisonment for "participating in unlawful strikes" and for closing schools; the pending trial of labor activist Mahmoud Salehi, former head of the Saqqez Bakery Workers' Union, after he completed a one-year term in prison in April 2008 for "acting against national security"; or bus driver syndicate leaders Mansur Ossanloo and Ebrahim Madadi, who remained in prison at year's end on charges from 2007. AI noted that Ossanloo was named in the general indictment of the "show trials" in August and that authorities denied Ossanloo medical care.

The law prohibits public sector strikes, and the government considered unlawful any strike deemed contrary to government economic and labor policies, including strikes in the private sector, but strikes occurred. According to an October 2008 UNGA report, security forces continued to respond with arbitrary arrests and violence to workers' attempts to create associations or conduct labor strikes over wages.

b. The Right to Organize and Bargain Collectively

Workers did not have the right to organize independently or to negotiate collective bargaining agreements freely. According to the International Trade Union Confederation, labor legislation did not apply in export processing zones.

c. Prohibition of Forced or Compulsory Labor

The labor code prohibits all forms of forced or compulsory labor, including by children; however, there were reports that such practices occurred. Female citizens were trafficked internally for the purpose of forced prostitution.

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employment of minors younger than 15 and places restrictions on employment of minors younger than 18. The government did not adequately enforce laws pertaining to child labor, and child labor was a serious problem. The law permits children to work in agriculture, domestic service, and some small businesses, but prohibits employment of minors in hard labor or night work. There was no information regarding enforcement of these regulations.

According to government sources, three million children were prevented from obtaining education because their families forced them to work. Unofficial sources claimed the figure was closer to five million. There were reportedly significant numbers of children--primarily Afghan but also Iranian--working as street vendors in major urban areas. Traffickers also exploited children for forced commercial sexual exploitation and involuntary servitude as beggars and laborers.

e. Acceptable Conditions of Work

The law empowers the Supreme Labor Council to establish annual minimum wage levels for each industrial sector and region. On March 18, media reported that the government increased the minimum monthly wage by 20 percent to 2.6 million rials (\$260), which labor groups stated did not provide a decent standard of living for workers and their families. International media reported that government wages returned to their previous monthly minimum in July after the election. There was no information regarding mechanisms to set wages, and it was not known whether minimum wages were enforced.

The labor law does not cover an estimated 700,000 legal workers, as it applies in full only to workplaces with 10 or more workers. Workplaces with fewer than five workers or in export processing zones are exempt from all labor laws. Afghan workers, especially those working illegally, often were paid less than the minimum wage. During the year the government continued to deport illegal Afghan migrant workers, some of whom may have been unregistered refugees (see section 1.d., Protection of Refugees).

The law establishes a maximum six-day, 48-hour workweek with a weekly rest day, normally Friday, at least 12 days of paid annual leave, several paid public holidays.

The law establishes a safety council chaired by the labor minister or his representative protects workplace safety and health. Labor organizations outside the country have alleged that hazardous work environments were common and resulted in thousands of worker deaths annually. The quality of safety regulation enforcement was unknown, and it was unknown whether workers could remove themselves from hazardous situations without risking the loss of employment.

* The United States does not have an embassy in Iran. This report draws heavily on non-U.S. Government sources.