



# IRAN

## COUNTRY OF ORIGIN INFORMATION (COI) REPORT

COI Service

16 January 2013

**SECURING OUR BORDER CONTROLLING MIGRATION**

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- Annex E – References to source material
- Annex F – Correspondence from Foreign and Commonwealth Office

## Preface

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- i This Country of Origin Information (COI) Report has been produced by the COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 2 December 2012. The report was issued on 16 January 2013.
- ii The Report is compiled wholly from material produced by a wide range of external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a compilation of extracts from the source material identified, focusing on the main issues raised in asylum and human rights applications. In some sections where the topics covered arise infrequently in asylum/human rights claims only web links may be provided. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated. Similarly, the absence of information does not necessarily mean that, for example, a particular event or action did not occur.
- vi As noted above, the Report is a compilation of extracts produced by a number of information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents though COI Service will bring the discrepancies together and aim to provide a range of sources, where available, to ensure that a balanced picture is presented. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. Reports do not aim to bring consistency of spelling but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.
- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because

they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.

- viii This Report and the accompanying source material are public documents. All Reports are published on the UKBA website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from COI Service upon request.
- ix Reports are published regularly on the top 20 asylum intake countries. Reports on countries outside the top 20 countries may also be produced if there is a particular operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this Report, COI Service has sought to provide an accurate, up to date, balanced and impartial compilation of extracts of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to COI Service as below.

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#### **INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION**

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the UKBA's COI material. The IAGCI welcomes feedback on UKBA's COI Reports and other COI material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://icinspector.independent.gov.uk/country-information-reviews/>
- xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at <http://icinspector.independent.gov.uk/country-information-reviews/>
- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself. The IAGCI can be contacted at:

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**Website:** <http://icinspector.independent.gov.uk/country-information-reviews/>

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## Useful news sources for further information

A list of news sources with Weblinks is provided below, which may be useful if additional up to date information is required to supplement that provided in this report. The full list of sources used in this report can be found in [Annex E – References to source material](#).

British Broadcasting Corporation (BBC) [http://www.bbc.co.uk/news/world/middle\\_east/](http://www.bbc.co.uk/news/world/middle_east/)

Guardian <http://www.guardian.co.uk/world/iran>

International Campaign for Human Rights in Iran (ICHR) <http://www.iranhumanrights.org/>

Radio Free Europe/Radio Liberty (RFE/RL) <http://www.rferl.org/section/Iran/156.html>

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## BACKGROUND INFORMATION

### 1. GEOGRAPHY

- 1.01 Europa World online, accessed 21 May 2012, noted: 'The Islamic Republic of Iran lies in western Asia, bordered by Armenia, Azerbaijan and Turkmenistan to the north, by Turkey and Iraq to the west, by the Persian (Arabian) Gulf and the Gulf of Oman to the south, and by Pakistan and Afghanistan to the east.' [1a] (Location, Climate, Language, Religion, Flag, Capital) It has an area of 1.6 million square km. (636,295 square miles, slightly larger than Alaska). The capital of Iran is Tehran. Other cities are Isfahan, Tabriz, Mashhad, Shiraz, Yazd and Qom. The estimated population of Iran in 2011 was 77,891,220. (US State Department (USSD) Background Note, 1 February 2012, accessed 23 May 2012) [4c] (Geography/People)
- 1.02 Europa World online, accessed 21 May 2012, observed that: 'The principal language is Farsi (Persian), spoken by about 50% of the population. Turkic-speaking Azeris form about 27% of the population, and Kurds, Arabs, Balochis and Turkomans form less than 25%.' [1a] (Location, Climate, Language, Religion, Flag, Capital)
- 1.03 The USSD Background Note updated 1 February 2012, accessed 23 May 2012, stated: 'Most Iranians are Muslims; 89% belong to the Shi'a branch of Islam, the official state religion, while about 9% belong to the Sunni branch.' Non-Muslim minorities constitute 2% of the population and include Zoroastrians, Jews, Baha'is, and Christians. [4c] (Geography/People)

For further details about ethnic and religious groups see the sections on [Freedom of religion](#) and [Ethnic groups](#)

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observations from Tehran.’ [58a] ‘The Iranian year begins on March 21st, and contains 31 days in each of the first six months, 30 days in the next five months and 29 in the 12th month (30 in every fourth year). The system relates to the Prophet Mohammed’s flight from Mecca in 622 AD, but, unlike the Islamic calendar, follows solar years. The Gregorian equivalent can be found by adding 621 years to the Iranian date. The Iranian year 1391 began on March 21st 2012’ (Economist Intelligence Unit Country Report, 2 August 2012) [24a] (Calendar)

To convert dates between the Iranian and the Gregorian calendar, please follow the link provided:

[http://www.iranchamber.com/calendar/converter/iranian\\_calendar\\_converter.php](http://www.iranchamber.com/calendar/converter/iranian_calendar_converter.php) [58a]

## Public holidays

- 1.07 Europa World online, accessed 21 May 2012, noted that: ‘The Iranian year 1390 runs from 21 March 2011 to 19 March 2012, and the year 1391 from 20 March 2012 to 20 March 2013.’ [1h] (Public Holidays) Public holidays in 2012 were noted as:

‘14 January\* (Arbain); 22 January (Demise of Prophet Muhammad and Martyrdom of Imam Hassan); 23 January\* (Martyrdom of Imam Reza); 9 February (Birth of Prophet Muhammad and Birth of Imam Jafar Sadeh); 11 February (Victory of the Islamic Revolution); 19 March (Day of Oil Industry Nationalization); 20–23 March† (Norouz, Iranian New Year); 31 March (Islamic Republic Day); 1 April (Sizdah-bedar, Nature Day—13th Day of Norouz); 24 April (Martyrdom of Hazrat Fatemeh); 3 June (Death of Imam Khomeini and Birth of Imam Ali); 4 June (1963 Uprising); 16 June\* (Prophet Muhammad receives his calling); 4 July\* (Birth of Imam Mahdi); 8 August\* (Martyrdom of Imam Ali); 18 August\* (Eid-e Fitr, end of Ramadan); 11 September\* (Martyrdom of Imam Jafar Sadeq); 25 October\* (Qorban, Feast of the Sacrifice); 2 November\* (Eid-e Ghadir Khom); 22 November\*(Tassoua); 23 November\* (Ashoura).

\* These holidays are dependent on the Islamic lunar calendar and may vary by one or two days from the dates given.

† This festival begins on the date of the Spring Equinox.’ [1h] (Public Holidays)

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## 2. ECONOMY

- 2.01 The Central Intelligence Agency (CIA) World Factbook, Iran, updated on 18 April 2012, accessed 23 May 2012, stated:

‘Iran’s economy is marked by an inefficient state sector, reliance on the oil sector, which provides the majority of government revenues, and statist policies, which create major distortions throughout the system. Private sector activity is typically limited to small-scale workshops, farming, and services. Price controls, subsidies, and other rigidities weigh down the economy, undermining the potential for private-sector-led growth. Significant informal market activity flourishes and corruption is widespread. Tehran since the early 1990s has recognized the need to reduce these inefficiencies, and in December 2010 the legislature passed President Mahmud Ahmadinejad’s Targeted Subsidies Law (TSL) to reduce state subsidies on food and energy. The bill over a five-

year period will phase out subsidies that previously cost Tehran \$60-\$100 billion annually and benefited Iran's upper and middle classes most. Direct cash payouts of \$45 per person to more than 90% of Iranian households have mitigated initial widespread resistance to the TSL program, though this acceptance remains vulnerable to rising inflation. This is the most extensive economic reform since the government implemented gasoline rationing in 2007. The continued rise in world oil prices in the last calendar year increased Iran's oil export revenue by roughly \$28 billion over 2010, easing some of the financial impact of international sanctions. However, expansionary fiscal and monetary policies, government mismanagement, the sanctions, and a depreciating currency are fueling inflation, and GDP growth remains stagnant. Iran also continues to suffer from double-digit unemployment and underemployment. Underemployment among Iran's educated youth has convinced many to seek jobs overseas, resulting in a significant "brain drain." [111a] (Economy)

2.02 An International Monetary Fund (IMF) report of 3 August 2011 noted that the unemployment rate in Iran had risen from 10.4% in 2008/09 to 11.9% in 2009/10 and to 14.6% in 2010/11. [12a] A September 2010 report by the Dubai Initiative, 'Iranian Youth in Times of Economic Crisis', stated that youth unemployment in Iran was 'at record high levels'. [90a] (Introduction)

See the [Dubai Initiative report](#) directly for a discussion of how the economic situation has affected young people in Iran.

2.03 A background report by the Council on Foreign Relations (CFR), 'The Lengthening List of Iran Sanctions', updated 31 July 2012, observed that 'The UN Security Council has wrestled with imposing sanctions on Iran since 2006 due to Iran's failures to comply with International Atomic Energy Agency [IAEA] requirements and its continuing uranium-enrichment activities.' [64a] The same report continued:

'Since 2010, the United States and international partners have ratcheted up sanctions as reports surfaced of the country's progress on potential nuclear weapons capability, although the regime regularly denies such a goal. An International Atomic Energy Agency report in November 2011 issued the agency's strongest indications to date that Iran is seeking a nuclear weapon. In response, the United States imposed new sanctions tightening the screws on Iran's petrochemical and oil and gas sectors. The United States also designated Iran's entire financial sector--including its central bank--as a "primary money laundering concern" under the Patriot Act and could strengthen existing sanctions in the late summer of 2012. Meanwhile, the EU also has imposed sanctions on oil purchases from Iran, with all contracts terminating on July 1, 2012.' [64a]

See the [Council on Foreign Relations report](#) directly for more detailed information on the sanctions imposed against Iran. [64a]

2.04 The CIA World Factbook, updated on 18 April 2012, accessed 23 May 2012, noted the following basic economic facts:

Gross Domestic Product (GDP) (Price Purchasing Parity)	US\$928.9 billion (2011 estimate)
GDP Composition by Sector	agriculture, 11.2%; industry, 40.6%; services, 48.2%; (2011 estimate)
GDP Per Capita	\$12,200 (2011 est.)

Population Below Poverty Line	18.7% (2007 estimate)
Agriculture - products	wheat, rice, other grains, sugar beets, sugar cane, fruits, nuts, cotton; dairy products, wool; caviar
Industries	petroleum, petrochemicals, fertilizers, caustic soda, textiles, cement and other construction materials, food processing (particularly sugar refining and vegetable oil production), ferrous and non-ferrous metal fabrication, armaments

[111a] (Economy)

2.05 The USSD Report 2011 noted:

'In March [2011] the government increased the minimum wage to 303,048 toman (approximately \$303) per month. According to a May report, the nationwide average income level below which a family with 3.7 members was considered to be living in poverty was 653,000 toman (\$653) a month. In Tehran the poverty income level was 813,000 toman (\$813) a month.' [4a] (Section 7d)

2.06 On 1 October 2012, BBC News reported:

'Iran's currency, the rial, fell as much as 18% on Monday to a record low against the US dollar, according to media reports. It dropped to as much as 35,000 to the dollar, according to agencies citing currency exchange sites in the country. The currency has reportedly lost 80% of its value since the end of 2011. The fall suggests economic sanctions imposed over its disputed nuclear programme are hitting economic activity ever harder.' [21j]

2.07 The exchange rate as of 12 November 2012 was £1: 19,486.23 Rial (IRR). (xe.com) [40a]

See also [Iranian Revolutionary Guards Corps](#) (IRGC) for information on the IRGC's involvement in Iran's economy, [Corruption](#) and [Employment rights](#)

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### 3. HISTORY

The following provides a brief history of Iran, with the focus on recent events since the revolution in 1979. Further information on the country's history can be found in these sources:

US Department of State, Background Note: Iran, updated 1 February 2012, accessed 23 May 2012 [4c]

<http://www.state.gov/r/pa/ei/bgn/5314.htm>

Iran Chamber Society website [58a]

[http://www.iranchamber.com/history/historic\\_periods.php](http://www.iranchamber.com/history/historic_periods.php)

#### PRE 1979: RULE OF THE SHAH

3.01 The US State Department (USSD) Background Note: Iran, updated 1 February 2012, accessed 23 May 2012, stated: 'The ancient nation of Iran, historically known as Persia,

has traditionally been a major power in the region. Despite invasions by Arabs, Seljuk Turks, and Mongols, Iran has always reasserted its national identity and taken pride in its unique cultural and political heritage.’ [4c] (History)

3.02 The same source continued:

‘Many date the beginning of modern Iranian history to the nationalist uprisings against the Shah in 1905 and the establishment of a limited constitutional monarchy in 1906. The discovery of oil in 1908 would later become a key factor in Iranian history and development.

‘In 1921, Reza Khan, an Iranian officer of the Persian Cossack Brigade, seized control of the government. In 1925, after finally ousting the Qajar dynasty, he declared himself Shah and established the Pahlavi dynasty.

‘Reza Shah forcibly enacted policies of modernization and secularization in Iran and reasserted government authority over the country’s tribes and provinces. In 1935, Reza Shah Pahlavi changed the country’s name to Iran to accentuate Persia’s Aryan roots. During World War Two, the Allies feared that the Shah’s close relations with Nazi Germany would jeopardize Iran as a source of oil and a vital supply link to the Soviet Union. In September 1941, following the occupation of western Iran by the Soviet Union and the United Kingdom, Reza Shah was forced to abdicate. His son, Mohammad Reza Pahlavi, ascended to the throne.’ [4c] (History)

3.03 The USSD Background Note updated 1 February 2012, accessed 23 May 2012, noted: ‘In 1978, domestic turmoil turned to revolution driven by several disparate groups – nationalists, Islamists, Marxists, and students – who joined together in opposition to the Shah. In January 1979, the Shah left Iran for Egypt and later traveled to the U.S. to seek medical treatment for cancer; he died in exile in Egypt one year later.’ [4c] (History)

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## FROM 1979 TO 1999: ISLAMIC REVOLUTION TO FIRST LOCAL GOVERNMENT ELECTIONS

3.04 The Freedom House report, ‘Freedom in the World 2012 – Iran’, covering events in 2011, released on 12 July 2012 (Freedom House Report 2012) noted:

‘A popular revolution ousted Iran’s monarchy in 1979, bringing together an unwieldy coalition of diverse political interests that opposed the regime’s widespread corruption, misguided modernization efforts, and pro-Western foreign policy. Subsequently, the revolution’s democratic and secular elements were largely subsumed under the leadership of the formerly exiled Ayatollah Ruhollah Khomeini. Although a newly drafted constitution incorporated democratic institutions and values, Khomeini was named supreme leader based on the religious concept of velayat-e faqih (guardianship of the Islamic jurist). He was vested with control over the security and intelligence services, the armed forces, the judiciary, and the state media. With Iran in political turmoil, Iraqi leader Saddam Hussein considered the time ripe to stop the spread of the Islamic revolution and settle a long-running border dispute. The ensuing Iran-Iraq war, which lasted from 1980 to 1988, cost over a million lives.

‘After Khomeini’s death in 1989, the title of supreme leader passed to Ayatollah Ali Khamenei, a compromise candidate who lacked the religious credentials and charisma of his predecessor. The constitution was amended, the office of prime minister was

abolished, and Khamenei's power was consolidated, giving him final authority over all matters of foreign and domestic policy.' [112f]

3.05 The Freedom House Report 2012 continued:

'Beneath its veneer of religious probity, the Islamic Republic gave rise to a new elite that accumulated wealth through opaque and unaccountable means. Basic freedoms were revoked, and women in particular experienced a severe regression in their status and rights. By the mid-1990s, dismal economic conditions and a demographic trend toward a younger population had contributed to significant public dissatisfaction with the regime. A coalition of reformists began to emerge within the leadership, advocating a gradual process of political change, economic liberalization, and normalization of relations with the outside world that was designed to legitimize, but not radically alter, the existing political system.' [112f]

3.06 Europa World online, accessed 21 May 2012 noted:

'In the months following his election, President Khatami appeared conciliatory towards the West, and also urged toleration of dissent in Islamic societies among groups who remained 'within the framework of law and order'. Khamenei, meanwhile, continued to denounce the West's military and cultural ambitions, particularly those of the USA and Israel...

'Iran's first local government elections since the Islamic Revolution took place in February 1999, when some 60% of the electorate voted to elect representatives in 200,000 council seats. The elections resulted in considerable success for 'reformist' candidates, notably in Tehran, Shiraz and Esfahan, while 'conservatives' secured control of councils in their traditional strongholds of Qom and Mashad.' [1b] (Contemporary Political History)

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## FROM 2000 TO 2008: PARLIAMENTARY AND PRESIDENTIAL ELECTIONS

3.07 The Freedom House Report 2012 observed:

'The 2000 parliamentary elections prompted a backlash by hard-line clerics. Over the ensuing four years, the conservative judiciary closed more than 100 reformist newspapers and jailed hundreds of liberal journalists and activists, while security forces cracked down on student protests. Khatami was reelected with 78 percent of the vote in 2001, but popular disaffection stemming from the reformists' limited accomplishments, coupled with the disqualification and exclusion of most reformist politicians by the conservative Guardian Council, allowed hard-liners to triumph in the 2003 city council and 2004 parliamentary elections. These electoral victories paved the way for the triumph of hard-line Tehran mayor Mahmoud Ahmadinejad in the 2005 presidential contest – an election which reflected the public's political apathy and economic dissatisfaction. Although Ahmadinejad had campaigned on promises to fight elite corruption and redistribute Iran's oil wealth to the poor and middle class, his ultraconservative administration oversaw a crackdown on civil liberties and human rights, and harsher enforcement of the regime's strict morality laws.

'The new government also adopted a more confrontational tone on foreign policy matters, feeding suspicions that its expanding uranium-enrichment activity, ostensibly

devoted to generating electricity, was in fact aimed at weapons production. Beginning in 2006, in an effort to compel Iran to halt the uranium enrichment, the UN Security Council imposed four rounds of sanctions on Iran. However, Tehran's uncompromising nuclear policy created a stalemate in diplomatic negotiations.

'In the December 2006 city council and Assembly of Experts elections, voters signaled their disapproval of the government's performance by supporting more moderate officials. Carefully vetted conservative candidates won nearly 70 percent of the seats in the March 2008 parliamentary elections, but many were considered critics of Ahmadinejad, and particularly of his economic policies.' [112f]

See also [Economy](#) for further information on international sanctions

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## FROM 2009 TO MAY 2010

### Presidential election – 12 June 2009

3.08 The Congressional Research Service's (CRS) Report, 'Iran: US Concerns and Policy Responses', dated 5 September 2012 noted, 'A total of about 500 candidates for the June 12, 2009, presidential elections registered their names during May 5-10, 2009. The Council of Guardians decided on four final candidates on May 20: Ahmadinejad, Musavi, Mehdi Karrubi, and former Commander-in-Chief of the Revolutionary Guard Mohsen Reza'i.' [78a] (p10) All female nominees were excluded. (Amnesty International, 10 December 2009) [9t] (p16)

3.09 The Amnesty International (AI) report, 'Election contested, repression compounded', dated 10 December 2009 noted that:

'The weeks preceding the polls, despite intensified repression by state authorities, witnessed a lively election campaign, including live televised debates between the four approved candidates. Inspired by this, the Iranian public took greater interest in the campaign than had been expected. The campaign drew millions of people into the debate and many thousands onto the streets to hear candidates speak at rallies. What became known as the Green Movement – the colour of those supporting Mir Hossein Mousavi, and by extension, social and political reform – was born.' [9t] (p15)

See also section on the [Green Movement](#)

3.10 The same AI report also noted that: 'On 8 June, just days before the election and following large pro-Mir Hossein Mousavi rallies in Tehran and elsewhere, the Head of the Revolutionary Guards Political Office accused Mir Hossein Mousavi's supporters of being part of a 'velvet revolution' in Iran, which, he warned, 'would not be successful'. [9t] (p16)

3.11 The CRS report of 5 September 2012 stated:

'The outcome of the election was always difficult to foresee; polling was inconsistent. Musavi supporters using social media such as Facebook and Twitter organized large rallies in Tehran, but pro-Ahmadinejad rallies were large as well. During the campaign, Khamene'i professed neutrality, but he and Musavi were often at odds during the Iran-Iraq War, when Khamene'i was president and Musavi was prime minister. Turnout was

high at about 85%; 39.1 million valid (and invalid) votes were cast. The Interior Ministry announced two hours after the polls closed that Ahmadinejad had won, although in the past results have been announced the day after. The totals were announced on Saturday, June 13, 2009, as follows:

- Ahmadinejad: 24.5 million votes—62.6%
- Musavi: 13.2 million votes—33.75%
- Reza'i: 678,000 votes—1.73%
- Invalid: 409,000 votes—1%
- Karrubi: 333,600 votes—0.85%

'Almost immediately after the results of the election were announced on June 13, 2009, Musavi supporters began protesting the results, citing: the infeasibility of counting 40 million votes so quickly and the barring of candidate observers at many polling stations. Khamene'i declared the results a "divine assessment," appearing to certify the results even though formal procedures require a three-day complaint period. Some outside analysts said the results tracked pre-election polls, which showed strong support for Ahmadinejad in rural areas and among the urban poor.' [78a] (p10)

- 3.12 President Ahmadinejad was sworn in on 5 August 2009 for a second five year term; however, 'Senior officials and clerics attended the ceremony at Iran's parliament but it was boycotted by many opposition leaders and moderate politicians. (Guardian, 5 August 2009) [16m]

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### **Demonstrations and aftermath of the election to government crackdown during 2010**

- 3.13 The House of Commons Library report, 'The Islamic Republic of Iran: An introduction, dated 11 December 2009 stated that:

'Immediately following the announcement of the official results, Iran's Supreme Leader, Ayatollah Ali Khamenei, publicly endorsed the legitimacy of the vote and the re-election of Ahmadinejad, describing the outcome as a 'divine assessment', despite the fact that Iranian law required a three-day period during which any objections to the outcome could be registered. Khamenei also called on the Iranian people to rally behind Ahmadinejad...

'However, his call fell on deaf ears. As soon as the results were known, thousands of supporters of the defeated reformist candidates took to the streets in protest at the official outcome of the poll and at what they considered to be vast and rampant fraud conducted by Iranian authorities determined to return Ahmadinejad to the presidency. Iran's capital, Tehran, erupted in violence and civil disobedience over the weekend following the Friday [12 June] election. Protesters hurled rocks, lit fires, smashed shop windows, tore up Iranian flags and chanted anti-government slogans including 'down with dictatorship' and 'give my vote back[?]. Rioting continued throughout the weekend and build [sic] steadily over the following days. Protesters clashed with the Basji [Basij] militia and hundreds of demonstrators were arrested, beaten and fired upon by police. On 14 June alone, 170 people were arrested in a series of raids across Tehran. These were not just protesters; they included reformist politicians, including Mahammed Reza Khatami, the brother of a former president of Iran, and other people suspected of organising the demonstrations. Reformers, intellectuals, civil leaders and human rights activists were imprisoned or went missing. Reuters reported that former Vice-President

Mohammad-Ali Abtahi and former presidential adviser Saeed Hajjarian had been arrested. There were also reports that the [sic] Mousavi himself had been placed under house arrest, though the authorities denied this... On 15 June, over a million people took to the streets of Tehran, numbers which dwarfed the victory day celebrations of Ahmadinejad the day before. Between 13 June and 19 June 2009, protests build [sic] steadily as ever greater numbers of Iranians participated in public protests. These were especially large in Tehran, but spread to other cities too, including Esfahan, Tabriz, Orumieh, Rasht and Shiraz. As early as 13 June, the Middle East broadcaster Al Jazeera described the situation in Iran as the 'biggest unrest since the 1979 revolution'. [18a] (p36)

- 3.14 The report of the Secretary-General to the UN General Assembly on 'The situation of human rights in the Islamic Republic of Iran', dated 23 September 2009 stated:

'On 20 June [2009], Neda Agha Soltan, a young woman accompanying her teacher, was killed from a shot to the chest during a demonstration in Tehran. The incident received widespread international attention following its wide circulation via the Internet...

'As the protests grew, numerous foreign media outlets reported that their websites had been blocked and that the Iranian authorities had implemented new restrictions that required journalists to obtain explicit permission before leaving the office to cover any story. Journalists were also banned from attending any unauthorized demonstrations. The authorities also sought to block the use of social networking and other websites that had been used to broadcast information and visual images of the protests internationally.' [10g] (p7-8)

- 3.15 Post election protests had begun to dissipate by 22 June 2009 but sporadic protests continued thereafter. (House of Commons Library Report, 11 December 2009) [18a] (p38)

See section on the [Green Movement](#) for information on protests after June 2009.

- 3.16 The Secretary-General's report dated 23 September 2009 observed that: 'On 1 August [2009], the trial of about 100 defendants commenced on a variety of charges ranging from participation in the unrest, leading the riots, acting against national security, disturbing public order, damaging public and Government property and relations with anti-revolutionary groups.' [10g] (p8-9)

- 3.17 On 29 October 2009, the Times reported that Hossein Rassam, a senior Iranian employee at the British Embassy, had received a four year prison sentence for 'fomenting violence at the behest of the British Government.' [15b] On 4 October 2010, British Broadcasting Corporation (BBC) News reported that Mr Rassam's sentence had been commuted to '... one year in jail, suspended for five years, for propaganda against the establishment.' [21b]

- 3.18 Demonstrations were also reported on 7 December 2009. An article in the Telegraph on that day reported:

'There were bloody clashes as young people launched a fresh wave of anti-government protests on the country's official Students Day. Police used warning shots, baton charges and gas but failed to stop rallies, sit-ins and campus marches across the capital... Iranian students were commemorating three scholars who were killed by Shah

Mohamed Reza Pahlavi's security forces on Dec 7, 1953, as they protested the sacking of nationalist prime minister Mohammed Mossadegh.' [43b]

- 3.19 The report of the Secretary General to the UN General Assembly on 'The situation of human rights in the Islamic Republic of Iran', dated 15 September 2010 stated:

'In November [2009], the Ministry of Justice issued a list of verdicts on 89 cases involving post-election incidents. Five persons were given death sentences while 81 were sentenced to prison terms ranging from six months to 15 years. Further verdicts against 22 people mainly involving jail terms were finalized in December. Following the Ashoura protests on 27 December [2009], senior clerics and high-ranking Government officials repeatedly called for protestors to be dealt with harshly on charges of mohareb, which carries the death penalty.

'On 30 January 2010, 16 defendants linked to the Ashoura unrest went on trial in Tehran. Five of the defendants were charged with mohareb offences, while the others were accused of taking part in illegal protests, threatening national security and spreading propaganda against the establishment. A day before the trial, Ayatollah Ahmad Jannati, the Secretary of the Guardian Council, urged the judiciary to impose harsh penalties for mohareb offences. In March 2010, authorities confirmed that six persons had been sentenced to death for their role in the Ashoura unrest and were awaiting execution confirmation from the Appeals Court. In April 2010, the Appeals Court upheld death sentences for two persons for their role in the anti-Government protest. Court verdicts for a further 217 people arrested in connection with the post-election unrest were reportedly finalized during the period under review [September 2009 to September 2010].' [10u] (p13)

- 3.20 On 5 January 2010, the Guardian reported:

'Authorities in Iran intensified their campaign to blame the country's political turmoil on foreigners today by banning contact with more than 60 international organisations.

'The intelligence ministry said the blacklist included thinktanks, universities and broadcasting organisations identified as waging a 'soft war' aimed at toppling Iran's Islamic system.

'It forbade Iranians from talking to or receiving aid from the proscribed organisations, including the BBC, which last year launched a Farsi satellite television channel, as well as two US government-funded outlets, Voice of America and Radio Farda, both of which broadcast in Farsi...

'The blacklist was published after the intelligence minister, Heydar Moslehi, said on Monday [4 January] that foreign and dual nationals had been among those arrested amid violent disturbances that broke out during last month's Ashura ceremonies. No detained foreign citizens have been named, although one was said to have been carrying a British passport.' [16g]

- 3.21 British Broadcasting Corporation (BBC) news reported on 7 December 2010 that students had '...defied a security clampdown to stage anti-government protests throughout the country, witnesses and opposition groups say. Unconfirmed reports say about a dozen people have been arrested, including at Tehran University in the capital... The annual protests are held on Student Day, Iran's annual commemoration of the killings of three students during anti-American protests in 1953.' [21u]

- 3.22 The Freedom House report, 'Freedom in the World 2012 – Iran', published 12 July 2012, noted that, 'Over the course of 2010... the government effectively crippled the opposition's ability to mount large-scale demonstrations.' [112f]

See also [Fair Trial](#), [Freedom of political expression](#), [Freedom of speech and media](#) and [Green Movement](#) for more information on the aftermath of the demonstrations.

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## FROM 2011 TO MAY 2012

- 3.23 The Freedom House report, 'Freedom in the World 2012 – Iran', published 12 July 2012, covering events in 2011, observed that, 'The postelection confrontations created a new political landscape, in which basic freedoms deteriorated and political affairs were further militarized.' [112f]
- 3.24 The Amnesty International report, "'We are ordered to crush you", Expanding repression of dissent in Iran', published in February 2012 reported:

'On 14 February 2011, thousands of Iranians, encouraged by the mass protests sweeping across North Africa and the Middle East, defied a government ban by demonstrating in Tehran and other cities. The paramilitary Basij militia and other security forces responded by shooting at protesters, firing tear gas at them, and beating them with batons, before arresting many of them. In the wake of the toppling of autocratic governments in Tunisia and Egypt, the Iranian authorities were taking no chances.

'The demonstrations were called by opposition leaders Mehdi Karroubi and Mir Hossein Mousavi in solidarity with the people of Tunisia and Egypt and were the first major public displays of opposition since the Iranian authorities viciously crushed vast protests that erupted and continued in the six months following disputed presidential election results in June 2009, culminating in demonstrations on the religious festival of Ashoura in December 2009.

'Without apparent irony, Iran's Supreme Leader, Ayatollah Ali Khamenei, celebrated the uprisings in Tunisia and Egypt, saying that it reflected an "Islamic awakening" based on Iran's 1979 revolution. Iran's leaders also supported Bahrainis demonstrating for their rights. Yet in 2009 Iran had ruthlessly repressed Iranians expressing the same desire as Tunisians, Egyptians and Bahrainis demonstrating for political rights and social justice. In February 2011, Iran's response to the mere call for solidarity demonstrations was to place Mehdi Karroubi and Mir Hossein Mousavi under house arrest, blocking and arresting hundreds of political activists and others.

'Subsequent demonstrations in 2011 in various Iranian cities were forcibly dispersed and further measures taken to stifle opposition and silence critics. One year later, Mehdi Karroubi and Mir Hossein Mousavi remain under house arrest, and hundreds of people are believed to be still in jail simply for daring to express their views. Meanwhile, the security forces, particularly the Basij militia, continue to operate with virtual impunity for their crimes.' [9x] (p5)

See also [Political affiliation](#), [Events during and after the 2009 Presidential elections](#) and the [Green Movement](#)

3.25 The CRS report of 5 September 2012 stated:

‘Since 2010, as unrest faded from the streets, Ahmadinejad has sought to promote the interests of his loyalists and promote what his critics say is a nationalist version of Islam that limits the authority of Iran’s clerics. Ahmadinejad’s perceived favorite has been his former chief-of-staff, Esfandiar Rahim Mashai, to whom he is related through their children’s marriage. This caused anti-Ahmadinejad hardliners to rally around the Supreme Leader Khamene’i—who himself is believed suspicious of Ahmadinejad’s allies’ ambitions and ideology—to try to weaken Ahmadinejad. Many in the regime want to see antagonists of his, particularly moderate-conservatives such as Ali Larijani or Mohammad Baqr Qalibaf, as the next president in 2013.

‘The infighting evolved into a rift between Ahmadinejad and Khamene’i, breaking out into the open in April 2011 when Ahmadinejad dismissed the intelligence minister Heydar Moslehi and attempted to replace him with a Mashai loyalist. The Supreme Leader reinstated Moslehi, and Ahmadinejad protested by refusing to attend cabinet meetings from April 24 to May 4, 2011. Most of the political establishment rallied around the Supreme Leader, forcing Ahmadinejad to accept Moslehi’s reinstatement and later leading to the charging of 25 Mashai loyalists with witchcraft or sorcery. The Majles voted on May 25, 2011, to investigate Ahmadinejad for bribery in the 2009 election and on June 1, it voted 165-1 to declare illegal Ahmadinejad’s mid-May 2011 sacking of the oil minister and two other ministers.

‘Perhaps seeking to prevent the Revolutionary Guard from acting more forcefully against him, Ahmadinejad appointed Guard official Rostam Ghasemi (commander of its engineering arm, Khatem ol-Anbiya) as oil minister on July 27, 2011. He was confirmed on August 3, 2011, and simultaneously became Iran’s representative to the Organization of Petroleum Exporting Countries (OPEC). Ghasemi is under U.S. financial sanctions and EU financial and travel sanctions, although an agreement between OPEC and Austria allows him to attend the group’s meetings in Vienna.

‘In September 2011, the split continued with allegations that a \$2.6 billion embezzlement scheme involving fraudulent letters of credit were facilitated by Mashai—an implied link of the scam to Ahmadinejad himself. On February 7, 2012, the rift escalated further when the Majles, still mostly populated by those loyal to the Supreme Leader, voted to summon Ahmadinejad for formal questioning—the first time this has happened since the Islamic revolution. He made the appearance on March 14, 2012, after the March 2 Majles elections, but the session reportedly was less contentious than some Iranian experts expected.’ [78a] (p11-12)

### **Parliamentary elections: March and May 2012**

3.26 The International Foundation for Electoral Systems’ (IFES) Election Guide for Iran, updated on 19 March 2012, noted that the first round of parliamentary elections for the 290 seats in the Islamic Consultative Assembly (Majles-e-Shura-ye-Eslami) took place on 2 March 2012. The second round would be on 4 May 2012. [106b]

3.27 The Report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran, dated 20 March 2012 stated:

‘5,395 individuals, including 428 women, had signed-up for Iran’s ninth parliamentary elections scheduled for 2 March 2012. Compared to the parliamentary elections of 2008, the number of registered candidates had declined by 30 percent, which the

authorities attributed to amendments made to the electoral law, such as the criterion of holding a master's degree. The registered candidates that ran for the election included 260 currently sitting lawmakers. On 11 February 2012, the Guardian Council announced the approval of 3,400 candidates to run for the March elections. The approved candidates had eight days to campaign, which restricted their ability to present their policies and agendas to their constituents and also limited voters' access to information necessary for making an informed electoral decision.

'Authorities put the overall turnout at 64.2% in the March 2 elections, an increase of 10% in voter turnout, as compare to the previous parliamentary elections. 3,467 candidates reportedly competed in the election, and 48 million citizens were eligible to vote at more than 47,000 polling stations across the country. 850,000 observers reportedly supervised the election process, and 13,00 [sic] local and 350 foreign reporters provided coverage. Serious concerns remain about the vetting of the candidates for this election. Initial reports indicated that between 30-50 currently serving members of the parliament, including Mr Ali Motahari, a vocal critic of the Government; Mr Hamidreza Katoziyan, the chairman of the Majlis Energy Committee and a conservative who supported the opposition candidate Mir Hussein Mousavi during the 2009 presidential elections; Mr Dariush Qanbari, the spokesman of the Majlis minority faction; and Mr Alireza Mahjoub, who is considered a representative of labourers, have been disqualified. Some members of the Parliament challenged the legality of their disqualification and few of the aforementioned were reportedly reinstated. At least 28 members of the parliament, who have called for the questioning of the President, were reportedly either disqualified or their candidature rejected. It was further reported that the Guardian Council reinstated a number of candidates some days before election day, depriving candidates from conducting proper campaigns to lobby for support. Senior officials and the clergy have reportedly denounced reformist candidates and appealed for a high voter turnout in response to opposition moves to encourage a boycott of the polls. According to media reports, the judiciary has also announced that any statement calling for a boycott of the elections and endangering security is a crime.' [10ai] (p10-11)

3.28 The Economist Intelligence Unit (EIU) reported on 16 July 2012 that, 'The current Majlis was elected in March 2012 for a four-year term, and a conservative alliance of parties opposed to the president won 182 of the available seats. The United Fundamentalists Front, led by the speaker of parliament, Ali Larijani, won the single largest block of seats, empowering this ally of Ayatollah Khamenei.' [24b]

3.29 On 5 May 2012, the Guardian reported that President Ahmadinejad had '...suffered a major setback after his supporters fared badly in Iranian parliamentary elections.' [16a] The article continued:

'Supporters of the populist president were relegated to a small fraction of the parliament, hugely outnumbered by the conservatives closely linked with the supreme leader Ayatollah Ali Khamenei...

'As in the first round, parties directly aligned with Ahmadinejad did not fare well. His opponents won 20 while the president's supporters won only eight seats. Independents had a strong showing, winning 11 seats so far, which may help the president in what is expected to be a tough final year in office...

'The conservatives had previously backed Ahmadinejad, but then turned against him after he was perceived to challenge the authority of senior clerics. His allies are likely to be ousted from key posts, and his economic policies challenged.

'Ahmadinejad's opponents had already won an outright majority in the 290-member legislature in the first round of voting in March.

'Iran's major reformist parties, who oppose both Ahmadinejad and the conservatives, mostly did not field candidates.' [16a]

- 3.30 Following the parliamentary elections, the BBC reported on 14 March 2012 that President Ahmadinejad had appeared in parliament to answer questions from MPs. 'Mr Ahmadinejad took an hour to respond to a long list of questions about his foreign and domestic policy decisions. He insisted they had been in accordance with the law, and denied that he had challenged the authority of the Supreme Leader, Ayatollah Ali Khamenei. It was the first time since the 1979 Islamic Revolution that Iran's parliament has summoned the president.' [21m]

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## 4. RECENT DEVELOPMENTS (JUNE TO 2 DECEMBER 2012)

- 4.01 Agence France-Presse (AFP) reported on 13 August 2012:

'Twin earthquakes that devastated rural villages in northwest Iran on the weekend killed 306 people, most of them women and children, and have sparked fears of disease outbreak, officials said on Monday.

'Another 3,037 people were injured, of whom 2,011 were given first aid at the scene and the rest were taken to hospital, where 700 surgeries were performed, Health Minister Marzieh Vahid told lawmakers in a report published on the parliament's website.' [14c]

- 4.02 The Iran Primer reported that:

'On August 30 [2012], the U.N. nuclear watchdog criticized Tehran for failing to provide information and access to scientific personnel that would help resolve questions about Iran's controversial nuclear program. The International Atomic Energy Agency (IAEA) specifically warned that Iran had "sanitized" a suspect site at the Parchin military complex in ways that "significantly hampered" the agency's investigation into Iran's past activities.' [31e]

- 4.03 On 4 October 2012, the Guardian reported:

'Hundreds of demonstrators in the Iranian capital [Tehran] clashed with riot police on Wednesday [3 October], during protests against the crisis over the country's currency. Police used batons and teargas to try to disperse the crowds.

'The day after President Mahmoud Ahmadinejad appealed to the market to restore calm, the Grand Bazaar – the heartbeat of Tehran's economy – went on strike, with various businesses shutting down and owners gathering in scattered groups chanting anti-government slogans in reaction to the plummeting value of the rial, which has hit an all-time low this week...

'Iran's alleged financial and military support for the regime of Bashar al-Assad appears to have infuriated protesters in the wake of the country's worst financial crisis since the Iran-Iraq war in the 1980s.' [16h]

4.04 Radio Free Europe/Radio Liberty reported on 20 November 2012 that:

‘Concern is growing over the health of Iranian opposition leaders Mir Hossein Musavi and Mehdi Karrubi after opposition sources reported that both men were hospitalized for several hours and underwent medical tests on November 19 [2012].

‘Musavi, his wife -- university professor and women’s rights activist Zahra Rahnavard -- and Karrubi were put under house arrest in February 2011 after their call for a demonstration in support of the Arab Spring uprisings brought opposition supporters out into the streets...

‘Family members and aides believe that both men’s health has deteriorated as a result of their detention.’ [42a]

See also [Green Movement](#) and [Annex C: Prominent People](#) for further information on Musavi and Karrubi.

4.05 BBC News reported on 21 November 2012:

‘Iran’s supreme leader has ordered parliament to stop its bid to summon the President Mahmoud Ahmadinejad for further questioning. Ayatollah Ali Khamenei warned MPs that if the matter went further, it would play into the hands of Iran’s enemies. MPs promptly withdrew their signatures from a document demanding the president face questions over the struggling economy and other government failings. Mr Ahmadinejad’s second presidential term expires in August 2013. This was an unprecedentedly public and direct intervention in the Majlis - Iran’s parliament - by Ayatollah Khamenei.’ [21n]

4.06 On 2 December 2012, Payvand Iran News reported:

‘The approval of new regulations for presidential candidacy has drawn fierce criticism from Mahmoud Ahmadinejad. The Iranian president spoke out against Parliament and the Expediency Council for approving regulations that, according to him, “go against the constitution of the Islamic Republic.”

‘After months of dispute between MPs and the administration, the new regulations for presidential candidacy were passed by Parliament 144 to 91 with 11 abstentions.

‘The new regulations set new criteria for the eligibility of presidential candidates by “political, religious and administrative figures.”

‘Presidential candidates are to have eight years of ministerial experience while also having references from 300 political figures attesting to their leadership qualities...

‘Iran’s next presidential election is slated for June 2013, and Mahmoud Ahmadinejad will not be eligible to run because he has served two consecutive terms.’ [130b]

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## 5. CONSTITUTION

- 5.01 Europa World online, accessed 21 May 2012, recorded that 'A draft constitution for the Islamic Republic of Iran was published on 18 June 1979. It was submitted to an Assembly of Experts, elected by popular vote on 3 August, to debate the various clauses and to propose amendments. The amended Constitution was approved by a referendum on 2-3 December 1979. A further 45 amendments to the Constitution were approved by a referendum on 28 July 1989.' [1c] (Constitution and Government)
- 5.02 The Iran Chamber Society website, accessed 24 May 2012, stated:
- 'According to Iran's Constitution, the Supreme Leader is responsible for the delineation and supervision of 'the general policies of the Islamic Republic of Iran,' which means that he sets the tone and direction of Iran's domestic and foreign policies...The president is the second highest ranking official in Iran. While the president has a high public profile, however, his power is in many ways trimmed back by the constitution, which subordinates the entire executive branch to the Supreme Leader. In fact, Iran is the only state in which the executive branch does not control the armed forces.' [58d]
- An English version of the [Iranian Constitution](#) is available on the Iran Chamber Society website. [58e]
- 5.03 The report of the Secretary-General to the UN General Assembly on 'The situation of human rights in the Islamic Republic of Iran', dated 23 September 2009 stated: '...the 1979 Constitution of the Islamic Republic of Iran guarantees a wide range of human rights and fundamental freedoms. In practice, however, there are a number of serious impediments to the full protection of human rights and the independent functioning of the different institutions of the State.' [10g] (p3)
- 5.04 The International Federation for Human Rights (FIDH) and the Iranian League for the Defence of Human Rights (LDDHI) report, 'The Hidden Side of Iran: Discrimination against ethnic and religious minorities', published in October 2010, elaborated:
- 'Many rights that the Constitution seems to recognise for the Iranian citizens are extremely restricted and qualified by adding the phrase 'in compliance with Islam's criteria.' These may be noted for instance in Articles 4, 10, 14, 20, 24, 26, 27, and 28 among others. One of the worst is perhaps Article 14 which expressly and emphatically denies human rights to those who 'engage in conspiracy or activity against Islam and the Islamic Republic of Iran.' [56c] (p8-9)
- See also [Penal Code](#) and [Security Laws](#)
- 5.05 The 2012 Annual Report of the United States Commission on International Religious Freedom (USCIRF), covering the period 1 April 2011 to 31 March 2012, released on 20 March 2012, stated that: 'The Constitution of the Islamic Republic of Iran proclaims Islam, specifically the doctrine of the Twelver (Shi'a) Jaafari School, to be the official religion of the country. It stipulates that all laws and regulations, including the Constitution itself, must be based on Islamic criteria.' [88a] (p78) Zoroastrians, Jews, and Christians are recognised as religious minorities under the constitution (Freedom House 2012) [112f]
- 5.06 The FIDH and LDDHI report of October 2010 stated: 'The Constitution does not recognise a number of faiths, e.g. the Baha'i faith, and various branches of Sufis. Non-believers and atheists do not have the right to exist at all.' [56c] (p8)

- 5.07 The Freedom House report, 'Freedom in the World 2012 – Iran', published 12 July 2012, covering events in 2011, stated that: 'The constitution and laws call for equal rights for all ethnic groups, but in practice these rights are restricted by the authorities... Ethnic Kurds, Arabs, Baluchis, and Azeris complain of discrimination.' [112f]

See also sections on [Freedom of Religion](#) and [Ethnic Groups](#) for further information on how religious and ethnic groups are treated in practice.

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## 6. POLITICAL SYSTEM

- 6.01 The US State Department's, 'Country Reports on Human Rights Practices 2011 – Iran', released on 24 May 2012 (USSD Report 2011), stated, 'The Islamic Republic of Iran is a constitutional, theocratic republic in which Shia Muslim clergy and political leaders vetted by the clergy dominate the key power structures.' [4a] (Executive summary)
- 6.02 The Freedom House report Freedom in the World 2012 – Iran, published 12 July 2012, stated that:

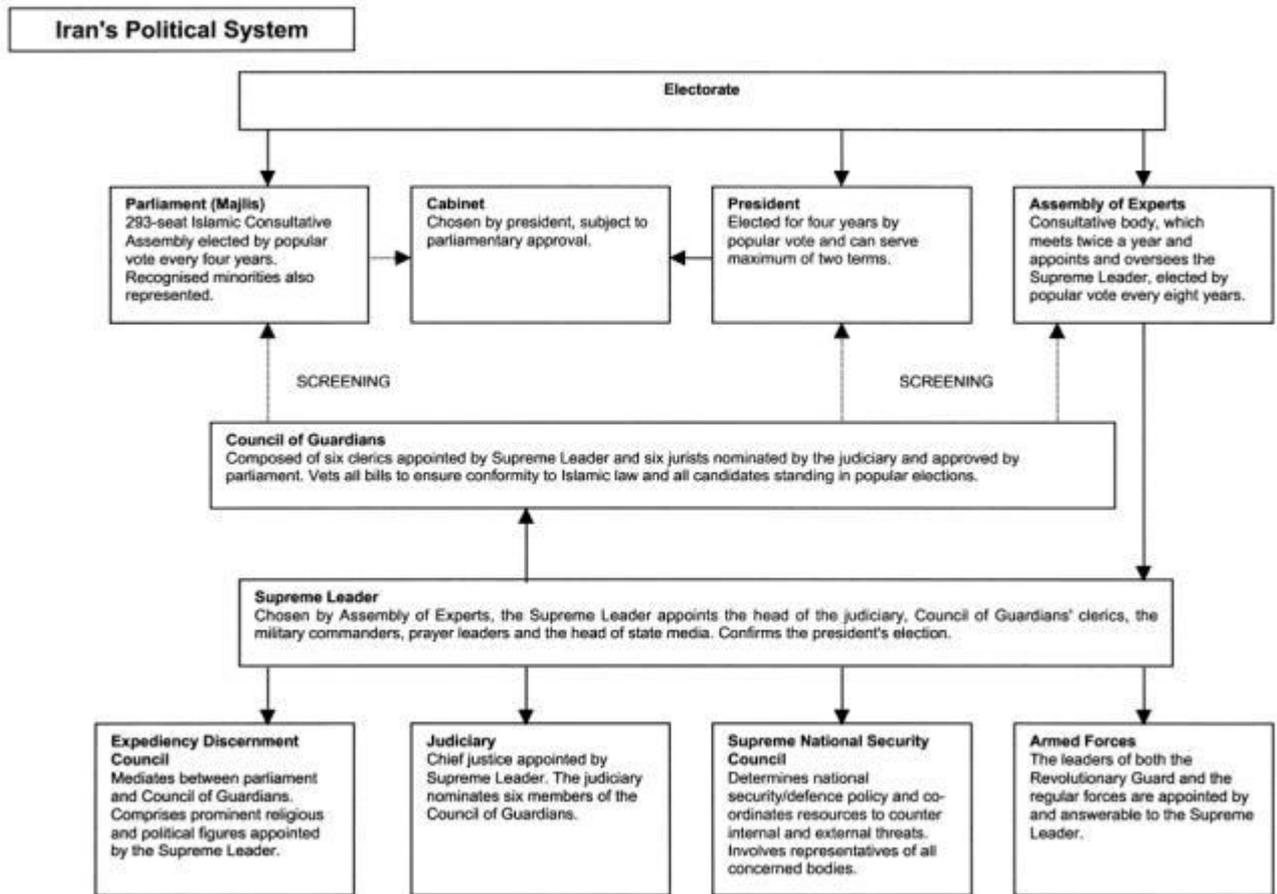
'Iran is not an electoral democracy. The most powerful figure in the government is the supreme leader, currently Ayatollah Ali Khamenei. He is chosen by the Assembly of Experts, a body of 86 clerics who are elected to eight-year terms by popular vote, from a list of candidates vetted by the Guardian Council. The supreme leader, who has no fixed term, is the commander in chief of the armed forces and appoints the leaders of the judiciary, the heads of state broadcast media, the Expediency Council, and half of the Guardian Council members. Although the president and the parliament, both with four-year terms, are responsible for designating cabinet ministers, the supreme leader exercises de facto control over appointments to the Ministries of Defense, Interior, Foreign Affairs, and Intelligence.

'All candidates for the presidency and the 290-seat, unicameral parliament are vetted by the Guardian Council, which consists of six Islamic theologians appointed by the supreme leader and six jurists nominated by the head of the judiciary and confirmed by the parliament, all for six-year terms. The Guardian Council generally disqualifies about a fourth of parliamentary candidates, though some are able to reverse these rulings on appeal. The Guardian Council also has the power to reject legislation approved by the parliament. Disputes between the two bodies are arbitrated by the Expediency Council, another unelected, conservative-dominated body, headed by former president Ali Akbar Hashemi Rafsanjani.' [112f]

- 6.03 The USSD Report 2011 noted:

'The constitution provides citizens the right to peacefully change the president and the Majlis through free and fair elections, but the authority of unelected representatives over the election process severely abridged this right in practice...There was no separation of state and religion, and clerics had significant influence in the government. The supreme leader also approved presidential candidates.' [4a] (Section 3)

- 6.04 The USSD Background Note updated 1 February 2012, accessed 23 May 2012, stated that suffrage is universal at 18. [4c] (Government)
- 6.05 Jane’s ‘Sentinel Security Assessment’, updated 25 June 2012, included the following diagram detailing how the political system in Iran operates [61a] (Internal Affairs):



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**POLITICAL PARTIES**

- 6.06 Information on the Global Security website, updated 27 October 2012, stated:
 

‘The Islamic Republican Party was the dominant party until political parties were banned in 1987. Political parties were again legalized in 1998. However, official political activity was permitted only to groups that accept the principle of political rule known as velayat-e faqih, literally, the guardianship of the faqih (religious jurist), better known as the Supreme Leader. Allegiances, still based on special interests and patronage, remained fluid.’ [70a]
- 6.07 Jane’s ‘Sentinel Security Assessment’, updated 25 June 2012, noted that ‘Iranian politics is very dynamic and fluid, with parties emerging for short periods of time and disappearing, reflecting splits and disputes among reformists and conservatives.’ [61a] (Internal Affairs)
- 6.08 Jane’s ‘Sentinel Security Assessment’, updated 25 June 2012, stated:

'Article 26 of the Iranian constitution permits: '[the] formation of parties, societies, political or professional associations, as well as religious societies, whether Islamic or pertaining to one of the recognised religious minorities... provided they do not violate the principles of independence, freedom, national unity, the criteria of Islam, or the basis of the Islamic Republic'. A 1981 law on political parties specified what a political party is and defined the conditions under which it could operate, and it made the formation of a party dependent on getting a permit from the Ministry of the Interior.' [61a] (Internal Affairs)

6.09 Referring to Article 26 in their October 2010 report, 'The Hidden Side of Iran', the International Federation for Human Rights (FIDH) and the Iranian League for the Defence of Human Rights (LDDHI) stated '...it is notable that it [Article 26] stipulates: 'The formation of parties... as well as religious societies, whether Islamic or pertaining to one of the recognised religious minorities, is permitted.' Thus, no other associations are tolerated, except followers of Islam or one of the three recognised religions.' [56c] (p9)

6.10 Europa World online, accessed on 21 May 2012, stated that:

'Numerous political organizations were registered in the late 1990s, following the election of former President Khatami, and have tended to be regarded as either 'conservative' or 'reformist', the principal factions in the legislature. There are also a small number of centrist political parties. Under the Iranian electoral system, parties do not field candidates per se at elections, but instead back lists of candidates, who are allowed to be members of more than one party.' [1f] (Political Organisations)

6.11 The 'Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran', dated 6 March 2012, noted:

'A new bill, entitled the 'Parties and Associations Law Reform Plan', defines membership requirements for all political organizations, stating that 'followers and associates of antagonistic groups that act or have previously acted against the Islamic Republic' are prohibited from membership of political parties. Those deemed ineligible would be denied operation licenses and therefore prohibited from forming a political party or association.' [10d] (p6)

6.12 The Amnesty International report, "We are ordered to crush you", expanding repression of dissent in Iran', published February 2012, noted:

'Political parties, particularly those associated with opposition leaders Mehdi Karroubi and Mir Hossein Mousavi, have been closed down, some by court order since 2009, joining other political parties banned since 1979.

'Further restrictions on the formation and activities of political parties appear to be underway. A third Bill, the draft Law on Formation of Political Parties, has been introduced by the Article 10 Commission, established under the current Political Parties Law. In addition to failing to remove discriminatory provisions over who can form or join a political party, the Bill also envisages supervision and evaluation of a political party by the Article 10 Commission in the period between registering for a licence to operate and the licence being granted. It is feared that this could pose an undue restriction – in breach of Iran's own Constitution – on the right to freedom of association, as the Article 10 Commission would be empowered to refuse a licence to any party whose activities it did not approve of in the postregistration period. Additionally, 'fronts and associations' formed of more than one party would require separate registration, creating an extra hurdle for political participation.' [9x] (p19)

For a comprehensive discussion of the Iranian electoral system, including the history of political parties and the results of presidential elections since 1980, see the report by the International Foundation for Electoral Systems (IFES), '[Duality by Design: The Iranian Electoral System](#)', published March 2011. [106a]

A list of political organisations is at [Annex B](#); see also [Political affiliation](#) for information about political rights in practice.

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## Human Rights

### 7. INTRODUCTION

- 7.01 An article in the Iran Primer, a joint product of the US Institute of Peace (USIP) and the Woodrow Wilson Center for International Scholars, dated 16 December 2010, entitled 'Patterns of Iran Human Rights Abuses 2010', stated:

'Iran launched a sweeping crackdown on human rights and civil society in 2010, following political unrest after the disputed June 2009 presidential election. The executive branch, the Revolutionary Guards and security services increasingly engaged in the arbitrary exercise of power. As Iran became more authoritarian, human rights conditions deteriorated dramatically. A military crackdown blocked public demonstrations, while a wave of convictions and executions demonstrated the almost absolute power of the state. Yet Iran's brutality also revealed the regime's fear of its own citizens, democracy and dissent.' [31a]

- 7.02 The UN Human Rights Council's Universal Periodic Review (UPR) of Iran took place in February 2010 and [the Report of the Working Group](#), detailing the recommendations made and Iran's response, was published on 15 March 2010. [10ab]

- 7.03 The report of the Special Rapporteur, 'The situation of human rights in the Islamic Republic of Iran', dated 23 September 2011, noted:

'The President of the Human Rights Council appointed the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran on 17 June 2011. Mr. Shaheed officially commenced his mandate on 1 August 2011, at which time he wrote to the authorities in the Islamic Republic of Iran to seek their cooperation in the discharge of his mandate... A letter requesting a country visit in late November was transmitted to the Iranian authorities on 19 September 2011.' [10e] (p3)

- 7.04 In the Special Rapporteur's later report dated 6 March 2012, he reported that, '...the [Iranian] Government has not addressed his request for a country visit issued on 19 September 2011, despite its stated intention to invite two special procedures mandate holders in 2012.' [10d] (p3) Moreover, 'Despite the statements made by representatives of the Islamic Republic of Iran regarding the Government's interest in cooperation with United Nations human rights mechanisms and its standing invitation to thematic special procedures mandate holders of the Human Rights Council, the Government has not permitted visits since 2005.' [10d] (p3)

- 7.05 The Human Rights Watch (HRW) 'World Report 2012, Iran', released 22 January 2012 reported:

'In 2011 Iranian authorities refused to allow government critics to engage in peaceful demonstrations. In February, March, April, and September security forces broke up large-scale protests in several major cities. In mid-April security forces reportedly shot and killed dozens of protesters in Iran's Arab-majority Khuzestan province. There was a sharp increase in the use of the death penalty. The government continued targeting civil society activists, especially lawyers, rights activists, students, and journalists.' [8a]

- 7.06 In 'Human Rights and Democracy: The 2011 Foreign & Commonwealth Office [FCO] Report', released in April 2012, the FCO reported:

'There has been no improvement in the human rights situation in Iran in 2011, and in some areas there has been deterioration. The rate of executions over the last 12 months continued at an exceptionally high level, with the minimum standards required in international law rarely applied. Iran regained the status of having more journalists in prison than any other country in the world. A number of political opposition leaders remain detained without charge since February. Non-government sponsored protests were brutally crushed. Ethnic and religious minorities faced systematic crackdowns. Human rights defenders and lawyers continued to be detained or forced to flee the country.' [26d] (p246)

- 7.07 Amnesty International's 'Annual Report 2012 – Iran' (AI Report 2012), covering events in 2011 and published on 24 May 2012, noted:

'Freedom of expression, association and assembly were severely restricted. Political dissidents, women's and minority rights activists and other human rights defenders were arbitrarily arrested, detained incommunicado, imprisoned after unfair trials and banned from travelling abroad. Torture and other ill-treatment were common and committed with impunity. Women as well as religious and ethnic minorities faced discrimination in law and in practice. At least 360 people were executed; the true total was believed to be much higher. Among them were at least three juvenile offenders. Judicial floggings and amputations were carried out.' [9h]

- 7.08 The Freedom House report, 'Freedom in the World 2012 – Iran', published 12 July 2012 stated:

'Human rights violations continued to be committed during 2011 against political and social activists, human rights defenders, ethnic and religious minorities, journalists, students, and women. Freedoms of expression and assembly remained curtailed, and a growing number of prisoners, including juvenile offenders, were executed. The authorities placed the two most prominent opposition leaders, Mir Hussein Mousavi and Mehdi Karroubi, under house arrest and refused to allow the newly appointed UN special rapporteur on the human rights situation in Iran to visit the country.' [12f]

- 7.09 The Report of the UN Secretary-General dated 22 August 2012 stated that, '...human rights violations continued, targeting in particular journalists, human rights defenders and women's rights activists.' [10ac] (p3) Moreover:

'Concerns about torture, amputations, flogging, the increasingly frequent application of the death penalty (including in public and for political prisoners), arbitrary detention and unfair trials, continue to be raised by United Nations human rights mechanisms. Freedom of expression and assembly remained curtailed, and opposition leaders have remained confined under house arrest since February 2011. Discrimination against minority groups persisted, in some cases amounting to persecution.

'There were, however, some positive developments including the engagement by the Islamic Republic of Iran with the Human Rights Committee, which reviewed its third periodic report under the International Covenant on Civil and Political Rights (CCPR/C/IRN/3) in October 2011, and the visit of a working-level mission of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in December 2011. Also, the new Islamic Penal Code, adopted by Parliament in January 2012 [but not yet signed into law by President Ahmadinejad [8j] (p9)], omits the penalty of stoning and reduces the range of offences for which the death penalty may be applied against juveniles. Regrettably, the Government did not admit the Special Rapporteur on the

situation of human rights in the Islamic Republic of Iran, nor did it follow up on its pledge to invite two special procedures mandate holders.’ [10ac] (p3)

See also section on [Penal Code](#) for further information on the new Penal Code which, at the time this report was drafted, had not been signed into law by the President and was not yet in operation.

7.10 The Report of the UN Secretary-General dated 20 March 2012 noted that Iran had ratified the following five core international human rights treaties:

- the International Covenant on Economic, Social and Cultural Rights (ICESCR);
- the International Covenant on Civil and Political Rights (ICCPR);
- the International Convention on the Elimination of Racial Discrimination (ICERD); and
- the Convention on the Rights of the Child (CRC).

7.11 The same report further noted that Iran had also ratified, ‘... the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Iran is also a signatory to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.’ [10ai] (p14)

See the individual sections throughout the Human Rights section of this report for information on the effect of the above in practice, in particular [Ethnic Minorities](#) and [Children](#).

The human rights situation for various groups is also detailed in the sections following: [Political affiliation](#); [Freedom of speech and media](#) (including journalists and bloggers); [Freedom of religion](#), [Human rights institutions and activists](#), [Ethnic groups](#), [Lesbian, Gay and Bisexual persons](#); [Women](#) and [Children](#).

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## 8. CRIME

### DRUG SMUGGLING

8.01 The US Department of State’s, International Narcotics Control Strategy Report (INCSR) 2012, published March 2012, covering the period 1 January to 31 December 2011, stated:

‘The Islamic Republic of Iran is a major transit route for opiates smuggled from Afghanistan and Pakistan to the Persian Gulf, Turkey, Russia, and Europe. A large share of opiates leaving Afghanistan transit Iran for consumers in Central Asia, and Europe; a much smaller share ends up in Russia. Knowledgeable observers estimate that at least 40 percent of Afghan opium production enters Iran, with a large share of that 40 percent remaining for Iran’s own consumption.

‘In most years, Iran, according to Iranian statistics, seizes more illicit opium-based drugs than any other country in the world. Iran’s reported seizures of opium –the most abused drug in Iran – amounted to eight-times more than all other countries’ opium seizures

combined in 2010. Since 2007, Iran has seized roughly one-third of all heroin seized in the world, and more recently Iran's heroin seizures make up almost half of the heroin seized in the world. Iran's opium and morphine seizures were down in the first eight months of 2011, while seizures of heroin were at nearly the same level as in 2010. Hashish seizures fell sharply (-26 %) in the first eight months of 2011 from the same period in 2010.

'Iranian traffickers continued to play a major role in trafficking amphetamine-type stimulants (ATS) to countries in Southeast Asia... In 2011, reported seizures of amphetamine in Iran increased ten-times from figures reported in 2008...

'Recently, Iran's drug officials demonstrated a sharp reversal of their former policies to incarcerate drug abusers; they now claim to emphasize treatment over punishment... Despite this new approach to dealing with addicts, the penalties for drug related crimes in Iran remain high. International human rights organizations condemn numerous executions for drug-related crimes in Iran.

'Iran is a party to the 1988 UN Drug Convention, but its laws do not bring it into full compliance with the Convention.' [4b] (p267-268)

See the [INCSR 2012](#) for further information, including measures taken by the Iranian authorities to deter drug smuggling. [4b] (p267-269)

8.02 The Amnesty International (AI) report, 'Death sentences and executions in 2012', published on 27 March 2012 reported:

'A new Anti-Narcotics law came into force on 4 January 2011, expanding the application of the death penalty even further. The most recent changes introduced the death penalty for trafficking or possessing more than 30 grams of specified synthetic, non-medical psychotropic drugs; and for recruiting or hiring people to commit any of the crimes under the law, or organizing, running, financially supporting, or investing in the commitment of any of the crimes under the law, where the original crime itself is punishable with life imprisonment. The altogether 17 offences that carry the death penalty in the new law include a mandatory death sentence for the 'heads of the gangs or networks', although there is no definition given for a gang or network.' [9y] (p35)

8.03 Commenting on the new Anti-Narcotics law, the UN Secretary-General's interim report of 14 March 2011, stated that, 'The new law classes drug addicted persons as criminals unless they are in possession of a certificate of treatment. On 27 December 2010, the Deputy Prosecutor General for Legal Affairs warned of a stricter approach in dealing with drug trafficking and stressed that drug traffickers and major drug traders will face execution under the new anti-narcotics law.' [10aa] (p6)

8.04 A United Nations Office on Drugs and Crime (UNODC) translation of the [Anti-Narcotics Law of the Islamic Republic of Iran](#) (consolidated as of 1997) provides full details of the law prior to December 2010 [10q] but note changes to the law detailed above. On 21 April 2011, the Foreign and Commonwealth Office (FCO) provided the UK Border Agency with an official English translation of the new Anti Drug Law of December 2010 translated from Farsi by the UNODC. [10k]

8.05 The Amnesty International report of 28 March 2011 reported that 'In 2010 Amnesty International received a series of credible reports that hundreds of alleged drug traffickers were being executed in secret in Vakilabad Prison, Mashhad. Those executed appeared to be amongst the most vulnerable sectors of society. [9v] (p27)

8.06 The Secretary-General’s interim report of 14 March 2011 also commented on the reported executions in Mashhad, stating:

‘When OHCHR [Office of the High Commissioner for Human Rights] staff sought further information from Iranian counterparts during a visit to Tehran in December 2010, they confirmed that 60 persons had been executed in Mashhad in pending cases mostly linked to drug trafficking. On 3 January 2011, seven persons convicted of drug trafficking were hanged in the western city of Kermanshah. On 19 January 2011, 10 persons were executed in Rajai Shahr prison in relation to drug trafficking.’ [10aa] (p6)

8.07 The Amnesty International report of 28 March 2011 reported that ‘In April [2010], mass protests in Afghanistan took place after reports surfaced that dozens of Afghans had been executed in secret in Iran at that time. Although the Iranian authorities denied this, they acknowledged that over 4,000 Afghans were detained in Iran, the majority for drug trafficking.’ [9v] (p27)

8.08 The Harm Reduction International (HRI) report, ‘The Death Penalty for Drug Offences: Global Overview 2011’, provided the following statistics on executions for drug offences: [84a] (p26)

year	Total executions	executions for Drug Offences
2008	At least 317	At least 96
2009	At least 346	At least 172
2010	More than 650	Approx. 590
Mandatory death for drugs:		Yes
Executed for a drug-related offence from 1979 to 2011:		More than 10,000

8.09 The same HRI report also noted that, ‘Far from slowing the pace of executions, Iran began 2011 with an execution spree that totalled sixty-seven drug offenders in the month of January alone.’ [84a] (p26)

8.10 The AI report, ‘Death sentences and executions in 2012’, observed:

‘When official and unofficial sources are combined, at least 488 people were executed for alleged drug offences in 2011; this is more than three quarters of the total of 634 acknowledged and unacknowledged executions for all crimes for 2011, and nearly a threefold increase on the 2009 figures, when Amnesty International recorded at least 166 executions for similar drug offences. Members of marginalized groups – including impoverished communities, ethnic minorities that suffer discrimination, and foreign nationals, particularly Afghans – are most at risk of execution for drugs offences. There may be as many as 4,000 Afghan nationals on death row for drugs offences. Children convicted of drug offences are also on death row.’ [9y] (p35-36)

8.11 The ‘Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran’, dated 6 March 2012, noted that, ‘According to a number of sources, 81 per cent of all cases of capital punishment in 2011 were related to drug trafficking...’ [10d] (p8) The Secretary General of the Iranian Judiciary’s High Council for Human Rights, Mohammad Javad Larijani, speaking at the UN in November 2011, stated that, ‘More than 74 per cent of executions in Iran are stemming from drug trafficking related

crimes.’ (Amnesty International, Death sentences and executions 2011, 27 March 2012) [9y] (p4)

- 8.12 The AI report, ‘[Addicted to Death: Executions for drugs offences in Iran](#)’, published 15 December 2011 provided detailed information on Iran’s anti-narcotics strategy, including information on people executed for drugs offences. [9k]

See also [Death Penalty](#) and Penal Code: [Crimes committed outside Iran](#), [Double jeopardy \(ne bis in idem\)](#)

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## 9. SECURITY FORCES

### OVERVIEW OF SECURITY AND INTELLIGENCE FORCES

- 9.01 A World Security Network (WSN) paper on Iran’s intelligence and security services, dated 29 November 2010, stated:

‘The leadership of the country is quite obscure for the observers abroad, and thus, Iran’s intelligence services, collateral and incumbent, are more efficient. The Islamic Revolutionary Guards Corps (IRGC) – one of the Iranian intelligence services, is a complex combination of institutions – army forces, intelligence services, undercover and special operations forces, police, paramilitary forces and business groups with implications at a global level. The Ministry of Intelligence and Security (MOIS) – another Iranian intelligence service, is more traditional and has both foreign and domestic intelligence responsibilities. The ‘secrecy’ that characterizes the Iranian regime and organizations is specific to the intelligence services too. The president has more authority with the MOIS, one of the ministries of the government, while the IRGC has become a national institution under the leadership of Iran’s Supreme Leader. Iran’s Supreme National Security Council (SNSC) – the state official organization that makes foreign and military decisions and Supreme Leader’s Intelligence Unit are two semi-collateral organizations that gather all the intelligence authorities. Their decisions must ultimately be approved by the Supreme Leader.’ [45a]

- 9.02 The WSN paper concluded that ‘...Iran’s intelligence and security forces represent a conglomerate of civilian, military and paramilitary organizations whose responsibilities are complementary and coincide to a very large extent, which could lead to the idea that none of these services is in complete control over the domain.’ [45a]

- 9.03 The US Department of State’s ‘Country Reports on Human Rights Practices 2011, Iran’, released on 24 May 2012 (USSD Report 2011), stated:

‘Several agencies share responsibility for law enforcement and maintaining order, including the Ministry of Intelligence and Security, Law Enforcement Forces under the Interior Ministry, and IRGC. The Basij and informal groups known as the Ansar-e Hizballah (Helpers of the Party of God) were aligned with extreme conservative members of the leadership and acted as vigilantes. However, the Basij also served in 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 security forces were not considered fully effective in combating crime, and corruption and impunity were problems. Regular and paramilitary security forces such as the Basij 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.' [4a] (section 1d)

See also [Human rights violations by the security forces](#) and [Political dissidents outside Iran](#) (for information on the actions of the security forces outside the country)

## **Ministry of Intelligence and Security (MOIS) and Vezarat-e Ettela'at va Amniyat-e Keshvar (VEVAK) aka Ettela'at**

9.04 Jane's Sentinel Security Assessment, updated 24 January 2012, stated:

'The Ministry of Intelligence and Security (MOIS) is Iran's intelligence and state security service. The agency is responsible for fighting opposition to the regime not only at home but also abroad. Some Iranian intelligence agents have operated in foreign locations under diplomatic cover, as part of a drive to collect intelligence on Iranian opposition elements operating outside Iran. The MOIS has had a particular focus on the Mujahideen e-Khalq (MEK) opposition militia group and its allied political group, the National Council of Resistance of Iran (NCRI). Monarchists, Iranian Kurdish dissidents and left-wing groups have also come under the scrutiny of the MOIS. It is believed that the MOIS has a particular focus on Iran's turbulent neighbour, Iraq, where there is a large Shia population. Prior to the 2003 US-led invasion, there were indications that the MOIS liaised with the Iraqi opposition group, the Iraqi National Congress, which was seeking the overthrow of the Saddam Hussein regime. Counter-intelligence is part of the MOIS mission, and in February 2007 the MOIS claimed to have identified 100 spies working for the US and Israel in border areas of Iran. During 2011, Iran claimed to have arrested more than 40 CIA 'spies'.

'The MOIS, initially better known by the acronym SAVAMA (Ministry of Intelligence and National Security; Sazman-e Ettela'at va Amniyat-e Melli-e Iran), is the successor to SAVAK (National Intelligence and Security Organisation; Sazeman-e Ettela'at va Amniyat-e Keshvar), the intelligence agency that operated under the Shah and which was dissolved in 1979 at the time of the Islamic revolution. Senior officials of SAVAK were executed after the Khomeini regime took power. However, some analysts believe it is likely that former SAVAK personnel were employed in the new agency, because of their intimate knowledge of left-wing groups and Iraq's Baath Party...

'MOIS is currently headed by Heydar Moslehi, who was appointed to the post of minister of intelligence and security in August 2009 under President Ahmadinejad, replacing Gholam Hossein Mohseni Ejei, who had succeeded Yunesi. Moslehi, a conservative, who was born in Isfahan in 1956 and was the representative of Supreme Ayatollah Khamenei in the IRGC Ground Forces. Moslehi, and his predecessor as intelligence chief, Mohseni Ejei, were among a group of senior Iranian officials blacklisted in September 2010 by the US Treasury Department which accused them of 'serious human rights abuses'.

'The MOIS addresses ethnic and sectarian issues within the country, and it monitors the clerical community and government officials. MOIS officers are vetted for ideological conformity.

'It is understood that the MOIS is organised on the basis of a number of directorates - Analysis and Strategy; Internal Security (protection of state institutions, airports, ports and frontiers); National Security (surveillance of opposition groups); Counter-Intelligence (operating against hostile intelligence elements at home and abroad), and External Intelligence (gathering foreign intelligence and supporting friendly Islamic movements).' [61d] (Security and Foreign Forces)

- 9.05 The USSD Report 2011 stated, 'There were reports during the year [2011] that the MOIS arrested and harassed family members of political prisoners and human rights activists, especially the in-country family members of activists living outside of the country, prohibiting 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.' [4a] (Section 1f)

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## LAW ENFORCEMENT FORCES (INCLUDING THE POLICE)

- 9.06 Jane's Sentinel Security Assessment, updated 24 January 2012 stated:

'The [Law Enforcement Forces (Niruha-ye Entezami-ye Jomhuri-ye Islami)] LEF was created in 1991 through a merger of the police, gendarmerie, and the revolutionary committees and is charged with combined duties: law enforcement, border control, and maintaining public order. Although nominally under the leadership of the Ministry of the Interior, the Supreme Leader has to approve a nominee that the president proposes as LEF chief...

'Units within the LEF have overlapping responsibilities. The Social Corruption Unit of the LEF deals with social behaviour considered "immoral". However, there is a similar unit in the LEF called the Edareyeh Amaken Omumi (Public Establishments Office), which concerns itself with the type of music people listen to, the interaction of people of the opposite sex in public places and various forms of perceived lewd behaviour. The latter group came to prominence after arresting and questioning journalists...

'The LEF has a counterintelligence unit, which has also been involved in the investigation of corruption...It is part of the LEF's role to coordinate on internal security matters with the Ministry of Intelligence and Security (MOIS).

'Maintaining security along Iran's borders is an important role of the LEF. Brig Gen Moqaddam, LEF chief, said in August 2008 that after public security, control over Iran's borders was the biggest concern of the LEF. Iran has been stepping up security on its borders, with the LEF using what has been described as "modern technologies" in order to counter drug trafficking, smuggling and the movement of individuals considered to pose a threat to state security.

'In June 2011, the US Treasury department blacklisted Moqaddam and his deputy, Ahmad-Reza Radan, accusing the LEF of providing material support to the Syrian General Intelligence Directorate and sending personnel to Damascus to assist the Syrian government in suppressing the Syrian people. The department accused Radan

of travelling to Damascus in April 2011 and providing expertise to the Syrian security services to aid the regime's crackdown on the people.' [61d] (Security and Foreign Forces)

- 9.07 Information on the website of opposition leader Mir Hossein Mousavi stated that 'There is said to be over 60,000 police personnel in Iran who are managed by the Ministry of Interior and Justice. The Police-110 unit specializes in rapid-response activities in urban areas. The Marine police are said to have over 90 inshore patrol and over 40 harbor boats. The police force also includes women officers.' [75a]

### **IRANIAN REVOLUTIONARY GUARDS CORPS (IRGC ALSO KNOWN AS 'PASDARAN')**

- 9.08 A British Broadcasting Corporation (BBC) News profile of Iran's Revolutionary Guards Corps (IRGC) dated 18 October 2009 stated that:

'Iran's Islamic Revolution Guards Corps (IRGC) was set up shortly after the 1979 Iranian revolution to defend the country's Islamic system, and to provide a counterweight to the regular armed forces. It has since become a major military, political and economic force in Iran, with close ties to the Supreme Leader, Ayatollah Ali Khamenei, and President Mahmoud Ahmadinejad, a former member...

'It also controls the paramilitary Basij Resistance Force and the powerful bonyads, or charitable foundations, which run a considerable part of the Iranian economy.' [21i]

- 9.09 Information on the Global Security website, updated on 26 March 2012 stated:

'The 125,000 strong Iranian Revolutionary Guard Corps (IRCG or Pasdaran) secures the revolutionary regime and provides training support to terrorist groups throughout the region and abroad. Both the regular military (the Artesh) and IRGC are subordinate to the Ministry of Defense and Armed Forces Logistics (MODAFL)...

'Although the IRGC operated independently of the regular armed forces, it was often considered to be a military force in its own right due to its important role in Iranian defense. The IRGC consists of ground, naval, and aviation troops, which parallel the structure of the regular military.' [70b]

- 9.10 Jane's Sentinel Security Assessment, updated 24 January 2012, included more detailed information on the IRGC, stating:

'The Islamic Revolutionary Guards Corps (IRGC), commonly known as the Pasdaran (Guardians), is composed of a number of main branches - Ground Forces; Air Force (referred to as Aerospace Force); Navy (including a Marine force); Basij militia and the Qods Force special operations branch. There is a ground-based IRGC Air Defence force, which operates in co-ordination with the regular army's air defence force. The IRGC is an active component of the Iranian intelligence community, and operates an Intelligence Directorate. The IRGC has a cultural and military mission. Its cultural role is in safeguarding the achievements of the Islamic Revolution, while its military role includes supporting the regular forces when required; carrying out asymmetric operations and taking charge of Iran's missile forces and Weapons of Mass Destruction (WMD). In addition, the IRGC is involved in the commercial and business life of Iran. The US Treasury Department has said that the IRGC owns and/or controls "'multiple commercial entities across a wide range of sectors within the Iranian economy".'

'Because of its dual political and military role, the IRGC also has an internal security role, which includes local intelligence gathering; this role has grown in importance since the end of the war with Iraq. While co-operation between the IRGC and the national police is institutionalised, it is best to treat the IRGC predominantly as a military land force that parallels the regular army, a role institutionalised by the war-fighting demands of the Iran-Iraq war. The IRGC's paramilitary organisation, the Basij, plays an increasingly prominent role in the suppression of domestic unrest... The Basij were among the forces deployed to suppress the protests following the 2009 presidential election.' [61d] (Security and Foreign Forces)

9.11 World Security Network reported on 29 November 2010 that:

'The intelligence element – the Intelligence Office of IRGC – (Ettalaat-e-Pasdaran) had 2,000 personnel (in 2006, but the number of personnel is on an ascending route). This element of the IRGC is responsible for the security of the Iranian nuclear program. This means that it monitors all scientists, leads the security forces from the nuclear installations, provides guard against sabotages and performs counterintelligence operations in order to prevent the recruit[ment] of Iranian nuclear scientists by other countries.' [45a]

9.12 The Freedom House report, 'Countries at the Crossroads 2012: Iran', published on 20 September 2012, reported:

'The role of the IRGC in domestic politics has increased since the 2005 election of Ahmadinejad, who is a former Guards member. Some of his cabinet ministers and a number of lawmakers are also IRGC veterans. In July 2011 the head of Iran's judiciary, Sadeqh Larijani, publicly endorsed the IRGC's greater influence in the political sphere, saying that it is more than a military force. The IRGC was thought to be actively involved in the postelection crackdown, reportedly organizing attacks on university students, engaging in violence against peaceful protesters, and torturing prisoners. The IRGC operates one of the wards of Evin Prison, where a number of political activists have been held. The country's Prison Organization, a government oversight body, has not had access to the prisoners held there.' [112a]

9.13 Information on the Global Security website updated on 26 March 2012 stated:

'In late July 2008 reports originating with Iranian Resistance network said that the IRGC was in the process of dramatically changing its structure. In a shake-up, in September 2008 Iran's Revolutionary Guards (Pasdarans) established 31 divisions and an autonomous missile command. The reported new structure was largely decentralized, with the force broken into 31 provincial corps, possibly to reflect a far greater internal role, with one for each of Iran's 31 Provinces.' [70b]

9.14 The Congressional Research Service (CRS) report, 'Iran: U.S. Concerns and Policy Responses', dated 5 September 2012, observed that the IRGC was '...increasingly involved in Iran's economy, acting through a network of contracting businesses it has set up, most notably Ghorb (also called Khatem ol-Anbiya, Persian for "Seal of the Prophet"). Active duty IRGC senior commanders reportedly serve on Ghorb's board of directors and its commander, Rostam Ghasemi, became Oil Minister in August 2011.' [78a] (p27)

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## Qods / Quds Force

9.15 The Advisory Panel on Country Information (APCI) Report 2008 stated that:

‘Current force strength data for the Quds [part of the IRGC] are not available. The al Quds forces are under the command of Brigadier General Qassem Soleimani and have supported non-state actors in many foreign countries. These include Hezbollah in Lebanon, Hamas and the Palestinian Islamic Jihad in the Gaza Strip and the West Bank, the Shi’ite militias in Iraq, and Shi’ites in Afghanistan. Links to Sunni extremist groups like Al Qa’ida have been reported, but never convincingly confirmed.’ [6a] (p8)

9.16 The APCI Report 2008 also stated that the Quds force ‘... plays a major role in giving Iran the ability to conduct unconventional warfare overseas using various foreign movements as proxies. In January [2008], Iran’s Supreme National Security Council (SNSC) decided to place all Iranian operations in Iraq under the command of the Quds forces. At the same time, the SNSC decided to increase the personnel strength of the Quds to 15,000.’ [6a] (p7)

9.17 Jane’s Sentinel Security Assessment, updated 24 January 2012, stated:

‘The IRGC’s Sepah-e Qods (Qods Corps or Jerusalem Corps, also known as the Qods Force) is reported to have carried out covert operations in countries as far afield as Pakistan, Afghanistan, Iraq, Lebanon and Bosnia. The Qods Force’s national headquarters are in the southwestern city of Ahvaz and it is headed by Brigadier General Qasem Soleimani...

‘In October 2007 the US government announced sanctions on the Qods Force, accusing the organisation of providing material support to the Taliban, Lebanese Hizbullah, Hamas, Palestinian Islamic Jihad and the Popular Front for the Liberation of Palestine - General Command (PFLP-GC). In a statement, the US Department of the Treasury said that the Qods Force was the Iranian regime’s ‘primary instrument for providing lethal support to the Taliban’...

‘In April 2011, the US Treasury Department further sanctioned the Qods Force which it accused of providing support to Syria’s General Intelligence Directorate in the crackdown on unrest in Syria. The following October, the Qods Force commander, Brigadier Soleimani and three other senior officials were blacklisted by the department, which accused the men of involvement in an Iranian plot to assassinate the Saudi Arabian ambassador to the US.’ [61d] (Security and Foreign Forces)

9.18 Jane’s further noted:

‘The IRGC’s Qods Force allegedly controls all external terrorist activities. The Qods has offices or “sections” in many Iranian embassies, which operate as closed sections. It is not clear whether these are integrated with Iranian intelligence operations, or that the ambassador in such embassies has control of, or detailed knowledge of, operations by the Qods staff. However, there are indications that most operations are co-ordinated between the IRGC and offices within the Iranian Ministry of Foreign Affairs and Ministry of Intelligence and Security (MOIS).’ [61d] (Security and Foreign Forces)

## Basij

- 9.19 Jane's Sentinel Security Assessment, updated 24 January 2012, stated that 'Known as the "Mobilisation of the Oppressed", the Basij volunteer force is a paramilitary militia organised throughout Iran under the tutelage of the Islamic Revolutionary Guards Corps (IRGC). Basij personnel are the eyes and ears of the Islamic regime and are considered extremely loyal.' [61d] (Security and Foreign Forces) An Iran Primer paper of 21 October 2010 observed that 'The Basij have branches in virtually every city and town in Iran.' (Iran Primer, 21 October 2010) [31b]
- 9.20 A World Security Network paper dated 29 November 2010 stated:
- 'The Basij Force is the instrument used by IRGC to implement domestic security measures. The Basij Force also contributes to the gathering of intelligence. Its name comes from "Niruyeh Moghavemat Basij", meaning "The Mobilization and Resistance Force" and it was founded in 1980...
- 'The structure of Basij is slightly similar with the structure of a communist party from certain totalitarian states. There are several levels of society: every Iranian city of a considerable size is divided into two "areas" or "regions" whereas in the small Iranian towns and villages there are "cells" organized as social, religious and governmental bodies. There are also Basij units for students, workers and members of the tribes. Basij also created "Ashura Brigades" for men and "al-Zahra Brigades" for women.' [45a]
- 9.21 The Iran Primer, a joint product of the U.S. Institute of Peace and the Woodrow Wilson Center for International Scholars, produced a paper on the Basij dated 21 October 2010 which stated that:
- 'Estimates of the total number of Basij vary widely. In 2002, the Iranian press reported that the Basij had between 5 million to 7 million members, although IRGC commander Gen. [General] Yahya Rahim Safavi claimed the unit had 10 million members. By 2009, IRGC Human Resource chief Masoud Mousavi claimed to have 11.2 million Basij members - just over one-half the number originally called for by Khomeini. But a 2005 study by the Center for Strategic and International Studies, a Washington think-tank, put the number of full-time, uniformed and active members at 90,000, with another 300,000 reservists and some 1 million that could be mobilized when necessary. Persian language open-source material does not provide any information about what percentage of the force is full time, reservists or paid members of the organization.
- 'Members include women as well as men, old as well as young. During the Iran-Iraq War, Basij volunteers were as young as 12 years old, with some of the older members over 60 years old. Most today are believed to be between high school age and the mid-30s. The perks can include university spots, access to government jobs and preferential treatment.' [31b]
- 9.22 The same source continued:
- 'The Basij statute distinguishes between three types of members:
- **Regular members**, who are mobilized in wartime and engage in developmental activities in peacetime. Regular members are volunteers and are unpaid, unless they engage in war-time duty.

- **Active Members**, who have had extensive ideological and political indoctrination, and who also receive payment for peacetime work.
- **Special Members**, who are paid dual members of the Basij and the IRGC and serve as the IRGC ground forces.

'The Basij statute says members are selected or recruited under the supervision of "clergy of the neighborhoods and trusted citizens and legal associations of the neighborhoods." The neighborhood mosques provide background information about each volunteer applicant; the local mosque also functions as the Basij headquarters for the neighborhood. For full-time paid positions, applicants must apply at central offices of the Basij, in provincial headquarters of the Basij.' [31b]

9.23 Jane's Sentinel Security Assessment, updated 24 January 2012 noted:

'The Basij has taken a very active role in Iran's domestic security affairs. It maintains a formal presence in all government offices, universities, schools, trade associations, hospitals and factories. Formed on the orders of the Ayatollah Khomeini in November 1979 after the US Embassy siege, the Basij militia is designed to defend the Islamic republic against internal enemies and foreign intervention.

'Now apparently based at more than 70,000 locations nationwide, members of the Basij are organised into five main elements: the Pupil Basij, the Student Basij, the University Basij, the Public Service Basij and the Tribal Basij. The diverse range of these units demonstrates the various roles of the militia, and the fact that the aim of the Basij is not just to forge a paramilitary force, but to reinforce support for the regime through ideological dissemination. As a result, the figure of 12.6 million includes 4.6 million schoolchildren of both genders. Making up the Pupil Basij, these members are between the ages of 12 and 18, with the younger recruits (between the ages of 12 and 15) forming the poyandegan (seekers) and the elder recruits being the peeshmargan...

'The preservation of internal security is the primary role of the Basij. Although it also nominally exists to contribute to external defence, as in the case of the Iran/Iraq war when large numbers were deployed, given its size and paramilitary nature the main utility of the Basij members to the government is to act as the eyes and ears of the Islamic republic. In carrying out their ideologically-based duties, Basij members act as "moral police" in towns and cities by enforcing the hijab, arresting women for violating the dress code, prohibiting male-female fraternisation, monitoring the activities of citizens, seizing 'indecent' material and satellite dish antennae, intelligence gathering and even harassing government critics and intellectuals. Basij volunteers also act as bailiffs for local courts.' [61d] (**Security and Foreign Forces**)

9.24 The Iran Primer paper of 21 October 2010 stated that 'The Basij have become more important since the disputed 2009 election.' However:

'The Basij's performance since the June 2009 election has been mixed. It managed to suppress street protests in the provinces with the help of the local police forces, but maintaining order in major urban centers, especially Tehran, was more difficult. And their actions have faced backlash. On June 15, Basij members reportedly shot and killed protesters at Azadi Square who were forcing their way into the local militia station. From June 22 onward, the Basij constituted only a minority of the forces cracking down on protesters. Basij commander Hossein Taeb, a Shiite cleric with the rank of

hojatoleslam, claimed that eight Basij had been killed and 300 wounded during the anti-government protests...

'The regime signaled its displeasure with the Basij's performance. In October 2009, Taeb was removed as Basij chief. A few days later, the militia was formally integrated into the Revolutionary Guards ground forces, with Brig. Gen. Mohammad Naghdi as the new chief. In 2010, the Basij focused significant attention on combating perceived threats to the regime from the Internet. Thousands of members were educated in blogging and filtering of dissident websites, Basij officials acknowledged.' [31b]

- 9.25 A report by the [Crown Centre for Middle East Studies](#) at Brandeis University, Massachusetts, published in September 2010, includes further detailed information on the membership and ideological and political training of the Basij. [80a]

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### **Ansar-e Hezbollah (Helpers of the Party of God)**

- 9.26 A United States Institute of Peace (USIP) publication dated 8 June 2010 stated 'Ansar-e Hezbollah, or "Followers of the Party of God," is one of the loosely allied militia groups in the wider Basij network. The vigilante group uses force but is not part of official law enforcement. Members wear plain clothes. Ansar-e-Hezbollah is often unleashed against protesters, notably during the 1999 Iran student riots.' [100a]

- 9.27 Jane's Sentinel Security Assessment, updated 24 January 2012, stated:

'Ansar-e Hezbollah is an extremist Islamist vigilante group. The group claims to be a grassroots movement which calls for harsh policies against opponents of the Islamic theocratic system and promotes itself as fully in line with the ideals propagated by the founder of the Islamic Republic, Ayatollah Khomeini. In reality, its senior members and most of its activists are associated with and funded by state organs under hardline control...

'Senior figures in Ansar-e Hezbollah have pledged loyalty to Ahmadinejad and vowed to "root out the hypocrites", a reference to those who question the legality of the ruling regime and existing political and social norms. The group, which is fiercely loyal to Supreme Leader Ayatollah Ali Khamenei, wrote in its journal in November 2005 that the "virus of inadequate veiling among women and lack of faith" in Iran was more dangerous than the "threat of a nuclear attack on Iran". The group's official mouthpiece, Ya-Lesarat, is published weekly... In 2007 the group vociferously backed the LEF's crackdown on "improper dressing".' [61d] (Security and Foreign Forces)

- 9.28 The estimated total strength of Ansar e-Hezbollah is 5,000 (Jane's Sentinel Security Assessment, 24 January 2012). [61d] (Security and Foreign Forces)

### **ARMED FORCES**

- 9.29 Jane's 'Sentinel Security Assessment', updated 7 August 2012, stated that the total strength of the armed forces was 523,000 comprising of: Army 350,000, Air Force 30,000, Navy 18,000 and IRGC 125,000. [61c] (Armed Forces)

- 9.30 The Central Intelligence Agency (CIA) World Fact Book, updated 18 April 2012, accessed 23 May 2012, stated that the military branches included:

'Islamic Republic of Iran Regular Forces (Artesh): Ground Forces, Navy, Air Force (IRIAF), Khatemolaniah Air Defense Headquarters; Islamic Revolutionary Guard Corps (Sepah-e Pasdaran-e Enqelab-e Eslami, IRGC): Ground Resistance Forces, Navy, Aerospace Force, Quds Force (special operations); Law Enforcement Forces (2011).'

[111a] (Military)

See also [Iranian Revolutionary Guard Corps](#) above.

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## HUMAN RIGHTS VIOLATIONS BY GOVERNMENT FORCES

### Arbitrary arrest and detention

For details of legal rights, including official documentation, see [Arrest and detention – legal rights](#)

- 9.31 The Amnesty International report, “We are ordered to crush you” Expanding repression of dissent in Iran’, published February 2012, stated:
- ‘Iran’s domestic legal framework governing pre-trial detention, although flawed, should provide some protection against arbitrary arrest and detention, which are prohibited under Article 9 and 14 of the ICCPR [International Covenant on Civil and Political Rights]. Despite this, and the country’s international obligations, thousands of people have been arbitrarily arrested since 2009, many of whom have been subjected to other serious human rights violations, including incommunicado detention in conditions amounting to enforced disappearance and torture or other ill-treatment.’ [9x] (p20)
- 9.32 The UN Human Rights Council’s, ‘Report of the Working Group on Enforced or Involuntary Disappearances’, released 2 March 2012, covering the period 13 November 2010 to 11 November 2011, stated that, ‘Since its establishment, the Working Group has transmitted 536 cases [of enforced or involuntary disappearance] to the [Iranian] Government; of those, five cases have been clarified on the basis of information provided by the source, 14 cases have been clarified on the basis of information provided by the Government, and 517 remain outstanding.’ [10f] (p62)
- 9.33 A March 2011 report by the International Campaign for Human Rights in Iran stated:
- ‘Iranian authorities revealed that security forces arrested more than 6,000 individuals following the June 2009 presidential election. The Campaign has specifically documented the names of 385 people detained by authorities for peaceful activities or their exercise of free expression. This number includes 52 journalists, 65 rights defenders, 74 students and 15 campaign staffers. Many were detained either without a specific charge or on unfounded charges that do not meet international human rights standards, and without warrants or on the basis of generic warrants enabling authorities to detain anyone. Many reported being detained by unidentified persons and removed to unknown locations, and held incommunicado for long periods.’ [52o] (p13)
- 9.34 The USSD Report 2011 stated ‘Although the constitution prohibits arbitrary arrest and detention, these practices continued during the year [2011].’ [4a] (Section 1d) Moreover, ‘Arbitrary arrest was a common practice and was used by authorities to spread fear and deter activities deemed against the regime. Often plainclothes officers arrived unannounced at homes or offices and conducted raids without warrants or other

assurances of due process, confiscating private documents, passports, computers, electronic media, and other personal items and arresting individuals.’ [4a] (Section 1d)

- 9.35 The Freedom House report Freedom in the World 2012 – Iran, published 12 July 2012, stated that arbitrary arrest and detention ‘...are increasingly employed, and family members of detainees are often not notified for days or weeks. Suspected dissidents are frequently held in unofficial, illegal detention centers. Prison conditions in general are notoriously poor, and there are regular allegations of abuse, rape, torture, and death in custody.’ [112f]
- 9.36 Amnesty International’s ‘Annual Report 2012 – Iran’ (AI Report 2012), published 24 May 2012, stated that, ‘Security officials continued to arrest and detain government critics and opponents arbitrarily, often holding them incommunicado and without access to their families, lawyers or medical care for long periods. Many were tortured or ill-treated. Scores were sentenced to prison terms after unfair trials, adding to the hundreds imprisoned after unfair trials in previous years.’ [9h]

See also [Torture](#), [Political affiliation](#) and [Freedom of speech and media](#)

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## Detention centres

- 9.37 Amnesty International’s report, “‘We are ordered to crush you’ Expanding repression of dissent in Iran’, published February 2012, stated:
- ‘Under the law, detainees must be held in facilities controlled by the Prisons Organization. However, in practice, many of those arrested, particularly those suspected of opposing the government, are arrested without a warrant or on the basis of a general arrest warrant that does not specify them by name or fully explain the reason for arrest, and are taken to detention facilities run by intelligence bodies such as the Ministry of Intelligence or the Revolutionary Guards Intelligence branch. It is common for detainees to be held incommunicado for days, weeks or even months after arrest with no chance to understand or challenge the basis for their detention, in conditions which can amount to enforced disappearance. Detainees’ families are often unable to obtain any information concerning their whereabouts, and are shuffled from pillar to post as they try to find out if their relatives are even in the hands of the authorities.’ [9x] (P21)
- 9.38 The same source also observed:
- ‘For those ending up in Iran’s prisons and detention centres, torture and other ill-treatment remain routine and widespread. Former detainees – both men and women – as well as some prisoners who write open letters from cells up and down the country recount being beaten, including on the soles of their feet, sometimes while suspended upside down. They have said they were burned with cigarettes and hot metal objects. They have described being subjected to mock execution. They have told of being raped - sometimes with implements – including by other prisoners, or threatened with rape. They have complained of being denied adequate food and water, while medical treatment is often delayed or even denied. In many instances, torture and other ill-treatment are used to extract “confessions” under duress, and courts routinely ignore

complaints of torture and accept as evidence “confessions” extracted using such illegal means.’ [9x] (p7)

9.39 The Freedom House report, ‘Freedom in the World 2012 – Iran’, released on 12 July 2012, stated ‘Suspected dissidents are frequently held in unofficial, illegal detention centers. Prison conditions in general are notoriously poor, and there are regular allegations of abuse, rape, torture, and death in custody. In a letter to Iranian authorities published in May 2011, 26 prominent political prisoners reported ill-treatment, prolonged solitary confinement, torture, and systemic due process violations during their interrogation and detention.’ [112f]

9.40 The Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, dated 6 March 2012, stated:

‘Following the closing of the Kahrizak detention centre in July 2009, a parliamentary committee assigned to investigate allegations in January 2010 reportedly established the responsibility of the former Prosecutor General of Tehran, Saeed Mortazavi, for abuses at Kahrizak, and confirmed the death of three prisoners following beatings at the hands of their jailers. On 30 June 2010, the judicial organization of the Iranian Armed Forces announced that 11 members of the Kahrizak prison staff and one civilian had been indicted for their involvement in the above-mentioned crimes. The indictment submitted to the Head of the Military Courts in Tehran charged the defendants with several crimes, including “denying detainees their constitutional rights” and “violating their civil rights”. Of those convicted, two were sentenced to death for the deaths of Amir Javadifar, Mohsen Rooholamini and Mohammad Kamrani, and nine were suspended from service, given fines and made to pay compensation, and sentenced to flogging and imprisonment. One of the defendants was acquitted...

‘In a joint statement, the International Federation for Human Rights and the Iranian League for the Defence of Human Rights maintained that the court’s investigation was not comprehensive and was remiss in examining the death of at least two other detainees, Ramin Aqazadeh- Qahremani and Abbas Nejati-Kargar, who died as a result of torture soon after being released from the detention centre. All of the plaintiffs interviewed stated that a number of high-ranking officials, whose names were made available to the Special Rapporteur, enjoy impunity for their abuse of several detainees and for their complicity in the Kahrizak crimes.’ [9x] (p11-12)

See [section I of the Annex of the Special Rapporteur’s report](#) for more detailed information on Kahrizak Detention Centre cases, including detainees’ testimonies of treatment received. [9x] (p22)

9.41 The Amnesty International report of June 2010, noted that, following the closure of police-run Kahrizak detention centre, ‘...the Police Chief said that the police were building a standard detention facility to replace Kahrizak, which would be open within a month. Reports in May 2010 suggest that a new facility has been opened there under another name – Soroush 111.’ [9o] (p31-32)

9.42 The UN Secretary General’s interim report of 14 March 2011 stated ‘Special Procedures mandate holders issued several communications to the Iranian authorities in a variety of cases that suggested widespread lack of due process rights and the failure to respect the rights of detainees. Particular concerns were expressed at routine practice of incommunicado detention, use of torture and ill-treatment in detention, use of solitary confinement and detention of individuals without charges.’ [10aa] (p14)

- 9.43 A November 2010 report by Iranian lawyer Behnam Daraeizadeh, published by the Iran Human Rights Documentation Center (IHRDC), reported that:

'In political/press related charges, the investigator on the case has the authority to keep the accused in the detention center of the Ministry of Intelligence for up to four months. After this time has passed, and if the individual remains in prison, his or her detention will constitute an illegal detention and carries a designated punishment unless the legal authority (the security investigator on the case) extends the detention period. Since the Iranian judicial system is not independent and properly functioning, investigators of the security branches often approve the requests from local intelligence offices to extend the detention of political/press related accused. When the temporary detention order is extended, the individual can - according to the Law of the Formation of Public and Revolutionary Courts - appeal it within 10 days. Unfortunately however, due to prisoners' lack of knowledge of this provision, an individual's exercise of this legal right has seldom occurred.

'Long stretches of detention in solitary cells, lack of access to hygienic services, use of blindfolds, inappropriate behavior of interrogation teams and even simple administrative employees, uncertainty and stalling in investigations, complete news bans (or alternatively, the transfer of misinformation and troubling news), bans on fresh air, and refusal to allow phone conversations and visitation with families are all indeed clear and evident examples of psychological torture in Iranian prisons.' [51b] (p8-9)

- 9.44 The Amnesty International report of June 2010, reported:

'Once the interrogation of detainees has ended – because they have “confessed” or have refused to do so, and the authorities wish to conclude their case – they are usually transferred to cells or prisons within the regular prison system to await trial. This period awaiting trial can last for months. They may also be released on bail.

'If convicted and sentenced to prison, those held may be transferred to different prisons, which may be far from a prisoner's home, particularly if their sentence includes the additional penalty of the imprisonment to be served in exile.

'People held outside Tehran have also been held in parallel detention centres following arrest.' [9o] (p30-31)

- 9.45 The same report also noted:

'For many people, Evin Prison in north Tehran is synonymous with the arbitrary detention which is now the experience of so many Iranians. Originally established as a detention centre, it is now also [sic] holds sentenced prisoners, although detainees are still held there...

'Numerous other unofficial detention centres, under the control of the MOIS or Revolutionary Guards, are believed to exist in Tehran and elsewhere in Iran. They are not registered as prisons. Some of these, such as Prison 59, said to have been located in the Vali Asr (also known as Eshratyab) Garrison – a Revolutionary Guards' base in Sarbaaz Street, Tehran, have reportedly been closed. However, some may be reopened in periods of mass arrests, such as during the Ashoura demonstrations. Most if not all towns and cities have an office of the MOIS and Amnesty International receives regular reports that detainees are held in such buildings when first arrested.' [9o] (p31-32)

For a first hand account of conditions in Vozara detention centre, see the IHRDC's document [Witness Statement of Mahdis](#), dated 19 April 2010. [51d] The June 2010 [Amnesty International report, 'From protest to prison'](#) records specific cases of individuals held in various detentions centres and prisons including the conditions in which they were held. [9o] See also the February 2012 [AI report, 'We are ordered to crush you'](#), for further details of the conditions under which individuals have been held in detention centres and prisons. [9x]

See also [Prison Conditions](#), [Political prisoners](#), the following section on Torture and [Bloggers](#) for information on the death of blogger Sattar Beheshti in police custody in November 2012

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## Torture

- 9.46 The Human Rights Watch report, 'We are a buried generation', published December 2010 stated:

'Iranian law bans the practice of torture, particularly when used to extract confessions, and evidence acquired through the use of force is inadmissible in court. In addition, those responsible for torture are subject to prosecution and punishment. Yet the practice of torturing prisoners to extract confessions is relatively common in Iran, and forced confessions are often accepted as evidence in criminal trials.

'In June 2002, Iran's Council of Guardians - a committee of twelve senior clerics - vetoed a bill which had been passed by the Majlis (parliament) which would have placed certain restrictions on the use of torture, and would have limited the judicial use of confessions obtained under duress. The refusal of Iran's government to enact even rudimentary safeguards against torture, whether specifically sanctioned by the judge or committed by police and security forces, sent a message that confessions can be obtained from arrestees by any means.' [8m] (p22)

- 9.47 Amnesty International's report, 'We are ordered to crush you' Expanding repression of dissent in Iran, published February 2012, stated:

'The Iranian legal framework provides limited protection from torture...

'However, in reality torture is routinely and widely used. The Iranian authorities have admitted that in order to obtain information or confessions, law enforcement officials are, in special cases, permitted to use interviewing and interrogation techniques which may cause physical or mental pain or suffering when ordered to do so by a superior law enforcement official or other government official.

'In many instances, torture and other ill-treatment are used to extract "confessions" under duress. Methods frequently reported by detainees include severe beatings; electric shocks; confinement in tiny spaces; hanging upside down by the feet for long periods and rape or threats of rape of both men and women, including with implements. Detainees are also frequently subject to death threats, including mock executions; threats to arrest and torture family members; actual arrest of family members; deprivation of light or constant exposure to light and deprivation of food and water.

Accusations of torture are routinely ignored in court and not investigated, while “confessions” extracted under duress are accepted as evidence.’ [9x] (p21)

- 9.48 The Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, dated 6 March 2012, noted that, in reports conveyed to him, ‘Several [interviewees] stated that they had been subjected to coercive treatment that is tantamount to torture, including the excessive use of solitary confinement, electric shock, severe beatings, threats of rape and threats to detain and/or harm friends, associates and family members. People were also allegedly forced to make on-camera confessions.’ [10d] (p10-11)
- 9.49 The USSD Report 2011 stated, ‘The constitution and law prohibit torture, but there were numerous credible reports that security forces and prison personnel tortured and abused detainees and prisoners. There were no credible reports of government investigations into reports of torture or cruel, inhuman, or degrading treatment or punishment. The government repeatedly defended its use of flogging and amputation as “punishment,” not torture.’ [4a] (Section 1c)
- 9.50 A report dated 5 February 2010 by the UN Special Rapporteur on torture stated that, following the 2009 demonstrations, there were ‘credible allegations’ of politically-motivated torture by the security forces. [10p] (p22)
- 9.51 The March 2011 International Campaign for Human Rights in Iran (ICHRI) report, ‘Official distortion and disinformation: a guide to Iran’s human rights crisis’, stated:
- ‘The International Campaign for Human Rights in Iran has collected dozens of eyewitness and personal accounts of torture carried out by the Iranian government. Security forces reportedly resorted to torture during interrogations of detainees carried out after the post-election protests to coerce confessions. These confessions were often the only evidence used to convict detainees.
- ‘Four protesters held in Kahrizak Detention Center died as a result of wounds they suffered under torture. Reported methods of torture include rape, severe beatings, sleep deprivation, threats of harm to family members, pouring ice cold water on prisoners with heart conditions after they have been subjected to intense heat, prolonged periods of solitary confinement, and deprivation of health care, basic necessities and toilet use. Iran explicitly rejected recommendations to ratify the Convention Against Torture during its February 2010 UPR [Universal Periodic Review] citing Iran’s culturally relevant and differing domestic legal definitions of torture.’ [52o] (p9-10)
- 9.52 The March 2011 ICHRI report observed that, ‘On 28 July 2009, authorities admitted to widespread use of torture and cruel treatment at Kahrizak Detention Center and closed it after news went public that the son of Abdolhussein Rouhalmami, a high-ranking Revolutionary Guard commander, was amongst those killed under torture in the facility.’ [52o] (p11-12) The same report also noted that, ‘...officials have ignored or failed to adequately investigate credible allegations of extensive torture and ill treatment at other prisons, including Evin Prison, Rajaei Shahr Prison, and other prisons in the provinces, as well as several secret detention centers controlled by the Revolutionary Guards and the Intelligence Ministry.’ [52o] (p11-12)

See also [Detention Centres](#) for further information on Kahrizak detention centre.

9.53 The USSD Report 2011 noted:

‘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, being forced to eat feces, 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. To intensify abuse perpetrators reportedly soaked prisoners before beating them with electric cables, and there were some reports of electric shocks to sexual organs. 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. There were increasing reports of severe overcrowding in many prisons and repeated denials of medical care for prisoners.

‘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, which was reportedly under the control of the intelligence services, according to news sources.’ [4a] (Section 1c)

9.54 Amnesty International’s Report 2012 (AI Report 2012) covering events in 2011, published on 24 May 2012, noted:

‘Torture and other ill-treatment in pre-trial detention remained common and committed with impunity. Detainees were beaten on the soles of the feet and the body, sometimes while suspended upside-down; burned with cigarettes and hot metal objects; subjected to mock execution; raped, including by other prisoners, and threatened with rape; confined in cramped spaces; and denied adequate light, food, water and medical treatment. Up to 12 people reportedly died in custody in suspicious circumstances, including where medical care may have been denied or delayed; their deaths were not independently investigated. At least 10 others died during unrest at Ghezel Hesar Prison in Karaj near Tehran in March. No allegations of torture or ill-treatment were known to have been investigated by the authorities; those who complained of torture faced reprisals. Harsh prison conditions were exacerbated by severe overcrowding.’ [9h]

9.55 The report of the Secretary-General published on 20 March 2012 noted that, ‘The recurrence of allegations of torture in detention facilities remains an area of grave concern to the United Nations Human Rights mechanisms. The Special Procedures mandate holders of the Human Rights Council and the United Nations treaty bodies continue to express concern over reports of torture and other cruel, inhuman or degrading treatment or punishment taking place in detention facilities.’ [10ai] (p3)

See also the following section on Amputation and flogging

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## Amputation and floggings

9.56 The Secretary-General's interim report of 14 March 2011 reported that:

'The Penal Code of Iran allows amputation and flogging for a range of crimes, including theft, Mohareb (enmity against God) and certain sexual acts. The Iranian authorities argue that punishments of this kind are proscribed by Islamic law and are not considered to be torture or cruel, inhuman or degrading treatment. They argue that the application of sentences of this kind are effective in deterring crime and offer an alternative to incarceration.' [10aa] (p5)

9.57 The April 2012 briefing by the Global Initiative to End All Corporal Punishment of Children, submitted to the Committee on Economic, Social and Cultural Rights Pre-Sessional Working Group on 21-25 May 2012, noted that, 'Ta'azirat corporal punishments (lashing) are prescribed for insulting, swearing or using profane language, insulting state employees, crimes against public morality by an unmarried man or woman excluding adultery, publicly violating a religious taboo, publishing or being in receipt of media which violates public morals, libel, and publishing false information (articles 608, 609, 637, 638, 640, 697 and 698).' [13a]

9.58 The April 2009 International Federation for Human Rights (FIDH) report, 'Iran/Death Penalty: a State Terror Policy', stated that: 'Under the law, the punishment for [theft for] the first time is amputation of four fingers of the right hand and for the second time amputation of the left foot.' [56b] (p12) The same report added that 'first amputation of the right hand and then of the left foot' is a possible punishment for anybody convicted of being mohareb or mofsed-e fel-arz [anybody who takes up arms to create fear and to divest people of their freedom and security, Iranian Penal Code Article 183]. [56b] (p12)

9.59 The AI Report 2012, noted that, during 2011:

'Sentences of flogging and amputation continued to be imposed and carried out. Sentences of blinding were imposed.

- Somayeh Tohidlou, a political activist, and Peyman Aref, a student activist, were flogged 50 and 74 times respectively in September after they were separately convicted of 'insulting' President Ahmadinejad.
- Four men convicted of theft were said to have had the four fingers of their right hands amputated on 8 October.
- Majid Movahedi, who blinded Ameneh Bahrami in an acid attack in 2004 and was sentenced to be blinded by acid himself, was reprieved shortly before the punishment was to be carried out at a hospital on 31 July when his victim agreed to accept compensation.' [9h]

9.60 The Secretary-General's report of 20 March 2012 stated:

'Cases of amputation and corporal punishment such as flogging continue to be reported. On 11 December 2011, authorities in Shiraz reportedly amputated the hand and foot of two persons. According to the official news agency INSA, the foot amputation was carried out in Adel Abad Prison on an armed robber who already had his hand amputated. The hand amputation was carried out simultaneously on a second person charged with robbery. The Public Prosecutor of Shiraz stressed in media reports the effectiveness of Sharia law in the deterrence of crimes and that the judiciary is

determined to deal decisively with serious crimes. On 29 October 2011, another amputation of the limb of a thief was reported to have been carried out in Yazd central prison.

'Increased cases of corporal punishments, particularly in public, also remain a cause of utmost concern. On 24 December 2011, a man accused of "forbidden acts" was reportedly publicly whipped in Masjid Soleiman province. On 20 December 2011, authorities in Shiraz carried out sentences of public lashing for three persons accused of indecent conduct. Furthermore, media reports suggest that three persons accused of kidnapping were each publicly punished with 99 lashes on 31 October 2011 in Shahrod Province.' [10ai] (p4)

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## Extra-judicial killings

9.61 An Amnesty International (AI) report dated 10 December 2009, commented on the number of reported deaths during the postelection unrest, stating:

'The authorities have said that 36 people, including Basij personnel, died during the postelection unrest; opposition figures put the figure at 72 as of 5 September [2009]. According to the website Norooz, officials showed the families of people who went missing after the protests albums containing photographs of hundreds of corpses in makeshift morgues. Documents of evidence collected by the opposition shown to the UK newspaper The Times indicate that at least 200 demonstrators were killed in Tehran and 173 in other cities. Over half of these were killed in the streets. Over 50 others were unaccounted for.' [9t] (p34)

9.62 The AI report continued:

'Reports also suggested that 44 bodies were buried secretly at night in anonymous graves in Section 302 of Behesht-e Zahra cemetery in Tehran. Following the revelation of the graves, Mahmoud Rezayan, the cemetery Chief, said coroners had certified that the bodies were those of unknown people who died in car accidents or from drug overdoses. However, the documents shown to The Times newspaper contain coroners' statements refuting this...

'Nevertheless, considerable evidence of unlawful killings by the security forces, particularly the Basij, has emerged. In addition to the usual witness testimony, mobile phones were widely used by demonstrators and bystanders to film some of the incidents. Footage of the invasion of [the] dormitory at Tehran University on 14 June shows men dressed in black and armed with sticks and other weapons chasing and attacking students, who later identified them as having been from the Basij. A video taken on 15 June [2009] shows a member of the Basij firing from a building used by the Basij towards demonstrators; at least seven people were killed that day.' [9t] (p35)

9.63 In a press conference of 27 October 2009, the Special Rapporteur on extrajudicial, summary or arbitrary executions said '...that the death sentences received by three people who had protested election results contravened the Covenant on Civil and Political Rights, to which Iran was party, and violated international law, which forbade execution for crimes that did not involve killings.' [10i] The Secretary-General's report of 14 March 2011 commented on the surge of executions at the beginning of 2011 and

further noted that ‘... the Special Rapporteur on extrajudicial, summary or arbitrary executions jointly with the Special Rapporteur on the independence of judges and lawyers also warned in a public statement of a dramatic surge in death sentences which were carried out in the absence of internationally recognized safeguards, despite numerous calls by the UN to immediately halt executions.’ [10aa] (p5)

9.64 The USSD Report 2011 stated:

‘There were reports that the government and its agents committed multiple acts of arbitrary or unlawful killings, including those caused by torture, denial of medical treatment, and beatings. The government made only limited attempts to investigate cases, if at all. There were several extrajudicial killings by government Basij forces surrounding the February protests in support of the Arab Spring uprisings. Basij forces reportedly killed protesters during rallies and while pursuing protesters after they had dispersed...

‘There were developments in one case from a previous year. On February 6 [2011], according to the online legal news site The Jurist, the government executed two unidentified men convicted of torturing and killing three university students and protesters - Amir Javadifar, Mohammed Kamrani, and Mohsen Rouhalemini - at Kahrizak Prison in 2009. A criminal case against former Tehran prosecutor general Saeed Mortazavi for his involvement was reportedly continuing at year’s end, although Mortazavi announced on July 18 that he had effectively been acquitted of all charges, explaining that the Civil Servants Court had decided not to prosecute him. Legal claims filed against Mortazavi by the families of those killed also remained pending. During the year Mortazavi continued to serve as the head of the governmental antismuggling task force.’ [4a] (Section 1a)

See the [USSD Report 2011](#) for further details on reported cases of extra-judicial killings. [4a] (Section 1a)

9.65 A report by the International Campaign for Human Rights in Iran (ICHR), ‘Dangerous Borders, Callous Murders’, published in August 2012, reported:

‘In 2006, Iranian authorities began implementing a new border security program intended to prevent terrorists and smuggled goods from crossing its borders. In the months between March 2011 and April 2012, at least 74 low-income Iranian citizens working as cross-border couriers were killed in the border regions, and at least another 76 were injured, largely by security forces...

‘The numerous cases of border security forces killing couriers, often called kulbar, in the northwestern provinces of West Azerbaijan, Kurdistan, and Kermanshah represent a growing pattern of excessive use of lethal force.’ [52q] (p7)

See the [ICHR report](#) directly for further information and a list of people killed. [52q]

See also [Death Penalty](#)

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## 10. MILITARY SERVICE

- 10.01 A submission to the 101<sup>st</sup> session of the United Nations Human Rights Committee, prepared in December 2010 by Conscience and Peace Tax International (CPTI) stated:

‘Recent information on military service in Iran is not easy to obtain. In its initial report under the Convention on the Rights of the Child [CRC], submitted in 1998, Iran indicated that ‘every Iranian citizen is eligible for military service as of 21 March of the year he reaches 19 [...] at age 19 Iranian nationals are summoned to the Conscription Office to clarify their draft status [...] those persons found eligible to serve are recruited for military service during the year they have reached the age of 19.’ There was no mention of military service in Iran’s second periodic report under the CRC, delivered in 2008.

During the war with Iraq, the period of military service was 28 months. This was reduced in 1988 to 24 months. It has subsequently been shortened again and was 18 months in 2006. It was reported that in June 2009 the Majlis approved further, stepped, shortenings of the period of service for conscripts with higher education qualifications, ranging from two months for those with diplomas to ten months for holders of doctorates, which are to take effect from 2011.’ [30a]

- 10.02 On 1 July 2009, War Resisters’ International (WRI) also reported on the reductions to military service to take effect from 2011, stating that:

‘According to the latest Majlis ratification, military service for conscripts with a PHD falls [by] 10 months. Master and bachelor graduates will serve 8 and 6 months lesser respectively. The service decreased [by] 4 and 2 months for associate degree and diploma holders respectively...

‘The new regulation defines the maximum period of military service up to 24 months and the commander-in-chief has authority to change the period.’ [25b]

- 10.03 A research project by the Small Media Foundation (SMF), published in May 2012, included information on military exemption for gay and transsexual persons. The SMF report also noted that, ‘Compulsory military service usually lasts 18 to 24 months and exemption regulations are strict. It is sometimes possible to buy an exemption, but this is risky, expensive and highly illegal. Exemptions are highly prized. The official information concerning the different categories of and reasons for military exemptions is available on Iran’s official police website at <http://www.police.ir> [in Persian].’ [108a]

- 10.04 The Central Intelligence Agency (CIA) World Fact Book, updated 18 April 2012, accessed 23 May 2012, stated that Iran’s military service age and obligation were: ‘19 years of age for compulsory military service; 16 years of age for volunteers; 17 years of age for Law Enforcement Forces; 15 years of age for Basij Forces (Popular Mobilization Army); conscript military service obligation – 18 months; women exempt from military service (2008).’ [111a] (Military)

- 10.05 The CPTI submission dated December 2010 noted:

‘The army maintains 220,000 conscripts alongside 130,000 regular troops. This compares with well over 600,000 young men reaching “militarily significant age” each year. Clearly, even after medical examination and the exemption of sole family breadwinners and sons and brothers children of “martyrs of the revolution” (ie those

killed in the Iraq war), there is a surplus of manpower available. The selection of those who actually serve is thus made by ballot, but it was reported in the 1990s believed [sic] that those not selected were, like students, granted a deferment, rather than exemption, meaning that they might leave the country only in exceptional circumstances, for three months, and on payment of a deposit. In this context, it is believed that Iran is one of the countries where certification of military service status is a prerequisite for such purposes as obtaining a passport or driving licence or employment in the public sector. It was also reported that Iranians living abroad might purchase exemption for a fee of between \$1000 and \$3000; for those who left the country before March 1990, this option had been available only to graduates and on payment of a fee of \$16,600.' [30a]

- 10.06 An English translation of information on the United Kingdom (UK) website of the Iranian Embassy by Dr. Mohammad M. Hedayati-Kakhki of Durham Law School, dated 9 June 2011, noted the conditions under which a conscript may be eligible for exemption from military service due to medical reasons:

'Conditions: If the conscript is ill, he must inform the National Military Service Organisation as soon as he reaches the age of conscription and provide them with valid evidence to prove his medical condition. He must attend in person to the Tehran Military Service Department where he will be examined by the department's trustworthy doctor who is a member of the commission which is responsible for granting such exemptions. The conscript will only be granted a medical exemption if the matter is investigated by the commission and proven to their satisfaction...

'Identifying the type of illness of the conscript is the responsibility of the body of medical consultants and those conscripts who claim they must be granted medical exemption must fill a form and submit their supporting documents at least two months before the due date for the commencement of their military service to be able to qualify and use these regulatory facilities.' [76a]

- 10.07 Dr. Hedayati-Kakhki's translation of information on the UK website of the Iranian Embassy also noted the existence of the 'Kefalat Exemption', a provision for exemption in cases where the conscript's father is over 60; the conscript is his only male child and is over 18 years of age. Various documents, including the original birth certificates and passports of both the conscript and his father, need to be submitted to the National Military Service Organisation for the application to be considered. [76b]
- 10.08 Regarding conscientious objection in Iran, the War Resisters' International (WRI) report, 'Refusing to bear arms: a world survey of conscription and conscientious objection to military service', dated 1998, noted that 'The right to conscientious objection is not legally recognized and there are no provisions for substitute service.' [25a] The CPTI report of December 2010 observed: 'It is not recorded that any provision exists in Iran to accommodate conscientious objectors to military service. Although there have been no reports of individual cases, this does not prove that such objections are unknown; it could well be that any potential conscientious objector might have felt unsafe in expressing these, particularly to the recruitment authorities.' [30a]
- 10.09 Regarding draft evasion or desertion, the Danish Immigration Service's report 'Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc', released April 2009, stated:

'A person who deserts from the army will have to continue the military service upon return, if he is under the age of 40. Individuals who are over the age of 40 will not be

asked to do military service. If a person has deserted or evaded the military service and returns to Iran after the age of 40, he will receive a financial punishment and possibly imprisonment. This is subject to arbitrary ruling. However, if the person has been subject to a pardon he will not face punishment on return to Iran. According to the Attorney at Law, a person who evades military service may be punished. According to Military Law, if a person had to serve 20 months of military service and evades, the length of the service will increase to 24 or 26 months. The Attorney at Law added that according to “previous legislation” a person may also be fined a few thousand US Dollars instead of serving extended military service. However, the Attorney at Law stated that it is still to be seen how recent changes in law are used in practice, i.e. whether a person will be fined or must serve extra time.’ [86a] (p47)

- 10.10 The [WRI report](#) of 1998 includes further information on military service, including possible punishments for evasion and desertion. More recent information on possible penalties, other than that included in the paragraph above, had not been identified at the time of writing.
- 10.11 The US Department of State’s ‘International Religious Freedom Report for 2011, Iran’, published 30 July 2012, stated:

‘The constitution states the army must be Islamic, in the sense that it must be committed to Islamic ideals and must recruit individuals who are committed to the objectives of the Islamic Revolution. In practice, however, no religious minorities are exempt from military service. The law forbids non-Muslims from holding officer positions over Muslims in the armed forces. Members of constitutionally protected religious minorities with a college education can serve as officers during their mandatory military service but cannot be career military officers.’ [4e] (Section II)

See also sections on [Exit and Return](#) for further information on restrictions relating to military service and [Lesbian, Gay and Bisexual Persons](#) and [Gender Identity, Transgender and Intersex persons](#) for information on exemption regulations.

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## 11. JUDICIARY

### ORGANISATION

- 11.01 Jane’s ‘Sentinel Security Assessment’, updated 25 June 2012, stated:

‘The 1979 constitution established a legal system based on Islamic law (sharia) and, in November 1985, a new criminal code was introduced. Judicial authority is vested in the Supreme Court and the four-member High Council of the Judiciary, which together are responsible for supervising the enforcement of all laws and for establishing judicial and legal policies. The supreme leader appoints the public prosecutor and the president of the Supreme Court, which has 16 branches. When Mohammad Khatami purged the country’s intelligence ministries during the first term of his presidency (1997-2001), the judiciary established its own intelligence service, which is only accountable to Ayatollah Sadeq Larijani (the head of the judiciary since 2009) and the supreme leader.’ [61a] (Internal Affairs)

- 11.02 The US Department of State's, 'Country Reports on Human Rights Practices 2011, Iran, released on 24 May 2012, (USSD Report 2011) stated:
- 'The constitution provides that the judiciary be "an independent power;" but in practice the court system was corrupt and subject to political influence. According to the constitution, 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. The head of the judiciary chose revolutionary court judges in part due to their ideological commitment to the system.' [4a] (Section 1e)
- 11.03 A November 2010 report by Iranian lawyer Behnam Daraeizadeh, published by Iran Human Rights Documentation Center, observed that 'The Judicial system in Iran is ineffective and suffers many weaknesses. Political considerations play a major role in this system, while it pays no mind to many accepted international principles.' [51b] (p2) 'Since the disputed 2009 presidential elections, the reign of terror initiated by both secret revolutionary court trials as well as mass show trials against members of the opposition, protesters and activists continue to underwrite the political status quo in the Islamic Republic.' (Jane's, 25 June 2012) [61a] (Internal Affairs)
- 11.04 In an undated article in the Iran Primer, accessed 21 June 2012, Hadi Ghaemi, the executive director of the International Campaign for Human Rights in Iran, observed, 'The judiciary plays the paramount role in suppressing dissent and prosecuting dissidents, often on charges of "acting against national security." Working closely with intelligence services, the judiciary has for decades tried a wide range of opponents and critics, from students and street protestors to civil society activists and political reformers.' [31d]

## Court structure

- 11.05 Europa World online, accessed 21 May 2012, reported:
- 'In August 1982 the Supreme Court revoked all laws dating from the previous regime that did not conform with Islam; in October all courts set up prior to the Islamic Revolution of 1979 were abolished. In June 1987 Ayatollah Khomeini ordered the creation of clerical courts to try members of the clergy opposed to government policy. A new system of qisas (retribution) was established, placing the emphasis on swift justice. Islamic codes of correction were introduced in 1983, including the dismembering of a hand for theft, flogging for fornication and violations of the strict code of dress for women, and stoning for adultery. The Islamic revolutionary courts try those accused of crimes endangering national security, corruption, drugs-trafficking, and moral and religious offences. The Supreme Court has 33 branches, each of which is presided over by two judges.' [1d] (Judicial System)
- 11.06 In his undated article in the Iran Primer, Hadi Ghaemi, the executive director of the International Campaign for Human Rights in Iran, stated:
- 'Iran's legal system has many layers of courts. The constitution calls for civil and criminal courts, as well as military courts. Prosecutions originate in lower courts and can be appealed to higher courts. The Supreme Court reviews cases of capital offenses and rules on death sentences. It is also tasked with ensuring proper implementation of the laws and uniformity of judicial proceedings.'

'But the Islamic Republic also has Revolutionary Courts and the Special Court for the Clergy. Both sets of tribunals were based on decrees by revolutionary leader Ayatollah Ruhollah Khomeini. They have never been incorporated into the constitutional clauses defining the role and structure of the Judiciary. Legal experts critical of these tribunals have repeatedly challenged their legal standing. The Special Court for the Clergy has also been used as a political tool against clerics who urge reforms, criticize the regime or challenge the role of the supreme leader.' [31d]

11.07 A report on Globalex (an electronic legal publication dedicated to international and foreign law research published by the Hauser Global Law School Program at New York University School of Law), titled 'A Guide to the Legal System of the Islamic Republic of Iran', updated February 2011, provided the following information on the Iranian court system:

'The Courts are functionally classified according to their area of jurisdiction, civil or criminal, and according to the seriousness of the crime or the litigation, e.g., value of property under dispute or the level of punitive action involved.

'The judiciary in Iran follows the Islamic Law. There are basically three types of courts in Iran- (a) Public Courts, (b) Clerical Courts and (c) Revolutionary Courts.

'The regular courts in Iran, known as public courts, are classified into:

- '1. Civil Courts,
- '2. Special Civil Courts,
- '3. First Class Criminal Courts; and
- '4. Second Class Criminal Courts.

'These courts mainly deal with the civil and criminal matters of the common public in Iran. In the first instance, family matters, including marriage, divorce and custody, come under the jurisdiction of the Special Civil Court allocated to family affairs. Whereas personal status matters such as citizenship and probate come under the jurisdiction of the Public Civil Courts. All non-financial matters and financial affairs evaluated at above 2,000,000 RI [Rial] from these courts can be appealed to the appellate courts. Criminal courts fall into two categories: first and second level criminal courts. The first level courts have jurisdiction over prosecution for felony charges, while the second level courts try cases that involve lighter punitive action. There are nearly 600 Public Courts in Iran.

'The Clerical Courts are entrusted with the task of trying and punishing misdeeds by the clergy although it has also taken on cases involving lay people. There is a Special Clerical Court that holds operations independent of the regular judicial system and is accountable to the Supreme Leader of Iran. Judgments handed down by the Clerical Courts are final and cannot be appealed.

'The Revolutionary Courts rule on serious offences related to the country's security, drug trafficking, etc. There are two Revolutionary Courts in Iran. The judgments given by these courts cannot be challenged in any Court in Iran. The Revolutionary Courts do not allow for the involvement of defense attorneys in Court proceedings related to various legal matters addressed by these Courts.

'The judges of these courts fulfill additional roles as prosecutors and mediators. All judges in the courts have received a higher education in Islamic Law and most of them are also members of the group of ruling clergies.

'Besides, there is Administrative Court of Justice, which under the supervision of the head of the judicial branch is authorized to investigate any complaints or objections by people with respect to government officials, organs, and statues and a Disciplinary Court for Judges was established in 1987.

'The Constitution requires all trials to be open to the public unless the court determines that an open trial would be detrimental to public morality or public order, or in case of private disputes, if both parties request that open hearings not be held.' [67a]

- 11.08 [A paper](#) by Ehsan Zarrokh, Attorney at Law at Kermanshah Bar Association, Iran, dated 3 June 2008 and published on the BioInfoBank Library website, provides more detailed information on the judicial system including the structure and functions of the Revolutionary Court, Dispute Resolution Councils, the Public Courts, the Courts of Appeal, the Military Courts, the Special Clerical Court, the Court of Administrative justice, the Supreme Court and the Special Civil Court. [95a]

See also Political affiliation, sub section on [Political Prisoners](#) for information on the establishment in March 2010 of a court for political prisoners in Evin Prison.

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## INDEPENDENCE

- 11.09 Chapter XI, Article 156 of the [Iranian Constitution](#) states that 'The judiciary is an independent power, the protector of the rights of the individual and society, responsible for the implementation of justice...' (Iran Chamber Society website, accessed 17 August 2011) [58e]
- 11.10 The report of the Secretary-General to the UN General Assembly on 'The situation of human rights in the Islamic Republic of Iran', dated 1 October 2008, stated:
- 'While the Constitution provides for a separation of powers between the executive, legislative and judicial functions, there are a number of institutional constraints on their independent functioning and ability to protect human rights.
- 'Despite the separation of powers provided for in article 57 of the Constitution, the Supreme Leader, currently Ayatollah Ali Khamenei, supervises the executive, legislative and judicial branches and other key institutions (E/CN.4/2006/61/Add.3, para. 12). This is reinforced by the system of advisory councils provided for in the Constitution. The Guardian Council is composed of six theologians appointed by the Supreme Leader and six jurists nominated by the judiciary. It has the power to veto the bills passed by Parliament if it views them as being inconsistent with the Constitution and sharia law. The Expediency Council serves as an advisory body for the Supreme Leader with an ultimate adjudicating power in disputes over legislation between Parliament and the Guardian Council. The Assembly of Experts, comprising clerics elected through a general election, has the power to appoint and remove the Supreme Leader.' [10a] (p4)
- 11.11 The Iran Primer report, 'Patterns of Human Rights Abuses 2010', published by the United States Institute of Peace (USIP), on 16 December 2010, stated:

'The last vestiges of the rule of law and an independent judiciary seriously diminished in 2010. The Intelligence Ministry and Revolutionary Guards had a growing role in investigations, arrests, detentions, interrogations, trials, sentences, and bail decisions. Detainees have routinely been denied access to lawyers, family, their files and even charges against them. Some were not told their trials [sic] dates and then denied the right to speak at their trial. Show trials, in which multiple defendants have confessed publicly to alleged crimes, after torture and coercion, have become common.' [31a]

- 11.12 The Freedom House report, Freedom in the World 2012 – Iran, published on 12 July 2012, observed that:

'The judicial system is not independent, as the supreme leader directly appoints the head of the judiciary, who in turn appoints senior judges. Suspects are frequently tried in closed sessions without access to legal counsel. Political and other sensitive cases are tried before revolutionary courts, where due process protections are routinely disregarded and trials are often summary. Judges deny access to lawyers, commonly accept coerced confessions, and disregard torture or abuse during detention.

'Pressuring lawyers to abandon the cases of political and social detainees is another widespread government practice in Iran. If the lawyers persist in fulfilling their duties, they can face harassment, interrogation, and incarceration. Since 2009, at least 42 attorneys have been prosecuted. In one prominent case, human rights lawyer Nasrin Sotoudeh was sentenced in January 2011 to 11 years in prison and a 20-year ban on professional activity and travel. An appellate court in September reduced the prison term to six years and halved the professional and travel ban, but one of the attorneys representing Sotoudeh was jailed. Sotoudeh was reportedly in poor health and had gone on several hunger strikes behind bars.' [112f]

- 11.13 The Concluding Observations of the United Nations Human Rights Committee (UN HRC), 17 October – 4 November 2011, stated:

'The Committee is concerned that the independence of the judiciary is not fully guaranteed and is compromised by undue pressure from the Executive power, including the Office for Supervision and Evaluation of Judges, as well as senior clerics and high-ranking Government officials ahead of trials. The Committee is also concerned that judges have used Shari'a law and fatwas to reach a verdict that was in contravention to the rights and principles as laid down in the Covenant [International Covenant on Civil and Political Rights] (art.14).' [10t] (paragraph 22)

- 11.14 The USSD Report 2011 stated:

'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.' [4a] (Section 1e)

**FAIR TRIAL**

- 11.15 The report of the Secretary General to the UN General Assembly on 'The situation of human rights in the Islamic Republic of Iran', dated 15 September 2010, stated:

'The Constitution, the Penal Code and the Code of Criminal Procedure of the Islamic Republic of Iran provide a range of procedural guarantees to ensure due process of law, which include equality before the law, the right to legal counsel, presumption of innocence, prohibition of torture, prohibition of illegal arrests, right to appeal a ruling and open trials. Concerns were raised throughout the year by the United Nations High Commissioner for Human Rights and the special procedure mandate holders about the degree to which these procedures were observed in practice, in particular in relation to the trials of opponents of the Government.' [10u] (p14)

- 11.16 Correspondence from the Foreign and Commonwealth Office to the UK Border Agency dated 30 April 2010 stated that:

'Although the judicial system in Iran is relatively robust on paper, there have been serious questions about access to fair trial in civilian courts, let alone military tribunals, for some years. This has only escalated since the June 2009 Presidential elections. Large numbers of people have been detained, without access to lawyers, with requests for bail ignored, forced to sign fake confessions and then put forward in televised show trials, before being sentenced for crimes that their lawyers (whom they have often had no access to) say they did not commit. Others have disappeared for weeks with frantic relatives being given no information about their whereabouts.' [26g]

- 11.17 The interim report of the UN Secretary-General dated 14 March 2011 observed:

'Although article 35 of the Constitution requires all courts to hold hearings and sessions in the presence of a defense counsel and considers judgments issued without the presence of a defense attorney null and void, in practice many defendants are denied this core right. Article 128 of the code of criminal procedures narrows down this constitutional guarantee by giving judges discretionary authority to exclude a counsel from hearings on sentencing in sensitive cases; or a counsel may be present but may not speak until the end of the proceedings. Reports received further suggest the use of confession extracted through coercive methods being admitted in court proceedings and the setting of disproportionately high bail payments for the release of detainees.' [10aa] (p14)

- 11.18 A Joint Statement dated 28 October 2010, by human rights groups, Amnesty International, Democracy Coalition Project, Human Rights Watch, the International Campaign for Human Rights in Iran and the International Federation for Human Rights and its affiliate, the Iranian League for the Defence of Human Rights, stated that following the demonstrations after the June 2009 elections:

'The Iranian authorities subsequently tried hundreds unfairly, including in mass "show trials", the main aim of which appeared to be to validate their version of events and identify scapegoats. In January 2010, two men convicted after "show trials" were executed for their involvement in demonstrations, despite their having been in custody since before the election. At least seven men and one woman remain on death row for alleged offences related to the election and its aftermath, while others have been sentenced to prison terms of up to 15 years after conviction of vaguely worded "offences" relating to "'national security'". Their trials make a mockery of justice.

'The trials typically take place after defendants have been held for long periods of detention – often in solitary confinement or incommunicado detention – in centres where torture and other ill-treatment are common. Poor prison conditions, including denial of adequate medical care, have also been used to bring further pressure to bear on those held and their families.' [82a]

11.19 The USSD Report 2011 stated:

'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.

'The UNHRC [United Nations Human Rights Council] and various human rights groups, including AI [Amnesty International], HRW [Human Rights Watch], and Reporters without Borders (RSF) continued to condemn trials in the revolutionary courts for disregarding international standards of fairness. On November 4 [2011], the UNHRC expressed deep concern about the frequent violations of fair trial guarantees.

'The government often charged individuals with vague crimes such as "antirevolutionary behavior," "moral corruption," "siding with global arrogance," moharebeh ["enmity towards god"], and "crimes against Islam." Prosecutors imposed strict penalties on government critics for minor violations. When postrevolutionary statutes did not address a situation, the government advised judges to give precedence to their knowledge and interpretation of Islamic law (Sharia). Under the law judges may find a person guilty based on their own "divine knowledge" (elm-e ghazi), or they may issue more lenient sentences for individuals who kill others considered "deserving of death" (mahdoor-ol-dam), meaning that the victim had done something contrary to Sharia. Secret or summary trials of only five minutes duration frequently occurred. Other trials were deliberately designed to publicize a coerced confession.

'During the year human rights groups noted the absence of procedural safeguards in criminal trials. There were many examples of the prosecution providing fabricated evidence, forced confessions, trials closed to the public, and trials without juries. Courts often used confessions made under duress or torture. In one instance the court used private e-mails written while the prisoner was in solitary confinement as a confession for the purposes of his sentencing.' [4a] (Section 1e)

11.20 The Concluding Observations of the UN HRC, 17 October – 4 November 2011, stated, 'The Committee is deeply concerned about the frequent violations of fair trial guarantees provided for under the Covenant [International Covenant on Civil and Political Rights], especially in the Revolutionary Courts and the Evin Prison Court. It is also concerned about the invocation by judicial officials of the "mahdoor-ol-dam" (deserving of death) definition in their rulings (articles 14,6).' [10t] (paragraph 21)

11.21 The Amnesty International report, "We are ordered to crush you" Expanding repression of dissent in Iran', published in February 2012, stated:

'The majority of trials in Iran are grossly unfair, particularly those before Revolutionary Courts and other special courts such as the Special Court for the Clergy (SCC).

Revolutionary Courts are used to prosecute national security offences and offences under the Anti-Narcotics Law, whereas the SCC tries cases in which Muslim clerics or their followers are involved. Trials by Revolutionary Courts are frequently held behind closed doors. Defendants are routinely denied access to lawyers in the preliminary pre-trial investigation stage and often during the trial itself under a restrictive interpretation of a note to Article 128 of the Code of Criminal Procedures. Dozens of defendants have told Amnesty International how they were told that if they did not have a lawyer, “it would be better” for them. Trials are often only minutes long and prisoners sometimes claim that the judges receive instructions from the intelligence service which has overseen their interrogation on the verdict and sentence.’ [9x] (p23)

See also [Penal code](#) and [Political affiliation](#)

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## Trial in absentia

- 11.22 A response by the Immigration and Refugee Board of Canada (IRBC), dated 6 May 2009, commented on in absentia judgments, stating that correspondence in December 2008 from a legal attorney in London advised:

‘In case the accused is not present at any time during the proceedings or the trial, then the judgment will be considered to have been issued in absentium (Article 217). The accused is then entitled to ask for a re-trial within 10 days from being actually served with the judgment. If the judgment is served at the accused’s last known address, then the accused is entitled to ask for a re-trial within 10 days of being informed of the service. In any event, the judgment of the court will be subject to appeal to the Court of Appeal.’ [2a]

- 11.23 The Advisory Panel on Country Information (APCI) Report 2008 noted that: ‘In [in] absentia cases, the time limitations relevant in all cases, namely 20 days of appeal within the appropriate appellate authority per Article 236 of the Penal Procedure code, do not begin to run until the initial 10 days [see above paragraph] are exhausted. For individuals residing overseas (where this is officially registered with the authorities), the time frame is 2 months.’ [6a] (p17)

## Double jeopardy (ne bis in idem)

- 11.24 A 2004 paper by Mansour Rahmdel, an Attorney at Law in Tehran, discussed the possibility of the double jeopardy (ne bis in idem) rule in the Iranian Penal Code, noting that:

‘On 12th October, 1982, the Iranian legislator adopted the Penal Code (later reformed in 1991). In Art. 3 of the code the legislator treated the question of jurisdiction concerning offences committed abroad, but removed the regulations of transnational criminal law relating to the “ne bis in idem” rule, and in para. (d) referred to the principle of active personality without any exception, making punishable all crimes committed abroad by Iranian nationals whether the accused were prosecuted and punished abroad or not.

‘On 29th July, 1991, the legislator reformed some articles of this code and changed para. (d) of the 1982 code to Art. 7, without changing the substance of the paragraph.

'This Article has caused some problems for people who have committed offences abroad and have been punished. When they come back to Iran, especially when there is a private complainant, the court prosecutes the accused. Most problems arise from the difference between the kinds of punishment in Iranian law and those in other penal systems, especially of non-Islamic countries, because in Islamic countries many similar acts are criminalised, but some of these acts committed in non-Islamic countries either are not criminalised or have shorter sentences.

'The post-revolutionary legislator in Iran does not accept not only the ne bis in idem rule but also the reduction of punishment rule, because it considers foreign judgments to have no validity and says "every Iranian national who commits an offence abroad will be punished according to Iranian penal laws upon return"', whether he has been punished or not and whether he returns to Iran voluntarily or not, and in some cases the accused can be punished twice...

'The ambiguity of Art. 7 of the Iranian penal code has led judges to make differing interpretations. Some judges believe that whether the accused has been convicted abroad or not, he could still be prosecuted and punished in Iran.' [22a]

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## Bail

- 11.25 Regarding bail, an Immigration and Refugee Board of Canada response dated 6 May 2009 included the following information from Amnesty International's International Secretariat in London:

'The most common form of bail is known as kefalat in Persian, or guardianship, a non-valued form of surety in the first instance and indicates the guardian's "word" or "honour" that the designated person appear in court at the appointed time and corresponds to the provisions set out in article 132.1 of the Code of Criminal Procedures (1999).

'Under this arrangement the guarantor is personally liable and responsible for delivering the accused to the court whenever he or she is summoned. Kefalat constitutes a specified monetary value which will be paid post facto if the guarantor fails in their undertaking to "deliver". The guarantor is not required to produce the cash "up front" and often offers a property deed or another asset, or proof of asset as guarantee that the specified sum would be paid if the occasion arises...

'While the Code of Criminal Procedure sets out those cases where bail may and may not be provided, and the manner in which it is to be set, in our experience, the bails we report on often appear excessive in terms of the "crimes" alleged and in terms of average incomes in Iran, appearing to fly in the face of Article 134 of the 1999 Code of Criminal Procedures, which requires bail bonds or security to be commensurate with, inter alia, the severity (Persian: sheddad) of the alleged crime. Bail, in terms of the largely political cases that AI sees, is taken in the form of property deeds and can involve several properties, generally belonging to family members.

'We have no information on how bail is collected, or, confiscated, that is, how people are evicted from their places of residence and the property seized; nor in what manner bail is disposed.' [2a]

- 11.26 An Iran Human Rights Documentation Center (IHRDC) report published in August 2010 stated that Article 134 of the Iranian Code of Criminal Procedure requires that the amount of bail set should ‘be in accordance with the importance of the crime, severity of punishment, reasons and tools for the accusation, possibility of flight of the accused and destroying the signs of crime, background of the accused, his health, age and respect in the community.’ [51c] (p47)
- 11.27 The IHRDC report continued:
- ‘The law does not provide guidance on what are important crimes and what amount is in accordance with those crimes. However, Iranian human rights lawyers have noted that ‘judges who are in the business of trying political prisoners heed the demands of their leaders in the military and economic centers of power’ and portray the accused to be so dangerous that the proposed amount of bail issued “will be disproportionate to the importance of the alleged crime committed, as well as his health, age, and respect in the community.”...
- ‘Women’s rights activists detained following the 2009 election believe that high bails were set in an effort to punish them and discourage them from continuing their activism. When detainees were unable to pay the full bail, the authorities negotiated third-party financial guarantees, often with family members. These guarantees put heavy economic pressure on the detainees and their families to remain silent. This method continues to be particularly effective in Iran’s weak economy.’ [51c] (p47)
- 11.28 The Amnesty International report, “‘We are ordered to crush you” Expanding repression of dissent in Iran’, published in February 2012, stated:
- ‘The Code of Criminal Procedures says that detainees can petition a judge for release on bail. It requires that the bail or surety is appropriate and proportionate to the crime and punishment in question, as well as the status of the accused and his background.
- ‘Despite this, bail is often set extremely and disproportionately high, which may force the family of the detainee to surrender more than one property deed. Many of those arrested since the June 2009 election have stood bail of amounts equivalent to several hundred thousand US dollars. In some cases, detainees and their families are simply unable to meet such high demands, and the individual continues to languish in detention.’ [9x] (p20)
- 11.29 The US Department of State’s ‘Country Reports on Human Rights Practices, Iran’ (USSD Report 2011), covering events in 2011, released 24 May 2012, reported that, ‘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, which effectively silenced them for fear of losing their families’ property.’ [4a] (Section 1d)

See also [Arrest and Detention – Legal Rights](#) for further information on bail and court documents

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## PENAL CODE

Some of the sources referred to in this and other sections refer to a new Penal Code. It should be noted, however, that the current or old Iranian Penal Code was still in force when this report was drafted. The new Penal Code is awaiting signature by President Ahmadinejad and is not yet in operation

11.30 The website of the Mission for Establishment of Human Rights in Iran (MEHR Iran), accessed on 16 March 2010, includes details of the current [Iranian Penal Code](#). [66a] ‘The Islamic Penal Law was approved by the Islamic Consultancy Parliament on 30 July 1991 and ratified by the High Expediency Council on 28 November 1991. The Book Five of the Penal Code – Ta’azirat – has been ratified in May 22 of 1996.’ (MEHR Iran) [66a]

11.31 The Human Rights Watch (HRW) report, ‘Codifying Repression’, published August 2012, stated:

‘The Islamic Penal Code, which came into effect in 1991, is the codification of several different pieces of legislation that addresses punishment and compensation for criminal (and tortious) conduct. Along with the Code of Criminal Procedure and the Law Establishing General and Revolutionary Courts, the code serves as the primary body of procedural and substantive law related to the administration of justice on all criminal matters.

‘The code comprises 729 articles and is divided into five “books” or main sections that deal with general penal provisions and four specific categories of punishments referenced in shari’a law. These categories include: a) hadd or hodud (pl.) [hodood], defined as “crimes against God,” the punishments for which, including degree, type and implementation, are specified in shari’a law ; b) qesas, retributive justice reserved for crimes that cause death or injury, such as murder ( “retribution crimes”); c) diyeh, monetary fine or compensation to victims in the form of “bloody money” for unintentional acts that cause death or injury or for intentional crimes not covered by qesas (“compensation crimes”); and d) ta’zir, or punishments for criminal acts that do not have specific or fixed sentences or penalties under sharia law but are considered to be in conflict with religious or state interests (“discretionary crimes”).’ [8j] (p8)

11.32 The International Federation for Human Rights (FIDH) report, ‘Iran/death penalty: A state terror policy’, dated 28 April 2009, noted:

‘The death penalty is meted out mostly under the hodood section, and the qesas section in the case of murder, as well as once under the ta’zirat section for “cursing the prophet”. However, the Iranian legal system distinguishes also between punishments considered to be the sole “right of Allah” and those considered to be the “right of the people.” The former have a “public aspect” and withdrawal of complaint shall not have any effect on them, e.g. punishment for fornication. An example of the “right of people” is qesas or retributive punishment. Under the law, the Supreme Leader may grant amnesty if a crime violated the “right of Allah” in cases that do not fall under hodood punishments, but he cannot grant amnesty if the ‘right of people’ has been violated. A large number of extremely heterogeneous crimes entail the death sentence in Iran.’ [56b] (p10)

11.33 The Foreign and Commonwealth Office advised on 11 May 2010 that, ‘In the case of murder it is usual for a qysas [qesas] sentence to be handed down. A qysas sentence

means either the payment of blood money to the victim's family (at which point the accused is freed) or a death sentence. The decision rest solely with the family of the victim – they cannot choose a third alternative (e.g. a lengthy gaol term).' [26c]

- 11.34 The Freedom House Report, 'Freedom in the World 2012 – Iran', stated, 'The country's penal code is based on Sharia and provides for flogging, amputation, and execution by stoning or hanging for a range of social and political offenses; these punishments are carried out in practice.' [112f]

See also [Death penalty and Amputations and floggings](#)

- 11.35 The Amnesty International report, "We are ordered to crush you", expanding repression of dissent in Iran', published February 2012, noted, however:

'The first four books of the Penal Code have been under revision in parliament since 2007. In January 2012, the Council of Guardians, which vets legislation for conformity to the Constitution and to Islamic Law, said no provisions in the draft were in violation of Islamic Law, paving the way for the Bill to be sent to the President for ratification. An earlier version of the Bill seen by Amnesty International maintains many existing provisions which are incompatible with Iran's obligations under international human rights instruments. In particular, it continues to provide for flogging and amputation as a punishment; it continues to penalise consensual sexual relations outside marriage, whether same sex or heterosexual; it continues to allow judges to pass judgment on the basis of their "knowledge", which could be their subjective opinion; and discriminates against women and religious minorities in a number of areas. It also appears to still provide for the execution of juvenile offenders at the discretion of the judge and would permit the use of stoning as a penalty for adultery while married by allowing judges to cite Islamic Law.' [9x] (p12-13)

- 11.36 The International Campaign for Human Rights in Iran (ICHR) reported on 27 February 2012 that, 'Iran's new penal code was finally approved by the Guardian Council, a body of clerics and lawyers in charge of approving legislation, in February 2012. Once the new penal code is signed by President Mahmoud Ahmadinejad and published in the official gazette, it will officially replace the current penal code.' [52t] The ICHR further noted, 'The new penal code largely maintains the same categories of crimes, and the new punishments are more or less the same. Some of the elements of certain crimes, including adultery and sodomy, have, however, changed.' [52t]

- 11.37 The Secretary-General's report of 20 March 2012 reported:

'The Secretary-General welcomes the omission of punishment of stoning and details of this method of execution in the new Islamic Penal Code, passed by the Iranian parliament in January 2012 [but not yet effective (HRW, August 2012 [8j]). The Secretary-General regrets, however, that the new law fails to fully abolish the death penalty or restrict its imposition to only the "most serious crimes", as stipulated in article 6 (2) of the ICCPR [International Covenant on Civil and Political Rights]. The new Penal Code still provides the death penalty for people charged with "action against national security", Moharebeh (enmity against God), Mofsid-Fil-Arz (corruption on earth), drug trafficking, rape, Qisas (retribution in kind) and certain other hudud crimes.' [10ai] (p4-5)

- 11.38 A Foreign and Commonwealth update of 31 March 2012 noted:

'There has been no discernible improvement in the human rights situation in Iran. Death sentences continue to be handed down in large numbers, and the targeting of

journalists, human rights defenders and religious and ethnic minorities continues apace. While the passage of a new penal code gives the semblance of improvement, the text has not addressed international concerns, continues to allow for stoning, and has increased the severity of sentences for a number of crimes.’ [26h]

11.39 In their August 2012 report, ‘Codifying Repression’, HRW reported:

‘The most serious problems with the new code include:

- 1) retention of the death penalty for child offenders;
- 2) retention of the death penalty for crimes considered not to be “serious” under international law;
- 3) failure to codify laws related to serious punishments including death;
- 4) the use of broad or vaguely worded national security laws criminalizing the exercise of fundamental rights;
- 5) the continued use of punishments that amount to torture or cruel and degrading treatment, such as stoning, flogging, and amputation; and
- 6) the retention of previously discriminatory provisions against women and religious minorities related to the implementation of punishments, retribution and compensation, and use of evidence in court.

‘While the amended penal code makes a few important advances, the provisions highlighted above continue to deprive Iranians of their basic rights under international law to fundamental freedoms, freedom from cruel and arbitrary punishment, and freedom from discrimination.’ [8j] (p11)

11.40 The HRW August 2012 report, ‘Codifying Repression’ includes a detailed assessment of the new penal code and noted:

‘For the new code to take full effect, President Mahmoud Ahmadinejad must sign it into law and it must be published in the country’s official journals. However, President Ahmadinejad has not yet signed the bill into law. Once he signs it, it will undergo a three year trial period. In April 2012 Ayatollah Sadegh Larijani, the head of Iran’s Judiciary, announced that in the meantime he had instructed courts to apply the previous code but expressed hope that Ahmadinejad would sign the new provisions into law as soon as possible.’ [8j] (p9)

See also [Knowledge of the judge](#), [Proposed law on apostasy](#), [Adultery](#), [Death penalty for Children](#), [Lesbian Gay and Bisexual Persons](#) and [Stoning](#).

## Security laws

11.41 The Human Rights Watch (HRW) report, ‘Codifying repression’, published August 2012 stated:

‘The new provisions [in the Penal Code] do not alter other crimes defined under the broadly or vaguely worded ‘Offenses against the National and International Security of the Country’ (national security laws), many of which criminalize the exercise of fundamental rights. Examples of these patently political crimes include “collusion and gathering against the national security,” “propaganda against the regime,” “disturbing the public order,” “membership in illegal groups,” “participating in unlawful gatherings,” “insulting the Supreme Leader,” and “publication of lies.” Courts generally hand down

sentences on these charges that include heavy prison terms of up to 25 years, flogging, internal exile, and work bans.

'In fact, the penal code's sections on security laws, which remain untouched by the amendments incorporated in the new code, constitute the government's primary legal tool for stifling dissent. These laws are so broadly articulated that the government is able to punish a range of peaceful activities and free expression with the legal cover that it is protecting national security. The provisions governing security offenses have been in place since 1996, and the government has frequently relied on them to arrest and harass perceived critics.

'The provisions of the security laws prohibit various forms of speech, assembly, and expression, allowing the state to arbitrarily and subjectively judge them as being 'against' the nation or its security.' [8j] (p41-42)

See the [HRW report of August 2012](#) directly for further information on the current penal code (including security laws) and the proposed changes to it, which are not yet effective.

## Knowledge of the judge

- 11.42 The Human Rights Watch report, 'We are a buried generation', published December 2010, noted that article 120 of the Iranian Penal Code allows '...convictions, including those relating to same-sex conduct, based solely on the knowledge of the Shari'a judge as 'derived through customary methods,' which enables judges to rely on tenuous circumstantial evidence to determine whether a crime has occurred.' [8m] (p7)
- 11.43 In a document dated 9 July 2010, Amnesty International (AI) stated that 'knowledge of the judge' is '...a provision in Iranian law that allows judges to make their own subjective and possibly arbitrary determination whether an accused person is guilty even in the absence of clear or conclusive evidence.' [9g]
- 11.44 The International Federation for Human Rights (FIDH) report, 'Iran/Death Penalty: a State Terror Policy', dated 28 April 2009, noted that: 'Judges are ... empowered to rule on the basis of their own "knowledge"' in various cases. Hence, a good number of stoning as well as other sentences are issued on the basis of the "knowledge of the judge". This is illegal even according to the letter of the Islamic Penal Code.' [56b] (p39)
- 11.45 The April 2009 FIDH report added that, 'It is notable that the IPC [Islamic Penal Code] has stipulated "knowledge of the judge" specifically as one of the means to prove theft or murder, but not in the case of fornication/adultery. However, Ayatollah Khomeini has granted judges the power to use their knowledge in fornication- and adultery-related cases (Tahrir ul-Vassileh, Vol 4, P 197). The book was invoked to sentence two sisters to stoning in 2007...' [56b] (p39fn)
- 11.46 An AI update of 25 July 2012 commented on the revised Penal Code, which was passed in February 2012 but has not yet entered into force (HRW, August 2012 [8j]), stating:

'The new Penal Code would also continue to allow judges to decide on the merits of a case solely based on their subjective "knowledge" (elm-e qazi) – one of many concerns Amnesty International has over the fairness of trial proceedings in Iran. The existing provision regarding "knowledge of the judge" in the current Penal Code was relied on by

three of the judges who passed the majority verdict of stoning to death against Sakineh Mohammadi Ashtiani.’ [9z]

- 11.47 The HRW report, ‘Codifying Repression’, published in August 2012 assessed the revised Penal Code and also noted that:

‘Like the old code the amended code also allows judges to rely upon their “knowledge,” not only in resolving issues related to applicable laws, but also in determining issues of fact and evidence. Article 210 of the new code states that “knowledge of the judge” comprises certainty derived from presentable evidence in connection with an issue before the judge.” In the absence of confessions or other available testimony by eyewitnesses, a judge may enter a conviction for certain crimes based on his “knowledge.”...The law requires, however, that rulings based on a judge’s “knowledge” derive from evidence, including circumstantial evidence, and not merely personal belief that the defendant is guilty of the crime.

‘Human Rights Watch has documented instances where defendants have received summary trials in which judges ignored the strict evidentiary guidelines that the penal code stipulated for such cases. Instead, the judges have used this apparently unrestricted power to include or exclude evidence to rely on evidence that should have been inadmissible as evidence of guilt, including confessions where there was very strong evidence that they were extracted through the use of physical torture and extreme psychological pressure.’ [8] (p35)

See also [Penal Code](#), [Lesbian, Gay and Bisexual Persons](#), [Stoning](#), and [Women: Adultery](#)

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## Crimes committed outside Iran

- 11.48 [Book 1, Chapter 1 of the Penal Code](#) includes articles referring to crimes committed outside Iran, some of which are:

‘Article 4

If part of the crime has happened in Iran and its results have happened outside the territory of Iran, or if part of the crime has happened in or outside Iran and the results have happened in Iran, the ruling is that the crime is [sic] happened in Iran.

‘Article 5

1. Any Iranian or foreigner, who has committed one of the following crimes and is found in Iran or is extradited to Iran, will be punished in accordance with the Penal Law of the Islamic Republic of Iran:

Any act against the government of the Islamic Republic of Iran, the internal and external security, territorial integrity or the independence of the Islamic Republic of Iran...

‘Article 6

Any crime that is committed by the foreign citizens that are working for the State of the Islamic Republic of Iran, or the State employees working outside of the territory of the Islamic Republic of Iran, also any crimes that are committed by the political, and consular and cultural officials of the Iranian State who are using diplomatic immunity, are punishable in accordance with the Penal Laws of the Islamic Republic of Iran.

#### 'Article 7

In addition to the above-mentioned provisions in Articles 5 and 6, any Iranian who has committed a crime outside the territory of Iran and is found in Iran will be punished in accordance with the Penal Laws of the Islamic Republic of Iran.' [10x]

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## COURT DOCUMENTATION

Information on court documents is very difficult to obtain, hence the inclusion in the following sections of older sources.

### Summonses

11.49 The APCI Report 2008 observed:

'In order to invite an individual to a judicial body, a summons must be issued. This would be in the form of "Ekhtariyeh" (sometimes translated as "legal notice") and "'Ehzariyeh", Farsi terms which may both be accurately translated into the legal term "summons".

'These serve the same purpose and have the same nature, as both give the opportunity to the defendant to attend the court and defend themselves against certain allegations. Both of these documents are issued by the proceeding court after a lawsuit is filed, stating the name of the defendant, the file number of the case, the court and its branch, the name and address of the defendant, and instructions as to the need to attend the court at a certain time or within a given time period. A copy of the document must be served on the defendant or a family member and signed by both the serving Bailiff and the recipient to show the date of service. After service to the defendant, the original document, along with the 'return of service' proving the summons and complaint were served, is filed with the court to show that the defendant has been informed and been given the opportunity to respond.

'Therefore, there is no difference between "Ekhtariyeh" and "Ehzariyeh" in terms of their legal nature and function, as both provide the defendant with the opportunity to voluntarily appear at court and respond to a complaint. However, "Ekhtariyeh" is usually used when someone is called to the court for an investigation that is ongoing against the defendant, whilst "Ehzariyeh" is used when the court intends to hold a trial against the defendant and wants to give a last opportunity for their voluntarily coming forward. The consequence of non-attendance after issuing an "Ehzariyeh" would usually be the issuing of an arrest warrant and an absentia verdict if the person is not found.' [6a] (p19)

11.50 On the same subject the Danish Immigration Service Report 2009 stated that:

'The Attorney at Law explained that summonses can be issued by the Civil-, Criminal- or Revolutionary Court. A western embassy (3) confirmed that there are different kinds of summonses and added that summonses are also issued by the Secret Service.

'The Attorney at Law stated that if a person does not respond to a summons, the person is breaking the laws regulating the obligation to report to the authorities when summoned. Failing to report when summoned does not mean that the person will be prosecuted. This would depend on the reason for the person being summoned. The

Attorney at Law added that a person who has been summoned and has subsequently left Iran during the investigation phase, will not necessarily face prosecution upon return just because the person has failed to report to the authorities after being summoned.

'According to a western embassy (3), a person who does not meet when summoned is searched for by the authorities. The embassy does not know what happens to a person who fails to report to the authorities after being summoned.

'The Attorney at Law stated that summonses can easily be obtained illegally and that it is also easy to forge summonses by erasing information in the summons and adding new details.

'The attorney at Law also informed that a notice to meet in court can be send [sic] by text message (sms) and by e-mail. In terms of the use of text messages a document has to be presented as proof of the text being sent to the person.' [86a] (p43)

11.51 Regarding civil cases, the Danish Immigration Service Report 2009 stated that:

'According to a western embassy (3), any person being accused of an offence according to the Civil Code will be summoned. If the accused does not respond to the summons the person will be summoned again. The Attorney at Law stated that a civil summons is issued by the Civil Court or branch when a plaintiff has filed a case at the court house. A person who has been served a summons must respond within five days. If the summons is published in the legal gazette the person has 30 days to react to the summons. If a person who has been summoned does not show up, the court may issue a ruling.' [86a] (p43)

11.52 Regarding criminal cases, the Danish Immigration Service Report 2009 stated that:

'A western embassy (3) explained that a person suspected of having committed a criminal act will be summoned according to the Penal Code. According to the Attorney at Law, when a person is summoned in a criminal case the person must report to the authorities within three days. However, if the summons has been published in the legal gazette, the person must report to the authorities within ten days. If a person fails to report when summoned according to the Penal Code, the person will be searched for and an arrest warrant may be issued.

'A western embassy (3) added that a person who fails to report to the authorities when summoned may be sentenced in absentia to imprisonment if found guilty of the crime. The sentence may be appealed within 10-20 days.' [86a] (p43-44)

See also [Trial in absentia](#)

11.53 On summonses issued by the Secret Service, the Danish Immigration Service Report 2009 stated that: 'A western embassy (3) stated that summonses by the Secret Service do not have a specific format and may even be issued over the phone. A document is rarely issued by the Secret Service. A person who fails to meet for a summons issued by the Secret Service will be searched for. The embassy does not know what happens to the person in such cases.' [86a] (p44)

11.54 The Danish Immigration Service Report 2009 also described a summons:

'According to the Attorney at Law, a summons is a form consisting of blank sections. The court or the requesting authority will fill in the summons by hand. Though, recently some courts have begun to issue computer generated summonses as well. A western embassy (3) stated that summonses are always filled out by hand and only the copy is served to the summoned. The summons is stamped by the issuing authority.

'The Attorney at Law explained that all summonses have a registration number. By this number any Iranian lawyer can find out if the summons is registered in the system and thereby verify the authenticity of the summons. With the use of the number of the summons, the lawyer can find information on the date of issue, the case number, court type (Civil, Criminal or Revolutionary) and branch number of the court issuing the summons. The case number is written in the left top corner. In the top middle there is a number of the court and in the top right corner the date is written. A summons is most often written on A5 size paper.

'Summonses are always stamped, though not necessarily signed. The stamp contains the following information: city, name, court and division. Divisions all have individual numbers. All cities start with the number "1". The name of the city will not appear but only the city's number code. The Attorney at Law added that if the letter " " [please see original report for the letter] followed by "/ xxx" (numbers) appears on the summons, this means that a judgement has been made and the authorities may carry out execution of the judgement. The letter " " [please see original report for the letter] will be written in the top right corner of the summons by the Execution Court.

'Once there is a judgment in the case, it is sent to the Execution Division. In the Execution Division, a new number for judgment is issued. At this stage, the authorities can execute the judgment even though the person can appeal the decision. The Attorney at Law added that a judgment can be appealed within 30 days. Then the Appeals Court renders a judgment that may be executed. The person may appeal to the Supreme Court; however, this will not prevent execution of the Appeals Court's decision. However, if a person is acquitted by the Supreme Court the judgment will be reversed.' [86a] (p44)

- 11.55 A response by the Immigration and Refugee Board of Canada (IRBC) dated 6 May 2009 quoted information provided by Amnesty International's International Secretariat in London, which stated that:

'Courts summons may be issued by prosecutors' offices or judges from a variety of courts including those in the Revolutionary and General Criminal Courts (Dadgah-ha-ye Enghlab va 'Omomi dar Omour-e Keyfari); Civil (Dadgah-ha-ye 'Omomi); specialised courts, including those for government employees, family courts; military tribunals and so forth and special courts, notably the Special Court for the Clergy.

'Prosecutors and judges may, in Amnesty International's experience, issue court summons for a variety of reasons, including questioning, to take part in an investigation (whether as suspect or witness); to take part in a trial (whether as suspect or witness), to deal with bail or for attendance in court for the delivery or enforcement of a verdict.

'Judges responsible for implementing a verdict (Qazi-ye Ejra) may issue summons in order that those convicted report for the allocated punishment, notably to start prison terms.

'A summons may be sent by post, but it is more usually delivered by court bailiffs, sometimes also called "sheriffs" in Persian zabeteyn. Individuals may also be brought to court in the absence of a summons, under duress, including by plain-clothed officials (called in Persian lebas shakhsi), though Amnesty International is not aware of the agency affiliation of such officials, nor whether they have any such formal affiliation. It is impossible to judge the frequency of the latter.

'If summons here is also meant to mean a "notice of conviction," this could be in reference to a summons from the implementation, or Ejra section of the Prosecutors Office.' [2a]

- 11.56 The same IRBC response also noted that, 'Amnesty International points out that despite the existence of laws requiring that court or other judicial officials write up and issue judicial documents to those affected by such documents (those putting up forms of bail; witnesses, suspects, lawyers, other judicial officials), such documentation may not, be produced and those affected may ultimately be ignorant of decisions taken, by virtue of not having been informed.' [2a]

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## Arrest warrants

- 11.57 A report from the IRBC, dated 20 June 2006, stated that:

'Correspondence with Sabi and Associates, a law firm specializing in Iranian law, located in London, England, yielded the following information:

'In most circumstances the office of the court issues court documents, such as summons[es] and other relevant notices. Arrest warrants have to be signed by the judge. Also, any judgment of the court resulting in the conviction of the accused should also be signed by the judge himself. Otherwise (unless there is a specific provision), the court officer (normally an unqualified clerk) will sign the notices. The notices are served through the service department of the Ministry of Justice and through a bailiff. The bailiff is employed by the government and there are no private process servers, whether in commercial or criminal proceedings. Even in commercial cases, all the documentation and notices have to be served through the service department of the Ministry of Justice.

'A warrant for arrest should be served on the accused at his last known address. If the address is unknown or the accused cannot be found at his last known address, then the proper service would take place through publication of the warrant in a widely circulated newspaper or a local newspaper where the accused resides. The members of the family cannot be served instead of the accused unless they acknowledge that they are aware of the whereabouts of the accused and they will undertake to deliver the notice/summons to the accused. In principal, [sic] in criminal cases, the substituted service through members of the family is not acceptable. If the accused cannot be found, the arrest warrant would be passed on to law enforcement officers to arrest the accused whenever and wherever he is found.' [2d] (p1)

- 11.58 A response by the Immigration and Refugee Board of Canada dated 6 May 2009 quoted information provided in correspondence dated December 2008 from a lawyer with a legal firm in London who left Iran in 1979 but has kept in touch with events in Iran 'through contacts with colleagues and associates.' The lawyer stated that:

'In accordance with Article 34 of the Criminal Procedure Code (CPC), the examining magistrate (acting effectively as prosecutor or district attorney) when handling a criminal case, may at any time during the investigation issue a warrant of arrest of the accused. The warrant of arrest shall be submitted to a judge within 24 hours and subject to the approval of the judge, a temporary order for arrest of the accused will be issued. (ibid.)

'The order of temporary arrest is subject to approval of the head of the judicial division of the relevant district (Article 33) and is appealable to the Court of Appeal within 10 days from its issuance. The Court of Appeal is required to immediately consider the objections of the accused and shall rule thereon within one month from the date of arrest of the accused. (ibid.)

'Further, the law enforcement officers (includes the police, Government militia, the army and gendarmerie) are entitled to arrest anyone [who commits] a crime (Article 21). (ibid.)

'... it is well known that the agents of the Ministry of Information (the secret service) have detained many individuals without going through the process that is set out in the CPC. In a particular case that [the attorney] was personally involved, [he] noticed that many months after their arrest, a number of the accused were forced to sign statements that they [had] received temporary arrest warrants on a monthly basis and acknowledged receipt thereof. Some of the detainees ... [were] released without being charged and without any record of their arrest. (ibid.)' [2a]

11.59 On the issuance or serving of an arrest warrant and that of a search warrant, the APCI Report 2008 stated:

'... an arrest warrant would not be "served" on the defendant in the sense of physically sending or handing it over to him or her, but rather presenting it as an authorisation for arrest or search. Therefore, there is no legal manner by which the original of an arrest warrant can be physically handed over before the time of arrest, as would a summons as such documents can be served upon a family member. Also, a distinction must be drawn between an arrest warrant and a search warrant, as the latter can be handed over at the time of search, to those who are located at the premises.' [6a] (p19-20)

11.60 The USSD Report 2011 stated, 'The intelligence arm of the IRGC reportedly conducted arrests during the year, sometimes without a warrant. In addition, 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.' [4a] (Section 1d) The Concluding Observations of the UN Human Rights Committee, 17 October - 4 November 2011, included, 'The Committee is concerned about reports of the use of general and blanket arrest warrants, which do not contain the names of the accused and are not based on a judge's review of evidence (art. 9).' [10t] (Paragraph 17).

See also [Arrest and detention – legal rights](#) and for information about leaving the country, see [Exit and return](#)

## Reporting

11.61 The Danish Immigration Service Report 2009 stated that:

'The delegation sought information about the use of reporting at specified times, i.e. an order to report regularly to the authorities, for instance daily reporting, weekly reporting,

twice weekly reporting etc. While the notion of reporting because of a summons was well known, the majority of the sources were not familiar with the concept of reporting to the authorities at specified times.

'The Attorney at Law stated that he has never seen any document ordering a person to report to the police or other authorities at specified times nor had he heard of anyone being ordered to report to the police or to the authorities at specified times. However, he had heard of situations where a person was paid a visit at home by the police. The person will then be questioned as to his or her whereabouts. Such visits may be made by the police or by the Intelligence Service. To the Attorney at Law's knowledge, it is not anyone from the judiciary system who makes these visits. An international organisation in Tehran (1) stated that former MKO [Mojahedin-e Khalq Organisation] members who have returned to Iran are sometimes told to report to the authorities on a weekly basis during the initial period after their return. It was unknown to the organisation for how long a period and to which authority the returnee should report, and if all returnees had to report. Mahdavi explained that a person who has served a sentence for a criminal activity may be ordered to report to the police at specified times, as it is the duty of the police to control whether such a person has become criminally active again. If a person, who has been ordered to report to the police at specified times, fails to report, there will not be any sanctions for failing to report. Mahdavi had no knowledge of specific cases where a released person had been ordered to report to the authorities at specified times. However, he added that the police will keep an eye on a person with a criminal past.' [86a] (p44-45)

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## **Court verdicts and issuance/enforcement of judgments**

11.62 The November 2010 report by Iranian lawyer Behnam Daraeizadeh, published by Iran Human Rights Documentation Center, stated:

'Although the law states that judges must issue their verdicts within a week's time, it seldom occurs that a court decision is handed down within a week of completion of trial. In political/press related cases, suspending the investigation or keeping individuals in a state of uncertainty is a matter of security in the hands of the administration. Aside from inflicting serious mental anguish on the politically accused, this illegal policy pits the individual against the regime in a defensive and passive position, and deprives the individual of the ability to take any decisive action during this period.

'In any case, a verdict from the court must be well-founded and documented. This means that in issuing his opinion, the judge must mention both the basis of his reasoning as well as the legal scripture and articles on which his sentence is based. Article 166 of the Constitution, as well as Article 9 of the Law of Formation of the Public and Revolutionary Court, prescribe similar regulations in this regard.

'A court verdict must be officially handed down to the accused and/or his attorneys. The handing down of the verdict is an important matter and not just a formality. Not only is a court verdict considered to be an official document of the country holding special validity, but the date that the verdict is issued is of significant importance as it declares the beginning of the limited period for appealing the verdict.' [51b] (p15)

11.63 The same report also noted, however:

'In political/press related cases, a verdict is normally not handed down. The authorities of the Islamic Republic fear publication of their anti-human rights verdicts and will not allow the accused or his attorney to retain a copy of the court verdict. In cases where I represented clients in the revolutionary court, aside from one or two examples, I was never able to obtain a copy of the court opinion or decision. There are hundreds of political prisoners in Iran who are never able to obtain a document indicting their sentence or period of imprisonment. On the other hand, all the decisions of the courts can be appealed and the possibility of these appeals and the method of using this right are stated in the text of the verdict.' [51b] (p15)

See the [November 2010 IHRDC report](#) for further information on criminal procedure in Iran. [51b]

11.64 The APCI Report 2008 stated that:

'For the purpose of enforcement of the judgments delivered by the common courts; civil and penal, there has been established an entity called Unit of Enforcement of Judgments. In accordance with law, chief of the judicial district concerned shall also act as chief of the unit. Each unit shall have adequate number of assistants, employees and other personnel. The judgments delivered by the common courts and the Revolutionary courts shall, based upon the instruction of the issuing authority, be enforced by the Justice Agents. The issuing authority of the judgment and order may attend or supervise the proceedings of enforcement.

'In order to provide legal advices and guidance to the individuals who are in need of such services, an entity entitled Guidance and Assistance Unit has been established in each judicial district under the supervision.' [6a] (p15)

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## 12. ARREST AND DETENTION – LEGAL RIGHTS

12.01 The US Department of State's 'Country Reports on Human Rights Practices 2011', Iran, released on 24 May 2012, (USSD Report 2011) stated:

'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, which effectively silenced them for fear of losing their families' property.

'The intelligence arm of the IRGC [Islamic Revolutionary Guard Corps] reportedly conducted arrests during the year, sometimes without a warrant. In addition, 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.

‘Incommunicado arrest and detention was a common practice. For example, Farzad Madadzadeh was reportedly held incommunicado during the year, and Kouhyar Goudarzi has been held incommunicado since July 31 [2011]...

‘The government reportedly put individuals under house arrest without due process to restrict their movement and communication. In mid-February authorities suddenly moved former presidential candidates Mehdi Karroubi and Mir Hossein Mousavi and their wives, Fatemeh Karroubi and Zahra Rahnavard, respectively, to an undisclosed location and held them incommunicado for several weeks. They had been under de facto house arrest since 2010, and all but Fatemeh Karroubi remained so at year’s end [2011], apparently in response to their calls for protests in solidarity with prodemocracy activists.’ [4a] (Section 1d)

12.02 The report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, dated 6 March 2012, stated:

‘Article 32 of the Constitution calls for the immediate presentation of charges to persons arrested in accordance with its criminal procedures. The rules that govern criminal procedure also prohibit arbitrary detention and require that families of the detained be informed. The law guarantees access to and representation by legal counsel, and prohibits temporary detention for non-violent crimes, unless there is flight risk...

‘Reports recently conveyed to the Special Rapporteur, however, suggest that, despite these legal provisions, violations of due process rights are chronic, reducing the likelihood of a fair trial; for example, the majority of persons interviewed for the present report maintained that they were not presented with a warrant or reason for arrest during their interrogations. Several interviewees reported that they had endured unlawful searches and seizures, and had been held for weeks, even months, in solitary confinement without being informed of their charges. All interviewees stated that they had been blindfolded during transfer and their interrogation, and most were unable to contact family members to inform them of their whereabouts and did not have access to legal counsel after their arrest, and during their detention or investigations.’ [10d] (p10)

12.03 The Amnesty International (AI) report, ‘We are ordered to crush you’, Expanding repression of dissent in Iran, published in February 2012 observed:

‘The Iranian Constitution, Code of Criminal Procedures and the 2004 Law on Respect for Legitimate Freedoms and Safeguarding Citizens’ Rights all specify that arrests must be made on the basis of a warrant which must contain the reason for the summons and be read to the accused unless someone is caught in the act of committing a crime. Iran’s Code of Criminal Procedure empowers the police and the Basij and Revolutionary Guards to make arrests. Iran’s Supreme National Security Council may also empower other bodies or agencies to do so as well, although the basis and mechanism is not clear in the law and there appears to be no requirement for the authorities to inform the public as to what bodies have been granted arresting and detaining powers. For example, Ministry of Intelligence personnel do not appear in law to have the power of arrest, but under these provisions they may well have been given it.

‘The Iranian Constitution states that “charges with the reasons for accusation must, without delay, be communicated and explained to the accused in writing, and a

provisional dossier must be forwarded to the competent judicial authorities within a maximum of 24 hours". The Code of Criminal Procedure, which reiterates that 24-hour limit, states that a judge may issue temporary detention orders for a maximum of two months, thereby allowing authorities to hold detainees without charge beyond the 24-hour period. The Code gives the accused the right to appeal against the detention order within 10 days, and although it states that the detainee's case must be resolved within a month, it also allows the judge to renew the temporary detention order. The Code sets no limits on how many times this order may be renewed.' [9x] (p20)

12.04 The same AI report also noted that:

'The Code of Criminal Procedures is also currently under review in Iran. Although some provisions of the current Code appear to provide some degree of protection from arbitrary arrest and torture or other ill-treatment, in practice, the restrictive interpretation of certain notes are for example used to deny detainees access to a lawyer from the time of arrest until such time as the interrogation has been finished. The draft revised code also does not appear to fully clarify which agencies have the power of arrest in Iran.

'The lack of transparency over which agencies have the right to carry out arrests facilitates abuses and impunity. Under the law, detainees must be held in facilities controlled by the Prisons Organization. However, in practice, many of those arrested, particularly those suspected of opposing the government, are arrested without a warrant or on the basis of a general arrest warrant that does not specify them by name or fully explain the reason for arrest, and are taken to detention facilities run by intelligence bodies such as the Ministry of Intelligence or the Revolutionary Guards Intelligence branch.' [9x] (p20-21)

See [Security forces](#), [Arbitrary arrest and detention](#) and [Detention Centres](#) for abuses of the legal process. See also Judiciary subsections on [Fair trial](#) and [Court documentation](#) (for information about bail, summonses and arrest warrants) and [Prison conditions](#)

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### 13. PRISON CONDITIONS

13.01 The International Centre for Prison Studies', 'Prison Brief for Iran', accessed 11 July 2012, reported that the prison population, including pre-trial detainees and remand prisoners, was '250,000 at October 2011 (national administration).' The official capacity of the prison system was stated to be 85,000. [87a]

13.02 The Amnesty International (AI) report, 'We are ordered to crush you', Expanding repression of dissent in Iran, published in February 2012 stated:

'In late June 2011, Younes Mousavi, a member of the parliamentary Judicial Committee reportedly stated in parliament that overcrowding in some prisons was so severe that prisoners were sleeping on the stairs. He also reportedly said that the budget of the Prisons Organization was insufficient to clothe and feed prisoners, so that in some prisons prisoners shared a blanket, that some prison buildings were no longer fit for purpose and that the health system of some prisons was so poor that some prisoners could experience "unsuitable medical conditions" while in prison.

'Some family members of a group of around 600 women, including some political prisoners, transferred in 2011 to Gharchak (or Qarchak) prison, near Tehran wrote a letter to the Head of the Islamic Human Rights Commission in May 2011. The letter described the conditions in which they were held and alleged that guards had beaten prisoners who had complained:

'...Prison authorities at Gharchak refuse to provide prisoners with food and water and according to the prisoners there are no regular meal times and prison authorities serve food at their convenience. The 600 female prisoners have access to only four bathrooms and the same bathrooms must be used by everyone for taking showers, washing their clothes and washing other items such as dishes. Furthermore, the water supply is cut off during most of the day.' [9x] (p22)

- 13.03 The US Department of State's, 'Country Reports on Human Rights Practices 2011, Iran', released on 24 May 2012, (USSD Report 2011) stated:

'Prison conditions were harsh and life threatening. Prisoners committed suicide as a result of the harsh conditions, solitary confinement, and torture to which they were subjected. Prison authorities often refused medical treatment for injuries prisoners suffered at the hands of their torturers and from the poor sanitary conditions of prison life. Hunger strikes in protest of their treatment were common. Prisoners and their families often wrote letters to authorities, and in some cases to UN bodies, to highlight and protest their treatment. As a result of the letters, prison officials often beat prisoners and revoked their visitation and telephone privileges...

'There were reports of prison guards and other inmates brutalizing and raping prisoners, especially political prisoners, with impunity ... In a May 9 [2011] letter, Mehdi Mahmoudian, convicted for "collusion against the government" after participation in the 2009 protests, wrote that rape of young men in Rejai Shahr Prison was "an accepted and common everyday matter" completely ignored by prison officials. Authorities transferred Mahmoudian to solitary confinement without explanation on June 8. Prisoners were frequently subjected to harassment and discrimination. 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, forcing many prisoners to sleep on the floor, in the hallways, and even outside in the prison yard. There were reports of food being tampered with to create stomach illness among the prisoners. There were frequent water shortages and sanitation problems. Prisoners were severely restricted in their access to fresh air and often were granted permission to go outside only during the hottest or coldest times of the day. There were reports of officials sending prisoners outside without clothes for prolonged periods of time. Ventilation in the prison was lacking, with the stench of poor sanitation and water facilities permeating the cells. Prisoners were often subjected to sensory deprivation, with either 24-hour light or complete darkness.' [4a] (Section 1c)

- 13.04 The Freedom House report Freedom in the World 2012 – Iran, published 12 July 2012, concurred stating that 'Prison conditions in general are notoriously poor, and there are regular allegations of abuse, rape, torture, and death in custody.' [112f]

- 13.05 A report by the Iran Human Rights Documentation Center (HRDC), 'Surviving Rape in Iran's Prisons', published June 2011, observed:

'Allegations of rape and sexual violence of political prisoners by authorities began to emerge after the Islamic Republic of Iran was established in 1979 and have continued, to varying degrees, to the present. However, not surprisingly, there is no reliable estimate of the number of prisoners raped in the Islamic Republic's prisons; no data or comprehensive report has ever been compiled that portrays the full scope of sexual violence in Iran's prisons. The reasons are simple: few rape victims are willing to speak about their experiences due to (1) government pressure and acquiescence, and (2) social stigma. Iranian authorities have and continue to acquiesce to rapes of prisoners by guards and interrogators who use rape to crush detainees' spirits, inflict humiliation, discourage their dissent, force them to confess to crimes, and ultimately to intimidate them and others.' [51h] (p1)

See the [HRDC report](#) of June 2011 directly for further information, including the testimonies of two female and three male former prisoners. [51h]

- 13.06 The 'Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran', dated 6 March 2012, reported:

'A compilation of prisoner interviews, public statements and letters submitted to the Special Rapporteur about circumstances in nine of the country's prisons described conditions that fall well below the minimum standards proclaimed by the United Nations, such as severe overcrowding, inadequate access to water, insufficient prisoner segregation practices, extremely poor quality and unhygienic facilities, hazardous ventilation conditions, insufficient access to medical services, paltry nutritional provisions and the perpetuation of violence and use of prisoners to facilitate punishment. The Special Rapporteur spoke with four detainees who had been arrested and detained at the Kahrizak Detention Centre in the days following the 2009 presidential election, and whose testimonies corroborated many of the allegations concerning prison conditions made in the present report.' [10d] (p11)

- 13.07 The nine prisons referred to in the Special Rapporteur's report were, 'Evin Prison, Gohardasht Prison, Qezelhesar Prison, Mashhad's Vakil Abad Prison, Qarchak Prison, Hassan Abad, Khorin Prison, Lakan Prison and Yazd Central Prison.' [10d] (p11, footnote 22)

- 13.08 The USSD Report 2011 noted:

'The government did not permit independent monitoring of prison conditions by any outside groups, including UN groups or special rapporteurs. Prisoners generally had access to weekly visitors, but this privilege was often revoked, along with telephone and other correspondence privileges. According to former prisoner accounts, prison officials often returned unsent letters to prisoners months after they thought they were sent to their families. Prisoners were able to submit complaints to judicial authorities, but often with censorship and retribution for doing so. Authorities did not initiate credible investigations into allegations of inhuman conditions. There was no information on whether the penal system employed prison ombudspersons and no indication that any steps were taken to improve recordkeeping or use alternative sentencing for nonviolent offenders. To the contrary, the authorities utilized secret detention facilities, frequently held prisoners incommunicado, and mixed violent and nonviolent offender populations.' [4a] (Section 1c)

See the [USSD Report 2011](#) directly for more detailed information on the conditions for imprisoned individuals. [4a] For a first hand account of conditions in Evin prison, see the

Iran Human Rights Documentation Center's (IHRDC) document [Witness Statement of Mahdis](#), dated 19 April 2010. [51d]

- 13.09 On 29 June 2010, Gozaar, an online forum on human rights and democracy in Iran, reported that:

'In Iran, separation of prisoners on the basis of their identity and personality, education, age, and social standing is a generally accepted principle, in accordance with the laws governing correctional institutions and citizens' civil rights. However, there is no mention in these laws of political prisoners and, therefore, the separation of political prisoners from common criminals is not even a topic for discussion: under the existing system, from the legal standpoint, the very concept of such separation lacks clarity. Thus, political prisoners and prisoners of conscience, whether male or female, are not availed of their rights under the universally accepted principles of human rights. The reason for this is that, officially, Iran's rulers do not principally recognize political offenses and crimes as such and define them according to the whim of the moment and as so proves expedient for them.' [94a]

- 13.10 An [Iran Human Rights Voice article](#) of 27 March 2011 described the conditions for some 'common' and 'political prisoners' in Kanoon Prison in Ahvaz and Evin prison, Tehran. [11a]

- 13.11 The Amnesty International (AI) report 'From Protest to Prison', published on 9 June 2010, reported:

'Many detainees complain of poor prison conditions, with poor hygiene, inedible food and overcrowding, particularly during times of mass arrest. Access to fresh air and exercise can be extremely limited. Many have complained of being held in extremely small cells – described as being like a "cage" or a "coffin" or a box, which gives them just about enough room to lie down...

'Article 102 of the State Prisons Organizations' Procedures Manual requires that all prisoners receive medical tests in the clinic at least once a month. Article 103 states that medical treatment outside the prison is dependent on recommendation by the prison medical staff and requires the authorization of the Prison Governor and the approval of the judge in the case. In practice, however, denial of medical care is frequently reported, even when recommended by prison medical staff, to the extent that it appears to have become an extra method of putting pressure on detainees to "confess" or to punish them further.' [9o] (p40-41)

See the same [Amnesty International report](#), for further information on prisons in Iran and individual cases of people held in them, including those who demonstrated against the government in 2009. [9o]

The [International Campaign for Human Rights in Iran](#) (ICHR) website includes regularly updated information on individuals imprisoned in Iran and the conditions under which they are detained.

See also [Political affiliation](#), [Political prisoners](#) and Security forces, subsections on [Arbitrary arrest and detention](#), [Detention centres](#) and [Torture](#)

## 14. DEATH PENALTY

For information on the penal code and interpretation and impletation of the law, see Judiciary, subsection [Penal code](#) above.

- 14.01 The report of the Secretary-General to the United Nations (UN) General Assembly on 'The situation of human rights in the Islamic Republic of Iran' dated 23 September 2009, included crimes for which the death penalty may be imposed:

'In the Islamic Republic of Iran, the death penalty is imposed for certain hudud [hodood] crimes, including adultery, incest, rape, fornication for the fourth time by an unmarried person, drinking alcohol for the third time, sodomy, sexual conduct between men without penetration for the fourth time, lesbianism for the fourth time, fornication by a non-Muslim man with a Muslim woman and false accusation of adultery or sodomy for a fourth time. Furthermore, the death penalty can be applied for the crimes of enmity with God (mohareb) and corruption on earth (mofsed filarz) as one of four possible punishments. Under the category of ta'zir crimes, the death penalty can be imposed for "cursing the Prophet" (article 513 of the Penal Code). The death penalty can also be applied to such crimes as the smuggling or trafficking of drugs, murder, espionage and crimes against national security.' [10g] (p10)

- 14.02 The Human Rights Watch (HRW) report, 'Codifying repression: An Assessment of Iran's New Penal Code', published in August 2012, commented on the new Penal Code, which is not yet in force, stating:

'The amendments to the penal code retain the death penalty for activities that should either not constitute crimes at all, or for which the death penalty is strictly prohibited under international law, given they are not considered among "the most serious" crimes. Crimes for which the death penalty is mandatory under the new code [sic] generally fall under the category of "crimes against God." Contrary to international law, under both the old and new codes individuals convicted and sentenced to certain punishment for "crimes against God" (including the death penalty) cannot receive pardons or commutations of their sentence. These crimes include but are not limited to adultery, sodomy, and same-sex relations, and insulting the Prophet Mohammad. Other charges that qualify individuals for the death penalty are related to harsh anti-narcotics laws that criminalize the possession and sale of even modest amounts of drugs.' [8j] (p24)

See the [HRW report, 'Codifying Repression: An Assessment of Iran's New Penal Code'](#), directly for more detailed information on proposed amendments to the current Penal Code.

See also sections on [Crime: Drug Smuggling](#), [Adultery](#) and [Lesbian, gay and bisexual persons](#).

- 14.03 On 6 January 2011, the International Federation for Human Rights (FIDH) and the Iranian League for Defence of Human Rights (LDDHI) reported that:

'While an increasing number of countries worldwide have abolished the death penalty, the Islamic Republic of Iran has long overtaken China as far as per capita number of executions is concerned. The number of executions in Iran has been consistently rising in recent years since the start of Mr. Ahmadinejad's presidency in 2005, from 94 to 177 (2006), 335 (2007), 346 (2008), and 388 (2009). The figures of executions are minimum

numbers compiled from various available sources, but the true numbers may be much higher, because the Iranian judiciary does not systematically report all the death sentences issued or implemented.’ [56d]

- 14.04 The Amnesty International (AI) report, ‘Death sentences and executions in 2011’, published on 27 March 2012 stated, ‘Over the past two years, politically motivated executions were carried out in relation to the unrest following the disputed presidential election of 2009. Several take place specifically each January, which is seen as a warning to potential opposition protesters ahead of yearly celebrations marking the anniversary of the Iranian Revolution on 11 February.’ [9y] (p36)
- 14.05 An Iran Primer report, published by the US Institute of Peace, dated 16 December 2010 reported that, in Iran:

‘The use of capital punishment has reached alarming proportions. One of the most notable trends in 2010 was the government’s broadening [of] the definition of Moharabeh (or “enmity against god”), a capital offense. It should be applied only in cases of armed insurrection. Political activists have routinely been charged with this crime, but officials also now speak of charging armed robbers and even unarmed hooligans with “enmity against god.” [31a]

- 14.06 The International Federation for Human Rights (FIDH) report, ‘Iran/death penalty: A state terror policy’, published on 16 March 2010, stated:

‘The Iranian judiciary and the legislators of the applicable IPC [Islamic Penal Code] have narrowly interpreted the Shiite sharia to apply the concepts of moharebeh and mofsed fel-arz to certain opponents of the government. Moharebeh is an Arabic term that literally means “fighting”; hence a mohareb is a fighter or warrior. Under the conventional sharia provisions as well as the IPC, strictly speaking, a mohareb is somebody who uses arms to terrorise the people. The IPC even stipulates that a person who fails to create fear by using arms is **not** a mohareb (Article 183). The sharia provisions have thus been overstretched to apply those concepts to members and supporters of political groups that have waged armed uprising against the Islamic government, even though they personally may not have used arms.’ [56e]

- 14.07 The AI report, ‘Death sentences and executions in 2011’, published on 27 March 2012 stated:

‘Accurate and complete information about the number of people under sentence of death in Iran is not published by the authorities and the legal situation in many individual cases often remains unclear for months, sometimes for years. The lack of information is exacerbated by the fact that families or lawyers may have only very limited access to the convicted person, but also by contradictory statements between various branches of government, and between regional and central authorities. It seems that in some cases the government may be deliberately creating confusion for political purposes, and to test the reaction of the international community.

‘The scope of the death penalty is very broad in Iran. At least three executions were carried out for “sodomy”, and one execution for “spreading corruption on earth” and “apostasy” from Islam.’ [9y] (p35)

See also [Lesbian, gay and bisexual persons](#), [Christians](#) and [Prosecution of apostates](#)

14.08 The same AI report noted:

'In 2011 Iran was also one of the few countries in the world which exhibited an upward trend in the use of the death penalty overall. Amnesty International registered a marked rise in executions in 2011 continuing an increase begun in mid-2010. This was mostly due to a very high number of executions for alleged drugs offences.

'Amnesty International recorded 360 executions acknowledged by judicial or officially licensed media sources within Iran. Among these were at least four women and three individuals who were under the age of 18 at the time the alleged crimes were committed. However, it is believed that the true number is likely to be considerably higher. Credible sources within and outside of Iran provided information that there were at least 274 reported but not officially confirmed additional executions in 2011, including at least 148 executions in Vakilabad Prison in Mashhad. This brings the total number of executions to 634. At least 50 public executions were carried out, a near-quadrupling of the number in 2010, despite a 2008 directive from the former Head of the Judiciary that public executions should not be carried without his permission. At least 156 new death sentences were officially acknowledged, but the true number is probably much higher.'

[9y] (p35)

14.09 The AI report, 'Addicted to Death: Executions for drugs offences in Iran,' of 15 December 2011 stated:

'In April 2010, there was uproar in Afghanistan at reports that dozens of Afghan nationals had been executed in secret in Iran in the previous few weeks, prompting mass demonstrations against Iran. The Iranian authorities denied that there had been mass executions, but acknowledged that over 4,000 Afghans were detained in Iran, the majority for drug trafficking. At the time, the Afghan authorities were unable to give firm information over the number of Afghans on death row in Iran.

'Following the uproar, Radio Free Europe/Radio Liberty (RFERL) reported that it had spoken to six Afghans from inside Iranian prisons where they were being held on drug-trafficking charges, who described the worrying failures in the judicial process in their cases... Although it was not possible to confirm the stories of the six interviewed, RFERL said that all had given similar accounts which, when taken together, painted a picture of a "woefully inadequate" criminal justice system that fails to ensure due process, especially for Afghan nationals. Several of the Afghans said that they had never been brought to court, or even told the simplest facts about their case. Some said their death sentences were not clearly, or even officially, communicated to them.

'Similar information, indicating institutional discrimination against Afghans in the criminal justice system, has been gathered by Amnesty International.' [9k] (p34)

14.10 The Hands off Cain 'World Report 2012', covering 2011 and the first six months of 2012, stated:

'According to monitoring carried out by Iran Human Rights (IHR), an NGO based in Norway, in 2011, Iran carried out at least 676 executions, a frightening increase over preceding years, and with a sharp increase in executions held in public. On the basis of these same sources, Iran Human Rights had estimated at least 546 executions in 2010, and at least 402 in 2009.

'IHR emphasizes that the actual number of the executions is probably much higher than the figures included in its annual report.

'The execution of child offenders continued into 2011, in open violation of the Convention on the Rights of the Child to which it is a co-signatory. At least 4 people were hanged, after being convicted of offences they had allegedly committed when they were under the age of 18. Two of them were under 18 years of age at the time they were executed. Two other juvenile offenders were executed in 2011 according to unofficial sources but IHR hasn't confirmed their age yet. At least 2 juvenile offenders were hanged in Iran in 2010 and at least 5 in 2009.

'In 2011, public executions have more than tripled, with at least 65 people being executed in public. This is the highest number in more than 10 years. Public executions have continued in 2012: as of 28 June, at least 31 public executions were held.

'In 2011, Iran continued to apply the death penalty to clearly non-violent crimes. In September, three men were hanged in the Karoun prison of Ahwaz, after being found guilty of charges related to homosexuality.

'The use of the death penalty for purely political motives continued in 2011. But it is probable that many of the people put to death for ordinary crimes or for "terrorism," may well be in fact political opponents, in particular members of Iran's ethnic minorities, including Iranian Azerbaijanis, Kurds, Baluchis, and Arabs. Accused of being Mohareb – enemies of Allah – those arrested are often subject to rapid and severe trials that often end with a sentence of death.

'At least 3 of those executed in January 2011 were arrested for participation in demonstrations against the fraudulent Presidential Election results of 12 June 2009, which saw the re-election of Mahmoud Ahmadinejad.' [60a]

- 14.11 In a UN news release of 28 June 2012, three UN Special Rapporteurs '...noted with concern the high numbers of executions carried out in public, despite a circular issued in January 2008 by the Iranian Chief Justice that banned public executions. At least 25 executions have been carried out in public this year.' [10y] The news release continued:

'The Special Rapporteurs regretted that the authorities continue to apply the death penalty with alarming frequency, despite numerous calls to the Government of the Islamic Republic of Iran to establish a moratorium on executions. At least 140 executions are known to have been carried out since the beginning of 2012, with some sources indicating the figure to be as high as 220. The majority of these are for drug-related offences, which the experts do not believe constitute the 'most serious crimes' as required by international law.' [10y]

See also [Penal Code](#), [Death penalty for children](#), [Political Affiliation](#) subsections under [Opposition Groups and Political Activists](#) and [Drug Smuggling](#)

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## STONING

- 14.12 Information on Amnesty International's (AI) webpage, Execution by stoning, updated 23 February 2012 stated:

'Stoning is mandatory for both men and women convicted of "adultery whilst married" under Iranian law.

‘Those sentenced to death are frequently poor or otherwise marginalised from society. Most of those sentenced to death are women for the simple reason that they are disadvantaged in the criminal justice system, and face wide-ranging discrimination in law, particularly in regard to marriage and divorce. However, in recent years more men are known to have been stoned to death than women.’ [9aa]

14.13 AI’s webpage, Execution by stoning, updated 23 February 2012, reported that, ‘Amnesty International knows of at least six people who have been stoned to death since 2002. A further 14 individuals - four men and ten women - are at risk of death by stoning in Iran right now, although several cases are still under review and alternative sentences may be imposed.’ [9aa]

14.14 The same source also noted:

‘Since the Islamic Revolution of 1979, we have documented at least 77 stonings, although the true figure could be higher, as we were not able to record figures for the years between 1979 and 1984.

‘In 2002, a moratorium was declared on stoning in Iran. In 2009, the Legal and Judicial affairs Committee recommended that stoning be removed from the Iranian Penal Code. And yet still this practice continues.’ [9aa]

14.15 Commenting on legal developments since 2008 and the proposals in the new Penal Code, currently awaiting the President’s signature and not yet in operation, the Human Rights Watch (HRW) report, ‘Codifying Repression’, published August 2012, stated:

‘In 2008, judiciary officials revoked the circular [moratorium on stoning], noting that it was never legally binding and contravened provisions in the penal code. Lawmakers and judiciary officials addressed the controversial issue of stoning again in 2008, when a draft penal code bill noted that the punishment of stoning may “result in mischief and cause the degradation of the regime” and recommended execution by hanging or other methods instead.

‘Ultimately, however, lawmakers removed stoning as a punishment for adultery in the amendments to the penal code, which is now silent on the method of punishment for such a crime.

‘Notwithstanding the removal of these provisions, Iranian legal analysts believe that article 220 of the new code empowers judges to rely on the constitution and sentence individuals convicted of adultery to stoning. They also refer to debates surrounding the ratification of the new code and language in articles 172 and 198 of the code (which discusses confessions and testimony of witnesses for certain “crimes against God” such as adultery and includes explicit references to stoning) as further proof that lawmakers did not intend to abolish stoning as a form of punishment.’ [8j] (p33-34)

14.16 The Report of the Special Rapporteur, dated 6 March 2012, stated, ‘...the Special Rapporteur welcomes the omission of stoning as a punishment in the newly ratified Islamic Penal Code, but expresses his concern that severe punishments may still be issued at a judge’s discretion in accordance with sharia law or fatwas.’ [10d] (p7)

14.17 The AI report, “We are ordered to crush you”, Expanding repression of dissent in Iran’, published in February 2012, also observed that the new Penal Code, ‘...would permit the use of stoning as a penalty for adultery while married by allowing judges to cite Islamic Law.’ [9x] (p13)

14.18 The AI report, 'Death sentences and executions in 2011', published 27 March 2012, noted that, 'There were no reports of judicial executions carried out by stoning, or any new sentences of death by stoning. However, public executions were known to have been carried out in Iran...' [9y] (p8)

14.19 The December 2010 AI report, 'Iran: Executions by stoning', reported on the campaign against stoning in Iran:

'The campaign began on 1 October 2006, when a group of Iranian human rights defenders, lawyers and journalists, led by lawyer Shadi Sadr and journalists Mahboubeh Abbasgholidzadeh and Asieh Amini, along with other activists outside Iran, such as Soheila Vahdati, all horrified at the resumption of stoning in May that year, launched the Stop Stoning Forever campaign to abolish stoning in law and practice...

'... the [anti-stoning] campaign has faced repression in Iran and its supporters have been intimidated and harassed. Some, including Asieh Amini, Mahboubeh Abbasgholizadeh and Shadi Sadr, have been forced to leave the country for their own safety and now live in exile.

'Many lawyers who have represented people in stoning cases have reported being threatened and harassed to discourage them from publicizing the cases. Mohammad Mostafaei, one of the lawyers linked to the case of Sakineh Mohammadi Ashtiani, had to flee Iran for his safety in July 2010 after his wife and another relative were detained to put pressure on him to present himself to the authorities for questioning.' [9b] (p8)

See also [Human rights activists and lawyers](#) for information on the treatment of another of Ms Ashtiani's lawyers, Javid Houtan Kiyan.

See the [Amnesty International report](#) of December 2010 for more detailed information on other cases of people sentenced to stoning.

14.20 The UN Secretary-General's interim report of 14 March 2011, noted, 'The case of Sakineh Mohammadi Ashtiani, who was sentenced to death by stoning in 2006, received considerable international attention. Ms Ashtiani was convicted of the murder of her husband, but was also charged with adultery while being married and sentenced to death by stoning...' [10aa] (p9) 'After the international outcry, Iranian judiciary officials declared that her stoning sentence would be suspended, but she remains on death row, and there is legitimate fear that authorities may execute her by hanging instead.' (Human Rights Watch, August 2012) [8j] (p32-33)

14.21 An AI update of 25 July 2012, stated that, '...Sakineh Mohammadi Ashtiani remains imprisoned in north-west Iran apparently still facing a stoning sentence.' [9z] The same source continued:

'Recent but unconfirmed reports suggested that the Iranian authorities no longer intend to implement the stoning sentence handed down to Sakineh Mohammadi Ashtiani in 2006. These reports highlight the need for clarity concerning her fate.

'According to a 25 June 2012 article in The Times [of London] newspaper, Mohammad Mostafaie, one of Sakineh Mohammadi Ashtiani's previous lawyers, said that he had heard that the stoning sentence had been 'lifted' and that 'she could be released' before completing her sentence.

'While this would be welcome news, Amnesty International is not aware of any official confirmation that this is the case...

'Under Iran's current Code of Criminal Procedures, an individual convicted of stoning must remain in detention until the sentence is carried out. The life of Sakineh Mohammadi Ashtiani appears to remain in the balance: if her stoning sentence has not been lifted, then it could be carried out at any time as it has previously been sent to the Office for the Implementation of Sentences.' [9z]

14.22 The AI update of 25 July 2012 observed that, 'Sakineh Mohammadi Ashtiani is a 44-year-old mother of two...From Iran's Azerbaijani minority, Sakineh Mohammadi Ashtiani's mother tongue is Azerbaijani Turkic and she may not have fully understood the legal proceedings she went through, since no translation from Persian was offered to her at any point.' [9z]

14.23 The same source also commented on the revised Penal Code, stating:

'Amnesty International has repeatedly called on the Iranian authorities to decriminalise consensual sexual relations between adults. In the revised Penal Code, passed in February 2012 but which has not yet entered into force, the punishment of stoning was removed, although it would remain a crime to have sexual relations outside marriage. However, Article 167 of Iran's Constitution directs judges to use Islamic law to rule on a case in the absence of codified law.

'The organization is therefore concerned that while the revised Penal Code does not explicitly provide for stoning to death, judges would still be able to pass stoning sentences using Islamic law sources, in line with this constitutional provision.

'The new Penal Code would also continue to allow judges to decide on the merits of a case solely based on their subjective "knowledge" ('elm-e qazi) – one of many concerns Amnesty International has over the fairness of trial proceedings in Iran. The existing provision regarding "knowledge of the judge" in the current Penal Code was relied on by three of the judges who passed the majority verdict of stoning to death against Sakineh Mohammadi Ashtiani.' [9z]

See also [Women: Adultery](#), [Judiciary](#), [Penal code](#) and [Proposed law on apostasy](#)

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## 15. POLITICAL AFFILIATION

The section should be read in conjunction with [Recent developments \(June to 2 December 2012\)](#), [Freedom of speech and media](#) and [Human rights institutions, organisations and activists](#). Information about human rights violations committed generally by government agencies can be found in the section on [Security forces](#).

### FREEDOM OF POLITICAL EXPRESSION

15.01 Jane's 'Sentinel Security Assessment', updated 25 June 2012, stated:

90 The main text of this COI Report contains the most up to date publicly available information as at 2 December 2012.

'Article 26 of the Iranian constitution permits: "[the] formation of parties, societies, political or professional associations, as well as religious societies, whether Islamic or pertaining to one of the recognised religious minorities... provided they do not violate the principles of independence, freedom, national unity, the criteria of Islam, or the basis of the Islamic Republic". A 1981 law on political parties specified what a political party is and defined the conditions under which it could operate, and it made the formation of a party dependent on getting a permit from the Ministry of the Interior.' [61a] (Internal Affairs)

15.02 The Freedom House report, Freedom in the World 2012 – Iran (Freedom House Report 2012), published 12 July 2012, noted that, 'The constitution permits the establishment of political parties, professional syndicates, and other civic organizations, provided that they do not violate the principles of 'freedom, sovereignty, and national unity' or question the Islamic basis of the republic.' [112f]

15.03 The US Department of State (USSD) Background Note updated 1 February 2012, accessed 23 May 2012, stated that suffrage is universal at 18. [4c] (Government)

15.04 In their June 2010 report, 'From Protest to Prison', Amnesty International (AI) reported on the situation for those expressing criticism of the government following the June 2009 presidential election:

'One year on from the disputed presidential election of June 2009, Iranians who want to criticize the Government or protest against mounting human rights violations face an evertightening gag as the authorities and the shadowy intelligence services – shaken to the core by the events which followed – consolidate their grip on the country and intensify the repression already in place for years. Iranians have moved from protest to prison, as the authorities resort to locking up hundreds of people in a vain attempt to silence voices peacefully expressing a dissenting view to the narrative which the authorities wish to provide of the election and its aftermath.' [9o] (Introduction)

See following sections for more detailed information on the aftermath of the election.

15.05 Minority Rights Group International's report, 'State of the World's Minorities and Indigenous Peoples 2012', published 28 June 2012 noted:

'Large-scale protests by government critics and opposition members were held in Iran in 2011, but were met with a heavy crackdown by security forces. On 14 February, opposition groups staged a 'Day of Rage' protest in Tehran and other cities, during which thousands gathered in solidarity with protesters in Tunisia and Egypt, despite the large number of security forces. Police fired tear gas on protesters, killing two people.' [46c] (p197)

15.06 The AI Report, "'We are ordered to crush you'", Expanding repression of dissent in Iran', published in February 2012, noted that, 'Prior to the February 2011 demonstrations [see subsequent sections], a ban on political parties such as the Islamic Iran Participation Front (IIPF) and the Mojahedin of the Islamic Revolution Organization (MIRO) and the National Trust Party had been imposed after the 2009 elections. This ban remains in force, and other political activists have since been arrested solely because of their peaceful political activities.' [9x] (p40)

See also [Penal Code](#) and its subsection, [Security Laws](#) for information on laws governing freedom of expression.

## Events during and after the 2009 Presidential elections

- 15.07 An Amnesty International (AI) report, 'Election contested, repression compounded' dated 10 December 2010, observed that, in the run up to the 12 June presidential election:

'... repression significantly increased against people expressing support for social and political reform; against those seen by the intelligence and security services as disloyal to the system. Among those particularly targeted were students, women's rights activists, lawyers, advocates for greater rights for Iran's ethnic minorities and unrecognized religious minorities, such as the Baha'is and the Ahl-e Haq.

'Many people were arrested and vaguely-worded legislation was invoked to silence debate. Charges used included "acting against state security", "spreading lies", "propaganda against the system", "creating unease in the public mind", "insulting the holy sanctities" and "defamation of state officials". [91] (p15)

- 15.08 The Freedom House Report 2012 (FH Report 2012), published on 12 July 2012, stated:

'Despite crackdowns on human and women's rights activists and restrictions on internet freedom in the months prior to the June 2009 presidential election, supporters of all candidates seemed to enjoy a relatively relaxed and politically vibrant atmosphere...

'Polls indicated a close race, but Ahmadinejad was declared the winner soon after the election, credited with over 63 percent of the vote. All three challengers lodged claims of fraud. Protests broke out on a massive scale across the country as voters rejected the official results. The security forces violently cracked down on all public expressions of dissent and tightened government control of both online and traditional media. However, protesters continued to mount periodic demonstrations, using mobile-telephone cameras and the internet to document abuses and communicate with the outside world. Over the course of 2010, however, the government effectively crippled the opposition's ability to mount large-scale demonstrations.' [112f]

- 15.09 The AI report, 'From Protest to Prison: one year after the election', published on 9 June 2010 stated:

'The vast majority of the well-over 5,000 arrested since June 2009 have been ordinary citizens – women and men, workers and the unemployed, students and professionals – who went out into the streets to protest against the announced election result, or against human rights violations that occurred. Most were released after days or weeks, but some were held for months. Some still languish in the harsh conditions prevalent in most of Iran's prisons, particularly in the provinces. These are the 'nameless' prisoners (gomnam) – the lesserknown people whose cases have not garnered much media attention...

'Those targeted for arrest have included political and human rights activists, journalists, women's rights defenders and students. As time has progressed, new groups have been brought into the fold of suspicion, including clerics, academics, former political prisoners and their relatives, people with family links to banned groups, members of Iran's ethnic and religious minorities – particularly the Baha'is, but also other minorities such as Christians, Dervishes, Azerbaijanis, Sunni Muslims (who are mostly Baluch and Kurds), and lawyers who have defended political detainees.' [90] (p9)

The June 2010 [AI report](#) includes detailed examples of individuals targeted by the Iranian authorities and may be consulted directly for further information. [90]

- 15.10 On 4 March 2011 the International Campaign for Human Rights in Iran (ICHR) provided the following statistics of those arrested after June 2009:

'Iranian authorities revealed that security forces arrested more than 6,000 individuals following the June 2009 presidential election. The Campaign has specifically documented the names of 385 people detained by authorities for peaceful activities or their exercise of free expression. This number includes 52 journalists, 65 rights defenders, 74 students and 15 campaign staffers. Many were detained either without a specific charge or on unfounded charges that do not meet international human rights standards, and without warrants or on the basis of generic warrants enabling authorities to detain anyone. Many reported being detained by unidentified persons and removed to unknown locations, and held incommunicado for long periods.' [52k]

- 15.11 The March 2011 ICHR Report, 'Official distortion and disinformation: a guide to Iran's human rights crisis', stated that 'The Iranian judiciary has generally become a tool of the state security establishment...' [52o] (Introduction) Furthermore, 'Throughout 2009 and 2010, authorities tried hundreds of activists, opposition figures, journalists and human rights defenders, many in "show trials," and gave them lengthy sentences on vaguely worded offences including "acts against national security," "insulting Islam," and "enmity against God."' [52o] (Introduction)

- 15.12 The Human Rights Watch 2010 report on Iran, covering events in 2009, stated that:

'Following the disputed election, both ordinary protestors and prominent opposition figures faced detention without trial, harsh treatment including sexual violence and denial of due process including lack of access to lawyers of their choosing. Human Rights Watch documented at least 26 cases in which detainees were subjected to torture and/or coerced to make false confessions, though local activists believe that there were many more such cases. Some released detainees told Human Rights Watch that they were held in solitary confinement, and deprived of food and proper healthcare. Security forces used beatings, threats against family members, sleep deprivation, and fake executions to intimidate detainees and to force them to confess that they instigated post-election riots and were plotting a "velvet coup." The government held a series of show trials in which prominent political figures such as former Vice President Mohammad Ali Abtahi, Mohamed Atrian Far, Saeed Hajarian, Saeed Shariati, Abdullah Momeni, Hedayat Aghaie, and journalists and analysts such as Maziar Bahari, Amir Hussein Mahdavi, and Hussein Rassam publicly "confessed" to these charges.' [8k]

- 15.13 The [Human Rights Watch \(HRW\) report](#) 'The Islamic Republic at 31', published on 11 February 2010, included detailed information of treatment received by individuals detained since the June 2009 election and the date the HRW report was published. [8l]

- 15.14 A Congressional Research Service (CRS) paper of 5 September 2012 noted that:

'After the initial post-election daily protests, Green Movement members organized protests around major holidays and called openly for the downfall of the regime, rather than its reform. Some of the protests in late 2009 nearly overwhelmed regime security forces. Large protests were held on the July 9 anniversary of the suppression of the 1999 student riots; the August 5, 2009, inauguration of Ahmadinejad; September 18, 2009 ("Jerusalem Day"); November 4, 2009, (30th anniversary of the takeover of the

U.S. embassy in Tehran); and the Ashura holy day (December 27, 2009). The latter protest, conducted the seventh day after the death of major regime critic Ayatollah Hossein Ali Montazeri, was marked by the seizure and burning of some police vehicles, and the refusal by some police to beat protesters; it spread to smaller cities and some clerics participated.’ [78a] (p14-15)

- 15.15 The AI Report, “We are ordered to crush you”, Expanding repression of dissent in Iran’, published in February 2012, stated:

‘Since the 2009 crackdown, the authorities have steadily cranked up repression in law and practice, and tightened their grip on the media. They have stopped public protests using articles of Iran’s Penal Code that make demonstrations, public debate and the formation of groups and associations deemed a threat to ‘national security’ punishable by long prison sentences or even death. Lawyers have been jailed along with their clients. Foreign satellite television channels have been jammed. Newspapers have been banned. Dissidents and critics who write in newspapers or on websites, or speak to the media, risk being charged with offences such as “spreading propaganda against the system”, “insulting officials”, “spreading lies with intent to harm state security” or occasionally the “offences” of “corruption on earth” or ‘enmity against God” which can carry the death penalty.’ [9x] (p6)

- 15.16 The same AI source noted that, ‘This report follows two previous Amnesty International reports – [Iran: Election Contested, Repression Compounded](#), issued in December 2009 [9t]; and [From protest to prison: Iran one year after the election](#), issued in June 2010 [9o]. It shows that the abuses outlined in these reports have not only continued but in some cases have become more widespread or more entrenched in law.’ [9x] (p7)

- 15.17 The AI report of February 2012 stated:

‘In February 2011, the authorities arrested hundreds of political activists and others to prevent them from attending demonstrations in support of protest movements in Tunisia and Egypt. Demonstrations went ahead in Tehran, Esfahan, Kermanshah, Shiraz and other cities despite permission not being granted. They were violently dispersed by the security forces, which arrested scores and killed at least two people – Sane’ Zhaleh, aged 26, and Mohammad Mokhtari, aged 22.

‘Most of those arrested are believed to have been released, but some were sentenced to prison terms after unfair trials, such as Ramin Parchami, a well-known television actor, who was arrested in Tehran while filming demonstrations on 14 February 2011. He was later sentenced to one year in prison after conviction of charges including “participating in an unlawful gathering” and “disturbing public order”’. [9x] (p39)

- 15.18 The UN Secretary-General’s report of 14 March 2011 reported that:

‘Opposition activists arrested in the wake of post-election unrest continue to receive heavy sentences. According to Iranian press, in January 2011, the Appeal Court in Tehran upheld a sentence of 10 years imprisonment and another 10 year ban from political activities and membership in parties for Mr Emad Bahavar, head of the youth branch of the reformist Freedom Movement party. Mr. Bahavar, who was arrested in December 2009, was charged with membership in the Freedom Movement, collusion and assembly, and propaganda against the regime.’ [10aa] (p13)

- 15.19 The FH Report 2012 noted:

'The postelection confrontations created a new political landscape, in which basic freedoms deteriorated and political affairs were further militarized. In February 2011, the government moved to put opposition leaders Mousavi and Karroubi under house arrest. With the reformist opposition pushed to the sidelines, a power struggle between Ahmadinejad and Khamenei spilled into public view in May, when the latter reinstated the minister of intelligence who had been fired by the president. Subsequently a dozen associates of Ahmadinejad and his controversial chief of staff, Esfandiar Rahim-Mashaie, were arrested and accused of constituting a 'deviant current' within the country's leadership. The president himself was threatened with impeachment and questioning. Deep internal divisions in the conservative camp were expected to intensify in connection with legislative elections set for March 2012.' [112f]

See also [Parliamentary elections: March and May 2012](#), [Human rights institutions, organisations and activists](#), [Freedom of speech and media](#) and [Fair Trial](#)

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## Political dissidents outside Iran

15.20 Demonstrations against the June 2009 presidential election results also occurred beyond Iran. A Times article dated 11 July 2009 reported that there had been protests outside the Iranian Embassy in London. The article observed:

'From the rooftop of the Iranian Embassy in London an unmanned video camera records the faces of the angry crowd gathered in Knightsbridge, emboldened by their fury over what they believe was a rigged election. A Metropolitan police officer who has been patrolling the demonstrations since they began three days after the close of polls in mid June, told the Times: "They're filming quite a lot. Any intelligent person would assume they're sending the footage back to Iran."' [15d]

15.21 The Times article also reported that many of the demonstrators in London had covered or disguised their faces with sunglasses, hats, wigs and paint to avoid being recognised in Iran. In addition 'Local activists are developing fresh ways of dodging the regime's dissent radar by developing secret communication methods with their counterparts back home. Their greatest weapon has been cyberspace, despite the Iranian Government's attempt to monitor websites and personal e-mails.' [15d]

15.22 On 4 December 2009 the Wall Street Journal reported that:

'In recent months, Iran has been conducting a campaign of harassing and intimidating members of its diaspora world-wide – not just prominent dissidents – who criticize the regime, according to former Iranian lawmakers and former members of Iran's elite security force, the Revolutionary Guard, with knowledge of the program. Part of the effort involves tracking the Facebook, Twitter and YouTube activity of Iranians around the world, and identifying them at opposition protests abroad, these people say.

'Interviews with roughly 90 ordinary Iranians abroad - college students, housewives, doctors, lawyers, businesspeople - in New York, London, Dubai, Sweden, Los Angeles and other places indicate that people who criticize Iran's regime online or in public demonstrations are facing threats intended to silence them. Although it wasn't possible to independently verify their claims, interviewees provided consistently similar descriptions of harassment techniques world-wide...

'Dozens of individuals in the U.S. and Europe who criticized Iran on Facebook or Twitter said their relatives back in Iran were questioned or temporarily detained because of their postings. About three dozen individuals interviewed said that, when traveling this summer back to Iran, they were questioned about whether they hold a foreign passport, whether they possess Facebook accounts and why they were visiting Iran. The questioning, they said, took place at passport control upon their arrival at Tehran's Imam Khomeini International Airport.

'Five interviewees who traveled to Iran in recent months said they were forced by police at Tehran's airport to log in to their Facebook accounts. Several reported having their passports confiscated because of harsh criticism they had posted online about the way the Iranian government had handled its controversial elections earlier this year [June 2009].' [91a]

- 15.23 On 4 January 2010, Christian Science Monitor (CSM) reported that, following the Ashura demonstrations on 27 December 2009, the Iranian law enforcement authorities had published photographs of around 165 anti-regime protesters on the pro-Ahmadinejad Raja News web site, asking readers to assist them in identifying the individuals. The CSM report further stated:

'While Britain and the US possess advanced facial recognition-enabled CCTV networks that allow for the automatic identification and tracking of suspects, Iran is not known to have acquired such an ability.

'Shoddy file-keeping and other security practices at the intelligence ministry were corroborated by a Dubai-based activist who was detained during the summer in one of the post-election demonstrations. His worries that a previous detention would lead to harsher punishment dissipated after he realized that, even assuming his prior stint had been registered, poor information-sharing between different intelligence branches still shielded him from discovery. Last month, he successfully tested this theory when he returned to Iran to participate in demonstrations timed for Ashura and entered and exited the country unhindered.' [68b]

- 15.24 The author of the above CSM article reported that when he had been held in Tehran's Evin prison for three weeks in the summer of 2009, '...he was pressured to name antiregime demonstrators and witnessed intelligence officials using marker pens to circle recurring faces in freshly-printed images shot by intelligence ministry-subsidized photographers at demonstrations.' [68b]

- 15.25 On 7 February 2010, the International Campaign for Human Rights in Iran (ICHRI) reported that 'Authorities at Imam Khomeini International Airport in Tehran have been collecting photographs of Iranians in protest gatherings outside the country.' The ICHRI stated that they had been informed by several people returning from Imam Khomeini Airport in Tehran, that before departure, their faces had been checked against photographs of people participating in rallies in the countries to which they were going. 'According to an eye witness, Islamic Republic authorities send individuals into different gatherings outside Iran to take photographs of participants and to turn them into the Iranian authorities.' [521]

- 15.26 Reporters without Borders reported on 1 March 2011 that:

'Several journalists and other Iranians living in exile have received anonymous threats by telephone, text message or email, such as "Stop your actions against the Islamic

Republic or you will suffer the ultimate punishment” and “We order you to stop, otherwise you will pay.”

‘Many reports of threats, summonses and anonymous phone calls from intelligence ministry agents have reached Reporters Without Borders in the past year and Iranians have been given police protection in several European countries. They have asked not to be identified. The organisation points out that their families in Iran have suffered harassment from the authorities.

‘After the 1979 revolution the Iranian government executed over 200 political opponents living abroad, most of them in Europe. The killers were never brought to trial because of blackmail by the Iranian government.’ [38d]

- 15.27 Amnesty International’s report, “We are ordered to crush you” Expanding repression of dissent in Iran’, published February 2012, stated:

‘Following the June 2009 presidential election, there are an increasing number of reports of harassment of and threats to Iranians resident abroad...

‘Ebrahim Mehtari took part in the post-election demonstrations in 2009. He was arrested and tortured, including by being subjected to rape. After his release, he fled Iran and has been resettled as a refugee in France. Late in the evening of 24 March 2011, he was attacked by two men, at least one of whom was an Iranian. He was stabbed repeatedly, in his legs, chest and arm. They had managed to put a noose around his neck when a siren sounded, prompting the assailants to flee. He managed to get himself to a hotel where staff called for the police. They, in turn, took him to hospital.

‘Only days earlier, Ebrahim Mehtari had taken part in an event at the UN’s Human Rights Council, where human rights activists had campaigned in favour of states voting to condemn the poor human rights situation in Iran. He had provided details of the sexual abuse and other forms of torture he endured. He believes the attack was in reprisal for his appearance at the event.

‘Other individuals have reported that family members in Iran have been arrested in an apparent attempt to stop them from continuing their political or human rights activities abroad. This has more recently extended to Iranian journalists abroad.’ [9x] (p55)

- 15.28 Rooz Online reported on 10 February 2012:

‘Based on reports received by Rooz, the assassination of a number of prominent Iranian opposition figures is on the agenda of the intelligence and security apparatus of the Islamic republic of Iran. In a related development, two foreign nationals in a foreign country have recently been reported to have been detained and interrogated by local police officials over their activities in gathering intelligence regarding an Iranian opposition personality in that country.

‘Rooz has received information that Shirin Ebadi, Abdol-Karim Soroosh and a defected former senior Iranian official are among those who have received death threats by individuals associated with the regime in Tehran.

‘In addition, a number of Iranian political activists and journalists residing outside the country have also received threatening emails. Some of these emails have originated

from Iranian embassies in countries where the activists live. The emails threaten the activists to remain silent or face the consequences of their actions and statements.

‘Commentators have said that as relations between Tehran and the West have deteriorated, and the possibility of a military strike against Iran’s military installations is gaining media circulation, such threats against dissidents living abroad have multiplied and intensified.’ [63a]

See also, [Arbitrary arrest and detention](#), [Freedom of speech and media](#), Penal Code: [Crimes committed outside Iran](#) and [Failed asylum seekers](#)

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## Political prisoners and prisoners of conscience

- 15.29 On 14 April 2010, the International Campaign for Human Rights in Iran (ICHRI) reported that, ‘On 7 March 2010, Abbas Jafari Dolatabadi, Tehran’s General Prosecutor, reported the formation of a special court inside Evin prison... This court houses the case files of many political activists and unknown prisoners whose cases are in an indeterminate state.’ [52f]
- 15.30 The ICHRI called for the court to be closed, stating that it ‘confines judges and magistrates to the prison complex and denies lawyers and families any access to judicial proceedings...’ [52f] The ICHRI report continued, ‘The formation of a court for political prisoners within the confines of Evin prison, where the suspect is held, informed of his charges, tried, and sentenced, is reminiscent of 1980s courts where thousands of political prisoners were tried without fair investigation, and families and lawyers of prisoners were not allowed to influence the cases in any way. Hundreds of people were executed on the basis of sentences issued by such courts.’ [52f]
- 15.31 On 12 July 2012, the ICHRI reported:
- ‘On July 8, 2012, head of Iran’s High Council for Human Rights Javad Larijani publicly denied the existence of political prisoners in Iran. “A political prisoner is someone who has been politically active within the framework of the laws, but he has been unjustly imprisoned because the rulers and state authorities did not like what he was doing. According to this definition, there are no political prisoners inside the Islamic Republic of Iran,” he said in an interview with ISNA (Iranian Student News Agency).
- ‘Despite Larijani’s remark, Iran currently imprisons hundreds of people on politically motivated charges.’ [52n]
- 15.32 The US Department of State’s ‘Country Reports on Human Rights Practices 2011’, Iran, released 24 May 2012 (USSD Report 2011) observed:
- ‘Statistics regarding the number of citizens imprisoned for their political beliefs were not available, but human rights activists estimated the number in the hundreds, perhaps as high as 900. According to the ICHRI [International Campaign for Human Rights in Iran], an estimated 500 persons were arbitrarily detained for peaceful activities or the exercise of free expression, and another 500 prisoners of conscience had been sentenced to lengthy prison terms following unfair trials. On June 28 [2011], the ICHRI reported there were more than 200 political prisoners inside Ward 350 of Evin Prison, at least 120 of

whom were imprisoned in the aftermath of the 2009 elections or as Green Movement supporters.

‘During the year [2011] the government rounded up students, journalists, lawyers, political activists, artists, and members of religious minorities ... The government charged many with crimes such as “propaganda against the regime,” “insulting the regime,” and apostasy, and treated such cases as national security trials. According to opposition press reports, the government also arrested, convicted, and executed persons on questionable criminal charges, including drug trafficking, when their actual offenses were reportedly political. The government also reportedly held some persons in prison for years under charges of sympathizing with terrorist groups such as the MEK, which were often baseless charges. 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 generally placed political prisoners in prisons far from their homes and families. The government did not permit international humanitarian organizations or UN special rapporteurs access to political prisoners.

‘In a July 13 letter to UN special rapporteur Ahmed Shaheed, imprisoned journalist Issa Saharkhiz accused authorities of using harsh prison conditions to slowly kill political prisoners. Saharkhiz stated: “What is happening now in the prisons is a crime against humanity; it is just as bad as Stalin’s inhumane mandatory labor camps in Siberia.” Saharkhiz warned that the government’s objective was “to kill the protesting prisoners silently and gradually.” Referring to the death of two political prisoners, Hoda Saber and Mohsen Dokmehchi, he wrote: “They are deliberately trying to destroy us and have prepared a silent death for us because they fear our survival even behind bars.” Saharkhiz, one of the founders of the Society for the Defense of Press Freedom in Iran, was arrested in 2009 and sentenced to three years in prison for “insulting the leader and the regime.” He was banned from political and media activities for five years and prohibited from leaving the country for a year... Opposition Web site Saham News reported on August 29 that prison officials beat Saharkhiz on his way to the prison infirmary.

‘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 individuals. The government also controlled political activists by temporarily suspending baseless court proceedings against them and allowing authorities to rearrest them at any time, and it attempted to intimidate activists by calling them in repeatedly for questioning. The government issued travel bans on former political prisoners ...’ [4a] (Section 1e)

See the [USSD Report 2011](#) directly for more detailed information on individual political prisoners.

- 15.33 The Amnesty International (AI) report, “‘We are ordered to crush you”, Expanding repression of dissent in Iran’, published February 2012, stated:

‘Waves of new arrests have followed the mass arrests of 2009; political activists were among the first targeted, along with human rights defenders, journalists, bloggers, members of religious and ethnic minorities, and workers’ rights activists. Since then, lawyers and filmmakers have joined the swelling ranks of prisoners, many of whom are prisoners of conscience or political prisoners held without trial or tried unfairly.

'At the time of writing in February 2012, as campaigning for the March 2012 parliamentary elections is about to start, a further wave of arrests of bloggers and journalists is underway. Over 10 journalists, writers and bloggers have been detained, as have members of ethnic and religious minorities. Reports have emerged that Revolutionary Guards' intelligence services have been targeting Iranians working abroad for foreign media, particularly BBC Persian (see chapter 5 [in [AI report](#)]).

'Hundreds of prisoners of conscience and political prisoners are currently imprisoned or detained, although it is difficult to provide accurate figures on the numbers held at any one time. Secrecy surrounding arrest and detention; the difficulty of obtaining information about those held in prisons outside the major cities; the denial to detainees of access to family members and lawyers; pressures placed on family members not to talk publicly about their relative's arrest; and the practice of granting temporary prison leave, as well as the Iranian authorities' refusal to grant access to the country to international human rights monitors including international human rights organizations and UN human rights mechanisms, mean that Amnesty International has been unable to compile a comprehensive list of political prisoners, including prisoners of conscience. All those held are at risk of the serious human rights violations as described in previous sections of this report.' [9x] (p25)

The [AI report](#) of February 2012 included detailed information on the categories of people being targeted by the Iranian authorities and should be consulted directly for further details. [9x]

See also [Arbitrary arrest and detention](#) and [Prison conditions](#) for further information on the conditions under which male and female political prisoners are held, and [Freedom of speech and media](#).

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## FREEDOM OF ASSOCIATION AND ASSEMBLY

- 15.34 Article 27 of the [Iranian Constitution](#) states 'Unarmed assemblies and marches may be freely organized, provided that no violation of the foundations of Islam is involved.' (Iran Chamber Society website, accessed 11 May 2011) [58e]
- 15.35 The Freedom House Report 2012 noted, however, that a 'vague provision' in the constitution prohibiting public demonstrations that 'violate the principals of Islam' was invoked on a regular basis to deny permit requests after the 2009 presidential election. Furthermore, 'Vigilante and paramilitary organizations that are officially or tacitly sanctioned by the government – most notably the Basij and Ansar-i Hezbollah – regularly play a major role in breaking up demonstrations. These forces even deny mourners the right to attend the funerals of political activists... In addition, under the pretense of 'countering immoral behavior,' the government regularly disrupts private gatherings.' [112f]
- 15.36 See the International Campaign for Human Rights in Iran (ICHRI) report, '[Accelerating Slide into Dictatorship](#)', dated 21 September 2009 for more detailed information on violations of the right to freedom of association and assembly following the June 2009 elections. [52a]
- 15.37 The AI report, 'From protest to prison: Iran one year after the election', published on 9 June 2010, noted that:

'In relation to freedom of assembly, the Penal Code states that two or more people who "gather and collude" to commit or facilitate an act against the internal or external security of the nation will be imprisoned for between two and five years, unless their "offence" is so serious that it amounts to moharebeh [enmity against God]. The Code also provides for between three and six months' imprisonment and up to 74 lashes for "causing disorder and disturbing the peace" – a charge often brought against those who participate in demonstrations not authorized by the authorities. They are sometimes charged with "resisting government officials", which carries the penalty of imprisonment for three months to three years, depending on whether or not weapons are used to resist.' [90] (p47)

15.38 The USSD Report 2011 stated:

'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 and women's meetings and protests, labor protests, online gatherings and networking, 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.

'Beginning February 8 [2011], security forces arrested more than 30 opposition activists in anticipation of planned demonstrations in solidarity with protesters in Egypt and Tunisia...

'Despite the arrests, nonviolent demonstrators protested in the streets of Tehran and other cities in February and March to show support for prodemocracy movements in neighboring countries and to protest the arrests and detention of opposition leaders. The Basij forces reacted violently and forcibly cracked down on the demonstrations, leading to hundreds of arrests and at least three deaths. In June security forces again intimidated and suppressed demonstrators, this time marking the two-year anniversary of the disputed 2009 presidential election. Multiple press accounts reported scenes of police chasing protesters with clubs, deploying tear gas, and making numerous arrests at a silent rally in Tehran.

'In August and September authorities conducted mass arrests in the Azerbaijan region following demonstrations by environmental activists protesting the government's poor management of Lake Urmiya, the world's third-largest saltwater lake. Sources told HRW that authorities arrested approximately 300 demonstrators in Tabriz on August 27, following protests and clashes with police. On September 3, dozens of others were arrested in the region after local activists called for additional demonstrations. At year's end there was no information regarding how many protesters had been released.' [4a] (Section 2b)

15.39 The concluding observations of the report of the UN Human Rights Committee, 17 October to 4 November 2011, stated, 'The Committee is concerned that the right to

freedom of assembly and association is severely limited, and notes that the holding of public gatherings and marches as well as the establishment of associations are conditional upon compliance with “principles of Islam”, which are not defined under national legislation.’ [10t] (paragraph 26)

- 15.40 Amnesty International’s report, “We are ordered to crush you”, expanding repression in Iran, published February 2012, stated:

‘Freedom of assembly ... continues to be very limited except in cases where the authorities wish demonstrations to occur. For permits to be issued by the Interior Ministry, the demonstration must be deemed by the Article 10 Commission of the Political Parties Law not to “violate the fundamental principles of Islam”. The Bill on Political Parties retains this requirement for advance vetting of demonstrations by the Article 10 Commission. The Interior Ministry also has the power to refuse a permit for other reasons. It is also not clear whether permits for demonstrations can be sought by private individuals, or only by political parties, NGOs or other registered organizations. In the current situation, there is a de facto refusal by the authorities to authorise demonstrations perceived as expressing dissent. The few demonstrations that have taken place since 2009 have therefore largely been unauthorised. Policing methods against demonstrators who have not obtained a permit are brutal and often resort to excessive use of force, which can sometimes be lethal.’ [9x] (p19)

See section on the [Green Movement](#) for details of protests after February 2010.

See also previous subsections and those on [Employment rights](#), [Student activists](#) and [Non-Governmental Organisations \(NGOs\)](#) (for information on a proposed new bill affecting freedom of association and NGOs).

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## OPPOSITION GROUPS AND POLITICAL ACTIVISTS

- 15.41 The USSD Background Note updated 1 February 2012, accessed 23 May 2012, noted:

‘The Islamic Republican Party (IRP) was Iran’s sole political party until its dissolution in 1987. Iran now has a variety of groups engaged in political activity; some are oriented along ideological or ethnic lines, while others are more akin to professional political parties seeking members and recommending candidates for office. Conservatives consistently thwarted the efforts of reformists during the Khatami era and have consolidated their control on power since the 2004 Seventh Majles elections and President Ahmadi-Nejad’s 2005 victory.’ [4c] (Political conditions)

- 15.42 A Congressional Research Service (CRS) paper dated 5 September 2012 stated that from 1982 to 2009, the Iranian regime ‘... had faced only episodic, relatively low-level unrest from minorities, intellectuals, students, labor groups, and women.’ [78a] (p2)  
However,

‘Since the June 2009 presidential election, the regime has struggled to contain popular dissatisfaction. In late 2009, several Iran experts believed this opposition movement—calling itself “The Green Path of Hope” or “Green Movement” (Rah-e-Sabz) - posed a serious challenge to the current regime. The regime subsequently pushed the Green Movement underground through harsh repression, including imprisonment or house arrests of its leaders or main activists.’ [78a] (p2)

15.43 The same CRS paper also noted that, 'Some groups have been committed to the replacement of the regime virtually since its inception, and have used, or are still using, violence to achieve their objectives. Their linkages to the Green Movement are tenuous, if present at all, and some indications suggest these movements want to dominate any coalition that might topple the regime.' [78a] (p17)

15.44 The USSD Background Note of 1 February 2012, accessed 23 May 2012, stated:

'The Islamic Republic of Iran has faced armed opposition from a number of groups, including the Mujahideen-e Khalq (added to the U.S. Government's Foreign Terrorist Organizations list in 1997 [but removed in September 2012 (BBC News [21c])], the People's Fedayeen, the Kurdish Democratic Party of Iran, the Party for a Free Life in Kurdistan (added to the U.S. Government's Foreign Terrorist Organizations list in 2009), and the Baluchi group Jundallah (added to the U.S. Government's Foreign Terrorist Organizations list in 2010).' [4c] (Political conditions)

See sections below for more detailed information on the groups mentioned above.

## Green Movement

15.45 A US Institute of Peace (USIP) publication dated 8 June 2010 reported that:

'The Green Movement is an informal movement that emerged spontaneously after the June 12, 2009 presidential poll over alleged vote-rigging. Former Prime Minister Mirhossein Mousavi and former parliamentary speaker and 2009 presidential candidate Mehdi Karroubi are the unofficial leaders, but youth and women were critical in organizing the initial protests, sustaining public opposition for six months, and organizing a multifaceted civil disobedience campaign. Their activities included a boycott of consumer goods advertised on state-run media, anti-government graffiti on the national currency, and Web site campaigns to identify security forces involved in the crackdown. Many young people loosely linked in the Green Movement are not members of any student group or political party.' [100a]

15.46 An undated paper in the Iran Primer, another USIP publication, stated:

'The [Green] movement was widely seen as a new non-violent, non-utopian and populist paradigm of revolution that infused twenty-first century Internet technology with people street power...

'Over the next six months, the Green Movement evolved from a mass group of angry voters to a nation-wide force demanding the democratic rights originally sought in the 1979 revolution, rights that were hijacked by radical clerics. Every few weeks, protesters took to the streets to challenge the regime and its leadership. But by early 2010, the regime had quashed public displays of opposition. The Green Movement retreated into a period of soul-searching and regrouping.' [31c]

15.47 A Congressional Research Service (CRS) report dated 5 September 2012 added:

'The momentum of the Green Movement in late 2009 led some experts to predict the downfall of the regime, but the movement's outward activity declined after its demonstration planned for the February 11, 2010, anniversary of the founding of the Islamic Republic (in 1979) was suppressed. With weeks to prepare, the regime limited opposition communication and made several hundred preemptive arrests, as well as

executing some oppositionists in January 2010. Minor protests were held on March 16, 2010, a Zoroastrian holiday (Fire Festival) celebrated by many Iranians, defying a Khamene'i edict against celebrations. Scattered protests, including by some labor groups, were held in major cities on May 1, 2010 (May Day). Musavi and Karrubi called for a huge demonstration on the June 12, 2010, anniversary of the election, leading to some movement by parliament hardliners to have them arrested. Sensing regime preparations for repression, the two publicly 'called off' the protest in order to avoid harm to protesters.' [78a] (p15)

15.48 The same source also reported:

'A major question was whether the opposition uprisings in Tunisia and Egypt, which toppled leaders there in January and February 2011, would reinvigorate the Green Movement, which has used similar social media techniques and has similar grievances. The regime, seeking to parry such parallels, praised the Tunisian and Egyptian events as inspired by Iran's 1979 revolution, while Green Movement leaders compared those uprisings to their uprising in 2009. The question was answered when Musavi and Karrubi called for protests on February 14, 2011, and there were numerous clashes with tear-gas-wielding riot police in Tehran and other cities but in advance of that demonstration, Karrubi and Musavi were placed under house arrest. Further weekly protests, which reportedly drew large numbers of protesters, were held from February 20 2011 until Nowruz (March 21, 2011). But, no major demonstrations materialized at the 2011 second anniversary of the disputed election.

'Despite these setbacks, observers in Iran say the Green Movement remains highly active underground and is likely to reemerge. It conducted significant protests on the February 14, 2012, anniversary of the February 14, 2011, protests. This protest came despite the January 2012 regime arrests of numerous journalists and bloggers. However, no additional protests erupted in the runup to the March 2, 2012, Majles elections, in part because the Green Movement leaders boycotted the vote and their supporters did not have candidates to champion.' [78a] (p15)

15.49 On 28 August 2011, the International Campaign for Human Rights in Iran (ICHRI) reported that Mehdi Karroubi and Mir Hossein Mousavi had been under 'house arrest' since 14 February 2011. The ICHRI also stated that, 'There has been no judicial process whatsoever initiated by their state captors. Several well-informed sources have told the Campaign that the Supreme Leader and his closet associates are directly responsible for their "house arrest" and treatment.' [52p]

15.50 The USSD 2011 reported:

'On January 30 [2011], authorities summoned one of opposition politician Mehdi Karroubi's sons, Mohammad Hussein, to the Evin Prison Court. According to the Karroubi-affiliated Web site Saham News, authorities questioned Mohammad Hussein in relation to his father's stance that prisoners were being abused at the Kazhirak detention facility. On February 22, authorities arrested another son, Ali Karroubi, and Mehdi's daughter-in-law, Nafiseh Panahi, at his parents' house. Panahi was released a few hours later, but Ali Karroubi was reportedly detained until March 17 and paid a bail of 100 million toman (\$100,000). Ali Karroubi alleged he was tortured and beaten throughout his detention in solitary confinement in Evin Prison.' [4a] (Section 1f)

- 15.51 On 28 February 2012, the BBC reported that, 'The Green Movement of 2012 struggles to define its goals. Iran's government has made it almost impossible for anyone sympathetic to the opposition to make his or her voice heard.' [21a]
- 15.52 For a discussion on the situation of the Green Movement today, see the article dated 5 September 2012 by Ramin Jahanbegloo, an Iranian academic, published in the [Eurozine journal](#). [103a]

For further information on Green Movement leaders Mehdi Karroubi and Mir Hossein Mousavi see [Annex C – Prominent people](#)

See also sections on [Academic Freedom](#), [Student activists](#), [Human rights activists](#), [Freedom of political expression](#) and [Freedom of association and assembly](#)

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## Student activists

- 15.53 The US Institute of Peace (USIP) publication of 8 June 2010 stated:
- 'Iran's largest student movement, the Office for Consolidating Unity, or Daftar-e Tahkim-e Vahdat, was formed in 1979 and has branches in most universities... In 2002, Daftar-e Tahkim-e Vahdat split into two factions due to reform issues. A minority faction elected its own leadership; it is now known as the Shiraz faction. The majority faction... is known as the Allameh faction. The Allameh faction favored a boycott of the 2005 presidential election because of disillusionment with politics; the Shiraz faction supported Ahmadinejad...
- 'The Allameh faction was at the forefront of Green Movement protests calling people to the streets through social networks, and organizing protests on campuses. Since the election, hundreds of its members, including at least four of nine central council members, have been detained for various lengths of time. Several have reportedly been victims of torture and sexual abuse. Since the government crackdown, student activity has increasingly depended on local leaders from individual campuses.' [100a]
- 15.54 The Amnesty International (AI) report, 'From Protest to Prison: Iran one year after the election', published on 9 June 2010, reported that, 'Members of the student body, the Office of the Consolidation of Unity (Daftar-e Tahkim-e Vahdat, OCU), and the Graduates' Association (Advar-e Tahkim-e Vahdat) have been targeted for arrest. Both organizations have been prominent in promoting human rights, reporting on human rights violations and calling for political reform in recent years.' [90] (p10) An Iran Primer report, 'Patterns of Iran Human Rights Abuses 2010', published by USIP on 16 December 2010 observed that during 2010, 'Many members of the student alumni group ADVAR were arrested. From Evin Prison, ADVAR [Advar-e Tahkim-e Vahdat], spokesperson Abdulla Momeni wrote a letter to Supreme Leader Ayatollah Ali Khamenei detailing how he was tortured in an attempt to coerce a false confession.' [31a]
- 15.55 A report by the UN Educational, Scientific and Cultural Organisation (UNESCO) dated 10 February 2010, noted that, following student demonstrations in 2007, 'Under a new star-rating system, politically active students were allegedly rated according to the threat they posed, which resulted in some being banned from studying. Since then, a succession of academics, teachers and students have been arrested during the 2007-

2009 period on charges of conspiring with “enemy governments”, endangering national security, insulting Islam and its clerics, “intent to commit propaganda” or participating in demonstrations.’ [10b]

See [Academic Freedom](#) for further information on the star-rating system.

- 15.56 The Freedom House Report 2012 stated that, ‘Academic freedom is limited. Scholars are frequently detained, threatened, and forced to retire for expressing political views. Students involved in organizing protests face suspension or expulsion in addition to criminal punishments. Since the 2009 presidential election, the IRGC-led Basij militia has increased its presence on campuses, and vocal critics of the regime face increased persecution and prosecution.’ [112f]
- 15.57 The International Federation for Human Rights (FIDH) report, ‘Iran: Suppression of freedom, prison, torture, execution...A state policy of repression’, published December 2011 reported:

‘Plain-clothed security agents, members of the Special Squads of the Police and Special Squads of the Islamic Revolution Guards Corps brutally attacked some university dormitories and ransacked them in Tehran, Isfahan and Shiraz, in the aftermath of the June 2009 Presidential Elections, as a result of which five students were killed in Tehran, two in Isfahan and two in Shiraz. In Tehran Dormitory, 100 students were arrested. However, rather than investigating the attacks and killings, military courts tried about 40 of them who had lodged complaints with the judiciary and sentenced them to punishments ranging from financial penalties, lashing and prison sentences from 3 to 10 months, in May 2011. Several students have lost their lives in the protest demonstrations or in custody. Nationwide, hundreds of students have been expelled from the universities and banned from continuing their studies.

‘Independent student groups, such as the Daftar Tahkim Vahdat (Unity Consolidation Office) and student activists have been facing severe persecution and crackdown, especially since the June 2009 Presidential Election.

‘The extent of the student movement’s opposition to the regime and the regime’s heavy-handed crackdown of the movement have made it a difficult task to record all the details.’ [56g] (p46-47)

- 15.58 The same FIDH report also included the names of 18 students serving prison sentences at the time the report was published in December 2011, noting that they constituted ‘only a handful of students currently serving prison sentences.’ [56g] (p46-47)
- 15.59 The USSD Report 2011, published 24 May 2012, stated:

‘Authorities relied on university disciplinary committees to suspend, transfer, or expel enrolled students based on social and political activism, involvement in student publications, or participation in student associations. Student groups reported that a “star” system inaugurated by the government in 2005 to rank politically active students was still in use. Students deemed antigovernment through this system reportedly were prevented from registering for future terms. Repeated suspensions through this mechanism resulted in effectively denying the rights of targeted students to complete or continue their studies. Numerous student activists were expelled from their respective schools during the year for political activities, including nonviolent protest. Student activists reported increased crackdowns at universities, on both students and teachers, by security authorities in the wake of the February protests. During the year Ministry of

Intelligence agents used threats, intimidation, and arrests to silence students who attempted to seek accountability and legal justification for their deprivation from higher education. For example, on March 2, the Shiraz University disciplinary committee suspended more than 200 students for a minimum of two semesters for participating in a commemoration of a classmate killed during the February protests.’ [4a] (Section 2a)

- 15.60 The Report of the UN Special Rapporteur dated 6 March 2012, commented on a letter sent to him by the Human Rights Commission of Daftar Tahkim Vahdat:

‘Citing statistics on the treatment of student activists based on information gathered from news sources, the Commission maintains that, since March 2009, there have been 436 arrests, 254 convictions and 364 cases of deprivation of education. Moreover, 144 students have been summoned by the judiciary, and 13 student publications have been forcibly closed. The Commission also gave the names of 32 student activists currently in prison for their activities.’ [10d] (p17)

The [Report of the Special Rapporteur](#) dated 6 March 2012 included further detailed information on the 32 students detained at the time the report was written. [10d] (Table 1, p25)

- 15.61 The AI report, “‘We are ordered to crush you’, expanding repression of dissent in Iran”, published February 2012, stated:

‘Student activists who have expressed views opposing the government or its policies have faced harassment, arrest and bans on continuing their education, both temporary and permanent. Some continue to serve long sentences handed down after unfair trials before and since June 2009 or have been sentenced to flogging, a punishment that amounts to cruel, inhuman and degrading treatment. In September 2011, Peyman Aref, a student activist, was flogged 74 times after being convicted of “insulting the President”.’ [9x] (p44)

- 15.62 The [AI report](#) of February 2012 also included further details of the treatment of individual students since 2009. [9x] (p44-45) See also the AI report, ‘[Election contested, repression compounded](#)’, published on 10 December 2009, for information on the treatment of students in the months leading up to the 12 June 2009 presidential election and during the post-election unrest [9t] and the AI report, ‘[From Protest to Prison: Iran one year after the election](#)’, published on 9 June 2010 for further information on the treatment of individual students. [9o]

- 15.63 On 31 May 2012, the International Campaign for Human Rights in Iran (ICHR) and 16 other student and human rights organisations issued a statement drawing attention to ‘...the official attack on university students and educators, which has been increasing exponentially since the June 2009 presidential election.’ [52a] The statement noted that,

‘Over six hundred students, as well as some university lecturers, have been arrested since 2009, many of whom have subsequently been imprisoned, and hundreds deprived of education, as a result of their political activities...

‘According to the largest independent student organization in Iran, Daftar-e Tahkim Vahdat, between March 2009 and February 2012, there were at least 396 cases of students banned from further study by the Ministry of Science, Research, and Technology as a result of their peaceful political or other dissent. Additionally, at least 634 students were arrested by security and intelligence organs and 254 students

convicted for similar reasons, with the correlated impact on their ability to continue their education. The Ministry of Science, Technology, and Research declared Daftar-e Tahkim-e Vahdat an “illegal” union in 2009, on grounds that it “engaged in activities that endangered national security.”

‘The organizations said that they had gathered information that the Iranian authorities have threatened, suspended, arrested, prosecuted, and sentenced student activists for peaceful criticism of government policies on a regular basis. Officials also have routinely shut down hundreds of student gatherings, publications, and independent organizations. More than 30 students are currently serving long prison sentences in Iran solely for exercising their rights to freedom of expression, association, and assembly by expressing their opinions, participating in demonstrations, or membership of an independent student organization critical of government policies. Combined, these students have been sentenced to more than 130 years in prison, in some cases up to 15 years.’ [52d]

See also sections on [Academic Freedom](#), [Human rights activist and lawyers](#), [Freedom of political expression](#) and [Freedom of association and assembly](#)

The website of the [International Campaign for Human Rights in Iran \(ICHR\)](#) provides regular updates on arrested and detained students.

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## **Mojahedin-e Khalq Organisation (MEK/MKO) (aka People’s Mojahedin Organisation of Iran (PMOI) or Holy Warriors of the People)**

- 15.64 The Danish Immigration Service’s report, ‘Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc.’ (Danish Immigration Service Report 2009), released April 2009, stated that: ‘The MKO also known as Mojahedin-E Khalq (Mek) and People’s Mojahedin Organisation of Iran (PMOI) is an Islamist socialist organisation formed in 1965. It is led by husband and wife Masud and Maryam Rajavi.’ [86a] (p16) The organisation is also known as the ‘Muslim Iranian Students’ Society; National Council of Resistance; NCR; Organization of the People’s Holy Warriors of Iran; the National Liberation Army of Iran; NLA; People’s Mujahadin Organization of Iran; PMOI; National Council of Resistance of Iran; NCRI; Sazeman-e Mujahadin-e Khalq-e Iran.’ (USSD, Country Reports on Terrorism 2010, Foreign Terrorist Organisations, 18 August 2011) [4d]
- 15.65 The USSD’s Country Reports on Terrorism 2010, released on 18 August 2011 (USSD 2010 Terrorism report) stated that, ‘The Mujahadin-E Khalq Organization (MEK) was originally designated as a Foreign Terrorist Organization [by the US] on October 8, 1997.’ [4d] (Foreign Terrorist Organisations) On 29 September 2012, BBC News reported that, ‘The US has removed the dissident Iranian group Mujahideen-e Khalq (MEK) from its terror blacklist...The state department said its decision had been taken in view of the MEK’s public renunciation of violence, the absence of any confirmed acts of terrorism by the organisation for more than a decade and its co-operation in the closure of their paramilitary base in Iraq.’ [21c] The Iranian government condemned the US decision to remove the MKO from its list of foreign terrorist organizations. (Radio Free Europe/Radio Liberty, 30 September 2012) [42c]
- 15.66 On 26 January 2009, Reuters reported that the European Union (EU) had agreed to remove the PMOI from their list of banned terrorist organisations. [5d]

15.67 The USSD 2010 Terrorism report noted:

'The MEK was founded in 1963 by a group of college-educated Iranian Marxists who opposed the country's pro-western ruler, Shah Mohammad Reza Pahlavi. The group participated in the 1979 Islamic Revolution that replaced the Shah with a Shiite Islamist regime led by Ayatollah Khomeini. However, the MEK's ideology – a blend of Marxism, feminism, and Islamism – was at odds with the post-revolutionary government, and its original leadership was soon executed by the Khomeini regime. In 1981, the group was driven from its bases on the Iran-Iraq border and resettled in Paris, where it began supporting Iraq in its eight-year war against Khomeini's Iran. In 1986, after France recognized the Iranian regime, the MEK moved its headquarters to Iraq, which facilitated its terrorist activities in Iran.' [4d] (Foreign Terrorist Organisations)

15.68 The USSD 2010 Terrorism report stated:

'Estimates place MEK's worldwide membership at between 5,000 and 10,000 members, with large pockets in Paris and other major European capitals. In Iraq, roughly 3,400 MEK members are gathered at Camp Ashraf, the MEK's main compound north of Baghdad. As a condition of the 2003 cease-fire agreement, the MEK relinquished more than 2,000 tanks, armored personnel carriers, and heavy artillery...

'The MEK's global support structure remains in place, with associates and supporters scattered throughout Europe and North America. Operations have targeted Iranian government elements across the globe, including in Europe and Iran. The MEK's political arm, the National Council of Resistance of Iran [NCRI], has a global support network with active lobbying and propaganda efforts in major Western capitals. NCRI also has a well-developed media communications strategy.' [4d] (Foreign Terrorist Organisations)

15.69 The Danish Immigration Service's report, dated April 2009, stated:

'Even though the MKO has a worldwide network of members and supporters, it is an unpopular organisation among many Iranians because of its armed struggle against Iran during the past 30 years. This struggle has led to the losses of many official and civilian lives. The MKO has conducted several bombing campaigns and other violent attacks in Iran and other countries and fought on Iraq's side in the 1980-1988 Iran-Iraq war, where MKO fighters were used in suicidal, mass wave attacks against Iranian forces. Even though the activities of many individual MKO members may be minor, MKO members are considered traitors by many Iranians.' [86a] (p16)

15.70 An Amnesty International report dated 11 August 2009 stated:

'Following the US-led invasion of Iraq in 2003, the PMOI members disarmed and were accorded "protected persons" status under the Fourth Geneva Convention. This lapsed in 2009, when the Iraqi government started to exercise control over Iraq's internal affairs in accordance with the Status of Forces Agreement (SOFA), a security pact agreed by the governments of Iraq and the USA in November 2008 and which entered into force on 1 January this year [2009]...

'After they disarmed, the PMOI announced that they had renounced violence. There is no evidence that the PMOI has continued to engage in armed opposition to the Iranian government, though people associated with the PMOI still face human rights violations in Iran.' [9w]

- 15.71 The USSD Report 2011, published on 24 May 2012, stated that, ‘The government ... reportedly held some persons in prison for years under charges of sympathizing with terrorist groups such as the MEK, which were often baseless charges.’ [4a] (Section 1e)
- 15.72 An appeal in May 2010 by Amnesty International (AI) on behalf of imprisoned political activist Sayed Ziauddin (Zia) Nabavi stated that ‘The Iranian authorities have claimed that the PMOI and other groups were responsible for organizing the post-election demonstrations [in June 2009].’ [9c] See the [AI appeal](#) directly for further information on Sayed Zia Nabavi’s treatment. [9c]
- 15.73 On 24 January 2011, the International Campaign for Human Rights in Iran (ICHRI) reported that:
- ‘Political prisoners Jafar Kazemi and Ali Haji Aghaee were hung in the early hours of 24 January 2011. Both were convicted of Moharebeh [“enmity against God”] for their participation in post-election protests and alleged membership in the Mojahedin-e Khalgh Organization (MEK).
- ‘Although the crime of Moharebeh explicitly refers to taking up arms against the state under Iranian laws, no evidence was produced to support such activity. The evidence used against the men included sending photographs of protests to contacts abroad, and visiting Camp Ashraf of MEK in Iraq.’ [52e]
- 15.74 The [Report of the Special Rapporteur](#) on the situation of human rights in the Islamic Republic of Iran, dated 6 March 2012, included details of people detained on charges of association with the MEK. [10d] (Tables I and III) For further information on the background and ideology of the MEK, see the [Council on Foreign Relations’ backgrounder](#), updated on 18 July 2012. [64b]

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## People’s Resistance Movement of Iran (PRMI), aka Jundallah

- 15.75 The US Department of State’s Country Reports on Terrorism 2010 (USSD Terrorism Report 2010), released 18 August 2011, stated that Jundallah was also known as the ‘People’s Resistance Movement of Iran (PRMI); Jonbesh-i Moqavemat-i-Mardom-i Iran; Popular Resistance Movement of Iran; Soldiers of God; Fedayeen-e-Islam; Former Jundallah of Iran; Jundullah; Jondullah; Jundollah; Jondollah; Jondallah; Army of God (God’s Army); Baloch Peoples Resistance Movement (BPRM).’ [4d] (Foreign Terrorist Organisations) Estimates of membership numbers vary widely, between 500 and 2000. [4d] (USSD Terrorism Report 2010, 18 August 2011)
- 15.76 The USSD Terrorism Report 2010 also stated that:
- ‘Jundallah was designated as a Foreign Terrorist Organization [by the US] on November 4, 2010. Since its inception in 2003, Jundallah, a violent extremist organization that operates primarily in the province of Sistan va Balochistan of Iran, has engaged in numerous attacks resulting in the death and maiming of scores of Iranian civilians and government officials. Jundallah’s stated goals are to secure recognition of Balochi cultural, economic, and political rights from the government of Iran and to spread awareness of the plight of the Baloch situation through violent and nonviolent means.’ [4d] (Foreign Terrorist Organisations)

- 15.77 An editorial dated 22 December 2010 in the online Baloch newspaper, 'The Baloch Hal', provided the following information:

'Jundullah is an Iranian organization which is striving for the rights of the minority Sunni population living inside the Shia-dominated Islamic republic. While Sunnis belonging to various ethnic groups share almost the same sense of alienation and discrimination from the majority Shia population, a group of Balochi-speaking young men decided to stand up against Iran's repressive attitude towards its sectarian minorities. Headed by Abdul Malik Regi (1983-2010), Jundullah, which publicly disassociated with the Baloch nationalist cousins operating in Pakistan, said it stood for the rights of the Sunnis. In an effort to get its demands accepted, Jundullah, resorted to extremely violent methods such as bomb attacks and suicide blasts and double suicide attacks.

'Jundullah, which Tehran insists is financed by the United States and United Kingdom and sheltered by Pakistan, has not been able to expand its operations outside the Iranian province of Sistan-e-Baluchistan. According to [the] Washington Times, the eight-year old group claims to have killed at least 4000 Iranian soldiers in different operations.' [97a]

- 15.78 Minority Rights Group International's (MRGI) report, 'Seeking justice and an end to neglect: Iran's minorities today', published in February 2011 observed that:

'This violence provided the pretext for the further militarization of the province by government forces and an increase in the number of executions and extrajudicial killings by the state. Between January and August 2007, for example, Amnesty International reports that Iran executed 166 people, 50 of whom were Baluchis, and all but one of whom were executed in the wake of a Jondollah attack in February 2007. One member of parliament reported in March 2007 that 700 people were awaiting execution in the province of Sistan-Baluchistan, a number so large and controversial that Baluchi sources report that the provincial authorities were having to send Baluchis to places outside the province to be executed. Most of those who await the death penalty have likely been convicted of crimes related to the drug trade. But it does not pass unnoticed to most observers that capital punishment in Sistan-Baluchistan, as with everywhere else in the country, has been used to "quell political unrest, intimidate the population and send a signal that dissent will not be tolerated".' [46a]

- 15.79 The Amnesty International report, 'Death Sentences and executions in 2009', published 30 March 2010, stated that:

'Three alleged members of the People's Resistance Movement of Iran (PRMI), also known as Jondallah were hanged in public in Zahedan on 30 May 2009, less than 48 hours after an explosion, claimed by the PRMI, killed up to 25 worshippers in a Shi'a mosque. Officials said that although the three men were in detention at the time of the bombing, they had "confessed" to bringing explosives used in the mosque into the country and to involvement in other bomb attacks and kidnapping. Thirteen other alleged PRMI members were hanged on 14 July 2009.' [9u] (p18)

- 15.80 On 27 August 2009, the Iranian Minorities' Human Rights Organisation (IMHRO) also reported that 13 Baluchi men had been executed after being charged with terrorism and accused of being members of Jundallah (Jondollah). IMHRO researcher Reza Washahi was quoted as saying:

'Like always we do not know the details of the cases, Baluchi sources are saying these men were ordinary people or that some of them were political and cultural activists. As usual, the Iranian government did not allow any international observers to attend the hearings. The men did not have a lawyer present and they did not have right to appeal against the court decision. The Iranian government has executed many people in relation to terrorist activities in the past, and then too late, it has been discovered that the suspects were innocent.' [109b]

15.81 The AI Report 2010 stated that, 'In Sistan-Baluchistan province, home to the mostly Sunni Muslim Baluch minority, violence intensified amid increasing clashes between the security forces and members of the People's Resistance Movement of Iran (PRMI), an armed political group also known as Jondallah. On 18 October [2009], at least 42 people, including senior Revolutionary Guards officers and civilians, were killed in an attack claimed by the PRMI.' [9a] (p175)

15.82 The Baloch Hall editorial dated 22 December 2010 stated:

'Among all Jundullah operations, the Pishin (2009) and Zahidan (2010) bombings served almost as turning points for the rebellious group.

'Firstly, the suicide bomb blast of October 18, 2009 killed 42 people, including General Noor Ali Shoostari, deputy commander of the elite Iranian Revolutionary Guards. Following this, Tehran promised to do whatever it took to dismantle the underground organization. After intensive intelligence and diplomatic efforts, Iran managed to hunt down twenty-seven year old Regi, the founder and commander-in-chief of the outfit. He was hanged, just like his brother Abdul Hameed Regi, after making televised confessions about support they allegedly got from the United States.

'While Tehran believed the organization would fade away after the execution of its chief, Jundullah carried out a double suicide bombing at a Jamia mosque in Zahedan on July 16 [2010], killing 27 people, to avenge Regi's execution. Soon after that bombing, the U.S government, in what was largely seen as an unexpected move, enlisted [sic] Jundullah as a terrorist organization. The State Department Terrorist Designation, which has 47 international terrorist organizations on its list, observed, "Jundallah uses a variety of terrorist tactics, including suicide bombings, ambushes, kidnappings and targeted assassinations".' [97a]

15.83 On 8 February 2011 the Tehran Times reported:

'Iran is taking serious measures to eradicate the terrorist group Jundullah, Ali Abdollahi of the Interior Ministry said on Monday.

"We have plans to smash the Rigi group and will pursue (our goal) seriously," Abdollahi told IRNA in an interview published on Monday [7 February].

"The remaining members of the Rigi group are linked to foreign intelligence agencies including the U.S. (CIA [Central Intelligence Agency])," added Abdollahi, the deputy interior minister for security affairs.' [50a]

15.84 The February 2011 MRGI report noted that: 'At the end of 2010, 11 Baluch prisoners were executed for alleged membership of Jondallah, following a suicide bombing on 15 December 2010 at a mosque in Chabahar, in Sistan-Baluchistan. All had been imprisoned prior to the attack.' [46a] (p5) The Amnesty International report, 'Death

sentences and executions in 2010', published on 28 March 2011, added 'The men had all been convicted of "enmity against God" and "'corruption on earth", for a variety of acts including ambushing and killing police forces and Revolutionary Guardsmen, bomb attacks on Shi'a mosques, abductions and armed robbery, although a local judicial official denied that any had participated in the 15 December attack.' [9v] (p28)

The [USSD Terrorism Report 2010](#) includes details of attacks attributed to Jundallah between 2006 and 2010.

- 15.85 Minority Rights Group International's report, State of the World's Minorities and Indigenous Peoples 2012, covering events in 2011, published 28 June 2012, stated:

'Iranian security forces were reported to have arrested or killed several members of the pro-Baluch armed group People's Resistance Movement of Iran (PRMI), also known as Jundallah, which was created in 2003 and is considered by both the United States and Iran to be a terrorist organization. In May 2011, nine members of Jundallah were arrested and in July two Jundallah commanders were killed in Baluchistan by security forces. In late August 2011, four members were arrested on suspicion of planning an armed attack in Baluchistan.' [46c] (p200)

- 15.86 An article dated 15 November 2012, published on the Jamestown Foundation website by Chris Zambelis, an analyst and researcher specializing in Middle East affairs, stated:

'The capture or death of most of Jundallah's leaders by 2010... was supposed to have neutralized the threat of Baloch militancy. An October [2012] suicide bombing executed by Baloch radicals claiming to belong to a previously unknown group that calls itself Harakat Ansar Iran (HAI - Movement of the Partisans of Iran) in Sistan-Balochistan, suggests, however, that a resurgence of Baloch nationalist militancy in Iran may be on the horizon (Fars News Agency [Tehran], October 19).

'On October 19 [2012] a suicide bomber detonated an explosives-laden vest in the port city of Chabahar, in Sistan-Balochistan province. Two members of Iran's Basij (Mobilization) paramilitary force were reported to have been killed and scores of mostly civilian bystanders were wounded in the ensuing blast (Press TV [Tehran], October 21; Voice of the Islamic Republic of Iran [Tehran], October 19)...

'The confirmed attack in Chabahar represents the first suicide bombing by Baloch militants since December 2010, when Jundallah executed a suicide bombing at the same Imam Hussein mosque, killing 38 and wounding hundreds during a mourning ceremony commemorating the death of Hussein, the Prophet Muhammad's grandson and a revered figure among the Shi'a (Press TV, December 20, 2010; al-Jazeera [Doha], December 15, 2010).

'There is no conclusive evidence to discern whether HAI is formally linked to Jundallah in operational and personnel matters. The capture or deaths of most of its known leadership and other key operatives, including the arrest and subsequent execution of its founder and leader Abdelmalik Rigi, were widely believed to have devastated Jundallah's ability to reconstitute its campaign of violence and terrorism. Jundallah did manage to execute a series of major attacks in Iranian Balochistan following Rigi's arrest and eventual execution ... A perusal of its political and ideological discourse available online reveals that, at the very least, HAI draws its inspiration from Jundallah.' [23d]

See also [Ethnic groups, Baluchis \(Balochis\)](#) (for further information on the Iranian authorities' treatment of the Baluch community) and [Death Penalty](#)

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### **Kurdish political parties:**

- 15.87 The Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran dated 6 March 2012 noted that, 'As at 31 October 2011, 15 Kurdish activists were reportedly on death row on charges including "acting against national security", "corruption on earth" and espionage.' [10d] (p18) See Table II of the [Special Rapporteur's report](#) for information on the charges made against the activists and their sentences. [10d] (p29-30)

### **Kurdish Democratic Party of Iran (KDPI, also DPIK)**

- 15.88 The Human Rights Watch (HRW) report, 'Iran: Freedom of Expression and Association in the Kurdish Ardebil Regions', dated 9 January 2009, stated:

'Left-leaning Kurdish activists formed the Komala Party in Mahabad in the 1940s. In July 1945, Komala changed its name to the Kurdistan Democratic Party of Iran (KDPI). Since 1984 the party has been based in Iraq. In 1991, the KDPI called off its armed activities in Iran, although its "self-defense units" have clashed with Iranian troops during Iranian military incursions into Iraqi Kurdistan. According to KDPI leaders, the party does not carry out armed operations inside Iran, a position that Mostafa Hejri, secretary-general of the KDPI reaffirmed as recently as July 2008.' [8h]

See following sub-section for information on the group now currently know as [Komala](#)

- 15.89 The Danish Immigration Service Report 2009 stated that:

'An international organisation in Turkey explained that politically active groups and individuals are considered a threat to national security by the Iranian government. If the Iranian authorities consider a person to be working against national security, (the person may for example be accused of being a spy or of cooperating with an oppositional religious, ethnic or political group), they may face severe punishment ranging from ten years imprisonment to execution. For instance, being in possession of a CD, a pamphlet or something similar made by the Kurdish Democratic Party of Iran (KDPI), Komala or other Kurdish organisations, may be considered as an act against national security. This form of persecution for political activities is a problem all over Iran. However, the authorities are watching Kurdish areas and Tehran more carefully than other areas.' [86a] (p9)

- 15.90 The Freedom House Report 2012 noted that 'Kurdish opposition groups suspected of separatist aspirations, such as the Democratic Party of Iranian Kurdistan (KDPI), are brutally suppressed.' [112f]

- 15.91 The Chatham House Middle East Programme Briefing Paper, 'The Kurdish Policy Imperative', dated December 2007, stated that:

'Iranian Kurdish parties have also consistently fractured and there have been major splits in both the KDPI and Komala since early 2007. In December 2006 a significant number of members in the KDPI broke away, renaming themselves KDP (removing

'Iran' from the name of the Party and returning to the original name as established in 1945). The change of name not only distinguishes the new party from the old but also relates to its more broadly nationalist approach.' [73a] (p7)

The [Chatham House Briefing Paper](#) gives further historical information on Kurdish political parties in Iran and may be accessed directly:

See [Ethnic groups, Kurds](#)

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## Komala [Komalah, Komaleh]

15.92 Jane's Sentinel Security Assessment, updated 24 January 2012, stated, 'There are two distinct wings of Komaleh: the Komalah Communist Party of Iran (Komalah-CPI); and the Komala Party of Iranian Kurdistan (Komala-PIK).' [61b] (Non-state Armed Groups) 'The First Secretary of Komalah-CPI is Ebrahim Alizadeh. The Secretary-General of Komala-PIK is Abdullah Mohtadi.' (Jane's, 24 January 2012) [61b] (Non-state Armed Groups)

15.93 The same source also noted:

'Komaleh was founded as a Marxist-Leninist nationalist organisation in Iranian Kurdistan in 1969. The group regarded itself as the vanguard of the proletariat and the guardian of Kurdish rights, and provided political opposition to the autocratic reign of the Shah. Following the 1979 Islamic revolution it took up arms against the new Islamic Republic of Iran, but was forced to relocate to Iraqi Kurdistan in 1983 following a concerted counter-terrorism operation. In 1984 it participated in the creation of the Communist Party of Iran (CPI), a move which alienated many Komaleh cadres, and in the late 1980s and early 1990s Komaleh evolved into two distinct organisations. The Komalah Communist Party of Iran (Komalah-CPI), led by Komaleh founder Ebrahim Alizadeh, retained the group's original Marxist-Leninist outlook, and operates as an autonomous Kurdish arm of the CPI; while the breakaway Komala Party of Iranian Kurdistan (Komala-PIK), led by Abdullah Mohtadi, adopted a more moderate socialist ideology, and emerged as the larger faction. Despite their ideological and doctrinal differences, their objectives remain broadly aligned, namely replacing the theocratic central government with a secular, federal, and democratic republic that provides autonomy for Iran's ethnic minorities. However, the two wings do not co-operate, and the last major offensive carried out by Komaleh came in 2005 when Komala-PIK participated in a series of abortive uprisings throughout Iranian Kurdistan. Since then, both wings of Komaleh have focused upon carrying out political and civil activism in Iranian Kurdistan.' [61b] (Non-state Armed Groups)

15.94 The Chatham House Middle East Programme Briefing Paper, 'The Kurdish Policy Imperative', dated December 2007, noted that, 'In October 2007 a number of Komala's leading figures broke away to form "Komala – the faction of reform and development"'. In both cases there were physical clashes among the followers of the various factions.' [73a] (p7)

[The Chatham House Briefing Paper](#) gives further historical information on Kurdish political parties in Iran and may be accessed directly for further details.

15.95 The [Komala website](#) dated 2009, accessed 4 September 2012, provided an introduction to the organisation and outlined the party's aims:

'While preserving its progressive values, Komala Party has put democracy as the main theme of its political agenda. In short, Komala Party fights for Kurdish rights, for a regime change in Iran and for a democratic secular pluralist federal Iran. Komala Party believes in social justice as well as universal democratic values, human rights, freedom of conscience, expression, assembly and organization, women's equal rights and cultural, ethnic and religious tolerance.' [119a]

- 15.96 The 'Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran', dated 6 March 2012, noted one Kurd who was currently detained and sentenced to death, accused of links to Komala. [10d] (Section III, Table II, p29) The same report also noted a total of 15 Kurdish detainees sentenced to death for links to unspecified Kurdish opposition parties. [10d] (Section III, Table II, p29)

See also [Ethnic groups, Kurds](#) for details of treatment of Kurds perceived to have links to Komala and other opposition Kurd groups.

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### **Partiya Jiyana Azada Kurdistan (PJAK) – Kurdistan Free Life Party or Party of Free Life of Iranian Kurdistan**

- 15.97 The Freedom House Report 2012 noted that, 'The Free Life Party of Kurdistan (PJAK), a separatist militant group linked to the Kurdistan Workers' Party (PKK) of Turkey, has conducted a number of guerrilla attacks in recent years and was declared a terrorist organization by the United States in 2009. Iranian efforts to combat the PJAK have included raids into Kurdish territory in neighboring Iraq.' [112f]

- 15.98 A Jamestown Foundation news article dated 19 August 2011 stated:

'PJAK was founded by the larger and older Partiya Karkeren Kurdistan (PKK - Kurdistan Workers' Party) in 2004 as an Iranian-Kurdish equivalent to the PKK insurgency against the Turkish government after the United States toppled the Ba'athist regime in Iraq in 2003. Iran retaliated to PJAK attacks in 2006 with cross-border shelling to press the KRG [Kurdistan Regional Government] to act against the group.' [23b]

- 15.99 Jane's Sentinel Security Assessment , updated 23 January 2009, stated:

'PJAK's armed campaign serves as a focus for Kurdish nationalist sentiment in Iran, which has been fuelled by measures adopted by the Iranian state to suppress public protests in Kurdish areas. PJAK has claimed numerous attacks in Iran and has promised continued action against Iranian military targets, but is unlikely to be able to challenge the Iranian military on the battlefield or to control territory without foreign assistance... Nonetheless, the group appears to have sufficient resources in terms of weapons, popular support and funding to sustain a low level insurgency in the medium-term.' [61b] (Non-state Armed Groups)

- 15.100 On 10 May 2010, Agence France Presse reported that five people had been executed in Tehran's Evin prison. Four of them, including one Kurdish woman, were reported to be members of the PJAK. They were convicted of being 'mohareb' or 'enemies of God' and of "...carrying out terrorist acts, including bombings of government centers and public properties in several Iranian cities" the prosecutor's office said, according to IRNA.' [14a]

- 15.101 The International Campaign for Human Rights in Iran (ICHR) condemned the executions in an article dated 9 May 2010. The ICHR stated that one of those executed, teacher and social worker Farzad Kamangar, was ‘... convicted and sentenced to death in February 2008, after a seven-minute long trial in which “zero evidence” was presented.’ The ICHR also reported that the executed Kurdish woman had denied the charges: ‘In several letters recently written from Evin prison she denied charges of terrorism against her and said she had been tortured to make false confessions in front of television cameras, which she had refused.’ [52g]
- 15.102 The Jamestown Foundation’s article of 19 August 2011 reported:
- ‘Iran has recently shelled border villages and launched cross-border raids into northern Iraq to step up pressure on the Kurdistan Regional Government (KRG) to stop the anti-Iranian operations of the Partiya Jiyana Azad a Kurdistanê (PJAK - Party of Free Life of Iranian Kurdistan)... According to Sayed Azim Husseini, Iran’s consul in Erbil [in Iraq]: “As long as there is activity of the PJAK-militants against Iran on the common border between Iran and Iraq, Iran will not halt its bombardments of these areas.”’ (Albawwaba.net, August 17). [23b]
- 15.103 The Heidelberg Institute for International Conflict Research, ‘Conflict Barometer 2011’, covering the period 1 December 2010 to 31 December 2011, reported:
- ‘The autonomy conflict in the Kurdish areas of north-western Iran between the Party of Free Life in Kurdistan (PJAK) and the government escalated... At the end of June [2011], thousands of government troops launched an offensive against PJAK camps, including some on Iraqi territory... The government claimed that its troops had killed more than 50 PJAK fighters and lost eight members of the Iranian Revolutionary Guard Corps (IRGC) by July 19. PJAK stated to have killed 108 IRGC members and injured another 200, while losing sixteen fighters... The following week, six members of IRGC were killed in clashes with PJAK members in Sardasht, West Azerbaijan province, including IRGC General Abbas Asemi. In August, PJAK leader Abdul Rahman Haji Ahmadi declared his organization's willingness to negotiate and lay down its weapons.
- ‘The government halted its offensive during Ramadan and started it anew on September 2. The following day, the government stated that it had killed another 30 PJAK members, including senior commander Majid Kavian, and had injured 40 more, while two IRGC members had been killed. In contrast, PJAK declared that it had killed 76 government troops. On September 5, PJAK offered a ceasefire which was rejected by the government. The government demanded the complete withdrawal of PJAK forces from Iranian ground. According to international organizations, up to 900 families were displaced by Iranian shelling and found accommodation in camps in Erbil.’ [107a] (p97)
- 15.104 Reuters reported on 25 April 2012 that, ‘Kurdish rebels killed four members of Iran's elite Revolutionary Guards in an attack in the west of the country, the Iranian news agency Mehr said on Wednesday... Another four guards were wounded in Tuesday's [24 April 2012] assault by the PJAK (Party of Free Life of Kurdistan) group in the western district of Paveh, according to Mehr.’ [5a]
- 15.105 The ‘Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran’, dated 6 March 2012, noted three Kurds who were currently detained and sentenced to death, accused of links to the PJAK. [10d] (Section III, Table II, p29)

For analysis of the conflict between the Iranian government and the PJAK, see the Jamestown Foundation report, [‘Probing the Reasons behind Iran’s ‘Pre-emptive’ Military Offensive against Kurdish Rebels’](#), dated 22 September 2011 [23c].

See also [Ethnic groups, Kurds](#) for details of treatment of Kurds perceived to have links to Kurdish opposition groups.

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## 16. FREEDOM OF SPEECH AND MEDIA

Section should be read in conjunction with [Political affiliation](#) and [Human rights institutions, organisations and activists](#)

### OVERVIEW

- 16.01 The Amnesty International (AI) report, ‘We are ordered to crush you’, Expanding repression of dissent in Iran’, dated February 2012, stated:

‘New measures taken to limit the right of everyone in Iran to exercise their right of expression are rooted in long-standing policy and practice. Iran’s Penal Code, Press Code and other regulations have provided the basis for the decades-long censorship of newspaper articles; the banning of newspapers; and the vetting of factual and fictional literature, television, plays and film and forms of pictorial art. The Press Code was amended in April 2009 to cover the material published on the internet but other legal measures set out below impose even more intrusive restrictions.

‘Individuals who write in newspapers or websites or who give interviews to the media may be charged under the Press Code and Penal Code with “offences” such as “spreading propaganda against the system”, “insulting officials”, “spreading lies with intent to harm state security” or occasionally “corruption on earth” or “enmity against God”.’ [9x] (p13)

- 16.02 The Freedom House (FH) report, ‘Freedom of the Press 2012 – Iran’, released 22 October 2012 (FH Press Report 2012), covering 2011, stated:

‘Constitutional provisions and laws restrict what can be covered in the press and fail to provide protections for the media. In addition, the government regularly invokes vaguely worded legislation to criminalize dissenting opinions. The Press Law forbids the publication of ideas that are contrary to Islamic principles or detrimental to public rights. Article 500 of the penal code states that anyone who undertakes any form of propaganda against the state will be sentenced to between three months and a year in prison, but the code leaves “propaganda” undefined. Under Article 513, certain offenses deemed to be an “insult to religion” are punished by death, or prison terms of one to five years for lesser offenses, with “insult” similarly undefined. In 2010, the government broadened the definition of the crime of moharebeh, or “enmity against God,” in order to convict activists and journalists. Other articles provide sentences of up to 2 years in prison, up to 74 lashes, or fines for those convicted of intentionally creating “anxiety and unease in the public’s mind,” spreading “false rumors,” writing about “acts that are not true,” and criticizing state officials; however, many prison sentences have been arbitrarily harsh, ranging from 6 to 10 years or more.’ [112b]

- 16.03 The Reporters sans Frontières (RSF) report, 'Predators of Press Freedom: Iran – Mahmoud Ahmadinejad', published on 4 May 2012, stated:

'There has been a violent and relentless crackdown on the opposition ever since President Ahmadinejad's disputed reelection in June 2009. For the past three years, many journalists have alternated spells of arbitrary detention with periods on parole until they finally fled abroad for fear that their next arrest could be the definitive one. In all, more than 300 journalists and bloggers have been arrested and 48 are currently detained. The exodus is the biggest since the 1979 revolution...

'More than 20 media outlets have been shut down by the Ministry of Culture's censorship arm, the Press Authorisation and Monitoring Commission. The government hounds journalists and their families, carries out summary arrests and uses secret imprisonment in order to prevent unwanted coverage of its activities. It also uses every possible method to prevent foreign radio and TV stations from broadcasting to Iran in Farsi. Foreign media are closely watched and their local correspondents risk losing their accreditation at any time. Many foreign journalists were unable to get their visas extended in 2011 and had to leave the country.' [38a]

- 16.04 The US Department of State's, 'Country Reports on Human Rights Practices 2011, Iran', released on 24 May 2012, (USSD Report 2011) stated:

'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." The law 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 provides for prosecution of writers for instigating crimes against the state or national security, or for "insulting" Islam; the latter offense is punishable by death. The government severely restricted freedom of speech and of the press, and it used the law to intimidate or prosecute not just individuals directly criticizing the government, but also those raising topics such as women's or minorities' rights. The CPJ [Campaign for Protection of Journalists] stated that the government maintained a campaign of press intimidation throughout the year [2011].' [4a] (Section 2a)

- 16.05 Regarding freedom of speech, the USSD Report 2011 noted:

'Individuals could not criticize the government publicly or privately without reprisal, and the government actively sought to impede criticism. The government monitored meetings, movements, and communications of opposition members, reformists, activists, and human rights defenders. The government accessed private e-mail accounts during the year and used the information obtained to harass, intimidate, and arrest account owners. The government often charged individuals with crimes against national security and insulting the regime based upon letters, e-mails, and other public and private communications. During the year there were several cases of the government increasing prison sentences for prisoners who wrote open letters criticizing their treatment or other government practices...' [4a] (Section 2a)

- 16.06 The RSF 2011/12 Press Freedom Index, published on 25 January 2012, placed Iran in 175<sup>th</sup> place of the 179 countries rated, noting, 'In Iran (175th), hounding and humiliating journalists has been part of officialdom's political culture for years. The regime feeds on persecution of the media.' [38c]

- 16.07 The FH report, 'Countries at the Crossroads 2012: Iran', published 20 September 2012, reported:

'The regime maintains its policy of censoring the press and the internet and silencing any dissenting views by arresting journalists, bloggers, and online activists, as well as by banning publications. Article 24 of the constitution gives the state a free hand in restricting freedom of expression, declaring, "Publications and the press have freedom of expression except when there is infringement of the basic tenets of Islam or public rights." The "basic tenets of Islam" and "public rights" are not defined in the constitution, meaning the authorities can use their own interpretation and crack down on free expression at will. These restrictions worsened following the 2009 postelection unrest.' [112a]

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## PRINT MEDIA

- 16.08 The FH report, 'Countries at the Crossroads 2012: Iran', published 20 September 2012, reported:

'Censorship in the past two years has reached new heights, with an increasing number of political, social, and cultural issues considered off limits. Journalists in Iran say the country's High National Security Council often issues guidelines to newspapers banning coverage of certain subjects. Human rights violations and news related to Iran's opposition movement are among the taboo topics, according to several journalists inside the country who spoke on condition of anonymity.' [112a]

- 16.09 The FH Press Report 2012 noted that, 'The newspapers with the widest circulation and influence adhere to a conservative editorial position or are directly operated by the government.' [112b] 'The few remaining reformist newspapers and publications have come under increasing pressure, and at least two have been shut down. While in previous years only reformist and independent publications were targeted, the ongoing power struggle among conservatives has widened the scope of state pressure to include some newspapers affiliated with the government.' (FH, 'Countries at the Crossroads 2012: Iran', 20 September 2012) [112a]

- 16.10 The FH Press Report 2012 reported:

'Amid strict censorship rules, officials in 2011 continued to shut down newspapers and other publications, especially if they covered the opposition, women's rights, ethnic issues, or any other topic the government deemed unacceptable. In September, two Iranian publications that printed articles critical of President Mahmoud Ahmadinejad's policies were closed. Shahrvand-e Emrooz, a weekly reformist news magazine, was shut down for violating press laws, while a leading reformist daily, Rouzgar, was temporarily closed for publishing antiregime propaganda. Etemad, the leading reformist newspaper, was banned in November for two months after publishing an interview with Ahmadinejad's press adviser, Ali Akbar Javanfekr. In the interview, Javanfekr - who was also the chief executive of the official Islamic Republic News Agency (IRNA) - criticized hardliners who opposed the Iranian president. The authorities said the paper had been shut down for "publishing falsehoods and insulting public officials." In order to remain in business, many news outlets and journalists practice self-censorship and abide by official restrictions. In addition to the print media, the government has targeted journalists' associations and civil society organizations that support freedom of

expression. The authorities also use official or loyalist media outlets to propagate false claims about activists. The semiofficial Fars News Agency often publishes fabricated confessions or resignations, while IRNA continues to monitor articles produced by Fars prior to publication to ensure that they do not violate its rules or contain prohibited information.’ [112b]

- 16.11 The Human Rights Watch (HRW) ‘World Report 2012’ – Iran, published 22 January 2012, also observed that, ‘Authorities continue to shut down newspapers and target journalists and bloggers. On September 5 [2011] the Ministry of Islamic Culture and Guidance’s Press Supervisory Board shut down the weekly Shahrvand (Citizen) and daily Ruzegar (Time) for insulting the authorities and “propaganda against the state,” among other crimes.’ [8a]

See also [Journalists](#) below

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## TV / RADIO

- 16.12 The FH Press Report 2012 stated:

‘Given the limited distribution of print media outside large cities, radio and television serve as the principal sources of news for many citizens, with more than 80 percent of residents receiving their news from television. Article 175 of the constitution forbids private broadcasting. The government maintains a monopoly on all domestic broadcast media and presents only the official political and religious viewpoints... A state-run English-language satellite station, Press TV, was launched in 2007. Leaders of the powerful Islamic Revolutionary Guard Corps (IRGC) also announced their intent to launch a trilingual (Persian, Arabic, and English) news agency modeled on the British Broadcasting Corporation (BBC) or the Associated Press. The IRGC already largely controls the Fars News Agency. An increasing number of people own satellite dishes and access international news sources, though this is technically forbidden and the confiscation of satellite dishes is known to occur. In May 2011, the government tightened their control over illicit satellite dishes and confiscated more than 2,000 of them in a single day. The IRGC reportedly has a budget of \$10 million dedicated to jamming stations in Tehran and other cities. Iran has repeatedly jammed BBC Persian TV since it was founded in 2009. The channel is considered such a threat that a website identical in design to that of BBC Persian has been created to spread allegations against BBC employees. The fake site uses a .ir domain name, which cannot be used without government permission. Reporting on BBC Persian has challenged government versions of both the domestic political scene and its troubled relationship with the West. Iranian officials often cite the work of the channel as evidence of a foreign plot against the regime.’ [112b]

- 16.13 On 22 March 2010, the Council of the European Union adopted a declaration, part of which stated:

‘...the European Union expresses its grave concern over measures taken by the Iranian authorities to prevent its citizens from freely communicating and receiving information through TV, radio satellite broadcasting and the internet. Deliberate interference by jamming of satellite broadcasting has affected numerous radio and TV services, including European services, transmitted by EUTELSAT. In addition, the Iranian

authorities regularly prevent their citizens from freely accessing, communicating and receiving information on the internet, and restrict or block mobile telecommunications.’ [19a]

## JOURNALISTS

- 16.14 The Committee to Protect Journalists (CPJ) Report 2011 stated, ‘Using imprisonment to silence critics, Iran is the world’s worst jailer of journalists.’ [29a] The same report continued:

‘Two years after a contested presidential election, Tehran continued to use the mass imprisonment of journalists to silence dissent and quash critical news coverage. Imprisoned journalists suffered greatly amid the crowded and unsanitary conditions of notorious prisons such as Rajaei Shah and Evin. The health of many detainees severely deteriorated, while numerous others suffered abuse at the hands of prison guards. The detainees also faced a battery of punitive measures, from the denial of family visits to placement in solitary confinement. Authorities continued a practice of freeing some prisoners on furloughs while making new arrests. Six-figure bonds were often posted by the furloughed journalists who faced immense political pressure to falsely implicate their colleagues in crimes. While some large international news organizations maintained a presence in Tehran, their journalists could not move or report freely, particularly outside the capital. Politically sensitive topics such as the country’s nuclear program or its plan to eliminate subsidies were largely off-limits to local and international reporters. The government also restricted adversarial reporting by using sophisticated technology to block websites, jamming satellite signals, and banning publications.’ [29a]

- 16.15 The FH Press Report 2012, published 22 October 2012, stated:

‘The government crackdown that followed the disputed 2009 presidential election continued in 2011, as scores of journalists were arrested, imprisoned, threatened, and beaten. The government continued the use tactics such as intimidation and harassment, unfair trials, and limits on means to establish independent outlets to restrict the media environment in Iran, which remained one of the most repressive in the world...

‘Of the 179 writers, editors, and photojournalists imprisoned worldwide, 42 are in Iran. Arrests and detentions soared after opposition leaders Mir Hossein Mousavi and Mehdi Karroubi called for street marches in solidarity with other protest movements in the region in 2011. The government reacted by clamping down on the media and placing both opposition leaders under house arrest. Kouhyar Goudarzi, a veteran journalist for the Committee of Human Rights Reporters (CHRR) who had completed a one-year prison term in December 2010, was seized by suspected government agents in July 2011 and taken to an undisclosed location. By October, Goudarzi was supposedly being held by the Intelligence Ministry. In addition, on October 5, authorities arrested four reformist journalists—Medhi Afsharnik, Ali Akrami, Mohamed Heydari, and Mohsen Hakim— on charges of disseminating “propaganda against the regime.” All four were reportedly released on bail several weeks later, and their cases were pending at year’s end. Numerous accounts of abuse in custody have been recorded, and many prisoners were said to have been tortured to extract confessions. The crackdown has prompted an exodus of journalists from Iran.’ [112b]

- 16.16 The CPJ report. ‘Attacks on the Press 2011 – Iran (CPJ Report 2011), published 22 February 2012, reported that 18 journalists had fled Iran during 2010-2011. In addition,

'CPJ's 2009-10 survey found at least 29 Iranian editors, reporters, and photographers had fled into exile. The country's total exodus over the last decade is 66...' [29a] The CPJ Report 2011 also noted that, as of 1 December 2011, 42 journalists were imprisoned in Iran, up from 34 in 2010 and 23 in 2009. [29a]

16.17 The same source also noted the following sentences being served by journalists in Iran in late 2011:

'6 months to 3 years: 4  
4 to 6 years: 11  
7 to 11 years: 2  
12 to 15 years: 3  
16-plus years: 1  
Pending: 21' [29a]

See the [CPJ Report 2011](#) for further information on the cases of individual journalists and editors imprisoned and sentenced and also those who have fled the country. [29a]

16.18 The FH report, Freedom of the Press 2012, noted:

'In addition to arresting large numbers of journalists, the government continued to impose excessive sentences during the year, including lengthy prison terms and professional bans. Saeed Jalalifar, a reporter on child labor and political prisoner issues for the CHRR, had first been arrested in December 2009. He was free on bail for more than a year before being summoned back to Evin Prison - notorious for its harsh conditions - in July 2011. The opposition website Pars Daily News reported that Jalalifar had been sentenced to three years in prison on charges of "assembly and collusion against the regime." Numerous journalists have been detained for varying periods of time since 2009 in connection with their work in exposing human rights violations and government malfeasance. Blogger and political activist Hossein Ronaghi Maleki, who was arrested in December 2009 and sentenced to 15 years in prison, has reportedly been subjected to severe abuse in prison.' [112b]

16.19 The same Freedom House report observed that:

'The Iranian judiciary frequently denies accused journalists due process by referring their cases to the Islamic Revolutionary Court (IRC), an emergency venue intended for those suspected of seeking to overthrow the regime. Cases against journalists before the IRC have featured closed-door hearings and denial of access to an attorney or a fair jury. In July 2010, Ayatollah Mohammad Emami Kashani, a member of the powerful Assembly of Experts, forbade lawyers from defending political suspects, making it difficult for members of the legal profession to assist arrested journalists. Several prominent human rights lawyers who have defended political activists, including journalists, have themselves been prosecuted in recent years.' [112b]

16.20 On 15 February 2011, the International Federation of Journalists (IFJ) '...accused the Iranian authorities of targeting media amid signs of solidarity in the country with protests which toppled regimes in Egypt and Tunisia. At least four journalists working for reformist newspaper were arrested last week ahead of demonstrations called by the opposition to support recent popular uprisings in Egypt and Tunisia.' [54a]

16.21 RSF reported on 1 March 2011 that: 'Several Iranian journalists and writers living in exile have received death threats from Iranian intelligence agencies since

24 February...Several journalists and other Iranians living in exile have received anonymous threats by telephone, text message or email, such as “Stop your actions against the Islamic Republic or you will suffer the ultimate punishment” and ‘We order you to stop, otherwise you will pay.’ [38d]

16.22 The Freedom House Report 2012 stated:

‘The authorities frequently issue ad hoc orders banning media coverage of specific topics and events. The foreign media are banned from covering demonstrations. Cooperation with Persian-language satellite news channels based abroad is also banned. Shortly after a documentary about Khamenei was aired on BBC Persian television in August 2011, six independent documentary filmmakers were arrested on allegations of collaborating with the network...

‘The Press Court has extensive power to prosecute journalists for such vaguely worded offenses as “mutiny against Islam,” “insulting legal or real persons who are lawfully respected,” and “propaganda against the regime.” The use of “suspicious sources” or sources that criticize the government is also forbidden.’ [112f]

The [RSF](#) and the [Committee to Protect Journalists](#) websites publish frequent updates on journalists arrested and sentenced since the June 2009 presidential elections.

See also [Prison Conditions](#).

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## INTERNET

16.23 The Amnesty International (AI) report, “‘We are ordered to crush you”, Expanding repression of dissent in Iran’, dated February 2012, reported that, ‘Since 2001, the Iranian authorities have gradually increased measures to control Iranians’ access to the outside world via electronic means and media. They have restricted bandwidth and are developing state-run servers, specific internet protocols (IPs), internet service providers (ISPs) and search engines.’ [9x] (p13)

16.24 The Human Rights Watch (HRW) ‘World Report 2012 – Iran’, published 22 January 2012 stated: ‘The government systematically blocked websites that carry political news and analysis, slowed down internet speeds, and jammed foreign satellite broadcasts.’ [8a]

16.25 The Freedom House (FH) Press Report 2012 reported:

‘...the regime imposes systematic controls on the internet and other digital technologies. According to the OpenNet Initiative, the Iranian government has become one of the most sophisticated and pervasive filterers of online content in the world, and it has the technological capability to produce its own monitoring and filtering software. According to a parliamentary commission investigating Iran’s privatization process, a private corporation linked to the IRGC bought 51 percent of the Telecommunications Company of Iran in October 2009 with little outside competition. The government retains direct ownership of the remaining portion. The transaction gave the IRGC control over Iran’s telephone systems - both the fixed-line network and the two mobile phone companies - as well as internet service providers. The government is also taking steps to restrict access to the internet. Connection speeds have been slower, and authorities cut off

service during critical moments in 2011, such as the February anniversary of the 1979 revolution. In addition, the government carefully monitors social-media websites such as YouTube and Twitter, and regularly restricts access to Facebook before any protest.

'In April 2011, the government announced that it would be launching a local intranet service known as Halal Internet. According to the deputy minister for economic affairs, Ali Agha Mohammadi, the Halal Internet project is expected to be completed in 2012. Mohammadi confirmed that Halal Internet would be extensively censored and monitored by the Iranian authorities, though the government claims that Iranians will continue to have access to the internet as a whole.' [112b]

16.26 Internet World Stats reported on 24 July 2011 that there were an estimated 36,500,000 internet users in Iran as of June 2011, representing 46.9% of the population. [81a]

16.27 The FH report, 'Freedom on the Net 2012 – Iran' (Freedom on the Net Report 2012), published 25 September 2012, stated:

'Iranian internet users suffer from routine surveillance, harassment, and the threat of imprisonment for their online activities, particularly those critical of the authorities. The constitution provides for limited freedom of opinion and expression, but numerous, haphazardly enforced laws restrict these rights in practice. The 2000 Press Law, for example, forbids the publication of ideas that are contrary to Islamic principles or detrimental to public rights, none of which are clearly defined. The government and judiciary regularly invoke this and other vaguely worded legislation to criminalize critical opinions. The 2009 Computer Crime Law (CCL) identifies punishments for spying, hacking, piracy, phishing, libel, and publishing materials deemed to damage "public morality" or to be a "dissemination of lies." Punishments mandated in the CCL are severe. They include the death penalty for offenses against public morality and chastity, as well as long prison sentences, draconian fines, and penalties for service providers who fail to enforce government content restrictions.' [112d]

16.28 The report of the Secretary General to the UN General Assembly on 'The situation of human rights in the Islamic Republic of Iran' dated 15 September 2010 noted: 'On 17 November 2009, a new 12-member web crime unit was launched to monitor "Internet crimes", including political offences, and also to police the Internet for "insults and lies", a term often used by the authorities to describe criticism of the Government.' [10u] (p14)

16.29 The Freedom on the Net Report 2012, published 25 September 2012, also stated:

'The Iranian regime has long had an ambivalent relationship with the internet, viewing it alternately as a catalyst for economic development or as an invading force that threatens the Islamic state's strict social, religious, and political values. Over the past three years, the balance has markedly shifted towards the latter, as the leadership has decisively chosen political control over the benefits of a more open society. After the internet played an important role in the opposition movement that followed the disputed presidential election of June 12, 2009, the Iranian authorities waged an active campaign against internet freedom, employing extensive and sophisticated methods of control that went well beyond simple content filtering. The government also reportedly allocated US\$500 million in its 2010-11 annual budget for the purpose of combating of what it termed a "Soft War" being waged against the regime by its perceived enemies via media and online activities. The regime's increasing tendency to view the internet as a threat and the importance of countering the "Soft War" were reflected in various official statements in 2011.

'These circumstances contributed to an overall deterioration in the internet freedom environment in 2011 and early 2012, although the mass arrests and denial-of-service attacks that characterized the previous two years were less prominent. Instead, the regime turned to more nuanced and sophisticated tactics for subverting free expression online. These included: upgrading the filtering technology and using it to block particular types of traffic, hacking two international firms' digital certificates to undermine user privacy, and implementing the first stages towards establishing a National Internet. Together, these measures indicate the regime's intention to increasingly cut off Iranian internet users from websites and others online resources based outside the country. Alongside this enhanced technical sophistication, however, the regime also continued to use low-tech repression to punish and intimidate bloggers, journalists, and ordinary users. Over the past two years, Iranian judicial authorities meted out some of the harshest sentences in the world for online activities, including imposing the death penalty on three bloggers and information technology (IT) professionals.' [112d]

16.30 The same source also reported:

'Throughout 2011 and early 2012, the Iranian authorities continued to restrict access to tens of thousands of websites, particularly those of international news sources, the opposition Green Movement, ethnic and religious minorities, and human rights groups. Some previously accessible websites and blogs also began being blocked, including news sources like Yahoo News and Reuters. Ahead of parliamentary elections in March 2012, the Office of the General Prosecutor threatened to block any website that published calls to boycott, protest, or question the credibility of the polls, a threat that was reportedly acted upon...

'As of May 2012, all major international social media tools like the social-networking site Facebook, the video-sharing portal YouTube, the microblogging service Twitter, and the photo-sharing application Flickr were blocked. The periodic disruption of access to services based overseas – such as Google's fairly well-encrypted email and blogging platforms, Gmail and Blogger, or its new social network Google+ – appear designed to frustrate users and eventually force them to seek more easily monitored alternatives based in Iran. Although many Iranians have been able to access the blocked platforms using various circumvention techniques, the authorities have actively worked to disrupt such efforts, forcing users to constantly search for new solutions.' [112d]

16.31 The AI report of February 2012, noted:

'Iran's various and often parallel security bodies can now scrutinize activists as they use personal computers in the privacy of their homes. In recent years, a shadowy "Cyber Army", reportedly linked to the Revolutionary Guards, has carried out attacks on websites at home and abroad, such as against the sites of Twitter and Voice of America. In January 2012, the Police Chief Brigadier General Esma'il Ahmadi-Moghaddam, announced that the Cyber Police, established a year before and intended 'to confront Internet crimes and counter social networks that spread 'espionage and riots'', was now operational throughout the country.' [9x] (p13)

16.32 The Reporters without Borders (RSF) report, 'Internet Enemies 2012 – Iran', covering events in 2011 and published 12 March 2012, reported that:

'The regime continues to demonize new media, claiming that they serve foreign interests and are "means of subversion." On July 29, 2011, Intelligence Minister Heydar Moslehi stressed "society's vulnerability to social networks introduced in the country by

the enemy.” Two days before, Interior Minister Mostafa Najar had stated that “satellites and Facebook are the electronic means of a “soft war” by the West intended to cause the Iranian family’s collapse.” [38b]

16.33 The same RSF report also stated:

‘The announced launching of Iran’s “National Internet” has been widely covered in the media. Meanwhile the authorities have fortified filtering and their technical capacity to closely monitor the Web. Individuals and groups alike have been arrested in order to identify and neutralize dissident networks and intimate bloggers and journalists. For the first time, four netizens have been given the death penalty, and three of them may be executed at any time. Iran’s already harsh repression has become even more brutal...

‘Reporters Without Borders counted 29 netizen arrests between March 1, 2011 and March 1, 2012. Eleven netizens received sentences ranging from three to six years. Fifteen were released on parole. They are awaiting their trial and verdict with little hope for leniency.’ [38b]

16.34 The same RSF report further stated:

‘At a news conference on December 28, 2011 – the day for registering candidates for the March 2012 parliamentary elections – Abdosamad Khoramabadi, the Prosecutor-General’s legal adviser, unveiled “a list of 25 election-related Internet crimes.” Among the contents deemed “criminal” are: calling for an election boycott, the publication of counter-revolutionary or opposition logos or website contents, etc.

‘Under the new 20-point regulations for cybercafés published by the Iranian Internet police on December 28, 2011, clients are required to produce an ID. Managers must install cameras on the premises and keep the camera recordings, along with all the details of their clients and a list of the websites they visited. The use of software to circumvent content filtering, Virtual Private Networks (VPNs) and USB flash drives is banned. After raiding 43 cybercafés in Birjand (in the southern province of Khorasan), the police closed six of them for “non-compliance with security measures and the use of censorship circumvention software.” [38b]

16.35 The AI report of February 2012 reported:

‘Ashkan Delanvar, a student banned from further education for his political views, was tried in the first case recorded by Amnesty International where an individual was sentenced to prison under the Law on Cyber Crimes for providing anti-filter software and training in how to use it. He was sentenced to 10 months imprisonment after conviction of these charges, although his sentence was later increased on appeal. When summoned to start serving the sentence Ashkan Delanvar fled Iran, fearing for his safety.’ [9x] (p14)

16.36 The RSF [Internet Enemies Report 2012](#) [38b], Freedom House’s report [Freedom on the Net 2012 – Iran](#) [112d] and an [Open Net Initiative report](#), [89a] published in June 2009, give further detailed information on Internet Service Providers (ISPs), filtering and surveillance.

See also [Journalists](#) and [Bloggers](#) below

**BLOGGERS**

16.37 The Freedom on the Net Report 2012 reported:

‘Since June 2009, the authorities have cracked down on online activism through various forms of judicial and extralegal intimidation. An increasing number of bloggers have been threatened, arrested, tortured, kept in solitary confinement, and denied medical care, while others have been formally tried and convicted. At least 50 bloggers and online activists were arrested in 2009 and 2010. Although the number of new arrests decreased in 2011, many individuals detained during the previous two years were sentenced, often harshly. Three bloggers and IT professionals – Saeed Malekpour, Vahid Asghari and Ahmad Reza Hasempour – were sentenced to death between October 2011 and January 2012 on various questionable charges. Malekpour, for example, was prosecuted because a software program he had designed was used to upload pornography, although it was done without his knowledge. The Committee to Protect Journalists speculated that the three were targeted because of their technical knowledge and ability to assist in the building and hosting of independent websites. Other bloggers have been sentenced to prison terms of up to 20 years. Blogger Hossein Ronaghi-Maleki continues to serve a 15-year sentence imposed in December 2009 for "spreading propaganda against the regime" and insulting the Supreme Leader. In June 2011, Hossein Derakhshan, considered the father of the Iranian blogosphere, lost his appeal against a 19-year sentence imposed on charges of cooperating with hostile countries, spreading propaganda against the regime, and insulting Islamic thought and religious figures.’ [112d]

16.38 On 2 December 2012, Reuters reported that Saeed Malekpour’s death sentence had been suspended: ‘Malekpour’s lawyer Mahmoud Alizadeh Tabatabaei told Mehr news agency that his client had repented for his actions after his death sentence, issued by the Revolutionary Court, was confirmed by Iran’s Supreme Court.’ [5b]

16.39 The Freedom on the Net Report 2012 stated:

‘Despite the relative decrease in new arrests, several bloggers and online activists were detained in 2011 and subsequently sentenced to prison. In February 2011, the Ministry of Intelligence arrested eight bloggers who had been critically discussing Islamic doctrine over the internet. In January 2012, they were all sentenced to prison terms ranging from five to nine years. In another round of arrests in early 2012, security forces detained at least six journalists and bloggers in what appeared to be a preemptive measure to thwart protests surrounding the March parliamentary elections...

‘The scale and arbitrariness of such arrests, as well as the harsh punishments meted out, have created a climate of fear among Iranian internet users. As a result, a large number of bloggers, journalists, and activists have gone underground or fled the country to seek political asylum in neighboring countries, mainly Turkey. Meanwhile, ordinary users tread carefully when communicating online, unclear of what kinds of activities might inadvertently put them at risk.’ [112d]

16.40 The CPJ Report 2011 stated that, ‘Among those being held in late 2011, blogger Hossein Derakhshan, who was detained in late 2008, was serving the longest documented sentence. In June, a Tehran appeals court upheld the 19½-year term on charges of “working with hostile governments,” “propaganda against the state,” and “insulting religious sanctities.”’ [29a]

16.41 The Freedom on the Net Report 2012 noted:

'Self-censorship is extensive, particularly on political matters. The widespread arrests and harsh sentences meted out to reporters and activists after the 2009 elections, as well as perceptions of pervasive surveillance, have increased fear among online journalists and bloggers. Many of them either abandoned their online activities or use pseudonyms. The result has been a palpable drop in the amount of original content being produced by users based inside the country.' [112d]

16.42 The FH Press Report 2012 reported that:

'Blogs and online news websites - particularly those in the Persian language - were increasingly targeted for censorship during the year, and independent or antigovernment bloggers were subject to harassment. In November 2011, blogger Rojin Mohammadi was arrested on undetermined charges. The CHRR [Committee of Human Rights Reporters] found that Mohammadi had been arrested when she arrived at Tehran airport for a visit on November 14. She was released on bail after 24 hours, but was arrested again a few days later, and continued to be held in Evin Prison at year's end [2011].

'Although subject to a more aggressive range of threats and restrictions in 2011, the internet still provided a key platform for informing the Iranian public, and online media remained a source of diverse news coverage and analysis. In an acknowledgment of its inability to completely silence online dissent, the regime has stepped up its efforts to hack sites - including those based abroad - that it cannot disable by other means, and to foster the large-scale creation of progovernment blogs, commentary, and news content.' [112b]

16.43 On 8 November 2012, the Guardian reported:

'Iran has been accused of torturing to death a blogger who was arrested last week for criticising the Islamic republic on Facebook.

'Iran's cyber-police, known as Fata, picked up Sattar Beheshti from his home in Robat-Karim last week on suspicion of "acting against the national security" because of his online activities on social networking sites. He was then taken to Tehran's notorious Evin prison.

'Beheshti's family heard no news of him until Wednesday, when they were phoned by prison officials asking them to collect his body from the Kahrizak coroner's office. The opposition has accused Iranian officials of torturing the 35-year-old blogger to death.' [16c]

16.44 BBC News reported the Iranian deputy parliamentary speaker, Mohammad Hasan Abutorabifard, as saying on 11 November 2012 that the Iranian parliament's committee on national security and foreign policy would investigate Sattar Beheshti's case. [21f] On 23 November 2012, BBC News further reported:

'The Tehran prosecutor's office says the main cause of Mr Beheshti's death could be physical shock - caused by the brute force applied to sensitive parts of his torso - or psychological pressure... Last week, three people were reported to have been arrested and subsequently, according to an opposition website, released. According to opposition website, Kalameh, the suspects had been involved in Mr Beheshti's interrogation.' [21k]

16.45 On 1 December 2012, the Guardian reported:

'Iran's top cyber police chief has been sacked over the death in custody of blogger Sattar Beheshti, according to officials in Tehran... The head of Tehran's cyber police unit – named as Mohammad Hassan Shokrian by Press TV – was fired for “failures and weaknesses in adequately supervising personnel under his supervision”, according to a statement posted on the website of Iran's police force on Saturday... Authorities in the country have arrested seven people suspected of involvement in his death. A judiciary official said a medical examiners [sic] had found bruises on five parts of the blogger's body.’ [16j]

See also [Journalists](#) above and the websites of [RSF](#) and the [Committee to Protect Journalists](#) for updated information

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## ACADEMIC FREEDOM

For treatment of student dissenters see Political affiliation, [Student activists](#)

16.46 Human Rights Watch reported on 5 October 2012 that, ‘Since President Mahmoud Ahmadinejad took office in 2005 - authorities have forced professors to retire, eliminated social science courses and imprisoned student activists – say campaigners.’ [8e]

16.47 The USSD Report 2011, published 24 May 2012, stated:

‘The government significantly restricted academic freedom and the independence of higher education institutions. In March 2010 Minister of Science, Research, and Technology Kamran Daneshjoo stated that only those who have proven commitment to Islam and the “rule of the jurisprudent” (velayat-e-faqih) can teach or study at universities. To be admitted to university, applicants had to pass “character tests” in which officials eliminated applicants critical of the government’s ideology and gave advantages to Basij members. Authorities systematically targeted university campuses to suppress social and political activism, including banning independent student organizations, imprisoning student activists, purging faculty, depriving targeted students from enrolling or continuing their higher education based on political or religious affiliation or activism, and restricting social sciences and humanities curricula.

‘The 2010 restrictions placed on humanities programs in universities increased throughout the year, including the severe restrictions on social sciences education, and the barring of universities from opening new departments of law, philosophy, management, psychology, political science, women’s studies, or human rights.’ [4a] (Section 2a)

16.48 The Freedom House Report 2012 stated:

‘Academic freedom is limited. Scholars are frequently detained, threatened, and forced to retire for expressing political views. Students involved in organizing protests face suspension or expulsion in addition to criminal punishments. Since the 2009 presidential election, the IRGC-led Basij militia has increased its presence on campuses, and vocal critics of the regime face increased persecution and prosecution... Meanwhile, on Khamenei’s orders the government announced increased scrutiny over degree programs in the humanities to ensure their commitment to Islamic principles. In

September, the country's top humanities university, Allameh Tabatabai, eliminated 13 branches of social sciences, including political science, history, sociology, philosophy, pedagogy, and journalism.' [112f]

- 16.49 A report by the International Campaign for Human Rights in Iran (ICHRI), published on 4 December 2010, reported that:

'Soon after Mahmoud Ahmadinejad became President of the Islamic Republic of Iran in 2005, the term 'starred students' entered Iranian discourse on higher education. Starring became synonymous with a mechanism for discrimination against, and exclusion of, students from higher education based solely on their political beliefs, the exercise of their freedom of expression, and in the case of Baha'i students, their religious beliefs...

'During the past five years, hundreds of students have been barred from higher education through this process. The International Campaign for Human Rights in Iran interviewed 27 students barred from higher education. Additionally, the Campaign compiled a list of 217 students who were denied their right to education. The true numbers are believed to be much higher, as many targeted students have preferred to remain silent and not make their case public, fearing further persecution and prosecution, or hoping that they can reverse their education bans by giving written guarantees to cease future activism.' [52c]

The [ICHRI report](#) of 4 December 2010 includes further detailed information on the 'starred' system, testimonies of students and a list of students known to have been deprived of higher education with the treatment they received (if available) from 2005 to 2010. [52c]

- 16.50 On 31 May 2012, a joint statement was issued by 17 human rights and educational groups concerned about academic freedom in Iran. They expressed '...deep concern about the alarming state of academic freedom in the Islamic Republic of Iran, in particular violations of the rights to freedom of expression, association, and assembly on campuses; and institutionalized procedures that allow authorities arbitrarily to expel and suspend students, and fire graduate instructors on the basis of their political views or activities.' [8d] The statement continued, 'Over six hundred students, as well as some university lecturers, have been arrested since 2009, many of whom have subsequently been imprisoned, and hundreds deprived of education, as a result of their political activities.concern'. [8d]

See also the [Right to Education section](#) of the International Campaign for Human Rights in Iran's website which includes continuously updated information on the treatment of students and academics.

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## 17. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

Section should be read in conjunction with [Political affiliation](#) and [Freedom of speech and media](#).

### HUMAN RIGHTS AND NON-GOVERNMENTAL ORGANISATIONS (NGOs)

- 17.01 Human Rights Watch (HRW) noted on 21 September 2009 that ‘No independent international human rights organization has been allowed to work inside Iran. Iranian human rights organizations have been either shut down or face constant threats and intimidation. UN [United Nations] human rights experts have repeatedly requested to travel to the country, but the government has denied their requests.’ [8g] The authorities have not allowed Amnesty International to visit Iran to research human rights since just after the 1979 revolution. (Amnesty International, 26 May 2010) [9a] (p176)
- 17.02 The Freedom House report ‘Freedom of Association Under Threat – Iran’, dated 21 November 2008, stated that:
- ‘Registration and legal requirements for NGOs [non-governmental organisations] are restrictive, inconsistently enforced, and poorly coordinated among government ministries...
- ‘Ahmadinejad describes NGOs as a “Western” phenomenon and a risk to national security. He has attempted to supplant their efforts using government-controlled Islamic councils and has withdrawn government funding that was provided under Khatami. NGOs have little recourse to the courts if authorities violate their rights...After Ahmadinejad’s election, two of the most prominent NGOs in Iran were shut down: the Center for the Defense of Human Rights, led by Nobel Peace Prize winner Shirin Ebadi, and the Organization for the Defense of Prisoners’ Rights, led by Emad Baghi.’ [112e]
- 17.03 A HRW report of December 2010 noted that the ‘CHRR [Committee of Human Rights Reporters], one of the few remaining human rights organizations in the country, was effectively shut down by the government earlier this year [2010]. All of its members are either currently in prison or in exile.’ [8m] (p89) A March 2011 report by the International Campaign for Human Rights in Iran (ICHR) reported that ‘In an attempt to pursue charges of moharebeh (enmity with God), which could carry a death sentence, Tehran’s prosecutor has made the highly unsubstantiated claim that CHRR is associated with the militant opposition group, Mojahedin Khalq Organization.’ [52o] (p19-20)
- 17.04 The [ICHR report](#) published in March 2011 includes details of sentences handed down to members of the CHRR and also provides further details of the treatment of human rights organisations in Iran. [52o]
- 17.05 On 15 April 2011 Amnesty International (AI) reported that:
- ‘A draft law which would limit the existence and activities of independent NGOs and civil society organizations has been sent back to a committee for a further three months’ study. If it is passed, many more civil society activists in Iran could face prosecution for peacefully exercising their rights to freedom of association and assembly.
- ‘The Bill on the Establishment and Supervision of Non-Governmental Organisations was undergoing a final reading in Iran’s parliament and the first 26 articles were passed. Following intense domestic and international criticism of the bill, a motion was passed which sent the bill back to the Committee on Social Affairs for three months for further study and amendment of the remaining articles.
- ‘The articles passed will create an unaccountable body, the Supreme Committee Supervising NGO Activities. All currently-operating NGOs will have to re-register with the Committee, which will issue and revoke registration permits for all NGOs, and have ultimate authority over their boards of directors. Currently, the closure of registered organizations requires a court decision. If the bill becomes law, activists taking part in

organized activities with NGOs which fail to secure a registration permit, or who have their permit revoked, would be at much greater risk of prosecution under vaguely worded provisions of Iran's Penal Code. Other measures passed include the requirement for all 'non-political demonstrations' and for all contacts with international organizations to have prior permission from the Supreme Committee.' [9j]

17.06 The report of the UN Secretary-General dated 22 August 2012 stated:

'The Secretary-General welcomes the decision by the Parliament of the Islamic Republic of Iran to further review and amend a proposed new law on the establishment and supervision of non-governmental organizations that had raised serious concerns among many Iranian non-governmental organizations. The initial draft law unduly restricts the independence of civil society organizations and impedes the right to freedom of association and peaceful assembly of a wide range of actors, including human rights defenders, women's rights activists, teachers and trade associations.' [10ac] (p13)

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## HUMAN RIGHTS ACTIVISTS AND LAWYERS

17.07 The Human Rights Watch report, 'The Islamic Republic at 31', published in February 2010, stated that following the June 2009 elections '...the government harassed and intimidated activists, journalists, and human rights defenders, detaining many, subjecting some to trials that did not meet international fair trial standards, and convicting others solely for exercising their right to peaceful dissent...At Evin prison the most serious abuses Human Rights Watch documented were directed against well-known political figures and human rights defenders.' [8]

17.08 An Iran Primer report, 'Patterns of Iran Human Rights Abuses 2010', published by the US Institute of Peace (USIP) on 16 December 2010 observed that, 'Up to 70 percent of the leaders in the human rights community are either jailed or in exile.' [31a]

17.09 On 26 February 2012, the International Campaign for Human Rights in Iran (ICHRI) reported:

'Since June 2009, at least 42 lawyers have faced government persecution in the form of imprisonment, criminal prosecution, and harassment simply for defending their clients and promoting human rights. The Judiciary has essentially criminalized human rights-based lawyering and tried to purge the legal community of anyone willing to represent prisoners of conscience.

'Moreover, the Iranian Central Bar Association, whose very purpose is to promote and defend the rights of lawyers in Tehran, has been mute on the subject. This underscores the fact that 58 years since the first bar association became legally "independent," Iranian bar associations are still restricted by the government in many ways.' [52u]

17.10 The same ICHRI source also noted that, 'For their legal and human rights advocacy, many lawyers have faced persecution at the hands of Iranian authorities. Abdolfattah Soltani, Nasrin Sotoudeh, Mohammad Seifzadeh, and Javid Houtan Kiyan are among the human rights lawyers who are currently imprisoned in Iran for doing their jobs.' [52u] The [ICHRI report](#) also included a list of 32 lawyers prosecuted in Iran between 12 June 2009 and 10 July, 2011. [52u]

- 17.11 In an update of 25 July 2012, AI reported on the treatment of Javid Houtan Kiyan, the last lawyer to represent Sakineh Ashtiani, the woman sentenced to be stoned to death for adultery and whose case attracted international attention:

'He was arrested in October 2010 along with Sakineh Mohammadi Ashtiani's son and two German journalists, who have all been released. Javid Houtan Kiyan is believed to have been sentenced to at least four years in prison and given a five-year ban on practising law on charges including "spreading propaganda against the system" and "gathering and colluding with intent to harm state security", and may be facing trial on the charge of espionage, which can carry the death penalty.

'A letter believed to have been written by Javid Houtan Kiyan while in prison in which he alleged that he had been tortured, surfaced in March 2011. Naghi Mahmoudi, Javid Houtan Kiyan's lawyer who has now fled the country, has reported that he has obtained a three-page letter written recently by his client, who remains in Tabriz Central Prison.

'In the new letter, Javid Houtan Kiyan reiterated that he has experienced physical and psychological torture "like a soccer football kicked about" and that every day since his arrest, he has wished to die. He stated that he was transferred from a section of the prison holding those convicted financial crimes, to the "methadone" ward where drug addicts are held. He stated that he continues to be subjected to torture and that while he has written to various judicial officials to complain, his letters have made no difference and that he has therefore lost all hope. He adds that he has been deprived of seeing his young daughter as well.' [9z]

- 17.12 The first 'Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran' to the UN Human Rights Council, dated 6 March 2012, noted:

'Human rights defenders who advocate for members of the lesbian, gay, bisexual and transgender community are often subject to Government intimidation and prosecution. Dr. Houtan Kian, a lawyer who has defended individuals accused of sodomy and adultery, was officially indicted on 11 charges, including defamation of the Iranian judiciary, espionage, disclosing secret and classified information (relating to information on the murder of political prisoners by the Government through undetectable medical methods), fraud and falsifying identities. He has reportedly been severely tortured, including sustaining close to 60 cigarette burns on his body, especially around his genitals and on his legs.' [10d] (p20)

- 17.13 The report of the UN Secretary-General dated 22 August 2012, observed:

'Pressure on human rights defenders and activists continued. International human rights mechanisms continued to express serious concerns regarding the arrest and subsequent prosecution of human rights defenders for exercising their fundamental rights to freedom of expression and assembly. The Special Rapporteur on the situation of human rights defenders expressed grave concern about the physical and psychological integrity of people exercising their rights to freedom of peaceful assembly and of association including the systematic arrest of prominent human rights defenders, particularly lawyers, journalists, student activists and those advocating against the discrimination of women, and about the illegitimate restrictions imposed on the right of human rights defenders to freedom of opinion and expression (see [A/HRC/19/55/Add.2](#) [Report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, 23 February 2012] and [A/HRC/20/27/Add.3](#) [Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina

Kiai, 19 June 2012]. The Special Rapporteur also expressed concern about the allegations of widespread use of torture and ill treatment against human rights defenders while in detention, detention in unknown locations and incommunicado detention. On 4 May [2012], a number of Special Rapporteurs publicly condemned the arrests and harsh sentencing of human rights defenders.’ [10ac] (p12)

See the [Secretary-General's report](#) of 22 August 2012 for details of the treatment of individual human rights activists. [10ac]

- 17.14 On 1 October 2012, AI reported that Mohammad Ali Dadkhah, the lawyer who defended Christian pastor, Youcef Nadarkhani, had been called to begin a nine-year prison sentence at Tehran’s Evin prison on 29 September 2012. AI reported that, ‘Mohammad Ali Dadkhah, co-founder of Iran’s Centre for Human Rights Defenders (CHRD), was sentenced in July last year after being convicted of charges including “membership of an association [the CHRD] seeking the soft overthrow of the government” and “spreading propaganda against the system through interviews with foreign media”. He was also banned from practising law and teaching for 10 years.’ AI also noted that he was the fourth member of the CHRD to have been imprisoned in the last 18 months. [9ab]

See also section on [Apostasy](#) for further information on the treatment of Mohammad Ali Dadkhah.

See also [Government suppression of women’s rights organisations](#), [Student activists](#), [Freedom of political expression](#) and [Freedom of association and assembly](#)

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## 18. CORRUPTION

- 18.01 In its 2011 Corruption Perceptions Index (CPI), released on 1 December 2011, Transparency International ranked Iran 120<sup>th</sup> in the world corruption rankings out of 182 countries (up from 146<sup>th</sup> out of 178 countries in 2010 [62b]), giving it a CPI score of 2.7. (The CPI Score relates to perceptions of the degree of corruption as seen to exist among public officials and politicians by business people and country analysts. It ranges between 10 (highly clean) and 0 (highly corrupt). [62a])
- 18.02 The Freedom House report, ‘Freedom in the World 2012 – Iran’, released on 12 July 2012, covering events in 2011, noted that:
- ‘Corruption is pervasive. The hard-line clerical establishment and the IRGC [Islamic Revolutionary Guard Corps], to which it has many ties, have grown immensely wealthy through their control of tax-exempt foundations that dominate many sectors of the economy. The administration of President Mahmoud Ahmadinejad has gravely damaged fiscal transparency and accountability through the abolition of independent financial watchdogs and the murky transfer of profitable state companies to the IRGC and other semigovernmental conglomerates... A \$2.6 billion banking embezzlement case that emerged in 2011 involved at least seven Iranian state-owned and private banks, exacerbating concerns about rampant corruption in Iran.’ [112f]

- 18.03 The US Department of State's 'Country Report on Human Rights Practices 2011', Iran, released 24 May 2012 (USSD Report 2011) noted that 'Official corruption and a lack of government transparency persisted.' [4a] (Introduction) Furthermore, 'The security forces were not considered fully effective in combating crime, and corruption and impunity were problems.' [4a] (Section 1d) The same report continued, 'The law provides criminal penalties for official corruption, but the government did not implement the law effectively, and official corruption and impunity 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 to obtain permits for illegal construction.' [4a] (Section 4)

See also [Security forces](#) and [Forged and fraudulently obtained official documents](#)

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## 19. FREEDOM OF RELIGION

### OVERVIEW

For information on the situation for women from religious minorities, this section should be read in conjunction with the section on [Women](#) for information about their position generally in Iranian society.

- 19.01 The Criminal Intelligence Agency (CIA) World Factbook, updated 18 April 2012, accessed 23 May 2012, provided the following breakdown of religious groups in Iran: 'Muslim (official) 98% (Shia 89%, Sunni 9%), other (includes Zoroastrian, Jewish, Christian, and Baha'i) 2%.' [111a]
- 19.02 The International Federation for Human Rights (FIDH) and the Iranian League for the Defence of Human Rights (LDDHI) report, 'The Hidden Side of Iran: Discrimination against ethnic and religious minorities', published in October 2010, concluded:
- 'The Islamic Republic of Iran [IRI] is based on a theocratic theory that is very narrowly interpreted to favour a small group among the Shi'a Muslims and in particular one group of the Shi'a clergy. This theory serves to discriminate against other Shi'a and Sunni Muslims as well as believers of other religions and non-believers. The IRI system and structure of government is extremely discriminatory and excludes not only the non-Shi'a Muslims and other believers on religious grounds, but also ethnic peoples on ground of their origin. Further, the IRI denies the right to believe in or practice a religion or belief of one's choice and the right of ethnic groups to receive education, to write and publish freely in their own mother tongue and to celebrate their cultural events.' [56c] (p26)
- 19.03 The Christian Solidarity Worldwide (CSW) Religious Freedom Profile dated September 2009 concluded that: 'At some levels, Iranian society is tolerant and supportive of non-Muslim compatriots. However, the politics of "defending Islam" and the "Islamic Republic" automatically exclude and marginalise them. They remain vulnerable to persecution at the hands of the state, security forces and militias, as well as socio-economic discrimination in their day-to-day lives.' [116a] (p13)
- 19.04 The Freedom House report, 'Freedom in the World 2012 – Iran' (Freedom House Report 2012), published on 12 July 2012, reported:

'Religious freedom is limited in Iran, whose population is largely Shiite Muslim but includes Sunni Muslim, Baha'i, Christian, Jewish, and Zoroastrian minorities. The Special Court for the Clergy investigates religious figures for alleged crimes and has generally been used to persecute clerics who stray from the official interpretation of Islam or criticize the supreme leader. Ayatollah Seyed Hussain Kazemini Boroujerdi, a cleric who advocates the separation of religion and politics, is currently serving 11 years in prison for his beliefs...

'The constitution recognizes Zoroastrians, Jews, and Christians as religious minorities, and they are generally allowed to worship without interference, so long as they do not proselytize. Conversion by Muslims to a non-Muslim religion is punishable by death... The non-Muslim minorities are barred from election to representative bodies (though five seats have been allocated to the Armenian Christian, Chaldean Christian, Zoroastrian, and Jewish minorities), cannot hold senior government or military positions, and face restrictions in employment, education, and property ownership.' [112f]

19.05 The October 2010 FIDH/LDDHI report noted that: 'Since the 1979 revolution, there has not been a single non-Shi'a minister of the Cabinet, nor a deputy minister, governor-general, ambassador or high level military or police commander.' [56c] (p19)

19.06 The Amnesty International (AI) report, 'We are ordered to crush you', expanding repression of dissent in Iran', published February 2012, stated:

'Despite constitutional guarantees of equality, religious and ethnic minorities – which often intersect – face widespread discrimination in law and practice...

'Persecution of religious minorities, including converts to Christianity, Baha'is, dissident Shi'a clerics and members of the Ahl-e Haq and Dervish communities has increased since the 2009 presidential elections. Non-Muslims, especially the Baha'i community, have been increasingly demonized by Iranian officials and in the Iranian state-controlled media. In 2011, repeated calls by the Supreme Leader and other authorities to combat "false beliefs" – apparently an allusion to evangelical Christianity, Baha'ism and Sufism – appear to have led to an increase in religious persecution.' [9x] (p47)

19.07 The 2012 Annual Report of the United States Commission on International Religious Freedom (USCIRF Report 2012), covering the period 1 April 2011 to 31 March 2012 and released on 20 March 2012, concluded that:

'The government of Iran continues to engage in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused. Iran is a constitutional, theocratic republic that discriminates against its citizens on the basis of religion or belief. During the past year, religious freedom conditions continued to deteriorate, especially for religious minorities, most notably Baha'is, as well as Christians, and Sufi Muslims, and physical attacks, harassment, detention, arrests, and imprisonment intensified. Even the recognized non-Muslim religious minorities protected under Iran's constitution – Jews, Armenian and Assyrian Christians, and Zoroastrians – faced increasing discrimination, arrests, and imprisonment. Majority Shi'a and minority Sunni Muslims, including clerics, who dissent, were intimidated, harassed, and detained.

'Dissidents and human rights defenders were increasingly subject to abuse and several were sentenced to death and even executed for the capital crime of "waging war against God." Heightened anti-Semitism and repeated Holocaust denials by senior government

officials have increased fear among Iran's Jewish community. Since the 1979 Iranian revolution, members of minority religious communities have fled Iran in significant numbers for fear of persecution.' [88a] (p78)

19.08 The USCIRF Report 2012, further noted:

'Since the June 12, 2009 disputed elections, human rights and religious freedom conditions have regressed to a point not seen since the early days of the Islamic revolution more than 30 years ago. Security and paramilitary forces have used brutal force against the hundreds of thousands of Iranians who demonstrated and protested in the streets in the months after the elections, as well as after the uprisings started in the Arab world in early 2011. Dozens of Iranians have been killed and thousands have been arrested, convicted, and given lengthy prison terms. Hundreds remain in detention. More than a dozen dissidents have been executed, on a variety of charges, including alleged religious crimes such as "waging war against God", "spreading corruption on earth", and "moral corruption". During the reporting period [1 April 2011 to 31 March 2012], the Iranian government leveled unsubstantiated charges and used trial procedures for national security cases against members of religious minority communities and individuals for alleged crimes such as "confronting the regime" and apostasy.' [88a] (p79)

19.09 The Report of the Special Rapporteur on the situation of human rights in Iran, dated 6 March 2012 stated that he continued '...to be alarmed by communications that demonstrate the systemic and systematic persecution of members of unrecognized religious communities, particularly the Baha'i community, in violation of international conventions.' [10d] (p17)

See following subsections for more detailed information on the treatment of religious minority groups

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## Religious demography

19.10 The USSD IRF Report 2011, released 30 July 2012, stated:

'The population is 98 percent Muslim - 89 percent Shia and 9 percent Sunni (mostly Turkmen and Arabs, Baluchs, and Kurds living in the southwest, southeast, and northwest, respectively). There were no official statistics available on the size of the Sufi Muslim population; however, some reports estimated that between two and five million persons practice Sufism.

'Unofficial estimates from religious organizations claimed that Baha'is, Jews, Christians, Sabeen-Mandaeans, and Zoroastrians constitute 2 percent of the population. The largest non-Muslim minority is the Baha'is, who number 300,000 to 350,000. Unofficial estimates of the Jewish community's size varied from 20,000 to 30,000.

'According to UN figures, 300,000 Christians live in the country, and the majority of them are ethnic Armenians. Unofficial estimates for the Assyrian Christian population ranged between 10,000 and 20,000. There are also Protestant denominations, including evangelical groups. Christian groups outside the country estimate the size of the Protestant Christian community to be less than 10,000, although many Protestant Christians reportedly practice in secret. Sabeen-Mandaeans number 5,000 to 10,000

persons. The government estimated there are 30,000 to 35,000 Zoroastrians, who are primarily ethnic Persians; however, Zoroastrian groups claim to have 60,000 adherents.’ [4e] (Section I)

## LEGAL FRAMEWORK

- 19.11 The US Department of State’s ‘International Religious Freedom Report for 2011’, Iran (USSD IRF Report 2011), released 30 July 2012, stated:

‘The constitution and other laws and policies severely restrict freedom of religion. The constitution declares the “official religion of Iran is Islam and the doctrine followed is that of Ja’afari (Twelver) Shiism.” The fourth article of the constitution states that all laws and regulations must be based on undefined “Islamic criteria” and official interpretation of Sharia (Islamic law).

‘The constitution provides Sunni Muslims a degree of religious freedom, and states that, “within the limits of the law,” Zoroastrians, Jews, and Christians are the only recognized religious minorities with protected freedom to practice their religious beliefs, as long as they do not proselytize. Articles 13 and 26 of the constitution specifically recognize Christianity, Judaism, and Zoroastrianism and grant these three groups the right to worship freely and to form religious societies. The government regarded the Sabean-Mandaeans as Christians, and they are included among the three recognized religious minorities; however, Sabean-Mandaeans do not consider themselves Christians. No other non-Islamic religions are recognized by the law, and adherents of these other religious groups, such as the Baha’is, do not have the freedom to practice their beliefs.’ [4e] (Section II)

- 19.12 The report of the Secretary-General to the UN General Assembly on ‘The situation of human rights in the Islamic Republic of Iran’ dated 23 September 2009, noted that, ‘Article 14 also provides protection for non-Muslims, provided they refrain from conspiracy or activity against Islam and the Islamic Republic of Iran. The Baha’i community is not recognized as a religious minority, but the authorities assert that Baha’is enjoy the rights accorded to all other Iranians.’ [10g]

See section on [Baha’is](#) below

- 19.13 The CSW September 2009 Iran religious profile noted that, in addition to the positive provisions of Articles 13 and 14 of the Constitution:

‘...Article 12 of the Iranian Constitution declares Islam to be the state’s official religion. Although declaration of a state religion is not inherently contradictory to the provisions on religious freedom under international law, the elusive provisions in Article 168 of the constitution – that the judiciary functions “in accordance with the criteria of Islam” – open the door for possible contradictions with human rights covenants to which Iran is a signatory, including the International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

‘This becomes clearer in Article 167 of the constitution which allows for judges to deliver verdicts ‘on the basis of authoritative Islamic sources and authentic fatawa’ in the absence of any relevant legislation in the codified law. For example, there are currently no codified laws that criminalise conversion from Islam to another religion.

However...converts from Islam are regularly threatened with apostasy charges and the death penalty on the basis of a constitutional appeal to traditional Islamic jurisprudence...

'There are many subtle implications contained in Articles 12, 167 and 168 of the Iranian Constitution besides punishment of apostasy. This can be seen in the courts' assessment of the validity or credibility of the testimonies of non-Muslim witnesses compared with Muslim ones, in the differing remunerations of required 'blood money' paid by convicted perpetrators to the families of Muslim and non-Muslim victims, and in not allowing the marriage of Muslim women to non-Muslim men.' [116a] (p4)

For further information, see the English version of the [Iranian Constitution](#) on the Iran Chamber Society website. [58e] See also [Proposed law on apostasy](#).

19.14 The USCIRF Report 2012 stated that:

'The constitution of Iran formally recognizes Christians, Jews, and Zoroastrians as protected religious minorities who may worship freely and have autonomy over their own matters of personal status (e.g. marriage, divorce, and inheritance). Nevertheless, the primacy of Islam and Islamic laws and institutions adversely affects the rights and status of non-Muslims and the recognized religious minorities live, in effect, as second class citizens. Members of these groups are subject to legal and other forms of discrimination, particularly in education, government jobs and services, and the armed services. In addition, their places of worships frequently are defaced with graffiti and photos of the religious leadership. Their private schools are administered by Iran's Ministry of Education, which imposes a state-approved religious curriculum.

'Non-Muslims may not engage with Muslims in public religious expression or persuasion; some also face restrictions on publishing religious material in Persian. In 2004, the Expediency Council authorized collection of equal blood money for the death of Muslim and non-Muslim men. Baha'is, Sabean Mandaean men, and all women remain excluded from the revised ruling. According to Iranian law, Baha'i blood is 'mobah', which means members of the Baha'i faith can be killed with impunity.' [88a] (p81-82)

19.15 The USSD IRF Report 2011 stated that:

'By law religious minorities are not allowed to be elected to a representative body or to hold senior government or military positions, with the exception that five of the 290 seats in the Majles are reserved for religious minorities. Two seats are reserved for Armenian Christians, one for Assyrian Christians, one for Jews, and one for Zoroastrians. While Sunnis do not have reserved seats in the Majles, they are allowed to serve in the body. Sunni Majles deputies tend to be elected from among the larger Sunni communities. Religious minorities are allowed to vote; however, religious minorities, including Sunni Muslims, are ineligible to be president.

'Members of religious minorities, excluding Sunni Muslims, are not allowed to serve in the judiciary, security services, or as public school principals. Applicants for public sector employment are screened for their adherence to and knowledge of Islam, although members of religious minorities, with the exception of Baha'is, can serve in lower ranks of government employment. Government workers who do not observe Islamic principles and rules are subject to penalties. Baha'is are barred from all leadership positions in the government and military...

'Article 297 of the amended 1991 Islamic Punishments Act authorizes collection of equal diyeh (blood money) as restitution to families for the death of both Muslims and non-Muslims. According to law, Baha'i blood is considered 'mobah,' meaning it can be spilled with impunity.' [4e] (Section II)

19.16 Furthermore:

'The Ministry of Islamic Culture and Guidance (Ershad) and the Ministry of Intelligence and Security (MOIS) monitor religious activity closely. Members of some recognized religious minorities were not required to register with the government; however, authorities closely monitored their communal, religious, and cultural events and organizations, including schools. The government requires evangelical Christian groups to compile and submit membership lists of their congregations. Baha'is also are required to register with the police.' [4e] (Section II)

19.17 The USCIRF Report 2012 noted that:

'During the reporting period [1 April 2011 to 31 March 2012], the government continued to use its religious laws to silence reformers and critics, including women's rights activists and journalists, for exercising their internationally-protected rights to freedom of expression and freedom of thought, conscience, and religion or belief. In January 2012, the Guardian Council approved a law which, despite efforts by the parliament since 2008, did not codify the death penalty for apostasy.' [88a] (p78)

See also following section on Apostasy and [Military Service](#) for details of restrictions applying to religious minorities

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## **APOSTASY (CONVERSION FROM ISLAM)**

19.18 A letter from the Foreign and Commonwealth Office (FCO) dated 30 April 2010 stated that: 'Under Iran's strict interpretation of Islam, anyone converting to another religion could face the death penalty or at least life imprisonment.' [26e]

19.19 The Landinfo report, 'Iran: Christians and converts', dated 7 July 2011 (Landinfo Report 2011) observed that:

'In the Muslim context, conversion is associated with the issue of apostasy – renouncement of Islam. When seen in a historical and theoretical framework, traditional Islamic law divides the world into "dar-ar-islam", the realm of Islam, and "dar-al-harb", the realm which is at war against Muslims. Accordingly, a conversion is therefore first and foremost a renouncement of Islamic unity, and in Muslim history this has been compared to treason, political rebellion or opposition. This mindset also explains why Christian missionary activity towards Muslims is either prohibited or subject to strong restrictions in most Muslim countries.' [33a] (p12)

19.20 The Advisory Panel on Country Information (APCI) review of the COI Service's Iran COI Report of August 2008, undertaken by Dr Reza Molavi and Dr Mohammad M Hedayati-Kakhki of the Centre for Iranian Studies at Durham University, dated 23 September 2008, (APCI Report 2008) stated that:

'According to Article 513 of the Iranian Penal Code, anyone who insults the Holy Islam or the Prophet or any Imam, as well as the Prophet Mohammed's daughter, will be punished by death if the insult is so radical so as to amount to rejection of the Prophet, Saabolnabi (equivalent to apostasy). Otherwise, the offender would be sentenced to between one and five years imprisonment.

'The government practice of using ancillary offences to prosecute apostasy so as to avoid undesirable international publicity may account for the lack of information on recent apostasy prosecutions per say [sic]' [6a] (p34)

See also [Legal Framework](#) above and following sections on [Proposed law on apostasy](#) and [Prosecution of apostates](#) for information on the government's reported hardening stance towards apostasy.

## Proposed law on apostasy

- 19.21 The Landinfo Report 2011 noted that, 'Apostasy is not regulated by the prevailing criminal code, but is assessed in relation to traditional Islamic law and legal interpretations by religious authorities.' [33a] (p13) However, 'The criminal code of Iran has been under revision for many years. The draft proposition included a new provision that explicitly proscribes renouncement of Islam. The proposal was approved by the Parliament in 2008. However, it was not approved by the Guardian Council, which would be required for a new criminal code to enter into force. Instead, the proposal was returned to the Parliament with requests for amendments.' [33a] (p13)
- 19.22 The International Campaign for Human Rights in Iran (ICHR) reported on 27 February 2012 that, 'Iran's new penal code was finally approved by the Guardian Council, a body of clerics and lawyers in charge of approving legislation, in February 2012. Once the new penal code is signed by President Mahmoud Ahmadinejad and published in the official gazette, it will officially replace the current penal code.' [52t]
- 19.23 The Human Rights Watch (HRW) report, 'Codifying Repression', published in August 2012, noted that, 'During the drafting phase of the new [penal] code some officials lobbied hard to include language that specifically criminalized "apostasy" which is considered a crime under shari'a law. In the end, however, the approved draft of the law, like the old code, did not include any references to the crime of "apostasy."' [8j] (p10, footnote 4)
- 19.24 However, the same HRW report also reported that a '...serious flaw in the new penal code is that it allows judges to rely on non-codified law to convict and sentence individuals to crimes and punishments.' [8j] (p2) The report continued:
- 'For example, unlike the old code the new amendments explicitly allow judges to rely on religious sources, including shari'a and fatwas (religious edicts) issued by high-ranking Shia clerics, to convict an individual of apostasy or to sentence a defendant convicted of adultery to stoning. This is true even though there is no crime of apostasy under the penal code and stoning as a form of punishment for adultery has been removed from the new provisions. Though the numbers of individuals executed by stoning or for apostasy are relatively low in recent years, the new provisions fail to prohibit such practices.' [8j] (p2-3)

See also following section on Prosecution of apostates and [Penal Code](#)

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## Prosecution of apostates

- 19.25 On the prosecution of apostates the Landinfo Report 2011 noted ‘In practice, people are convicted of apostasy only very rarely.’ [33a] (p16-17) The same source continued, however:
- ‘Charging converts of apostasy appears to have become more common... Formal charges of apostasy against converts have occurred relatively seldom in Iran, but threats of such charges have been brought up during the trial as a means of pressuring converts to declare that they repent and wish to return to Islam. In many cases the court has decided to release the convert without any charges, or brought other charges, such as participation in illegal house churches or for having had contact with foreign media.’ [33a] (p21)
- 19.26 The APCI Report 2008, noted that: ‘In ...recent years, the Iranian government and clerical leadership have viewed apostasy as an increasing threat to the structure of Iranian society as the result of a perception that the rate of conversion is accelerating rapidly.’ [6a] (p33) Moreover, the USSD IRF Report 2011 noted that ‘Non-Muslims may not engage in public religious expression, persuasion, or conversion among Muslims, and there are restrictions on published religious material; for example, Christian Bibles are frequently confiscated and publishing houses are pressured by government officials to cease operations. Proselytizing of Muslims by non-Muslims is also illegal and can be punishable by death.’ [4e] (Section II)
- 19.27 The International Federation for Human Rights (FIDH) report, ‘Iran/Death Penalty: a State Terror Policy’, dated 28 April 2009, stated that:
- ‘There have been few reports on apostasy cases in recent years. According to a 21 December 2008 report, a man by the name of Alireza Payghan, claiming to be the 12th imam of the Shiite and author of a book on the topic, was sentenced on charge of apostasy and executed in Qom on 18 December. He had been arrested in November 2006 and, based on rulings of “some sources of emulation”, had been found to be an apostate and a “corrupt on earth” person. The government newspaper, The Daily Iran, did not report on Payghan’s claim, only noting: “he was spreading warship of superstition”. In 2007, another man by the name of Darvish, also claiming to be the 12th imam, had been executed in Qom. Ayatollah Khomeini’s book, Tahrir ul-Vassileh, is the most frequently invoked source in apostasy cases.’ [56b]
- 19.28 The above cases, however, could also have been considered under heresy charges as the FIDH report noted the following definition: ‘Heresy: Anybody who claims to be a prophet is to be condemned to death and any Moslem who devises a heresy and based on it creates a sect, which is detrimental to Islam, shall be considered an apostate, and thus subject to the death sentence.’ [56b]
- 19.29 The CSW September 2009 Iran profile stated that: ‘Although verdicts stipulating the death penalty for apostasy are rarely, if ever, carried out, intense pressure and serious human rights abuses occur regularly, and extra-judicial murder and attacks by official Islamic militias or radical groups are a serious concern.’ [116a] (p5)
- 19.30 The USSD IRF Report 2011 noted:

'Authorities executed at least one individual on charges of apostasy. The media reported that a man identified as "Ali Ghorabat" was hanged on January 26 [2011] in Karoun Prison in Ahvaz for "apostasy." Ghorabat, who appears to have been Muslim, was charged with apostasy for "claiming to have contact with God and the 12th Shiite Imam." At least two death sentences for apostasy or evangelism were issued under judicial interpretations of Islamic law in 2010 and the case of at least one of these individuals was on appeal during the year.' [4e] (Section II)

- 19.31 On 7 December 2010, the International Campaign for Human Rights in Iran (ICHR) elaborated:

'On 22 September 2010, the 11th Circuit Criminal Court of Appeals for the Gilan Province upheld the death sentence and conviction of [Christian pastor] Youcef Nadarkhani for apostasy.

'Apostasy, the act of renouncing one's religion, is not a crime under Iran's Islamic Penal Code. Instead, the presiding judge in Nadarkhani's case rested his opinion on texts by Iranian religious scholars.

'According to the judgment, Nadarkhani was born to Muslim parents but converted to Christianity at 19. The judgment stated that during interrogations Nadarkhani made a written confession admitting he left Islam for Christianity. But at his trial, Nadarkhani said his interrogators pressured him into making the statement...

'The judge in Nadarkhani's criminal cases grounded his decision on provisions in the Constitution and the Revolutionary Court's civil procedures that instruct judges to consult sources when there is no codified-law that addresses a matter. The judge also cited a provision in the penal code that allows judges to draw upon their personal knowledge when adjudicating cases.

"More and more, the Iranian judiciary is departing from any recognized form of due process, issuing arbitrary judgments based on vague, open-ended laws," said Rhodes [spokesperson for ICHR]. "Laws and evidence are increasingly irrelevant and unrelated to judicial outcomes in Iran." [52m]

- 19.32 In their February 2012 report, Amnesty International (AI) observed that Pastor Youcef Nadarkhani, '...was arrested in October 2009 following a protest he made to the local education authorities after discovering that his child was being forced to read from the Qur'an at school.' [9x] (p47) The AI report continued, 'In June 2011, the Supreme Court of Iran ruled that a lower court should re-examine some procedural flaws in the case, with the power to decide whether to release, execute or retry Yousef Naderkhani. The verdict included a provision for the sentence to be overturned should he recant his Christian faith. Yousef Naderkhani was retried in September 2011 and refused to recant his religious beliefs.' [9x] (p47)

- 19.33 On 17 August 2012, the ICHR reported that Youcef Nadarkhani would face a new trial on 27 August:

'Nadarkhani, who refused to repent from being a Christian in earlier judicial proceedings and faces a death sentence, is now facing the new charges of "banditry and extortion."

'The Christian pastor's earlier charges were "apostasy" and "converting to Christianity," but the new charges of "banditry and extortion" were first mentioned last year on Fars News Agency. A source close to the case of Youcef Nadarkhani who wishes to remain

anonymous on security grounds told the International Campaign for Human Rights in Iran that, 'Mr. Nadarkhani's "banditry" charges are fundamentally meaningless; he is not a thief or a bandit. This is a new accusation leveled against him for unknown reasons.'...

'The source also informed the International Campaign for Human Rights in Iran that Youcef Nadarkhani's lawyer, Mohammad Ali Dadkhah, who was banned from practicing law in April, has been allowed to attend the trial court...

'Mohammad Ali Dadkhah was sentenced to nine years in prison and ten years' ban from legal practice and teaching, and the Judge in Branch 15 of Tehran Revolutionary Court did not allow Dadkhah to enter a court hearing on April 28 [2012] to defend his client, Arjang Davoodi. His participation in Youcef Nadarkhani's trial would be his first court appearance after several months.' [52v]

See also section on [Human Rights Activists and Lawyers](#) for further information on Mohammad Ali Dadkhah.

19.34 On 8 September 2012, the ICHRI reported Youcef Nadarkhani's release from prison:

'Youcef Nadarkhani, a Christian pastor accused of apostasy and sentenced to death, was released from prison on Saturday, September 8 [2012]. Announcing the news to the International Campaign for Human Rights in Iran, Nadarkhani's lawyer, Mohammad Ali Dadkhah, said, "At the court session on Saturday, Youcef Nadarkhani was acquitted of the charge of 'apostasy,' as well as the new charge of 'extortion.' He was only sentenced to three years in prison on the charge of 'propaganda against the regime,' and as he had already spent this time in prison, he was therefore released after his court session.'" [52i]

19.35 The Report of the Special Rapporteur dated 23 September 2011 reported on the situation of another pastor, stating, 'Behrouz Sadegh-Khanjani, pastor for the Church of Iran in the city of Shiraz, was detained in June 2010 and was reportedly held incommunicado in solitary confinement for approximately two months. Authorities originally charged him with apostasy, but later dropped that charge and charged him with "blasphemy" instead.' [10e] (p17) On 14 September 2011, the ICHRI reported on the further charge of 'insulting Islamic sanctities, an act similar to blasphemy' [52s], stating that, ' According to his lawyer, Branch 120 of the Criminal Court of Shiraz acquitted Sadegh-Khanjani of that charge but the prosecution appealed and the appeal remains pending.' [52s]

19.36 Nevertheless, the same ICHRI article also reported that:

'An appeals court in the southern city of Shiraz upheld a one year prison sentence last week for Pastor Behrouz Sadegh-Khanjani of the Protestant Christian group, the Church of Iran, and five other church members, Parviz Khalaj, Amin Afshar Manesh, Mehdi Forutan, Mohammad Baliad, and Nazli Makarian, according to the lawyer for the defendants, Mahmoud Taravatrooy. Taravatrooy told the International Campaign for Human Rights in Iran that his clients, sentenced on the charge of 'propaganda against the regime,' do not have the option to appeal the verdict and will soon report to the Revolutionary Court to begin serving their sentence.

'Taravatrooy explained that [the] court based the conviction on the fact that the defendants promoted their religion.' [52s]

See also following section on [Christians](#) and [Baha'is](#)

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## CHRISTIANS

- 19.37 An International Campaign for Human Rights in Iran (ICHRI) article dated 4 May 2011 stated:

'Christianity is a recognized religion under the Iranian Constitution and despite some discrimination, the Islamic Republic has afforded Iran's historic and ethnic Orthodox Christian communities with a modicum of space to practice their faith. However, Protestant leaders have told the Campaign that, especially within the last six years, the Iranian government has increasingly targeted Protestant groups.

'Protestant groups in Iran are comprised primarily of converts and often engage in proselytizing. Moreover, Iranian courts and officials have begun to view these groups in political terms, trying Protestant believers and leaders in Revolutionary Courts, which are reserved for political and national security offenses.' [52h]

- 19.38 The International Federation for Human Rights (FIDH) and the Iranian League for the Defence of Human Rights (LDDHI) report, 'The Hidden Side of Iran: Discrimination against ethnic and religious minorities', published in October 2010, elaborated:

'Generally speaking, there are two groups of Christians in Iran, who may be classified as ethnic and "non-ethnic". Ethnic Christians include the Armenians, Assyrians and Chaldeans. Many of them are followers of the Orthodox Church, but some are also Catholics or Protestants. "Non-ethnic" Christians are mostly followers of the Protestant and Evangelical churches and many are converts from Islam.

'The recognition of Christianity as one of the three non-Islamic religions accepted by the Constitution has given a safe margin to the ethnic Christians only. "Non-ethnic" Christians, however, have faced great pressure because, unlike the "ethnic" Christians, they are involved in proselytising.' [56c] (p20-21)

See also sections on [Muslims converts to Christianity](#) and [Apostasy](#) for more detailed information.

- 19.39 The Christian Solidarity Worldwide (CSW) Iran religious freedom profile dated September 2009 also noted that:

'Armenian, Assyrian and Chaldean Christians live in relative peace and enjoy official recognition as ethnic and religious minorities. However they suffer similar limitations and discrimination to other recognised minorities, in terms of access to education, government and army positions. The Armenian MP Leon Davidian argued [in 2004] that Christian minorities "enjoy more advantages than non-Muslims in other self-declared democratic nations. We have our own schools and teach our own languages... We freely practise our own religions". However, a high emigration rate among these communities is indicative of the difficulties faced by these minorities in Iran, despite relative privileges offered by the government.

'Evangelical and Pentecostal churches are distrusted and their members are persecuted in Iran. In addition to state-based persecution, church leaders or

proselytizing Christians have been attacked, kidnapped and killed by mobs or state agents. One of the main reasons for such intense persecution has been the high number of apostates from Islam in Evangelical and Pentecostal churches. Unlike ethnic Christians of the Armenian and Assyrian communities, Protestant churches actively proselytise. The fact that most of these groups meet on private property also fuels suspicion and reaction from local authorities. The government has requested that church leaders provide a full list of their members to the Ministry of Information and Islamic Guidance and do not allow any Muslims to attend their churches or change their religion. Many church leaders continue to ignore these orders. In 2009, an Assyrian church in Tehran which allowed Christians from a Muslim background to attend its services and to be members of the church was shut down by authorities.

‘The publication of any religious material in Persian is forbidden. This directly affects Christians with a Persian background, rather than ethnic minorities who use their own languages, such as Armenian, in religious practices.’ [116a] (p12-13)

19.40 The Iran Press Watch website posted an article dated 27 March 2009 by the European Foundation for Democracy in Brussels which reported that:

‘Following a court ruling, even churches are closed down if they preach in Farsi. And bloggers who put biblical quotations on the internet are detained.

‘On 25 March 2009, the Farsi Christian News Network FCNN reported that the Assyrian church in the town of Shahrara was to be closed down following a ruling by an Iranian revolutionary court...The reason for the ruling was given as “Farsi-speaking Iranians newly converted to Christianity taking part in church masses”...

‘The alleged aim is to “cleanse Iranian Christians”, thereby preventing the Christian faith from spreading among Iranians who are not members of the ethnic groups of Assyrians and Armenians. The Armenian and Assyrian churches are regarded as ethnic churches. Preaching in Farsi is not allowed there, with sermons only allowed in Armenian or Assyrian. Human Rights Activists in Iran write that the Iranian state is depriving Iranians of their human rights to change religion and faith. Nor is there any right to speak about one’s own faith collectively and publicly, in Farsi, in the context of churches’ religious instruction and in church masses. In the past eight years the Assyrian church in Shahrara has held additional events and masses on Fridays and Sundays for Farsi-speaking, non-Assyrian people.’ [65a]

19.41 The ICHRI reported on 8 June 2012:

‘Iran’s Revolutionary Guard Intelligence Organization has recently and abruptly taken over the oversight of Christian churches in Iran, which were previously overseen by agents of the Ministry of Intelligence and the Ministry of Culture and Islamic Guidance, according to information received by the Campaign.

‘At the end of May 2012, Iranian authorities forced the Assembly of God church in the western Tehran neighborhood of Jannat Abad to close its doors and discontinue services, a local source with knowledge of the Iranian Protestant community told the Campaign...

‘In the past six months, authorities have reportedly shut down several other established Persian-language churches in Iran, arresting many of their members. Another Assembly church in the southern city of Ahvaz was shut down on 23 December 2011, just before

Christmas. Authorities allegedly detained the church's reverend, Farhad Sabok Rooh, along with his wife and two other church members, eventually releasing them on bail. 'On 22 February 2012, authorities arrested at least ten members of St. Peter's Anglican church in Esfahan, including its pastor Hekmat Salimi, according to Iranian Christian news agencies. One detainee, a 78-year-old woman, was quickly released; the rest were held for nearly two months before being freed on bail...

'While some existing churches are facing closure in Iran, no new churches have been able to obtain licenses from the Minister of Culture and Islamic Guidance since the 1979 revolution. The Jannat Abad Assembly of God church conducted its services in the Persian language.

'The Campaign's research for an upcoming report on the persecution of Protestant Christians in Iran indicates that the Iranian government has targeted churches which operate in Persian and evangelize, largely to prevent Muslims from learning about or converting to Christianity. Several Iranian church leaders told the Campaign that around 2005, coinciding roughly with the election of President Mahmoud Ahmadinejad, the government ramped up its repression of Protestant groups, and since 2009 the arrests of church members and limitations on churches have increased markedly.

'Iranian Christian rights activists told the Campaign they fear the Jannat Abad closure marks a particular threat to all established Persian-language churches in the country.'  
[52r]

19.42 The Landinfo Report 2011 stated:

'According to Iranian religious tradition, there is a difference between offences that are committed in a public space and things that take place in the shelter of privacy. Issues that are at odds with Islam and take place in public must be punished, while things that take place in the private sphere, and thereby are concealed, will to a larger extent be tolerated. This could include drinking alcohol, illicit sexual affairs, illegal films, books and music as well as religious practices. A large number of Iranians, irrespective of their ethnic background and religious affiliation, in practice lead two lives: one in the public space and another in the private. As long as the private matters remain private and Islamic rules and values are not challenged or violated in a visible manner, Iranian authorities will normally not interfere in the private sphere of the citizens.

'In general, all Iranian non-Muslim minorities keep a low profile in the public space with regard to their religious affiliations. Simply put, one could say that they know their place as dhimmi (a legal term in the sharia, denoting non-Muslims living in a society governed according to Islamic law). As long as the Islamic framework is obeyed, minorities can practise their religion and operate within their organizations free from any scrutiny and interference by the authorities. However, this does not apply to the Baha'i, who are declared illegal and whose members are treated in violation of international law and human rights. Nor does it apply to the house churches, since the Iranian authorities have not endorsed their activities.

'Traditionally, problems with the authorities have occurred with regard to external and evangelical activity targeting Muslims. Any Christian (Christian-born or convert) who actively engages in missionary work, for example, by distributing Christian literature, risks problems in the workplace and the local community. In addition to the reaction from the authorities, evangelization will most likely be regarded as offensive and socio-culturally unacceptable by most Iranians. Furthermore, if the matter is reported to the police, the person risks surveillance, serious charges and prosecution...

'Balancing the desire for evangelization against the requirements of the authorities is a difficult task for the leaders of the Evangelical churches. There can be no doubt that they periodically have faced significant problems, since evangelization is not allowed and that changing of religion is only permitted if the individual converts to Islam. This has given rise to conflicts with other churches that discourage or dislike evangelization and fear that this may entail consequences for other Christians. Occasionally, Iranian authorities have put strong and persistent pressure on the leadership of the churches to induce them to close the church door to Muslims, not establish house churches and stop all evangelization that targets Muslims.' [33a] (p15-16)

19.43 The same source also noted:

'Leaders and members of congregations who engage in external activities, as well as members of house churches, are especially exposed in Iran. Most of the Christians and converts who have been arrested during the last year have been associated with house churches (Norwegian Embassy, e-mail March 2011).

'According to an Iranian-born minister in Norway (telephone interview, February 2011), Evangelical churches are required to submit their membership records to the authorities, which makes it easy for the authorities to monitor the communities.' [33a] (p19)

19.44 The USSD IRF Report 2011 stated that:

'The government actively denied Christians freedom of religion. Christians, particularly evangelicals, experienced increased harassment and surveillance during the year [2011].

'The government enforced its prohibition on proselytizing by closely monitoring the activities of evangelical Christians, discouraging Muslims from entering church premises, closing churches, and arresting Christian converts. Authorities pressured evangelical church leaders to sign pledges that they would not evangelize Muslims or allow Muslims to attend church services. Reports implied authorities regarded allowing Muslims to visit a Christian church as constituting proselytizing. Members of evangelical congregations were required to carry membership cards, photocopies of which had to be provided to the authorities. Worshippers were subject to identity checks by authorities posted outside congregation centers. The government restricted meetings for evangelical services to Sundays, and church officials were ordered to inform the Ministry of Information and Islamic Guidance before admitting new members. Christians of all denominations reported the presence of security cameras outside their churches, allegedly to confirm that no non-Christians participated in services. There were a number of examples of Muslims who converted to Christianity being arrested, detained, or questioned, including the case of Pastor Nadarkhani. The government reportedly confiscated at least 6,500 Bibles during the year.' [4e] (Section II)

19.45 The same source also noted that:

'At least 300 arrests of Christians were reported during the year [2011]. The status of some of these cases was not known at year's end. Authorities released some Christians almost immediately, while they held others in secret locations without access to attorneys. During the year, authorities also arrested several members of 'protected' Christian groups such as Armenian Apostolics and Assyrians.' [4e] (Section II)

- 19.46 An article dated 10 January 2011 by the Hudson Institute's Center for Religious Freedom, reported developments since the end of 2010:

'After arresting Iranian Christian pastor Behrouz Sadegh-Khanjani and passing a death sentence for apostasy on Yousef Nadarkhani, pastor of the Full Gospel Church of Iran congregation in Rasht, the Iranian government is now conducting a massive roundup of Christians, often converts from Islam and including evangelical and ethnic Armenian Christians. As is becoming common in the region, it started its latest repression on a Christian holy day, Christmas.

'Beginning on December 26 [2010], security forces raided Christian homes in Tehran and elsewhere, abused and handcuffed their occupants, and dragged 25 people off to prison and interrogation. Amongst those taken were married couples, at least two of whom were forced to leave babies behind. Police raided another dozen houses but the occupants were not at home — the homes were ransacked, looted, and sealed, and their occupants ordered to turn themselves in to the authorities...

'This is the largest targeted Iranian violence against Christians since the government assassination campaign against Protestant leaders in the mid-1990s, and perhaps since the earliest years of the revolution.' [96a]

See [Prosecution of apostates](#) for recent information on pastor Yousef Nadarkhani.

- 19.47 The Christian Solidarity Worldwide (CSW) report of August 2011 also reported on the situation since December 2010:

'Beginning with a wave of arrests on 26 December 2010, the situation facing Christians has deteriorated severely; evangelical Iranian Christians now live increasingly in an atmosphere of instability. This intensification of persecution has been undergirded by a proliferation of anti-Christian rhetoric from authority figures in Iran. In October 2010 Supreme Leader Ayatollah Khamenei declared from Qom that Christianity was being deliberately spread by Iran's enemies as a means to weaken Islam within Iranian society. Likewise, on 4 January 2011, Mr Morteza Tamadon, Governor of Tehran, made a speech in which he openly threatened further arrests of Christians and declared that evangelical Christians had inserted themselves into Islam "like a parasite", with the backing of the West. In August 2011, Ayatollah Hadi Jahangosha, echoed this sentiment in a presentation on "Mahdavidism" (belief in the 12th Imam), declaring that "the west is trying to divert our youth by publishing and advertising false Gnostic books... our enemies have noticed that Satanism and false Gnosticism are not popular in Iran and because of that they are taking a religious approach to expand Christianity". He identified the house church movement as a deviant sect by stating that "the 'real Christians' do not believe in this distorted Christianity-Protestantism." Furthermore, following the seizure of a consignment of 6,500 Bibles in Zanjan province in mid-August, Dr Majid Abhari, advisor to the social issues committee of the Iranian parliament, declared that Christian missionaries are attempting to deceive people, especially the youth, with an expensive, Western-backed propaganda campaign. In seeking to portray evangelical Christians as part of a foreign conspiracy against Iran, the regime seeks to justify its continuing crackdown on house churches and individual Christians.' [116b]

- 19.48 The USCIRF Report 2012 further stated:

'Rhetoric from political and religious leaders demonizing and insulting the Christian community also has increased significantly... In January 2011, the governor of Tehran,

Morteza Tamaddon, publicly referred to detained Christians as “deviant” and “corrupt” and vowed to identify and detain more. He likened Evangelical Christians to the Taliban and accused them of placing “themselves within the religion of Islam like a pest and under the cover of Christianity and with the support of England they have designed a movement.” [88a] (p86)

19.49 The same CSW report further noted:

‘The majority of the Christians arrested in the last year have been released, either on bail or with severe warnings and threats against any further Christian activity. The families of many have been forced to hand over the title deeds to their homes as bail. Once released, they are closely monitored, and risk re-arrest and imprisonment if they engage or are suspected of engaging in any Christian activity. Many will face a gruelling legal process, and until their case is heard, which could take several years, their lives are in limbo. Those awaiting trial that flee the country are tried in absentia.’ [116b]

19.50 The USCIRF Report 2012 stated:

‘During the reporting period [1 April 2011 to 31 March 2012], the number of incidents of Iranian authorities raiding church services, harassing and threatening church members, and arresting, convicting, and imprisoning worshippers and church leaders increased significantly. Christians, particularly Evangelical and other Protestants, are subject to harassment, arrests, close surveillance, and imprisonment; many are reported to have fled the country. Indigenous Assyrian and Armenian Christian religious leaders also have been targeted. Since becoming president, Iranian President Mahmoud Ahmadinejad has called for an end to the development of Christianity in Iran. The government requires Evangelical Christian groups to submit congregational membership lists.

‘Since June 2010, approximately 300 Christians have been arbitrarily arrested and detained throughout the country, including in Arak, Bandar Abbas, Bandar Mahshahr, Ardabil, Tabriz, Khoramabad, Mashhad, Hamadan, Rasht, Shiraz, Isfahan, and Elam. In cases involving offenses based on religious belief, Iranian authorities typically release prisoners, but leave the charges against them or their convictions in place in order to be able to threaten them with re-imprisonment at any future time. On February 8, 2012, Iranian authorities raided a house church gathering in Shiraz, confiscated religious materials, and arrested 10 Christian converts. At the end of the reporting period, at least seven remain in detention without charge. In late December 2011, Iranian authorities raided an Assemblies of God church in Ahvaz, southwestern Iran, and arrested all attendees. While most were released within days, pastor Farhad Sabokroh and another member reportedly were released on bail after serving two months in prison. No charges have been filed.’ [88a] (p85)

19.51 The same report continued:

‘In June 2010, Christian pastor Behrouz Sadegh-Khanjani, Mohammad Baliad, Parviz Khalaj, and Nazly Beliad were arrested on charges of apostasy, holding political meetings, blasphemy, and “crimes against the Islamic order”. The Revolutionary Court in Shiraz found the four men guilty of crimes against the Islamic order and sentenced each to one year in prison. After serving eight months, they were released on bail in February 2011. In September 2011, a Shiraz appeals court upheld a one-year sentence on another charge of “propaganda against the regime” against the same four individuals, as well as against a fifth Christian, Amin Afshar Manesh.’ [88a] (p86)

19.52 On 14 September 2011, the ICHRI reported the lawyer for Pastor Behrouz Sadegh-Khanjani and the five other church members as saying his clients, ‘...do not have the option to appeal the verdict and will soon report to the Revolutionary Court to begin serving their sentence.’ [52s] The lawyer further explained:

“From my vantage point as their lawyer, this was a very weak case. The evidence that was presented [by the prosecution] did not in any way amount to ‘propaganda against the regime.’ However the sum of the activities [my clients] conducted to promote their Christian Protestant religion has been construed as “propaganda against the regime. So because they proselytized the authorities considered it [anti-regime] propaganda. Yet, according to articles 13 and 14 of the Iranian Constitution they are free to promote their own religion.”

‘Article 13 of the Iranian Constitution recognizes the right of Christians to practice their faith. Article 14 mandates the Iranian government to respect the equality of human rights of Christians and other recognized religions...

‘Sadegh-Khanjani had also faced an apostasy charge that was dropped earlier this year. Authorities then charged him with “insulting Islamic sanctities,” an act similar to blasphemy. According to his lawyer, Branch 120 of the Criminal Court of Shiraz acquitted Sadegh-Khanjani of that charge but the prosecution appealed and the appeal remains pending.’ [52s]

19.53 An ICHRI report of 4 May 2011 noted:

‘Throughout 2010 and 2011, dozens of members of the nationwide protestant group, the Church of Iran [to which Pastor Behrouz Sadegh-Khanjani and the five other church members belonged] have been criminally prosecuted and punished merely for their religious beliefs and practices. On 1 May 2011, the Revolutionary Court in the northern city of Bandar Anzali tried eleven church members, including Pastor Abdolreza Ali-Haghnejad, and Zainab Bahremend, the 62-year-old grandmother of two other defendants, on charges of ‘acting against national security.’...

‘Authorities have also charged church members in Bandar Anzali with consumption of alcohol and inappropriate hejab (Islamic headscarf). These charges are reportedly based on their participation in church services in private homes, where some attendees drink wine as part of ritual communion, and women do not observe hejab.’ [52h]

19.54 On 18 May 2011, the ICHRI reported:

‘On 14 May 2011 the Revolutionary Court of the northern city of Bandar Anzali acquitted twelve Protestant Christians of the specific charge of “forming a society with the intent of disrupting national security.”...

‘The acquitted defendants, including Pastor Abdolreza Ali-Haghnejad and Zainab Bahremend, the 62-year-old grandmother of two other defendants, are all Christian converts and members of a group called the Church of Iran...The court found that all evidence showed the defendants were simply practicing their Christian religion... Moreover, the court rested its decision on the legal finding that the defendants’ religious practices are protected by Iran’s Constitution.’ [52j]

19.55 The USCIRF Report 2012 reported the situation of another Christian pastor:

'Christian pastor Yousef Nadarkhani, jailed since October 2009, was sentenced to death for apostasy in November 2010 by a court in Gilan province. Prosecutors acknowledged he had never been a Muslim as an adult but said the apostasy law still applies because he has Islamic ancestry. Rejecting his appeal in June 2011, the court suspended the sentence contingent upon his recanting his faith, which he refused to do during hearings in September.' [88a] (p86)

19.56 On 8 September 2012, the ICHRI reported:

"Yousef Nadarkhani, a Christian pastor accused of apostasy and sentenced to death, was released from prison on Saturday, September 8. Announcing the news to the International Campaign for Human Rights in Iran, Nadarkhani's lawyer, Mohammad Ali Dadkhah, said, "At the court session on Saturday, Youcef Nadarkhani was acquitted of the charge of 'apostasy,' as well as the new charge of 'extortion.' He was only sentenced to three years in prison on the charge of 'propaganda against the regime,' and as he had already spent this time in prison, he was therefore released after his court session.'" [52i]

The [USCIRF Report 2012](#) included further details of individual Christians arrested and detained since June 2010. [88a] (p85-86)

See [Prosecution of apostates](#) for more detailed information on the case of Youcef Nadarkhani.

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## Muslim converts to Christianity

19.57 The USSD IRF Report 2011 stated that, 'The constitution does not provide for the rights of Muslim citizens to choose, change, or renounce their religious beliefs. The government automatically considers a child born to a Muslim father to be a Muslim and conversion from Islam is deemed apostasy, which is punishable by death.' [4e] (Section II) Furthermore, 'There were numerous incidents during the year of Muslim converts to Christianity facing harassment, arrest, and sentencing. Many arrests took place during police raids on religious gatherings, during which religious property also was confiscated.' [4e] (Section II)

19.58 The CSW September 2009 Iran profile stated that:

'The persecution of Muslim converts to Christianity has re-escalated since 2005. The Iranian police continue to detain apostates for brief periods and to pressurise them to recant their Christian faith and sign documents pledging they will stop attending Christian services and refrain from sharing their faith with others. There have also been increasing reports of apostates being denied exit at the borders, with the authorities confiscating their passports and requiring them to report to the courts to reclaim them. During the court hearings, they are coerced to recant their faith with threats of death penalty charges and cancellation of their travel documents.' [116a] (p5)

19.59 The 'Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran', dated 23 September 2011, stated, '...the Special Rapporteur notes that conversion from Islam is still punishable.' Further:

'Articles 13 and 26 of the Constitution recognize Christianity, granting Christians the right to worship freely and to form religious societies. Article 14 obligates the Government to uphold the equality and human rights of Christians. However, Christians in the Islamic Republic of Iran are reportedly subjected to limitations on their freedom of religion and various forms of religious discrimination. This is said to be particularly true of Protestant Christians, most of whom are newly converted. The Intelligence Ministry is reported to closely monitor Protestant congregations and to routinely summon or detain members of Protestant groups for interrogations, during which individuals are questioned about their beliefs, church activities and other church members and are often urged to return to Islam. In this regard, some Protestants reported having been threatened by intelligence officials with arrest and apostasy charges if they did not return to Islam. This pattern of harassment has reportedly resulted in the operations of most Protestant churches going underground, where church services and Bible studies are conducted in private homes.' [10e] (p17)

19.60 The FIDH/LDDHI report of October 2010 stated:

'Former Muslims who have converted from Islam are frequently persecuted, ill-treated and prosecuted for their beliefs. According to Islamic tenets, Prophet Mohammad was the last prophet of God and Islam the last and ultimate religion on earth. Any conversion from Islam to other religions is forbidden and considered as an act of apostasy. Even if a person was not a Muslim before conversion to Islam, but decided to give up Islam and convert back to his/her previous religion or another religion, s/he would be considered apostate.

'The evangelical priests and missionaries are also persecuted for proselytising, i.e. attempting to convert Muslims to Christianity.' [56c] (p20-21)

19.61 The same report continued: '...newly converted Christians are regularly detained and held for long periods in detention. They are occasionally charged with apostasy, but in recent years most have either been released after a period in detention or received imprisonment sentences.' [56c] (p21)

19.62 The Minority Rights Group International report, 'State of the World's Minorities and Indigenous Peoples 2012, covering 2011, published 28 June 2012, stated:

'Christian converts regularly face state harassment and arrest. Many belong to evangelical protestant groups, and are regularly charged with "insulting Islamic sanctities" and apostasy. One of the main targets is the Church of Iran, an evangelical congregation with members throughout the country. In January 2011, the governor of Tehran, Morteza Tamaddon, publicly referred to detained Christians as deviant and corrupt.' [46c] (p198)

19.63 The CSW report of August 2011 concurred, stating:

'The Church of Iran evangelical denomination has been particularly targeted in the recent crackdown. In May 2011, an article that sought to discredit this denomination, appeared on a website that is known to be sympathetic to the government. The article accuses the Church of Iran of targeting socially-excluded people and youth and of using brainwashing methods to convert people. It also claims that the Church of Iran is a specifically "anti-Islamic project" and that the group has a "secret army" that threatens anyone who seeks to abandon the denomination.' [116b]

See the [CSW report](#) directly for information on individuals detained and the treatment they received. [116b]

- 19.64 On 8 September 2012, the Guardian reported the release from prison of Christian pastor Youcef Nadarkhani but also noted that, 'In April [2012], another pastor, Farshid Fathi, 33, became the latest victim of state persecution of Christian converts after being sentenced to six years in prison by a revolutionary court, Iran Christian News Agency reported.' [16b]

See also [Apostasy \(conversion from Islam\)](#) and [Prosecution of apostates](#)

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## SUNNI MUSLIMS

- 19.65 The International Federation for Human Rights (FIDH) and Iranian League for the Defence of Human Rights (LDDHI) report, 'The Hidden Side of Iran: Discrimination against ethnic and religious minorities', published October 2010, stated:

'Sunni Muslims are estimated to constitute about 10% of the total population. In fact, most Kurds, Baluchis, and Turkmens are Sunnis, further compounding the discrimination they face. They live in 16 of the 30 provinces of Iran. There is no official IRI [Islamic Republic of Iran] policy that discriminates against Sunni Muslims, and the Constitution mandates that they freely practise their own social customs and religious rules ([Article 12](#)). That official policy, however, is far from reality.

'In recent years, pressure on Sunni Muslims has increased throughout Iran. For instance, the authorities have removed a special annex for the Sunni Muslims from school textbooks taught in the Turkmen Sahara region. In the same region, the Sunni clerical teachers who teach religious subjects are forced to sign teaching contracts, that describe them as sport instructors. Furthermore, Sunni clerics are no longer allowed to take the entrance examination for the School of Theology of Tehran University that would enable them to seek employment after graduation. Sunni sources have reported that they are not given permission to publish their religious books.

'In 2008, the High Cultural Revolution Council passed the statute of the "State Council for Planning Curricula of Sunni Seminaries." The measure has ever since provoked strong objections from the Sunni leaders, who have written to the president demanding its revocation.

'...there has not been a single Sunni Muslim among ministers, deputy ministers or even governors-general since 1979. The Sunni Muslims are not allowed to construct mosques in large cities such as Tehran, Mashhad, and Isfahan. In other cities, where such mosques exist, they face great difficulties when repairs are needed and they are not given permission to build new mosques. The only Sunni mosque in Mashhad, Feyz Mosque, was demolished in 1993, resulting in strong protests from Sunni citizens.' [56c] (p22)

- 19.66 The USSD IRF Report 2011 stated:

'There were reports of arrests and harassment of Sunni clerics and congregants. Many Sunnis claimed they were discriminated against; however, it was difficult to distinguish whether the cause of discrimination was religious or ethnic, since most Sunnis are also

members of ethnic minorities. Sunnis cited the absence of a mosque for use by Sunnis in Tehran, despite the presence of more than one million adherents in the city, as a prominent example. Sunni leaders reported bans on Sunni religious literature and teachings in public schools, even in predominantly Sunni areas. Sunnis also noted the underrepresentation of Sunnis in government-appointed positions in the provinces where they form a majority, such as Kurdistan and Khuzestan, as well as their inability to obtain senior government positions. Residents of provinces with large Sunni populations, including Kurdistan, Khuzestan, and Sistan-va-Baluchestan, reported discrimination and lack of resources, but it was difficult to determine if this discrimination was based on religion, ethnicity, or both.’ [4e] (Section II)

19.67 The Freedom House Report 2012 noted that ‘Sunnis enjoy equal rights under the law but face discrimination in practice; there is no Sunni mosque in Tehran, and few Sunnis hold senior government posts. In August 2011, the chief religious authority of the Sunni community in Iran asked the supreme leader to allow Sunnis to freely observe their religious holidays and Friday prayer ceremonies, and expressed concern over discrimination against Sunni citizens.’ [112f]

19.68 The October 2010 [FIDH/LDDHI report](#) included a ‘non-exhaustive list of detention, imprisonment and execution of Sunni religious leaders’ from 2006 to 2010 which can be accessed directly for further details. [56c] (p22)

19.69 On 18 April 2011, The Guardian reported that:

‘At least 12 people who are believed to belong to Iran’s Sunni minority have been killed in clashes between security forces and anti-government protesters in the south-western city of Ahwaz since Friday [15 April].

‘On Monday, Shirin Ebadi, Iran’s Nobel peace prize laureate, wrote a letter to the UN high commissioner for human rights, in which she said “more than 12” Sunni protesters had been killed in Iran’s oil-rich province of Khuzestan, home to many Arabic-speaking Sunni Iranians.

‘According to Ebadi, hundreds of people in Ahwaz had gathered for a peaceful demonstration against the Islamic regime’s discrimination towards its Sunni minority.

“During these clashes, more than 12 people were killed, around 20 injured and tens of protesters have been arrested,” Ebadi wrote in her letter.

‘She criticised Iran’s treatment of the Sunnis and said: “In the 32 years’ history of the Islamic Revolution, Arabic-speaking Iranians have suffered from inequality and an extensive discrimination.”’ [16k]

19.70 The USCIRF Report 2012, published 20 March 2012, stated:

‘Muslim minorities continue to face repression. Several of the country’s ethnic minorities – Arabs, Baluchis, Kurds, and Turkmen – practice Sunni Islam. This means these groups are doubly affected, and subject to discriminatory policies based on both their ethnic identity and their faith. Sunni Muslim leaders regularly are intimidated and harassed by intelligence and security services and report widespread official discrimination. In addition, the Iranian government discriminates against the Sunni community in government employment, particularly in leadership positions in the executive and judicial branches.

'Sunni leaders have reported widespread abuses and restrictions on their religious practice, including detentions and abuse of Sunni clerics, as well as bans on Sunni teachings in public schools and Sunni religious literature, even in predominantly Sunni areas. In December 2011, Sunni Muslim members of parliament wrote to the Supreme Leader asking for an end to discrimination against Sunni Muslims in Iran, an end to the imposition of religious limitations, and permission to build a mosque in Tehran. The Sunni community still has not been able to build a mosque in Tehran and, in recent years, Sunni mosques were destroyed in eastern Iran near Zabol, Sistan-Baluchistan, and Mashhad. In recent years, dozens of Sunni clerics reportedly were arrested for spreading Sunni teachings in several parts of the country, including Kurdistan, Kermanshah, Baluchistan, West Azerbaijan, Ahvaz, Tavalesh, and Khorassan provinces.' [88a] (p80-81)

- 19.71 The International Campaign for Human Rights in Iran [ICHRI] reported on 23 October 2012 that, 'Several Sunni Kurds awaiting trial at Evin and Rajaei Shahr prisons for a number of years were put on trial on September 29 [2012], a local source told the International Campaign for Human Rights in Iran. The Sunni Kurds were denied the option to choose a lawyer, and Judge Moghisseh of Branch 28 of Tehran Revolutionary Court sentenced all of them to long prison terms.' [52b] The ICHRI noted that one had received a 15 year prison sentence and two others received sentences of 8 years each after being charged with, 'proselytizing for extremist religious groups and for their membership in those groups'. [52b]

See the [ICHRI article](#) for more information on other Sunni Kurds arrested over the past three years. [52b]

See also sections on [Arabs](#), [Kurds](#), [Baluchis \(Balochis\)](#) and [Jundallah](#) for further information on ethnic minorities who are also Sunni Muslims

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## JEWS

- 19.72 A Telegraph article dated 3 October 2009 reported that:

'Iran is home to the biggest population of Jews in the Middle East outside Israel. While the community faces limited discrimination, it is largely free to exercise the same rights as Muslims enjoy in the Islamic republic. Like the country's Armenian, Assyrian and Zoroastrian minorities, it has one reserved seat in parliament...

'There are about 25,000 [Jews] left in Iran. Tehran has 20 active synagogues. But the Jewish population has dwindled rapidly since an Islamic theocracy was established. At the end of the Shah's reign, there were an estimated 100,000 Jews.' [43a]

- 19.73 The CSW September 2009 Iran profile stated that: 'Jews living in Iran have been allowed some freedom to practise their religion, including the use of Hebrew for religious instruction. However, the Jews face various limitations on their rights to travel and to communicate with Jewish communities outside Iran, especially in Israel.' [116a] (p13) The USSD IRF Report 2011 noted that 'Jewish citizens are free to travel out of the country and the government does not enforce the general restriction against travel by the country's citizens to Israel on Jews.' [4e] (Section II)

19.74 The USSD IRF Report 2011 also stated:

‘With some exceptions, there was little government restriction of, or interference with, Jewish religious practice. However, the Jewish community experienced official discrimination. Anti-Semitism remained a problem. Government officials continued to make anti-Semitic statements, organize events designed to deny the Holocaust, and sanction anti-Semitic propaganda. Such propaganda involved official statements, media outlets, publications, and books. The government’s anti-Semitic rhetoric, along with a perception among radical Muslims that all Jewish citizens of the country supported Zionism and the state of Israel, continued to create a hostile atmosphere for Jews. The rhetorical attacks also further blurred the lines between Zionism, Judaism, and Israel and contributed to increased concerns about the future security of the Jewish community in the country. President Ahmadinejad continued his virulent anti-Semitic campaign. He continued to question regularly the existence and the scope of the Holocaust and publically called for the destruction of Israel, which created a more hostile environment for the Jewish community. In an address at Tehran University on August 26, he stated, “The Zionist regime’s establishment was based on numerous deceptions and lies and one of the biggest lies was the Holocaust.” [4e] (Section II)

19.75 The Telegraph article of 3 October 2009 observed that ‘Maurice Motamed, the country’s Jewish MP [Minister of Parliament], has criticised Mahmoud Ahmadinejad’s denials of the Holocaust but is otherwise a staunch supporter of the radical president’s foreign and security policies. “I am an Iranian first and a Jew second,” he said.’ [43a]

19.76 The USSD IRF Report 2011 stated that, ‘The government reportedly allows Hebrew instruction but limits the distribution of Hebrew texts, particularly nonreligious texts, making it difficult to teach the language. Moreover, the government requires that in conformity with the schedule of other schools, Jewish schools must remain open on Saturdays, which violates Jewish religious law.’ [4e] (Section II)

19.77 The Telegraph article of 3 October 2009 noted that ‘Sensitive posts in the judiciary and military are barred from Jews.’ [43a]

19.78 The USCIRF Report 2012, published 20 March 2012, stated:

‘In recent years, official policies promoting anti-Semitism have risen sharply in Iran, and members of the Jewish community have been targeted on the basis of real or perceived ties to Israel. President Ahmadinejad and other top political and clerical leaders have made public remarks during the reporting period actively denying the Holocaust and calling for the elimination of the state of Israel. In 2011, there continued to be officially-sanctioned anti-Semitic propaganda, involving official statements, media outlets, publications, and books. In recent years, in line with a stepped-up state-sponsored campaign, numerous programs broadcast on state-run television advanced anti-Semitic messages, a prominent newspaper held a Holocaust denial editorial cartoon contest, and the Iranian government sponsored a Holocaust denial conference. Anti-Semitic editorial cartoons depicting demonic and stereotypical images of Jews, along with Jewish symbols, also were published in the past year.

‘Official government discrimination against Jews continues to be pervasive, fostering a threatening atmosphere for the approximately 25,000-30,000 member Jewish community. According to the State Department, despite minimal restrictions on Jewish religious practice, education of Jewish children has become increasingly difficult in recent years, and distribution of Hebrew religious texts is strongly discouraged.’ [88a] (p87)

## ZOROASTRIANS

- 19.79 The British Broadcasting Corporation (BBC) News website, accessed on 6 May 2010, reported that: 'Zoroastrianism is one of the oldest but perhaps most misunderstood religions still practised today. Its spiritual doctrines on heaven, hell and resurrection heavily influenced Islam and Christianity. But emigration, conversion to Islam and centuries of oppression mean their numbers in Iran have dwindled to around 45,000.' [210]
- 19.80 The CSW September 2009 Iran profile stated that:
- 'Zoroastrianism is an ancient Near Eastern religion that has had a dominant presence among Persian people before the conversion of Persians to Islam. This close historical link with the national identity of Persians and the relative respect Islam shows to religions preceding Islam has resulted in their official recognition and tolerance. Although Zoroastrians enjoy legal freedoms such as the ability to open schools and charitable associations, they share similar difficulties with other minorities in accessing employment in the public sector.' [116a] (p13)
- 19.81 The USCIRF Report 2012 noted that, 'In recent years, members of the indigenous Zoroastrian community have come under increasing repression and discrimination. In August 2011, a Zoroastrian man, Mohsen Sadeghipour, began serving a four-and-a-half year prison term, having been charged and convicted of propaganda of the Zoroastrian faith. Several of his relatives were convicted and imprisoned in 2010 on blasphemy and other charges.' [88a] (p86)

## SABEAN MANDAEANS

- 19.82 The USCIRF Report 2012 stated that, 'Over the past few years, the unrecognized Sabeian Mandaean religious community, numbering between 5,000 and 10,000 people, has been facing intensifying official harassment. There continue to be reports that members of the Sabeian Mandaean community experienced societal discrimination and pressure to convert to Islam, and they were often denied access to higher education. In 2011, nearly 300 Sabeian Mandaean families reportedly fled the country' [88a] (p87)

## BAHA'IS

- 19.83 The International Federation for Human Rights (FIDH) and the Iranian League for the Defence of Human Rights (LDDHI) report, 'The Hidden Side of Iran: discrimination against ethnic and religious minorities', published October 2010, noted:
- 'Considered to be "man-made" in comparison with "divine" religions, the Baha'i faith is seen as the worst form of heresy by the Islamic Republic authorities. It originated in Iran in the 19th century and its founder claimed to be a messenger of God. Islam recognises Zoroastrianism, Judaism and Christianity as divine anterior religions, but Muslims believe Prophet Mohammad was the ultimate prophet of God and Islam the ultimate divine religion. Others, such as the Baha'i faith, are man-made religions and thus tantamount to apostasy. Its followers are considered to be apostates and frequently accused of spying for Israel, presumably because their founder is buried in Israel and their Centre is also located there. In early 2009, in a letter to the intelligence minister, then Prosecutor-General Ayatollah Dorri Najafabadi noted that the Baha'i World Centre

is located in Israel and then emphasised: “[The Baha’is] have long-standing and solid relations with the Zionist regime and they engage in collecting information, infiltrating activities and demolishing the ideological foundations of the people.”

‘Followers of the Baha’i faith, reportedly numbering around 300,000, have been treated particularly harshly since the Islamic Revolution of 1979. By estimates of the Baha’i International Community, more than 200 Baha’is are believed to have been killed since 1979, many by execution.

‘Although the waves of killings and executions have subsided since the early 1990s, pressure on the Baha’i community has increased since the incumbency of President Ahmadinejad in 2005.’ [56c] (p19)

- 19.84 Amnesty International’s (AI) submission to the United Nations Economic and Social Council’s (ECOSOC) Commission on the Status of Women, on 2 August 2012, stated:

‘Since the establishment of the Islamic Republic of Iran in 1979, the Baha’i community has been systematically harassed and persecuted. There are over 300,000 Baha’is in Iran, but their religion is not recognized under the Iranian Constitution, which recognizes only Islam, Christianity, Judaism and Zoroastrianism. Baha’is in Iran are subject to discriminatory laws and regulations which violate their right to practise their religion freely, as set out in Article 18(1) and Article 27 of the International Covenant on Civil and Political Rights, to which Iran is a state party. The Iranian authorities also deny Baha’is equal rights to education, to work and to an adequate standard of living by restricting their access to employment and benefits such as pensions. They are not permitted to meet, to hold religious ceremonies or to practise their religion communally. Hundreds of Baha’is, both men and women, have been arrested in recent years.’ [9p] (p4)

- 19.85 The USSD IRF Report 2011 noted that, ‘While not discussed in the constitution, the government considers Baha’is to be apostates and defines the Baha’i Faith as a political “sect.” The government prohibits Baha’is from teaching and practicing their faith and subjects them to many forms of discrimination that followers of other religions do not face.’ [4e] (Executive summary)

- 19.86 The FIDH/LDDHI report of October 2010 reported that:

‘Baha’is are not covered under the social security and pension system. They do not have the right to inheritance and do not qualify for financial compensation in case of physical harm or being killed. Marriage and divorce solemnised by the Baha’is are not recognised, and they cannot get married or divorced at the state-authorized notaries public, where couples are required to declare their religions in order to be stated in marriage or divorce documents. This is not possible for Baha’is, because under the Constitutional provisions, Iranians can be only Muslims or followers of one of the three recognised religions.’ [56c] (p20)

- 19.87 The Report of the Special Rapporteur to the UN Human Rights Council, dated 6 March 2012, reported:

‘Baha’is continue to be arbitrarily arrested and detained for their beliefs, in violation of the International Covenant on Civil and Political Rights. In a report submitted to the Special Rapporteur, it was alleged that 474 Baha’is had been arrested since August 2004. Of that number, 97 were currently imprisoned (see annex, table IV); 199 had been released on bail and were awaiting trial; 26 had been released without bail; 96 had been tried and sentenced, and free pending appeal or summons to begin serving their

sentences; 34 had been tried and sentenced and had completed their prison terms and/or paid a fine; 14 sentences had been overturned on appeal; and 5 Baha'is had served their prison sentences and begun their terms of internal exile. An additional 35 arrests were reportedly made between August and November 2011.' [10d] (p18)

The [Report of the Special Rapporteur](#) dated 6 March 2012 included details of 97 Baha'is imprisoned as of 6 January 2012. [10d] (Table IV, p31)

19.88 The AI Report 2012, published 24 May 2012, noted that in 2011:

'At least seven Baha'is were jailed for between four and five years after they and over 30 others were arrested in raids targeting the Baha'i Institute for Higher Education. The Institute provides online higher education courses for Baha'i students, who are barred from universities. The seven were among over 100 Baha'is held in connection with their beliefs, including seven leaders who had 20-year prison terms reimposed in March, reversing a 2010 appeal court decision.' [9h]

19.89 The USSD IRF Report 2011 noted:

'Since the 1979 Islamic Revolution, the government has killed more than 200 Baha'is, although there were no reports of Baha'i executions during the year...

'The government continued to imprison and detain Baha'is based on their religious beliefs. The government arbitrarily arrested Baha'is and charged them with violating Islamic penal code articles 500 and 698, relating to activities against the state and spreading falsehoods, respectively. Often the charges were not dropped upon release, and those with charges pending against them reportedly feared arrest at any time. Most were released only after paying a large fine or posting high bail. For some, bail was in the form of deeds of property; others gained their release in exchange for personal guarantees from a "guardian" that the offender would appear in court, or the granting of a work license. Government officials reportedly offered Baha'is relief from mistreatment in exchange for recanting their religious affiliation, and if incarcerated, made recanting their religious affiliation a precondition for release.

'At least 60 Baha'is were arbitrarily arrested during the year, some of whom were released. At least 95 Baha'is were imprisoned and 416 Baha'i cases were still active with authorities at year's end, according to human rights groups.' [4e] (Section II)

The [USSD IRF Report 2011](#) included reported incidents of arrests and detentions of Baha'is. [4e]

19.90 The USCIRF Report 2011, published on 20 March 2012, noted that:

'During the reporting period [1 April 2011 to 31 March 2012], dozens of Baha'is were arrested in several different cities throughout the country, including Tehran, Babolsar, Karaj, Nazarabad, Shahrekord, Semnan, Mashhad, Bandar Abbas, Shiraz, and Ghaemshahr. In most of these cases, Ministry of Intelligence officials appeared at the homes of Baha'is, searched the premises and confiscated computers, books and other materials, and then made arrests. In most cases, no formal charges were filed.

'In February 2012, Iranian authorities raided several Baha'is homes in Shiraz, confiscated materials, and arrested at least 13 Baha'is. At the end of the reporting period, nine of those arrested remain in detention. In late December 2011, in Sanandaj,

northwestern Iran, at least 12 Baha'i homes were raided and materials confiscated. Although no one was arrested, some Baha'is reported physical abuse by Iranian authorities.' (88a) [p83]

See also [Apostasy](#) (conversion from Islam) above.

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## SUFIS

19.91 The FIDH/LDDHI report of October 2010 stated 'The various Sufi orders, including Nematollahi, Naqshbandi, Qaderi, Yazidi and others have been victims of repression, especially in recent years. The Nematollahi Gonabadi Order has recently been persecuted most severely.' [56c] (p23) A news article by Radio Free Europe/Radio Liberty (RFE/RL) dated 7 September 2011, noted that, 'The Nematollahi order is Iran's largest Sufi order, with reportedly more than 2 million members across the country, including in major cities such as Tehran and Isfahan' [42g]

19.92 The FIDH/LDDHI report of October 2010 stated:

'The Nematollahi Gonabadi Order members consider themselves to be Shi'a Muslims. Their prayer centres are called hosseinieh, named after Hossein, the third imam of the Shi'a. Their leader Dr. Noorali Tabandeh celebrates the important religious events, in particular the days of Tasua and Ashura, that mark the martyrdom of the third Shi'a Imam Hossein. Nevertheless, their belief that anybody from any religion may find God and their practical rejection of the clerical hierarchy and dogma is anathema to the Islamic Republic authorities. The Nematollahi Gonabadi Order has faced harsher pressure than ever since the taking of office of Mr. Ahmadinejad in 2005, and in particular in the last couple of years. The support by their leader, Dr. Noorali Tabandeh, for Mehdi Karrubi, a reform-oriented presidential candidate in 2009, led to further repression of the Order.' [56c] (p24)

19.93 The 'Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran', dated 23 September 2011, stated, 'Sufi Muslims in the Islamic Republic of Iran are ... subjected to limitations on their freedom of religion and various forms of religious discrimination. This is particularly true of members of the Shia Sufi order, Nematollahi Gonabadi. Authorities sentenced Gholam-Abbas Zare-Haqiqi, a Gonabadi leader, to four years in prison in October 2009, for allowing a burial at Sufi cemeteries, a banned practice.' [10e] (p17)

19.94 The USCIRF Report 2012 stated:

'During the past year [1 April 2010 to 31 March 2011], arrests and harassment of Sufi Muslims increased significantly. Sufi Muslims have faced growing government repression of their communities and religious practices, including increased harassment and imprisonment of prominent Sufi leaders by the intelligence and security services and the destruction of prayer centers and hussainiyas (places of worship). In 2011, some Shi'a clerics and prayer leaders denounced Sufism and Sufi activities in both sermons and public statements. Government restrictions on Sufi groups and places of worship have become more pronounced.

'Over the past few years, authorities have detained hundreds of Sufi Muslims, particularly from the Nematollahi Gonabadi order, sentencing many to imprisonment,

finer, and floggings. In September and October 2011, a Sufi Muslim from the Gonabadi order was killed and several were injured during a government crackdown in southwestern Iran, Fars province, during which the Basij militia arrested at least 60 Sufis. At the end of the reporting period, at least 11 remain in detention. Four attorneys – Farshid Yadollahi, Amir Eslami, Afshin Karampour, and Omid Behruz – who defended the dervishes in court were also arrested in September. At the end of the reporting period, human rights groups report that the four attorneys continue to be held in Evin Prison and were charged in December with insulting the Supreme Leader, “spreading lies”, and membership in a “deviant group”.

‘In April 2011, eight Sufi dervishes from the Gonabadi order were re-arrested on charges of disrupting public order, previous charges for which they received floggings and had been imprisoned. The previous month, in March, over 200 Gonabadi Sufis were summoned to courts throughout the country based on allegations that they were insulting Iranian authorities. In January, three Iranian lawyers who defended Sufi dervishes were sentenced to prison terms. Farshid Yadollahi and Amir Eslami were sentenced to six months by a penal court on Kish Island in southern Iran, and Mostafa Daneshjoo was sentenced to seven months by a court in the northern province of Mazandaran. According to human rights groups, the three lawyers were found guilty of “propagating lies and creating public anxiety”, while their clients were acquitted of “acting against national security”.

‘Furthermore, Iranian state television continued to air a series of programs designed to denigrate and demonize Sufism, particularly the Nematollahi Gonabadi order. Since 2006, several prayer centers of the Gonabadi order have been demolished or attacked by Iranian authorities. There also have been reports over the past few years that the government is considering a ban on Sufism.’ [88a] (p81)

- 19.95 The Minority Rights Group International report, ‘State of the World’s Minorities and Indigenous Peoples 2012’, covering 2011, published 28 June 2012 stated:

‘Sufi Muslims have faced growing government repression of their communities and religious practices, including harassment and imprisonment of prominent Sufi leaders and destruction of prayer centres. In January [2011], three lawyers who had defended Sufi members were put on trial. They were reportedly sentenced to 6–7 months’ imprisonment for ‘propagating lies and creating public anxiety’. Over 60 people, mostly dervishes (members of a Sufi religious order), were arrested in September. In the same crackdown, a member of the Nematollahi Gonabadi Sufi order was reportedly killed. By 2012, at least 11 remained in detention. Also in September, four lawyers who were representing the detainees were also arrested; they were charged in December for spreading lies and membership in a “deviant group”.’ [46c] (p198)

For further background information on Sufi Muslims, see the FIDH report, [The hidden side of Iran: discrimination against ethnic and religious minorities](#), dated October 2010. [56c]

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## 20. ETHNIC GROUPS

## OVERVIEW

Section should be read in conjunction with the previous section on [Freedom of religion](#). For information on the situation for women from ethnic minorities, this section should be read in conjunction with the section on [Women](#) for information about their position generally in Iranian society.

- 20.01 The Criminal Intelligence Agency (CIA) World Factbook, updated 18 April 2012, accessed 23 May 2012, provided the following breakdown of ethnic groups in Iran: ‘Persian 61%, Azeri 16%, Kurd 10%, Lur 6%, Baloch 2%, Arab 2%, Turkmen and Turkic tribes 2%, other 1% (2008 est.)’ [111a]
- 20.02 A February 2011 briefing by Minority Rights Group International (MRGI) stated: ‘Iran is home to a large number of minority groups, whose members’ identities cut across various ethnic, linguistic and religious lines. Unfortunately, most of these groups are subject to state-sanctioned discrimination of varying degrees, some of which has been well-documented by UN [United Nations] human rights bodies, expert reports, academic studies and media sources...’ [46a] (p1)
- 20.03 The MRGI report continued:
- ‘Article 19 [of the Constitution] states: “All people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights, and colour, race, language, and the like do not bestow any privilege.”...
- ‘The spirit of Article 19 of the Constitution urges against bestowing privileges on the basis of markers like language and ethnicity, but in Iran, ethnicity and religion are often linked because they share boundaries. Most of the country’s linguistically (as well as culturally) distinct minorities – Kurds, Arabs, Baluchis and Turkmens, for example – practise Sunni Islam. This has meant that in addition to the discriminatory policies that bear directly upon ethnic identity, these groups are doubly affected because of their faith.’ [46a] (p5-6)
- 20.04 The International Federation for Human Rights (FIDH) report, ‘Iran/Death Penalty: a State Terror Policy’, dated 28 April 2009, observed:
- ‘Most Kurds, Baluchis, and Turkmens are followers of one or another branch of Sunni Islam, and consequently also constitute a religious minority. The Arabs living in southwestern Khuzestan are mostly Shiites, while those in the southern provinces of Bushehr and Hormuzgan are mostly Sunnis. The Azerbaijani Turkic speakers are also predominantly Shiites. There have been movements within all the ethnic minorities, demanding respect for their rights.’ [56b]
- 20.05 The US Department of State’s ‘Country Reports on Human Rights Practices 2011, Iran’, released 24 May 2012, stated:
- ‘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 enjoy 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 Baluchis, 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. The government blamed foreign entities,

including a number of governments, for instigating some of the ethnic unrest.’ [4a] (Section 4)

20.06 The FIDH’s report of 28 April 2009 stated:

‘Persons belonging to ethnic minorities in Iran (Kurds, Arabs, Baluchis) are often condemned to death and subsequently executed for offences related to the security of the state. Peaceful activists are sometimes unfairly condemned on such grounds, since the authorities do not make a difference between peaceful advocacy for the rights of the said minorities, and armed attacks by autonomists. Fair trial guarantees are violated and witnesses regularly report widespread use of torture in those cases.’ [56b] (p46)

20.07 The Hands off Cain World Report 2012 covering 2011 and the first six months of 2012 stated:

‘The use of the death penalty for purely political motives continued in 2011. But it is probable that many of the people put to death for ordinary crimes or for “terrorism,” may well be in fact political opponents, in particular members of Iran’s ethnic minorities, including Iranian Azerbaijanis, Kurds, Baluchis, and Arabs. Accused of being Mohareb – enemies of Allah – those arrested are often subject to rapid and severe trials that often end with a sentence of death.’ [60a]

20.08 Amnesty International’s ‘Annual Report 2012 - Iran’ (AI Report 2012), published on 24 May 2012 and covering events in 2011, stated that ‘Iran’s ethnic minority communities, including Ahwazi Arabs, Azerbaijanis, Baluch, Kurds and Turkmen, suffered ongoing discrimination in law and in practice. The use of minority languages in government offices and for teaching in schools remained prohibited. Activists campaigning for the rights of minorities faced threats, arrest and imprisonment.’ [9h]

20.09 The MRGI report, ‘Peoples under Threat 2012’, published 24 May 2012, concurred, noting that, ‘...the systematic campaign of repression of opposition activists continues, and reached a new level in the country’s north-west, where the conflict with Kurdish militias intensified. Shelling by Iranian tanks and artillery in June [2011] displaced thousands. Baluchis, Ahwazi Arabs and Azerbaijanis also accuse the government of long-standing oppression and denial of political participation.’ [46b] (p3)

20.10 The Human Rights Watch, ‘World Report 2012’, covering events in 2011, released 22 January 2012, reported:

‘The government restricted cultural and political activities among the country’s Azeri, Kurdish, Arab, and Baluch minorities, including organizations that focus on social issues. In April [2011] security forces reportedly killed several dozen protesters, most of them ethnic Arabs, in Iran’s southwestern province of Khuzestan. Authorities arrested dozens and executed nine men allegedly connected to protests on May 9. Security forces also arrested hundreds in Iran’s Azerbaijan region following large-scale protests in August and September, part of a pattern of harassment against environmental and Azeri civil society activists.’ [8a]

20.11 The Amnesty International Report, “‘We are ordered to crush you”, expanding repression of dissent in Iran’, published February 2012, reported:

‘Demands by ethnic minority rights activists for greater rights have, for many years, been suppressed, in the context of armed opposition from some groups, particularly

from the Ahwazi Arab, Kurdish and Baluch communities. Activists from these communities who advocate for greater respect and protection of the rights of their communities – which face discrimination in law and practice in Iran – risk numerous human rights violations ranging from arbitrary arrest to the death penalty after unfair trial, as well as restrictions on movement and denial of other civil rights. This pattern continues in the context of a wide and generalized suppression of most forms of dissent over government policies.’ [9x] (p33-34)

- 20.12 The ‘Concluding observations of the UN Human Rights Committee’, which sat from 17 October to 4 November 2011, stated:

‘The Committee is concerned about the restrictions and conditions placed on the enjoyment of cultural, linguistic and religious freedoms of minorities in the State party, such as the Kurds, Arabs, Azeris and Baluch, including the use of minority languages in schools, and publication of journals and newspapers in minority languages (art.27).

‘The State party should ensure that all members of ethnic, religious and linguistic minorities enjoy effective protection against discrimination and are able to enjoy their own culture and use their own language in media and schools, participate in public affairs and are provided with effective remedies against discrimination.’ [10t] (Paragraph 30)

- 20.13 The ‘Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran’, dated 6 March 2012, noted:

‘The Special Rapporteur continues to receive reports about human rights violations affecting ethnic minorities, in law and in practice... Minorities also continue to be subjected to intense socio-economic discrimination and pressures, including land and property confiscation, denial of employment and restrictions on social, cultural and linguistic rights, in violation of the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Economic, Social and Cultural Rights.’ [10d] (p18)

- 20.14 On 23 May 2012, Karim Lahidji, vice-president of the International Federation for Human Rights (FIDH) and president of the Iranian League for the Defence of Human Rights (LDDHI), said:

‘The authorities in Iran have launched a new wave of repression against several Iranian ethnic communities, including the Baluchis, Arabs and Azeris. They are acting in complete defiance of the recommendations made by the UN Committee on the Elimination of Racial Discrimination in its August 2010 concluding observations, where the Committee strongly criticised the denial of rights of the “Arab, Azeri, Baluchi, Kurdish communities and some communities of non-citizens” in Iran and called on the authorities to take measures to protect them effectively.’ [56f]

See sections on [Kurds](#), [Arabs](#), [Baluchis \(Balochis\)](#), [Azerbaijani \(Azeri\) Turks](#) and [Qashqais](#) below for further information on their treatment. See also section on [Exit and Return](#) for details of possible discrimination faced by ethnic minorities wishing to leave Iran.

The [Iran Chamber Society](#) website also provides further background information on Iranian ethnic groups. [58f]

## KURDS

### Background

- 20.15 The Iran Human Rights Center (IHRDC) report, 'On the margins: arrest, imprisonment and execution of Kurdish activists in Iran today', published 11 April 2012, stated:

'Today, Kurdish Iranians comprise about 10% of Iran's total population and are spread throughout Iran's northwestern region in the provinces of Kurdistan, Kermanshah, Ilam, and West Azerbaijan. Although most Kurdish tribes were formerly semi-nomadic, presently the Kurdish population is mostly concentrated in urban centers like Sanandaj, the provincial capital of Kurdistan, and other cities including Kermanshah, Mariwan, Saqqez, Mahabad and Paveh. Following Iran's ethnic Azeri population, centered in the far northwestern provinces of Iran, the Kurds rank as the second largest ethnic minority population within Iran's borders.' [51e] (p3)

- 20.16 The same IHRDC report also noted:

'The province of Kurdistan in Iran extends over 29,137 square kilometers (out of Iran's total land area of 1,648,195 square kilometers)...There are 10 major cities in Kurdistan Province: Sanandaj, Saqqez, Marivan, Baneh, Bijar, Sarvabad, Qorveh, Kamyaran, Divandarreh, and Dehgolan.

'While accurate statistics are hard to come by, it is estimated that the majority of Kurdish Iranians are Sunni Muslims, while a sizable minority are adherents of Shi'a Islam, the official religion of the Islamic Republic of Iran. The Shi'a Kurdish population, and a smaller minority who follow the Yaresan, or Ahl-i Haqq religious tradition, is largely centered in Kermanshah and Ilam Provinces. The main languages spoken in the Kurdish regions of Iran are South Kurmanji (also known as Sorani), North Kurmanji (also known as Bahdinani), and Gorani. The ability to teach these languages in schools has long been an issue of contention between the Kurdish population and the central government in Tehran.

'Similar to the economically disadvantaged position of the Baluch and Arab ethnic minorities in Iran, the Kurds have lived in relatively impoverished circumstances over the last century. In the mid-1970s, about 30% of Kurdish families lived below the poverty line, compared to about 21% of families in the central provinces of Iran. A relative lack of investment from Iran's central government in its provincial regions combined with insufficient and heretofore undeveloped local resources and the enduring legacies of tribal feudalism, pastoralism and incomplete land reform projects have resulted in lingering economic instability and mounting unemployment.' [51e] (p3)

- 20.17 The IHRDC report of 11 April 2012 continued:

'While the IRI [Islamic Republic of Iran] has had a fraught history with Kurdish Iranians extending back to the former's inception, witnesses claim that in the past decade, the oppression of the Kurds ramped up significantly following the inauguration of President Ahmadinejad for his first term of office [in 2005]. Following the post-election events of June 2009 that resulted in mass civic demonstrations throughout Iran and a subsequent government crackdown, relations between the IRI and Iranian ethnic minority groups, whom the government has traditionally viewed as political opposition, have become significantly strained.

'Today, the IRI's suspicions concerning the Kurdish minority are based on a fear that Kurdish activism contains a separatist undercurrent that challenges the integrity of the state. Many political activists who assert their Kurdish identity or who engage in social and political criticism of the IRI are prime targets for arbitrary arrest and prosecution on the pretext of endangering national security. While some Kurdish political activists may engage in violent acts against the Iranian state or are involved with PJAK (Partiya Jiyana Azad a Kurdistanê, or Party of Free Life of Kurdistan) - an armed Kurdish political group - others only engage in peaceful civic activities, yet suffer on account of their larger group association.' [51e] (p8)

See the [IHRDC report](#) directly for further historical information on Kurds in Iran and a map of Kurdistan. [51e]

See also the 2008 Amnesty International report, '[Human rights abuses against the Kurdish minority](#)' [9e] and Danish Immigration Service report, '[Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc., April 2009](#)'. [86a]

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## Discrimination and human rights violations

20.18 The IHRDC report of 11 April 2012 noted that, 'The Constitution of the Islamic Republic does not contain any discriminatory provisions targeting Kurdish Iranians or any other minorities, and indeed, it prohibits such mistreatment. However, in practice, IRI officials have often targeted Kurds for any manner of public display of their ethnic culture, language or traditions.' [51e] (p3)

20.19 A Foreign Policy Centre (FPC) report, 'A revolution without rights? Women, Kurd and Bahais searching for equality in Iran', dated 25 November 2008 noted:

'... [Kurds] are particularly vulnerable as a minority population in Iran for two main reasons: some Kurds have a long history of struggle for national autonomy in Iran and they are mostly Sunni Muslims (a minority in Shi'a Iran). The border areas they inhabit are relatively underdeveloped and they have suffered from violent repression before and since the [1979] revolution. The Islamic Republic of Iran has continued a pattern established by previous regimes of creating a strong centralised state that is intolerant of ethnic dissidents.' [49b] (p16)

20.20 The MRGI Report 2012 noted that:

'In terms of land rights, there are high levels of property confiscation and governmental neglect in the Kurdish region of north-west Iran – Iranian Kurdistan, Kermanshah and Ilam provinces. The Kurdish region has abundant water resources. Dams have been built by the government to facilitate water irrigation and for hydroelectric power generation, but Kurds are generally excluded from the benefits of this investment. They experience poor housing and living conditions because of forced resettlement, and the expropriation of rural land for large-scale agricultural plantations and petrochemical plants which pollute the surrounding environment.' [46c] (p197)

20.21 The FPC report of November 2008 stated:

'The charges made against Kurdish activists often include allegations of unspecified breaches of national security or violating morality, which create a legal exemption from honouring human rights protections outlined in the constitution. For example, freedom of expression is allowed, "except when it is detrimental to the fundamental principles of Islam or the rights of the public." Activities that count as being "against" Islam or the Islamic Republic can be very broadly defined to suit the purposes of the local or national government. Such charges are used as a pretext for cracking down on criticism, activism or dissent of any kind.' [49b] (p42)

20.22 On 12 November 2009, Amnesty International reported that Ehsan Fattahian, a male Kurd, had been executed in Kordestan, northwestern Iran the day before, after being convicted of "enmity against God" for his membership of the left-wing Kurdish organisation, Komala. [9s] The International Federation for Human Rights (FIDH) and the Iranian League for the Defence of Human Rights (LDDHI) report, 'The Hidden Side of Iran: discrimination against ethnic and religious minorities', published October 2010, noted that: 'Farzad Kamangar, a Kurdish teacher and cultural activist, arrested in June 2006, was subjected to torture for two years and then sentenced to death in February 2008. He was executed in May 2010, together with four other political prisoners, three of whom were Kurds.' [56c] (p18) The 'Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran', dated 6 March 2012, noted that Farzad Kamangar had been '...denied access to his lawyer and family members. Despite numerous requests by family members, authorities have refused to return his body or help locate his grave.' [10d] (p19)

20.23 The IHRDC report of April 2012 reported:

'While many of today's generation of Kurdish activists employ non-violent methods to advocate for their rights, Kurdish fighters (or peshmerga) in the late 1970s and early 1980s were actively involved in armed struggle with the IRI. Currently, the IRI views even peaceful Kurdish activists as violent separatists who threaten the Iranian state. Many peaceful political, civil and human rights activists from Iran's Kurdish minority, like Kamangar, continue to face harassment and threats of execution simply for taking steps to protect their rights as enshrined in Iran's own Constitution and the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a signatory.

'Evidence demonstrates that the IRI's arrest of Kurdish activists follow a pattern. First, local branches of the government's intelligence and security apparatus typically initiate a pretext for arrest, such as allegations related to other illegal activity. Most often these relate to espionage, possession of arms or other materiel, or drug trafficking. Such pretexts are not, however, always invoked - in some instances, Kurdish minorities have been targeted for simply being in possession of a pamphlet or CD made by Kurdish political parties.' [51e] (p2)

20.24 The same IHRDC report also noted:

'Numerous witnesses interviewed by IHRDC stated that Iranian intelligence agents closely monitored their work on Kurdish cultural newspapers and magazines, with groups that organized Kurdish cultural plays and gatherings, and to preserve Kurdish cultural heritage and history. The work on these publications and events at these gatherings are closely monitored by government officials in direct violation of the Constitution of the IRI. The herasat - the intelligence gathering apparatus and morality police present in all government institutions, including on university campuses - collects intelligence on Kurdish activists and sometimes reports them to local intelligence

authorities. When these publications and gatherings attract the attention of the authorities they are often shut down. Sometimes the activists themselves are targeted for arrest and imprisonment.

‘Activists that engage in peaceful activities related to political parties are also a prime target of the Iranian authorities. Members of groups that offered monetary aid or emotional support to family members of killed Kurdish political party members said they were arrested by the Iranian authorities on allegations of aiding illegal groups. Even poetry and literary writing - if political in tone - can land the author in jail for allegedly sympathizing with political opposition groups.

‘Once a Kurdish activist is targeted for arrest and imprisonment, they are subjected to the same pattern of mistreatment and deprivation of due process safeguards that political prisoners throughout Iran endure.

‘It is not just the activists themselves who remain at risk of harassment by authorities for their political initiatives. By extension, the family members of activists in Iran’s Kurdish region are often threatened, intimidated, and otherwise harassed. In more extreme cases, family members are imprisoned by the IRI’s intelligence apparatus to exert pressure on loved ones, or forced into hiding as a result of threats of arrest.’ [51e] (p13-14)

- 20.25 The Minority Rights Group International report (MRGI Report 2012), ‘State of the World’s Minorities and Indigenous Peoples 2012’, published 28 June 2012, stated:

‘The Iranian government continued to persecute Kurdish activists in 2011, convicting them on vague charges such as “acting against national security” and “waging war against God”. Fifteen imprisoned Kurdish activists are believed to be on death row. Death sentences against Zainar and Loghman Moradi, and Habibollah Latifi, were upheld in 2011 following failed appeals. Another Kurdish activist, Sherko Moarefi, was also at risk of imminent execution.’ [46c] (p197)

- 20.26 The ‘Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran’, dated 6 March 2012, also noted that, ‘As at 31 October 2011, 15 Kurdish activists were reportedly on death row on charges including “acting against national security”, “corruption on earth” and espionage.’ [10d] (p18) The ICHRI reported on 10 August 2012 that, according to their research, ‘...there are currently at least 28 Kurdish prisoners sentenced to death on political and security-related charges inside Sanandaj, Orumiyeh, Semnan, Rajaee Shahr, and Saghez prisons. Seventeen of these individuals have received finalized death sentences and 11 have been sentenced to death at their trials in lower courts, and are now awaiting appeals rulings by the Supreme Court.’ [52w]

See the [Report of the Special Rapporteur](#) dated 6 March 2012 for details of the 15 Kurdish detainees sentenced to death at the time his report was written. [10d] (Table II, p29)

- 20.27 The IHRDC’s report of 11 April 2012 provided a comprehensive account of the treatment of Kurdish activists and concluded:

‘The IRI’s [Islamic Republic of Iran’s] treatment of Kurdish activists today is a continuation of a long-term pattern of discrimination against Kurds in Iran who live, both literally and figuratively, on the margins of Iranian society. As demonstrated by the witness testimonies in this report, IRI officials are hostile to any public display of Kurdish ethnic culture, language or traditions, and view even peaceful activities with Kurdish

political parties with suspicion. Many activists who seek to defend Kurdish rights are targeted for arrest, imprisonment and even execution.’ [51e] (p54)

See the [IHRDC report](#) directly for detailed information on the history and treatment of Kurds and Kurdish activists. [51e]

See also sections on Kurdish political groups: the [KDPI](#), [Komala](#) and [PJAK](#) under [Opposition groups and political activists](#).

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## ARABS

20.28 The Minority Rights Group International report (MRGI Report 2012), ‘State of the World’s Minorities and Indigenous Peoples 2012’, published 28 June 2012, stated, ‘Most of Iran’s Ahwazi Arab community lives in the south-western province of Khuzestan, which borders Iraq and contains 90 per cent of Iran’s oil wells. Ahwazis are marginalized and subject to discrimination in access to education, employment, adequate housing and political participation.’ [46c] (p198)

20.29 On 19 April 2011, Amnesty International noted that, ‘Confirming details of events in the Khuzestan area is exceedingly difficult, as security forces have maintained increasingly tight control over the flow of information in and out of the region since 2005... Most [Ahwazis] are Shi’a Muslims but some are reported to have converted to Sunni Islam, heightening government suspicion about Ahwazis, who complain that they are marginalized and subject to discrimination in access to education, employment, adequate housing, political participation and cultural rights.’ [9i]

See also [Sunni Muslims](#)

20.30 The FIDH Report 2009 noted that, ‘In April 2005, unrests in Khuzestan led to the death of many Arabs including some in alleged extrajudicial executions.’ [56b] The October 2010 FIDH/LDDHI report noted that ‘Since the 2005 protests, there have been reports of high numbers of executions of Arabs every year.’ [56c] (p15)

20.31 The MRGI Report 2012 stated that, ‘In April 2011, HRW [Human Rights Watch] reported that several dozen Ahwazi protesters were killed by security forces during demonstrations over the Ahwazi minority’s grievances over state discrimination and denial of economic and cultural rights. Authorities arrested hundreds, prosecuted them during flawed trials where they had limited or no access to lawyers, and executed several.’ [46c] (p198)

20.32 A HRW report of 29 April 2011 elaborated:

‘On April 26 [2011], IMHRO [Iranian Minorities Human Rights Organisation] provided Human Rights Watch with the names of 27 people it said had been killed by Iranian security forces since the outbreak of violence. The group also said that authorities have arrested several hundred protesters and rights activists. On the same day, a representative from the Ahwazi Organization for the Defense of Human Rights (AODHR), also based in London, told Human Rights Watch that since April 15 Iranian security forces ‘killed 48 innocent protesters, injured tens and arrested hundreds of Ahwazis.’

'Human Rights Watch has not been able to verify independently the numbers and identities of persons killed, injured, or arrested due to the security situation in Khuzestan province and severe government restrictions placed on independent reporting in the region.' [8b]

20.33 The AI Report 2012 noted that Ahwazi Arabs were among those minorities subjected to '... ongoing discrimination in law and in practice.' [9h] The same report also noted that 'At least four Ahwazi Arabs – Reza Maghamesi, Abdol Karim Fahd Abiat, Ahmad Riassan Salami and Ejbareh Tamimi – were reported to have died in custody in Khuzestan province between March and May [2011], possibly as a result of torture.' [9h]

20.34 The US Department of State's 'Country Reports on Human Rights Practices 2011, Iran', released on 24 May 2012 (USSD Report 2011) stated, '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 torture and mistreatment of Ahvazi Arab activists and the lack of freedom to study and speak Arabic.' [4a] (Section 6) In his report of 6 March 2012, the UN Special Rapporteur on the situation of human rights in Iran noted, '... the arrest and detention of 65 ethnic Arabs in Khuzestan Province since late 2011, allegedly in response to their calls for a boycott of upcoming parliamentary elections and anti-Government slogans.' [10d] (p19)

20.35 On 19 June 2012, the Guardian reported:

'After trials human right activists described as grossly unfair Iran has executed three members of its Ahwazi Arab minority. Abd al-Rahman Heidarian, Taha Heidarian and Jamshid Heidarian were executed after being moved from their prison to an unknown location at the weekend, Iran's human rights activists news agency (HRANA) reported. The three brothers were sentenced to death along with two other Iranian Arabs, Mansour Heidarian and Amir Muawi in April 2011 after being convicted of "enmity with God" on charge of killing a law enforcement official. The fate of the two other men is still unclear.' [16i]

20.36 In a UN news release of 28 June 2012 the UN Special Rapporteurs on Iran, summary executions and torture condemned the recent executions. The UN news release referred to 'four members of the Ahwazi Arab minority' being executed 'on or around 19 June 2012.' [10y]

For further background information on Ahwazi Arabs, see the FIDH report, [The hidden side of Iran: discrimination against ethnic and religious minorities](#), dated October 2010. [56c]

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## BALUCHIS (BALOCHIS)

20.37 A statement by the Unrepresented Nations and Peoples Organization (UNPO) dated 16 May 2012, noted, 'In the absence of adequate state data, the Baloch population in Iran is estimated to be approximately four million people. Over the course of several decades they have been systematically deprived of their cultural, social and economic rights. Within Iran they face discrimination, particularly with regards to political participation, education and employment prospects.' [71a]

20.38 The FIDH/LDDHI report, 'The Hidden Side of Iran', published October 2010, noted:

'The Sistan-Baluchistan province, the main location of the Baluchi people, is the least developed region of the country. It is believed that the province has a rate of unemployment five times the national average and the highest proportion of illiteracy. The amount of investment in the province has been the lowest and the number of executions the highest in the last few years. Ninety per cent of the people are believed to be economically vulnerable and at least 45 per cent live under the poverty line. Drug smuggling and distribution is widespread.' [56c] (p16)

- 20.39 The Minority Rights Group International report (MRGI Report 2012), 'State of the World's Minorities and Indigenous Peoples 2012', covering 2011, published 28 June 2012, concurred, stating, 'Baluchistan has the lowest per capita income in Iran, a high infant mortality rate, and the average life expectancy is at least eight years below the national average. As Sunni Muslims, Baluchis have also come under pressure from the government to convert to Shi'a Islam if they want to find employment and access education.' [46c] (p198)
- 20.40 The October 2010 FIDH/LDDHI report noted 'There have not been any Baluchi ministers, governors-general or ambassadors since the Islamic revolution. The armed forces do not appoint Baluchis even to lower ranks.' [56c] (p16)
- 20.41 The USSD Report 2011 stated, '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.' [4a] (Section 6)
- 20.42 The report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, dated 6 March 2012, observed:
- 'Members of the Baloch, a Sunni religious community and ethnic minority, are reportedly subject to multifaceted discrimination, harassment, mistreatment, arbitrary arrest and even executions. According to reports received by the Special Rapporteur, areas with a Baloch majority are underdeveloped and frequently face the problems raised by limited access to housing, education, health care and employment. Their freedoms of expression and religion are also curtailed. Concerns were also expressed about the low level of Baloch participation in public life, given that they are underrepresented in high-ranking Government positions. Furthermore, the application of the Gozinesh criterion, a procedure that requires prospective State officials and employees to demonstrate their allegiance to the Islamic Republic of Iran and the State religion of Shia Islam, has further alienated the Baloch and severely limited their employment opportunities and political participation.' [10d] (p19)
- 20.43 An article in The Diplomat dated 16 May 2011, 'Inside Iran's most secretive region', reported it was '...the harsh economic and political climate that fostered the creation of Jundallah - a religious and political organisation established in 2002 claiming rights for the local Baloch. Jundallah is believed to organize a range of disruptive activities in support of its cause, including suicide bombings and more selective attacks, such as the alleged kidnapping of an Iranian nuclear scientist last September.' [123a]

See also section on the [People's Resistance Movement of Iran \(PMRI\), or Jundallah](#)

- 20.44 The Voice of Balochistan website reported on 3 January 2011 that four Balochis accused of 'kidnapping for ransom' had been hanged in Zahedan, Balochistan's capital. [102a] An FIDH update of 23 May 2012 reported that, 'In recent years, a large number of

Baluch political prisoners as well as a number of Baluch Sunni clerics have been executed in the area, and scores of people have reportedly been killed in extrajudicial executions.’ [56f]

20.45 The MRGI Report 2012 stated, ‘Sakhi Rigi, an ethnic Baluch blogger and former member of opposition leader Mir-Hossein Mousavi’s campaign staff, was sentenced in June to a 20-year prison term on charges of “acting against national security” and “propagating against the regime.” He was first arrested in 2009.’ [46c] (p198)

20.46 The UNPO statement of 16 May 2012 reported on arrests over ‘the past month’:

‘In the past week reports indicate that the Iranian regime has arrested up to sixty Baloch people in the latest restrictions to be placed on the rights of the Baloch people to expression, free speech, and peaceful demonstration in the Islamic Republic of Iran.

‘Following the arrest of Mr. Abdula Fatah on 14 May 2012, people gathered in front of the Sarbaz District governor’s office in the Sistan and Balochistan Provinces of south east Iran, demanding for his release. Upon not receiving any response, the group of people went and protested in front of the police station. Police responded violently to the protest with the result that at least one person is believed to have died.’ [71a]

The UNPO statement also included the names of 13 of those arrested whose identity could be traced. [71a]

For further background information on the Baluchi community, see the FIDH report, [The hidden side of Iran: discrimination against ethnic and religious minorities](#), dated October 2010. [56c]

See also Freedom of Religion, subsection [Sunni Muslims](#)

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## AZERBAIJANI (AZERI) TURKS

20.47 The USSD Report 2011 stated:

‘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.”’ [4a] (Section 6)

20.48 An FIDH update of 23 May 2012 stated, ‘Azeri cultural and rights activists have been facing severe persecution for many years. Sa’eed Matinpour, an Azeri journalist and minority rights activist, has been serving an 8-year imprisonment sentence since 2007 and is reported to be in need of medical care.’ [56f]

20.49 On 21 August 2010, IMHRO [Iranian Minorities Human Rights Organisation] demanded the release of Sakineh Ashtiani, an Azeri woman who had been sentenced to death by

stoning, and other Azeri prisoners. Regarding Sakineh Ashtiani, IMHRO reported that 'An interesting point is that she could not speak Farsi and her confession was in the language of Azeri, thus showing that Farsi is not a national language in Iran. Azeri, like Kurds, Arabs, Baluch and Turkmen, are forced to be educated in Farsi/Persian. Anyone speaking in their mother tongue could suffer disciplinary actions and even being [sic] sent to prison.' [47a]

20.50 The USSD Report 2011 stated:

'According to the ICHRI [International Campaign for Human Rights in Iran], during the six-month period from March 21 to September 21 [2011], more than 320 cultural, political, women's rights, and human rights activists were arrested in the Azeri provinces. Most of these arrests concerned the protests about the drying out of Lake Urmia, one of the largest saltwater lakes in the world... As a result of these arrests, Azeri activists were beaten, flogged, tortured, fined, and expelled from university.

'Iran Green Voice announced that in late May that a Revolutionary Court sentenced seven Azeri activists--Yunes Soleymani, Mahmud Fazli, Naim Ahmmadi, Aydin Khajehei, Sharam Radmehr, Yashar Karimi, and Hamideh Frajazade - to six months in prison for membership in the Azeri Party's Central Committee. A six-month suspended sentence was given to activists Alireza Abdollahi, Behbud Gholizade, and Akbar Azad, for a five-year probation period. Another activist, Hassan Rahimi, was cleared on all counts after being held in solitary confinement for four months.' [4a] (Section 6)

20.51 The MRGI Report 2012 noted that, 'Azeris in Iran have joined together to protest against dam construction on Lake Urmia's tributaries that is destroying the region's ecological and economic resources...In April 2011, Azeris gathered to protest in Urmia [Oromieh] and Tabriz, calling on the government to save the lake.' [46c] (p199) Amnesty International reported on 4 April 2011 that, 'Around 70 Iranian Azerbaijanis were reportedly arrested on 2 April during peaceful demonstrations in Tabriz, and about 20 others in Oromieh, north-western Iran. The protesters were calling for Lake Oromieh to be saved, as it is at risk of drying out due to dam building. Most have been released but the whereabouts of at least five protesters remain unknown.' [9r]

20.52 On 10 September 2011, Human Rights Watch reported further arrests in the region:

'Family members and other witnesses told Human Rights Watch that several hundred protesters and activists have been arrested since late August 2011... The first round of arrests was on August 24, when security forces raided a private gathering in the home of Sadeq Avazpour in Tabriz, the capital of East Azerbaijan province...The security forces arrested approximately 30 people. Family members said that none of the detainees had been freed.

'Several thousand demonstrators, some of whom clashed with riot police, attended a large rally in Orumiyeh on August 27. Authorities arrested approximately 300 demonstrators in Orumiyeh alone, local activists told Human Rights Watch, but have since released dozens. Dozens of others were arrested in Tabriz, Orumiyeh, and several other cities on September 3 after local activists called for additional demonstrations.' [8c]

20.53 The report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, dated 6 March 2012, stated:

'The Special Rapporteur learned that 57 people arrested during the protests to save Lake Urmieh from drying out in 2011 were recently sentenced to a total of 26 years imprisonment and 1,390 lashes. A total of 112 people were tried, of whom 55 were acquitted and 57 were given prison sentences, lashings or both. Those convicted reportedly included five women and nine people under the age of 18. The Special Rapporteur received reports that many of those arrested and convicted were subjected to inhuman treatment during their interrogations.' [10d] (p19)

- 20.54 Iran Human Rights Voice, in their weekly report on human rights violation in Iran from 21 to 27 May 2012, noted:

'Last week following protests about the drying of Orumieh Lake and on the sixth anniversary of protests by Azerbaijanis against a cartoon published in an Iranian newspaper, a large number of people, especially in Tabriz and Orumieh, were arrested by police. This reaction intensified protests and increased a police atmosphere in the cities of Eastern and Western Azerbaijan provinces. Human Rights Activists in Iran report that in many cases, security forces went to the homes of the detainees, inspected them and confiscated their belongings without a warrant. After two days, many of the detainees have been bailed out on large sums but some are in undecided situations.' [11c]

For further background information on Iranian Azeris see the FIDH report, [The hidden side of Iran: discrimination against ethnic and religious minorities](#), dated October 2010. [56c]

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## QASHQAIS

- 20.55 The Qashqai website, accessed on 4 July 2012, noted that the Qashqai are also known as the Qashqaai, Qashqa'i or Ghashghai. Information on the website stated:

'The Qashqai compose a community of settled, semi-settled, and pastoral nomadic households who reside mainly in the Fars region of southern Iran. They speak Qashqai Turki (Turkish). Most of them also speak, at least, Persian (Farsi). They are Shia Muslims... Since the 1960s the general trend has been [sic] a sharp increase in sedentarization of Qashqai nomads and involvement in non-pastoral and non-traditional economic activities. Presently the Qashqai form mainly settled and semi-settled households. Qashqai population of today is estimated between one and one and a half million.' [37a]

- 20.56 The Advisory Panel on Country Information (APCI) review of the COI Service's Iran COI Report of August 2008, undertaken by Dr Reza Molavi and Dr Mohammad M Hedayati-Kakhki of the Centre for Iranian Studies at Durham University, dated 23 September 2008, (APCI Report 2008) stated that:

'In addition to established ethnic minorities, a number of nomadic groups and tribes are targeted for discrimination, for instance the Ghashghay [another version of Qashqai]... The population of the group is estimated as 2% of the Iranian population, living mainly in Fars Province in Southern Iran. Shiraz is known as the biggest centre of the group's activities, whilst a part of the group continue to be nomadic. Notably, after the 1979 Iranian Islamic Revolution, Khosrow Khan Qashqai, the Ghashghayi leader, returned to Iran from Germany, was arrested and subsequently publicly executed for advocating for

the group's rights and autonomy. This has caused long-standing suspicion by the government of this ethnic group, considering it a potentially volatile one.

'Moreover, the religious practices of the group are not entirely in line with those of the mainstream Islamic regime and therefore give rise to suspicions and discrimination against them, as described in the account below:

'Following the Islamic Revolution, various Qashqa'i customs, such as public dancing, the playing of traditional music on oboes and skin drums, and stickfighting games performed to music, were declared immoral and anti-Islamic by the new government. The extent of continuous discrimination is not known. However, various laws still deem certain Qashqa'i practices to be anti-Islamic, despite the fact that the group is Shia Muslim.

'In light of the above information, whilst those of the Ghashghayi ethnicity would not be prosecuted on basis of ethnicity alone, they may indeed be targeted on basis of ethnicity for dispossession of property, employment, education as well as other discrimination. Lastly, the account below suggests a possible rationale for such efforts by the government in relation to the Ghashghayi:

'In 2005, Miloon Kothari, the United Nations Special Rapporteur on Adequate Housing, condemned the recent confiscation of land owned by minority groups such as the Qashqa'i. Tehran's objective with these policies, according to human rights activists, was to implement "ethnic restructuring" by forced migration out of the oil and sugar-rich Khuzestan province. In addition to land confiscation, the Qashqa'is also had to deal with traditional pastures being sold to the private sector.' [6a] (p51-52)

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## 21. LESBIAN, GAY AND BISEXUAL PERSONS

With regard to lesbians and bisexual women, this section should be read in conjunction with the section on [Women](#) for information about their position generally in Iranian society.

For the position of transgender and intersex persons see section on [Gender Identity, Transgender and Intersex persons](#) below

21.01 A May 2012 report by the Small Media Foundation, a non-profit London based research organisation, stated:

'Iran is a country of contradictions. Although homosexual intercourse carries with it the death penalty, there are reports of rape being encouraged by guards in Iran's male-only prisons. Homosexuality is a crime, yet it is also a mental illness and thus a valid reason for applying for an exemption from Iran's loathed compulsory military service. Homosexuality has always been taboo in Iranian society, but people turned a blind eye to it before the revolution. However, both Iranian society and the Iranian penal code have changed drastically since the monarchy was overthrown in 1979.' [108a] (p3)

### LEGAL RIGHTS

21.02 A report by the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), State-Sponsored Homophobia, dated May 2012, (ILGA Report 2012) observed that same-sex relations for men and women are illegal in Iran. [104a] (p43)

21.03 The Human Rights Watch (HRW) report, 'We are a buried generation', published in December 2010, stated:

'Iranian law criminalizes all sexual relations engaged in outside the traditional bonds of marriage. Same-sex conduct, whether consensual or forced, is specifically addressed in Iran's penal code. According to Iran's Islamic Penal Code, same-sex crimes are subject to hudud, a class of punishment that is fixed pursuant to Shari'a or divine [Islamic] law, where the claimant is deemed to be God. Individuals convicted of engaging in same-sex conduct are subject to severe punishment, including the death penalty.

'Iran's Islamic Penal Code defines lavat (sodomy) as consummated sexual activity between males, whether penetrative or not. Same-sex relations between women, or mosaheqeh, are also punishable. In both cases, the accused may only be punished if they are determined to be mature, of sound mind, and willing participants.

'Same-sex intercourse between two men is punishable by death if it is determined that both partners meet these criteria. The manner of execution is at the judge's discretion. If an adult male is convicted of committing same-sex intercourse with a minor he is to be executed, while the minor shall receive up to 74 lashes unless it is determined that he has not willingly participated in the act. Minors convicted of engaging in same-sex intercourse with one another will receive up to 74 lashes unless one of them is deemed not to have willingly participated in the act.' [8m] (p19-20)

21.04 The Small Media Foundation report published in May 2012 stated:

'According to Iran's penal code, which the High Expediency Council ratified on 28 November 1991, the punishment for sodomy (Persian, lavvat) is death and a Sharia judge is vested with the power to determine the form of execution (Article 110).

'The penal code defines "sodomy" as sexual intercourse involving two males (Article 108) and both the "active" and the "passive" partner will be condemned to death (Article 109) if convicted under Sharia law. Sodomy is proved either through confession (Article 114) or through the testimony of four men who have observed the occurrence (Article 117). Sodomy is punishable by death if both partners are "mature" and the intercourse is consensual (Article 111), but if a mature man of sound mind "commits sexual intercourse" with an underage man, the "doer will be killed" and the passive partner will be subject to a punishment of 74 lashes "if not under duress" (Article 112).

'If two underage men are caught having consensual sex, both of them will be sentenced to 74 lashes (Article 113). The punishment for tafhiz (frottage; non-penetrative sex) is 100 lashes for each party (Article 121) but if tafhiz is committed and punished three times, the fourth conviction will result in the death penalty (Article 122).

'If sodomy or tafhiz is proved by confession and the guilty party repents, the Sharia judge may request the Supreme Leader to pardon him (Article 126). Mosaheqeh (lesbianism) is proved either by confession or through the testimony of four men who have observed the occurrence (Article 128).

'Punishment for lesbianism is 100 lashes for each party (Article 129) and there will be no distinction made between the doer and subject or whether the person is Muslim or

non-Muslim during sentencing (Article 130). If the act of lesbianism is repeated and results in a conviction a total of three times, then the fourth conviction will bring about the death penalty (Article 131).’ [108a] (p 34-35)

- 21.05 The website of the Mission for Establishment of Human Rights in Iran (MEHR Iran), accessed on 27 June 2012, included further details of the [Iranian Penal Code \(IPC\)](#) and may be accessed directly for more detailed information. The legislation relating to same-sex relationships is included mainly in Book Two (Haads – punishments specified by Shari’a), which was ratified in 1991. Some of the articles in Book Five of the Penal Code, however, also refer to circumstances in which a punishment for same-sex relationships may apply. Book Five refers to punishments not specified by Shari’a and was ratified in May 1996. [66a]
- 21.06 In addition to the IPC, Articles 1258, 1321 and 1324 of the [Iranian Civil Code](#) refer to the standards of proof required for an individual to be found guilty of the charges against them. [51a]
- 21.07 The HRW report of December 2010 explained:

‘Same-sex conduct, whether between men or women, is considered proven under Iranian law if the accused confesses to the act four times before a judge, whether orally or in writing, or if four “righteous men” testify that they have witnessed the act. In the case of individuals convicted of same-sex relations via confession, a judge may order the accused to be pardoned if he or she repents. According to Iranian law, if a man accused of same-sex activities other than intercourse, or a woman accused of mosaheqeh repents before the giving of testimony, the conviction will be thrown out. In the absence of confessions or available testimony by eyewitnesses, a judge may enter a conviction for lavat based on his “knowledge.” The law requires that rulings based on a judge’s “knowledge” derive from evidence, and not merely personal belief that the defendant is guilty of the crime...

‘Despite the seemingly high standard of proof required under Iranian law to establish same-sex conduct, the evidentiary provisions as written are subject, in practice, to widely varying interpretations and abuse. The provisions allowing convictions based on the “knowledge” of the judge or on confessions are particularly troubling. Article 120 of the Iranian Penal Code allows a Shari’a judge to reach a verdict on sodomy based on his knowledge as “derived through customary methods,” which in practice enables judges to rely on tenuous circumstantial evidence to determine whether a crime has occurred. This provision also makes it easy in practice for a judge’s individual prejudices toward a defendant’s appearance or demeanor sway his rulings.’ [8m] (21-22)

See also [Charges, sentences and punishments](#) below and [Knowledge of the judge](#)

- 21.08 The HRW report, ‘Codifying Repression: An Assessment of Iran’s New Penal Code’, published in August 2012, noted that new provisions in the amended Penal Code (which has not yet been signed into law), ‘...continue to criminalize certain types of consensual heterosexual and same-sex sexual relations outside of marriage, such as adultery and sodomy, under penalty of death.’ [8j] (p2) See the [HRW report](#) directly for more detailed information. [8j] (p25-26)

See also [Penal Code](#).

## TREATMENT BY, AND ATTITUDE OF, STATE AUTHORITIES

### Charges, sentences and punishments

21.09 The International Gay and Lesbian Human Rights Commission (IGLHRC) submission to the 103<sup>rd</sup> Session of the UN Human Rights Committee (17 October – 4 November 2011), noted:

‘The Penal Code states that evidence of sexual acts between two men or two women is only possible when 1) there are four reliable male witnesses who are willing to testify before a judge in a court of law that they have witnessed the alleged act, or 2) the parties accused -- under free will and with full mental capacity -- have confessed to the alleged acts four times.

‘Yet, individuals have been convicted of sodomy based on pre-trial admissions,<sup>53</sup> recanted testimony, confessions extracted by means of torture, testimony by less than four witnesses, and sometimes without any testimony or admission at all. Some accused of sodomy have been convicted without understanding the charges against them. Some have been convicted without access to counsel. There are reports that human rights defenders have been charged with sodomy as a ploy to discredit them. Lawyers defending clients charged with sodomy report limited access to their clients. Reporters, lawyers, or family members who dare to speak up about these cases or to challenge the court’s ruling can face harassment and even persecution by the government. In these cases, the judges often rely on the “knowledge of the judge” to determine the guilt of the defendant, though according to the law, the “knowledge of the Judge” should be based on facts and evidence and not in substitution of the facts.’ [99a] (p11)

See the [IGLHRC submission](#) directly for more detailed information on the laws relating to and the treatment of LGBT persons. [99a]

21.10 The HRW report of December 2010 stated:

‘In recent years there has been considerable debate regarding how many individuals have been executed by the state for having committed same-sex acts, if those executed had engaged in consensual sex (or any sex at all) or not, and whether the state specifically targets homosexuals for execution. Notwithstanding these debates, the fact remains that Iranian law provides the death penalty for consensual same-sex acts, the threat of execution hangs above all Iranians who engage in such acts, and Iran’s sexual minorities are disproportionately affected by these discriminatory laws.’ [8m] (p27)

21.11 The Small Media Foundation report of May 2012 stated:

‘Although prevalent (based on the experiences and observations of our consultants) and relatively easy to enter into if you have the propensity, acts of intimacy between same-sex partners can result in severe punishments such as flogging and, in some cases, the death penalty. While there are no official statistics concerning exactly how many gay men and women have been executed in Iran, the routine harassment of homosexuals and their systematic torture lends weight to the conservative estimate that at least 1,000 homosexual Iranians have been convicted and sentenced to death since the Iranian Revolution in 1979...

‘Not only is it extremely unlikely that Iran’s ultraconservative government would ever release official statistics concerning such a matter, but LGBT Iranians are also

frequently prosecuted on trumped up charges of rape, fraud, or treason in order to “justify” their executions. This means that it is impossible to tabulate the exact number of executed, imprisoned or tortured LGBT individuals.’ [108a] (p36-37)

21.12 The same report also noted that, ‘There are no official records detailing how many homosexual Iranians have been executed since the Islamic Republic of Iran was established. Unofficial estimates range from 400 to 5,000 but there is no way of knowing which of these is closer to the truth.’ [108a] (p36, footnote 8)

21.13 A September 2011 report by the Iranian Queer Organization (IQO) reported:

‘...uncovering the facts of sodomy cases and estimating the number of execution sentences issued specifically for consensual homosexual conduct is an almost impossible task; charges for consensual homosexual conduct are usually conflated with charges for sexual assault, rape and non-sexual drug, and political offences; trials are often held in camera owing to fears of public controversy and condemnation; and families shy away from giving accurate and detailed information given the taboos around homosexuality.

‘Nonetheless, reports of homosexuality-related execution cases surface in state newspapers and websites every once in a while... Judges overseeing sodomy cases often ignore the strict guidelines of the Iranian Penal Code, and instead use questionable investigative methods and inadmissible evidence to decide the case. Frequently, the convictions are based on forced confessions, made under extreme psychological pressure and torture. The courts do not allow independent observers to examine cases.’ [129a] (p6)

See also [Knowledge of the judge](#)

21.14 The same [IQO report](#) included details of reported ‘homosexuality-related execution cases’ noting that, ‘These cases constitute only the tip of the iceberg however, and for every reported case, one can assume that there are a dozen that remain unreported. In most if not all of these cases, arbitrary executions sentences have been issued following rushed trials with little adherence to procedure.’ [129a] (p6)

21.15 The 2011 Foreign & Commonwealth Office (FCO) Report published April 2012 stated, ‘LGBT people continued to be repressed by the law and in society. We received numerous reports in 2011 of people who had been executed under article 108 of the Iranian penal code, which prohibits sexual intercourse between men. In addition to the clear objections that we have about such persecution, we also remain concerned by the propensity for these charges to be falsely applied by those seeking to manipulate the courts.’ [26d]

21.16 See also the International Gay and Lesbian Human Rights Commission ([IGLHRC report](#)) of 25 November 2009 which included details of ongoing ‘sodomy cases’ brought within the Iranian judicial system during the preceding three years. [99b]

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21.17 With regard to access to a fair trial once a gay man has been accused of ‘sodomy’, an article dated 10 December 2009 in Gay City News reported a telephone conversation with a lawyer, Masomeh Tahmasebi:

'Tahmasebi explained that it was often very difficult for defendants in sodomy cases to find competent lawyers. "Because of the social stigma attached to sodomy cases, many lawyers are not willing to take on such cases because of fears of accusations that they might be gay themselves," she told Gay City News. "And because of this same social shame, families often do not contact lawyers to defend the accused, so as a last resort the court assigns a lawyer pro bono, who often does not get the case until the day of the trial. So most of these sodomy cases are badly defended."

"That means", Thamasebi added, that "the only real chance left for the defendant is international human rights pressure and protest against the application of the death penalty — but often this occurs so late that the window of opportunity to prevent these executions is very small." [44a]

21.18 The concluding observations of the [UN] Human Rights Committee (HRC), 103<sup>rd</sup> session, 17 October to 4 November 2011, stated, 'The Committee is concerned that members of the lesbian, gay, bisexual, and transgender community face harassment, persecution, cruel punishment and even the death penalty. It is also concerned that these persons face discrimination on the basis of their sexual orientation, including with respect to access to employment, housing, education and health care, as well as social exclusion within the community...' [10t] (paragraph 10)

21.19 In his first report to be submitted to the UN Human Rights Council, the 'Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran', dated 6 March 2012, stated:

'The Special Rapporteur shares the concern of the Human Rights Committee that members of the lesbian, gay, bisexual, and transgender community face harassment, persecution and cruel punishment and are denied their basic human rights, including their right to life. The current Penal Code criminalizes same-sex relations between consenting individuals, while article 109 of the Islamic Penal Code states that "both parties to gay sex are equally criminally liable and could face severe punishment, including the death penalty". In September 2011, three men were reportedly executed under the country's sodomy laws.' [10d] (p19)

21.20 On 7 September 2011, the Guardian [16n] and the Independent [27a] provided further information on the execution of the three Iranian men on charges of homosexuality. The Guardian reported:

'Three Iranian men have been executed after being found guilty of charges related to homosexuality, according to a semi-official news agency. The men, only identified by their initials, were hanged on Sunday in the south-western city of Ahvaz, the capital of Iran's Khuzestan province. "The three convicts were sentenced to death based on the articles 108 and 110 of Iran's Islamic penal code, for acts against the sharia law and bad deeds," the Isna agency quoted a judiciary official in Khuzestan as saying...

'It is believed that the execution of the three men is the first time for many years that any Iranians have been given death sentences on the basis of their sexuality.

'In the past, Iran has executed convicts for homosexuality but they were typically simultaneously convicted of other charges that carried the death sentence, such as male rape.' [16n]

21.21 The Independent article of 7 September 2011 reported:

'Human rights groups have said the case is significant because gay men that come before the courts are usually charged with acts such as sexual assault and rape – crimes that convey an element of coercion rather than consensual sex between two willing participants.

'The recent Ahvaz executions, however, specifically refer to sections 108 and 110 of the Iranian penal code. Section 108 defines sodomy under Iran's interpretation of Sharia law and the latter rules that the punishment for lavat is death. Previous executions of gay men usually quote sections of the Iranian penal code that refer to "lavat leh onf" - sodomy by coercion.

'Mahmood Amiry-Moghaddam, a researcher at Iran Human Rights who is investigating the executions, told The Independent: "Iranian authorities have previously presented such cases as rape, in order to make the execution more acceptable and to avoid too much international attention, but this time the news is not presented as rape."

'He added: "This case is the only one in recent years where the only basis for the death sentence has been a sexual relationship between two men, with reference to the articles 108 and 110 of the Islamic Penal Code. These articles are very clear." [27a]

21.22 A Physicians for Human Rights article of 12 September 2011 observed that, 'The government's willingness to openly charge then execute men for sodomy signals a dangerous shift in policy that could harm thousands of people in Iran. Iranian president Mahmoud Ahmadinejad is infamous for his denial that gays exist in his country, but it seems that his state of denial has now turned to active persecution of the gay population.' [113a]

21.23 The Independent article of 7 September 2011 reported:

'In 2005 Iran received widespread condemnation for the execution of two teenagers Mahmoud Asgari and Ayaz Marhoni, who were publicly hanged from a crane in a square at the centre of the city of Mashad. Gay rights groups claimed that the pair were murdered by the state for consensual sex but the charges against them were actually described as "lavat beh onf" against a 13-year-old boy. Although a number of human rights groups disagreed with gay rights groups over why the two boys were executed they nonetheless condemned the killings as a breach of the UN Convention on the Rights of the Child and the International Covenant on Civil and Political Rights, both of which Iran is a signatory to.' [27a]

21.24 Pink News reported on 12 May 2012 that:

'Four men named "Saadat Arefi", "Vahid Akbari", "Javid Akbari" and "Houshmand Akbari" are due to be executed shortly after their verdict was approved recently by high court judges, according to a report from the Human Rights Activist News Agency (HRANA) in Iran. The four men are said to be from the town of Choram, in the Kohgiluyeh and Boyer-Ahmad Province of Iran.

'According to HRANA and JOOPEA, these four men will be hanged for sodomy according [to] Shari'a law...

'London based Iranian Human Rights Lawyer, Mehri Jafari said: "...There are two important issues in this case; the location of the alleged occurrence and the interpretation of the Sharia' law that a Hodud (strict Sharia punishment) is eminent.

Kohgiluyeh and Boyer-Ahmad is one of the most undeveloped provinces in Iran and it is obvious that a lack of access to lawyers and fair trial can be considered a serious issue in this case. After this announcement it is very likely that the execution will be carried out soon, and the remote location makes it difficult to exert any influence on the process.” [79a]

See also [Death penalty for children](#)

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## Arrests and ill-treatment

21.25 The US Department of State’s Country Reports on Human Rights Practices 2011, Iran, released on 24 May 2012 (USSD Report 2011) noted that, ‘The Special Protection Division, a volunteer unit of the judiciary, monitored and reported on “moral crimes,” including same-sex sexual acts.’ [4a] (Section 6) ‘This organization, primarily made up of unemployed former soldiers, was set up to control “the social ills of each neighborhood and region” as well as “deviant individuals.”’ (HRW, December 2010) [8m] (p46)

21.26 The HRW report of December 2010 reported that:

‘Iran’s security forces, including police and forces of the hard-line paramilitary basij, rely upon discriminatory laws to harass, arrest, and detain individuals whom they suspect of being gay. The incidents often occur in parks and cafes, but Human Rights Watch also documented cases in which security forces raided homes and monitored internet sites for the purpose of detaining people they suspected of engaging in non-conforming sexual conduct or gender expression.’ [8m] (p4)

21.27 The HRW report continued:

‘Abuse against sexual minorities on Iran’s streets can range from verbal insults and harassment to beatings, arbitrary arrests, and even sexual assault. Roundups of individuals hanging out in parks and suspected of being gay have been reported. Sometimes sexual minorities are taken to detention facilities run by the basij or police, processed, and forced to sign a document called a ta’hod (promise), in which they pledge, for example, not to congregate in specific areas or appear in public wearing makeup. They are then released, but may be subjected to verbal harassment and physical assault by the officers. However, most times security forces stop short of actually arresting or transferring the individuals to formal detention facilities, but harass or abuse them on the streets.’ [8m] (p46)

21.28 Furthermore:

‘Human Rights Watch has not uncovered evidence suggesting that abuses perpetrated by Iran’s security forces are part of a systematic targeting campaign to identify and root out Iran’s sexual minorities. However, research reveals that harassment, arbitrary arrest, and abuse perpetrated by security forces against Iran’s sexual minorities on account of their public appearance are not uncommon. Some of these abuses ostensibly occur under the pretext of enforcing Iran’s penal code, while others are carried out by renegade security forces who take the law into their own hands...

'Human Rights Watch believes that these forces perpetrate violence against Iran's sexual minorities in part because they know that their victims have nowhere to turn for protection or justice.' [8m] (p49)

- 21.29 Regarding treatment of those arrested and detained, the HRW report of December 2010 stated that:

'Security forces have used verbal, psychological, and physical abuse to harass and intimidate LGBT persons, and to extract from them confessions and ta'hods. A majority of LGBT individuals interviewed by Human Rights Watch who had experienced altercations with the security forces complained of some form of verbal abuse or harassment during their arrest, transfer, and/or detention. Several detailed abuse severe enough to constitute torture. This abuse included sexual assault or rape.' [8m] (p61)

- 21.30 The HRW report, 'Together, Apart', dated 11 June 2009, stated that in Iran and some other countries in the Middle East, '...doctors administer torturous forensic anal exams to 'prove' male suspects' homosexuality.' [8i] (Section II: Middle East and North Africa)

- 21.31 An article on Xtra.ca, a Canadian online source for gay and lesbian news, dated 21 August 2009 reported that: 'Several gay Iranians have reportedly been arrested as part of the government's bloody crackdown on street demonstrations. Those who are already known to be gay risk jail time or abuse in Iran's notorious prison system, says Parsi [Arsham Parsi, executive director of the Toronto based Iranian Queer Railroad].' [41a]

- 21.32 The same article also stated that:

'Given the Islamic republic's entrenched system of sharia law, which dictates the death penalty for gay sex, improvements in queer rights are usually measured by how much authorities turn a blind eye, notes Janet Afary, professor of history and women's studies at Purdue University and author of Sexual Politics in Modern Iran.

'Under the leadership of reformist president Mohammad Khatami from 1997 to 2005 authorities observed a "don't ask, don't tell" policy around gay relationships and even allowed the publication of queer newspapers.

"They were not accepting of homosexuals but they were not aggressively pursuing them, either," says Afary.

'Ahmadinejad, on the other hand, pioneered using the internet to track down gays while paradoxically telling US students at Columbia University in 2007, "In Iran we don't have homosexuals like in your country.'" [41a]

- 21.33 The Xtra.ca article of 21 August 2009 also reported on the case of a man who had left Iran to seek asylum. The article stated that:

'The plight of many politically active gay Iranians is typified by Hamid, a 29-year-old who volunteered in the campaign of presidential candidate Mir-Hossein Mousavi.

'Hamid (an alias used to protect his identity) was arrested by police in 2007 during an entrapment campaign targeting gay chat rooms. While in custody his interrogators made him sign a document confessing his homosexuality.

'So when Hamid was rounded up at a pro-Mousavi demonstration in Shiraz last month authorities wasted no time making an example out of him. He was held in detention for 48 hours, where he alleges he was beaten with an electric baton.' [41a]

See section on [Political affiliation](#) for information on political rights and treatment of political opposition

21.34 The HRW report of December 2010 provided details of a raid in 2007:

'Perhaps the most infamous raid on a gay gathering occurred around 10 p.m. on May 10, 2007, when police and basij units raided a private birthday party in an apartment building in the city of Esfahan. They arrested 87 persons, including four women and at least eight people who were accused of wearing the clothes of the opposite sex. The police and basij agents led those arrested to the street, stripped many to the waist, and beat them until their backs and faces were bloody. According to several sources who spoke to Human Rights Watch, several of those arrested suffered broken bones. The authorities released the four women the next day, along with a child.

'Family members were not allowed to see those detained, and many were denied lawyers. Of those arrested, 24 men were eventually tried for "facilitating immorality and sexual misconduct," as well as possessing and drinking alcohol. In June 2007, a court in Esfahan found all of them guilty of various combinations of these charges. Most were sentenced to up to 80 lashes and to fines of 10 million to 50 million riyals (US\$1,000-5,000).

'The Esfahan party raid appeared to be part of a nationwide crackdown to enforce dress codes and conduct. After the raid, police intensified surveillance, harassment, and abuse of individuals connected to the 87 arrested people. Several individuals told Human Rights Watch that they were detained by police and interrogated to reveal contacts.' [8m] (p52)

21.35 The IQO report of September 2011 stated:

'On July 1, 2010, the police raided a party in the Pondouk Neighborhood in Shiraz, arresting seventeen individuals on charges of "Satan worshipping, consumption of alcoholic drinks and homosexuality". The arrestees were physically and psychologically assaulted during the months that they were kept in detention. They were released on September 9, 2010. Homosexuality was not mentioned as a charge in their court documents. In order to be released, they were forced to give their e-mail and messenger IDs and passwords and sign letters that they were not allowed to know the content of. They were also warned that they should not associate with each other from that point on whether in public or in private.' [129a] (p11)

21.36 The HRW report of December 2010 observed:

'This recent Shiraz incident is typical of raids conducted by security forces in which gay and bisexual men, and sometimes transgender people, are arrested. Human Rights Watch has documented several such raids in recent years during which dozens of gay, bisexual, transgender, and straight men were arrested and detained. It is not always clear whether the raids followed targeted surveillance of private residences, or whether they were carried out in response to a tip (for example, from a disapproving neighbor). In at least one case, an individual said the basij coerced him into informing them about a gay party in Tehran after he and his friends were caught with alcohol at a checkpoint.

According to the witness, the basij forces promised a lighter sentence if he provided such information.’ [8m] (p51)

21.37 The December 2010 HRW report also stated:

‘According to some LGBT rights groups outside Iran, security forces regularly monitored popular internet dating sites for both gay and straight men such as Manjam in order to lure and entrap unsuspecting gay men. Human Rights Watch has not been able to confirm the methods and capabilities of the government when it comes to monitoring LGBT sites, nor has it secured evidence suggesting that Iran’s security forces or judiciary have engaged in a systematic campaign to target and entrap gay men and other members of Iran’s LGBT community. Despite this, Human Rights [Watch] has, over the years, gathered accounts from several individuals, primarily gay males, alleging that they were caught through internet entrapment stings.’ [8m] (p54-55)

See the December 2012 HRW report [We are a buried generation](#) directly for the accounts of individuals allegedly entrapped through the internet and also for further accounts of members of the LGBT community who have been arrested by the authorities. [8m] (p55-60)

See also Section 17, [Human rights activists and lawyers](#) for information on the treatment of those advocating on behalf of members of the LGBT community.

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## Views of state officials

21.38 The IQO report of September 2011 noted that, ‘Generally, the official strategy of the Iranian government has been to deny the existence of homosexuals and homosexuality in Iran altogether in order to make the serious human rights violations faced by LGBT persons in Iran a non-issue. President Mahmoud Ahmadinejad’s now-infamous statement in the University of Columbia that “we don’t have homosexuals in Iran” was a prominent illustration of this strategy.’ [129a] (p4)

21.39 On 29 April 2009, Radio Free Europe/Radio Liberty (RFE/RL) reported that during a speech in Shiraz, President Ahmadinejad had described homosexuality as one of the ‘ugliest’ behaviours in which a person could participate. In 2007 he told an audience at Columbia University, New York that there were no homosexuals in Iran. [42e]

21.40 A Canadian Broadcasting Corporation (CBC) News article about a 2008 documentary, ‘Be Like Others’, which reported on the Iranian government’s gender-reassignment programme, observed:

‘... homosexuality is a crime punishable by death. But the government has provided a way out for the nation’s gays and lesbians: a sex-change operation. Fully paid for by the state, the procedure would allow these people to conform to Iran’s theocratic standards of sexuality... [the documentary] captures the pain and brutality of a regime that is pushing sex-change operations as the path to a final solution to homosexuality... What... [the] film reveals is a culture so steeped in hatred of gays and lesbians that it deems a sex change preferable to simply accepting differences in sexual orientation. The shift in policy came more than two decades ago, when Ayatollah Ruholla Khomeini issued a fatwa (religious decree) declaring sex changes permissible for ‘diagnosed

transsexuals.’ Be Like Others introduces us to a number of the people who have been given this label. Some have accepted their fate, and feel the sex change to be a way to avoid further persecution; others are clearly uncomfortable with the idea, but have agreed to it simply because of intense outside pressure. One young woman laments that her boyfriend seems uninterested in her now that she’s no longer a man.’ [83a]

See also section on [Gender Identity, Transgender and Intersex persons](#) below

- 21.41 The US Department of State’s ‘Country Report on Human Rights Practices 2011, Iran’, released on 24 May 2012, (USSD Report 2011) stated, ‘The government censored all materials related to LGBT issues. In September [2011] President Ahmadinejad called same-sex sexual activity a “despicable act...that is dirty and harmful to humanity.” In January he was quoted as stating, “Homosexuality means the divorce of humanity from its integrity.” During his official response to the UNHRC [United Nations Human Rights Council], President Ahmadinejad categorically refused to answer all six questions regarding the LGBT situation in his country, stating only that the LGBT issue is “beyond the mandate of the International Covenant on Civil and Political Rights.” The supreme leader referred to same-sex sexual conduct as a “shameful act.”’ [4a] (Section 6)
- 21.42 The IGLHRC submission to the 103<sup>rd</sup> Session of the UN Human Rights Committee (17 October – 4 November 2011), also noted President Ahmadinejad’s comments as stated above and further noted, ‘Similarly, the Iranian Supreme Leader Ayatollah Ali Khamenei has several times attacked homosexuality as “scandalous”, a “shameless act”, “unmentionable behavior”, and “moral corruption.”’ [99a] (p3)
- 21.43 The report of the Special Rapporteur dated 6 March 2012, observed that, ‘Iranian officials often qualify homosexuality as a disease, and insist on applying stringent punishment for acts perceived as homosexual in nature. For example, in 2011, two prominent Iranian soccer players were indefinitely suspended and fined for committing an “immoral act” on the field by appearing to intimately touch each other during goal-scoring celebrations.’ [10d] (p19)
- 21.44 In their submission to the 103<sup>rd</sup> Session of the UN Human Rights Committee (17 October – 4 November 2011), the IGLHRC reported that, ‘...the Iranian Penal Code addresses consensual homosexual acts alongside rape, child abuse, and sex trafficking, which is a poignant indication of how the Iranian government views homosexuality.’ [99a] (p2)
- 21.45 On 25 September 2012, the IGLHRC reported:
- ‘Iranian President Mahmoud Ahmadinejad, in an interview with Piers Morgan that aired Monday night [24 September], said, “Homosexuality ceases procreation.” Ahmadinejad, who previously claimed that homosexuality does not exist in Iran and whose government punishes homosexuality with death, asked, “Do you think faggots can have children?” and suggested corrective action for anyone who believes they are gay or lesbian. When asked how he would react if his own children were gay, he responded, “proper education must be provided.” Ahmadinejad also dismissed homosexuality as cultural relativism, saying, “If a group recognizes an ugly behavior or ugly deed as legitimate, you must not expect other countries or other groups to give it the same recognition.”’ [99d]

## Military service

21.46 The HRW report of December 2010 stated:

‘Military service is compulsory for all Iranian men who reach the age of 18. Military regulations, however, prohibit gays, transgender Iranians, and MSM [males who have sex with males] from serving in the armed forces. These individuals are permanently exempt from military service because they are considered moral and sexual deviants with “behavioral disorders.” To be classified as unfit for service, men must undergo a series of psychological and physical tests and overcome numerous administrative barriers in order to prove that they are gay or transgender. Despite the long, tedious, and at times humiliating process involved, hundreds of individuals choose to seek exemption to avoid service.’ [8m] (p23-24)

This [HRW report](#) also provides details of the exemption process and case studies of individuals who have undergone it.

21.47 The May 2012 Small Media Foundation (SMF) report stated:

‘Homosexuality may be a crime punishable by death in the Islamic Republic, but it is also classified as a mental illness and personality disorder. This means that gay Iranian males have the right to apply for a military exemption based on their sexuality, an exemption that is but a small reprieve in a lifetime of persecution.’ [108a] (p39)

21.48 The SMF report also includes an example of a military exemption card bearing the inscription, ‘Reason for exemption: Medical, Article 33, Band 8’. [108a] (p39) Further, ‘A description on Iran’s official police website explains that Article 33 facilitates exemptions for people with “various mental illnesses” and that Band 8 is for:

‘Any person with a behavioural disorder (neurological and psychological imbalance) who demonstrates any behaviour that is in contradiction with military dignities, as well as any moral or sexual deviations such as transsexualism.’

‘Anybody who can satisfactorily prove they qualify under these terms is “permanently exempt from military service”’. [108a] (p41)

The [SMF report](#) also provides information on the exemption process.

See also section on [Gender Identity, Transgender and Intersex persons](#) below

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## SOCIETAL TREATMENT AND ATTITUDES

21.49 The USSD Report 2011 observed, ‘The size of the LGBT community was unknown, as many individuals feared identifying themselves. There were active LGBT NGOs [non-governmental organisations] in the country, but most activities to support the LGBT community took place outside the country.’ [4a] (Section 6)

21.50 The IGLHRC submission to the 103<sup>rd</sup> Session of the UN Human Rights Committee (17 October – 4 November 2011), stated that, ‘By classifying homosexuality as a sexual crime and citing it as an example of moral decay, the authorities have both produced and perpetuated widespread social stigma and persecution of LGBT Iranians by both state and non-state actors. The hostility is so severe that a sizable number of LGBT

Iranians have been displaced from their homeland and forced to seek asylum in other countries.’ [99a] (p3)

- 21.51 The May 2012 Small Media Foundation report, which explored the impact of the internet on the LGBT community, stated:

‘Through our research we discovered that LGBT Iranians find it difficult to trust even those closest to them. Coming out is problematic, because reactions from friends and family are unpredictable in a society where sexuality is so taboo. The LGBT Iranians we spoke with have embedded themselves in a virtual world, because it feels safer than the society around them. However, some of the real life risks facing LGBT Iranians have crossed over into the virtual world as well.’ [108a] (p5)

- 21.52 The same source also noted that, ‘Homophobia is prevalent both online and offline in Iranian communities and little is being done about it. In many cases homophobia is encouraged or even forgiven.’ [108a] (p54)

See the [Small Media Foundation](#) report directly for case studies of individuals in the LGBT community.

- 21.53 An IGLHRC report dated 25 November 2009 commenting on the Iranian government’s criminalisation of same-sex relations noted, ‘...the [UN] Special Rapporteur on Extra-Judicial, Summary, and Arbitrary Executions has expressed concern numerous times about the use of the death penalty for consensual sodomy and has stated that criminalizing sodomy “increases the social stigmatization of members of sexual minorities, which in turn makes them more vulnerable to violence and human rights abuses, including violations of the right to life.”’ [99b]

- 21.54 The HRW report of December 2010, stated:

‘As in many other countries, Iran’s sexual minorities suffer much harassment, discrimination, and abuse at the hands of private actors, including members of their family and society at large. An overwhelming majority of the individuals interviewed by Human Rights Watch during the course of its investigations maintained that many of the problems suffered by sexual minorities stemmed from abuse and neglect at home.

‘Yet in Iran sexual minorities are particularly vulnerable to such abuse because state law criminalizes same-sex conduct and imposes the death penalty for certain same-sex acts. Not only are sexual minorities prevented from availing themselves of the general protections afforded under the law, they must also fear possible prosecution under the law should they seek help from authorities. Iranian law, therefore, creates a “chilling effect” on the ability (and desire) of victims to report abuses against them, and renders them more vulnerable to harassment, abuse, blackmail, and extortion by private actors.’ [8m] (p33)

- 21.55 On 10 December 2009, a Gay City News article reported that the Committee of Human Rights Reporters (CHHR) in Iran, which was founded in 2005, had:

‘...become one of the most important sources of information about human rights violations in Iran and recently became the first Iranian human rights organization to officially recognize the LGBT rights struggle by creating a Queer Committee to deal with persecution of sexual minorities. (“Queer” is the translation preferred by Alizadeh [the Middle East and North Africa programme coordinator for the IGLHRC] and other gay

Iranians for the Persian word “degar-bash,” a term meaning ‘different’ and which embraces gays, lesbians, and transpeople.)

‘Hesam Misaghi, a 21-year-old leading member of CHRR’s Queer Committee, speaking through a translator by telephone from Isfahan, Iran’s third largest city, told Gay City News that this committee had been established some five months ago. The establishment of the Queer Committee by CHRR “is the sign of a new cultural awareness, because a new generation of Iranians no longer share the reactionary views of the regime with regard to sexual minorities,” said Misaghi, who courageously insisted on using his real name for the interview with this reporter. He added that “while an important part of those with this new attitude are secular, there is even a new generation of conservative Muslims who want to recognize queer rights.” Most of CHRR’s activists are in their 20s, 30s, and 40s, and a number of them have been arrested and harassed by security forces for their human rights work.’ [44a]

21.56 In the same article Hesam Misaghi of CHRR’s Queer Committee also stated that:

‘The majority of the student movement is dominated by conservative Muslims, who, even when they criticize the current regime, defend the Islamic Republic and aren’t at all sympathetic to queer rights, due to the taboo nature of homosexuality in the Islamic Republic. Leftist student groups are more inclined to support the queer struggle. But this is a zero tolerance regime, and even student critics who share its Islamist ideology are subjected to arrest and persecution.’ [44a]

See also [Student activists](#)

21.57 In their December 2010 report, however, HRW reported that, following Hesam Misaghi’s interview with ‘a gay-oriented US publication’ in December 2009 [see above]:

‘Within days, the Ministry of Intelligence summoned Misaghi and several of his CHRR colleagues. Misaghi chose to ignore the summons and go into hiding. He eventually fled Iran and sought refugee status in Turkey.

‘Later, in a letter addressed to Human Rights Watch during the summer of 2010, Misaghi explained that a trusted source had informed him that the Ministry of Intelligence was planning to arrest him and several of his colleagues. He told Human Rights Watch that he feared that the authorities would prosecute both him and the other members of the CHRR to the maximum extent of the law, in part because of his organization’s decision to take up the issue of sexual minorities.

‘CHRR, one of the few remaining human rights organizations in the country, was effectively shut down by the government earlier this year. All of its members are either currently in prison or in exile.’ [8m] (p89)

## LESBIANS

21.58 The IGLHRC submission to the 103<sup>rd</sup> Session of the UN Human Rights Committee (17 October – 4 November 2011), commented on the situation for lesbians and women who have sex with women (WSW), stating:

‘There is appallingly little documentation of the human rights violations experienced by lesbians and WSW. The intersection of patriarchy and homophobic is a dangerous intersection for lesbians, producing high levels of vulnerability and invisibility. For

instance, lesbians are less likely to be subjected to arbitrary arrest than gay men because they are less likely to be able to enjoy the full right of freedom of movement, but it would be wrong to deduce that they are necessarily safer or leading fuller lives. In all of the ways that heterosexual women's lives are circumscribed, so, too, are lesbians' lives, only lesbians have the additional, complicating factor of homophobia to contend with. Because of social expectations of women's traditional roles and the State's failure to bestow the rights on women that would permit full economic and legal independence, lesbians may be more likely to be dependent on their biological families and may be more likely to be forced to marry a man. The consequence of these circumscriptions means that lesbians are denied basic rights to human dignity and expression. At the same time, these barriers may also force lesbians into sexual acts with heterosexual men against their will. Domestic violence, whether in the parental or marital home, is a reality of too many women's lives, and there is every reason to assume that women who transgress gender and sexual norms are equally if not more vulnerable to violence.' [99a] (p4)

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## 22. GENDER IDENTITY

### TRANSGENDER AND INTERSEX PERSONS

22.01 The Human Rights Watch (HRW) report, 'We are a buried generation', published in December 2010, stated:

'Prior to the Islamic Revolution in 1979, the Iranian government had never officially addressed the issue of transgender persons. After 1979, the government of the new Islamic Republic classified transsexuals and tranvestites with gays and lesbians, whose conduct was criminalized. They faced corporal punishment (i.e. lashing) and possibly death under Iran's anti-sodomy laws if they were deemed to be transgender. The situation changed in 1987, however, when Ayatollah Khomeini issued a fatwa, or religious edict, to Maryam Khatoun Molkara, granting her permission to live as a woman and undergo male to female sex reassignment surgery (SRS). She underwent surgery in 1997.

'While some Muslim majority countries allow SRS for intersex individuals, Iran also allows SRS for what psychiatrists and clinicians have termed "gender dysphoria" or "gender identity disorder." By 2008 Iran was carrying out more sex change operations than any other nation in the world except for Thailand.' [8m] (p79-80)

22.02 The same HRW report continued:

'Once an individual is diagnosed by a medical professional as suffering from "gender dysphoria" and agrees to undergo SRS, they may secure permits from local authorities allowing them to appear in public dressed as women prior to the actual surgery. Without this permit, however, individuals dressing like members of the opposite sex will be considered transvestites and in violation of the law...

'Once a transgender individual has undergone SRS in Iran that person legally becomes the "new" sex - male, in the case of transmen, and female, in the case of transwomen. All legal documents, such as birth certificates and passports, are also changed accordingly. After completing their transition, however, many transgender Iranians are

advised to maintain discretion about their past. This is because of the negative stigma associated with being transgender and under[g]oing SRS in mainstream Iranian society.’ [8m] (p80)

22.03 The Advisory Panel on Country Information (APCI) review of the COI Service’s Iran COI Report of August 2008, undertaken by Dr Reza Molavi and Dr Mohammad M Hedayati-Kakhki of the Centre for Iranian Studies at Durham University, dated 23 September 2008, (APCI Report 2008) stated that ‘To obtain legal permission for sex-change operations and new birth certificates, applicants must provide medical proof of gender-identity disorder. There are now several clinics staffed by psychiatrists and clinical psychologists who are authorised to provide a clinical assessment of the patients requesting a sex change operation.’ [6a] (p54)

22.04 The Guardian reported Iran’s first transsexual marriage in a news article dated 11 September 2009, stating that: ‘The case comes against the backdrop of Iran’s notoriously repressive policies on homosexuality, which is illegal under the country’s strict theocratic code.’ [16e]

22.05 The USSD Report 2011 stated:

‘The law defines transgender persons as mentally ill, encouraging them to seek medical help in the form of gender-reassignment surgery. The government provided grants of as much as 4.5 million toman (\$4,500) and loans of as much as 5.5 million toman (\$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 were pressured to undergo gender reassignment surgery to avoid legal and social consequences in the country.’ [4a] (Section 6)

22.06 The HRW report, ‘Together, Apart’, dated 11 June 2009, stated that Iran has allowed gender reassignment surgeries and change of identity for almost 20 years but ‘...police arrest and torture transgender people, even with medical papers.’ [81] (p18)

22.07 The HRW report of December 2010 stated ‘Research suggests that transgender/transsexual Iranians, particularly transwomen, are more likely [to] be targeted and victimized by security forces because they are more easily recognizable.’ [8m] (p83) Furthermore, ‘Despite the “accommodations” afforded transgender Iranians, Human Rights Watch found that a very high percentage of transgender interviewees had experienced trauma as a result of various factors, including rejection from their families, inability to hold steady employment, and gender-based violence.’ [8m] (p82)

22.08 The International Gay and Lesbian Human Rights Commission (IGLHRC) submission to the 103<sup>rd</sup> Session of the UN Human Rights Committee (17 October – 4 November 2011), observed:

‘The government of Iran is rightly proud to be among the first Muslim countries in the world to legally permit sex reassignment surgery and fully recognize transsexuals under the law. For transgender women and men, this is a crucial affirmation of their fundamental human rights.

‘However, there are strict laws governing dress code in Iran, and an individual found in contempt of the law can be punished with imprisonment. Iranian authorities at times fail to recognize transgender people for who they are and arrest them under cross-dressing or sodomy laws instead. In these instances, Iranian authorities may subject transgender

people to a range of offenses ranging from hate speech to physical assault. The sexual assault of transgender women, including rape, in state custody is a particularly severe threat, especially because incarcerated transgender women are frequently held in jail and prison facilities intended for men.

‘Behind the State’s apparently affirming politics of gender recognition may lie a rationale more about safeguarding heterosexism and gender dimorphism than about protecting the rights of individuals to bodily integrity and gender expression.’ [99a] (p4-5)

- 22.09 On 7 January 2010, a translation of an article written by the state-run Fars News Agency posted on the International Gay and Lesbian Human Rights Commission (IGLHRC) website stated that:

‘The Director of Socially Vulnerable groups at the State Agency for National Well-Being says that the Iranian Military will no longer classify transgender people (who are eligible a for [sic] medical discharged [sic] from the compulsory military service) as “people with mental disorders.”

‘In his January 6th [2010] interview, Mr. Hasan Mousavi Chelk said: “So far, transgender people were exempt from the military based on their situation as ‘mentally disturbed.’ But by including this classification in their discharge paper, they have faced numerous problems. Therefore it was decided to end the practice.”

‘The new policy comes after two years of consultation between the National Well-Being Agency and the Iranian Armed Services. The new regulations will allow transgender people to be classified either as “people with hormonal imbalance’ or ‘diabetics.”

‘Mr. Chelk says most of the Iranian public is not informed about transgender people, whom he describes as “people with sexual identity disorder.” He says the Iranian government considers transgender people as its citizens and has a favorable view towards them.

‘According to Mr Chelk, there are currently 4,000 self-identified transgender people in Iran.’ [99c]

- 22.10 The IGLHRC commented on the above announcement, stating that: ‘While the decision of the government not to classify transgender people as mentally disturbed is an important step forward, the language used by the government officials is both unfortunate and shows the challenges that the trans [sic] community faces in Iran.’ [99c]

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## 23. DISABILITY

- 23.01 The US Department of State’s ‘Country Report on Human Rights Practices 2011, Iran’, released on 24 May 2012, (USSD Report 2011) stated:

‘The law generally prohibits discrimination against persons with disabilities by government actors, with some notable exceptions. For example, the laws did not apply to private actors, and the electoral laws prohibit blind and deaf individuals from running for parliament. While the law provides for state-funded vocational education for persons with disabilities, according to domestic news reports, vocational centers were confined to urban areas and unable to meet the needs of the entire population. There are laws

ensuring public accessibility concerning government-funded buildings, and new structures appeared to have high-level access for physically disabled individuals. There also were efforts to increase accessibility of historical sites. However, government buildings themselves remained largely inaccessible, and general building accessibility for persons with disabilities remained a widespread problem. There was limited access to information, education, and community activities by persons with disabilities in the country.

‘With respect to the prohibition of blind and deaf individuals running for the Majlis, the Shahrzad News reported on November 14 [2011] that 67 Majlis members requested permission to bring a floor debate on the issue, but their motion was denied.

‘The Welfare Organization of Iran is the principle governmental agency charged with protecting the rights of persons with disabilities.’ [4a] (Section 6)

- 23.02 For a more detailed analysis of the situation for disabled people in Iran, see the [Stimson Centre’s report](#), ‘Advancing the Rights of Persons with Disabilities: A US–Iran Dialogue on Law, Policy, and Advocacy’, published in November 2011. [101a]

See also section on [Mental Health](#)

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## 24. WOMEN

### OVERVIEW

For information about girls see section on [Children](#)

- 24.01 The Freedom House (FH) report, ‘Women’s Rights in the Middle East and North Africa 2010 – Iran’, published 3 March 2010 noted:

‘Despite massive participation by women in the revolution and a subsequent increase in the levels and forms of women’s social presence and educational achievements, the Islamic Republic brought many negative changes to women’s rights and personal freedoms. Sex segregation and compulsory veiling, discrimination in penal and civil codes, and setbacks in personal status and family law further institutionalized patriarchal gender relations and cultural attitudes.

‘The discriminatory state ideology and policies of the Islamic Republic run against the modern socioeconomic and demographic realities in the country, especially with respect to the growing number of urban, educated, middle-class women.’ [112c] (Introduction)

- 24.02 The same source noted that:

‘The election of President Mahmoud Ahmadinejad in 2005 marked a return to power for hard-liners and negatively affected almost all areas of women’s social life. Violations of human rights generally and women’s rights in particular have intensified, and censorship has increased. The overall condition of women in Iran has also suffered from revived sociopolitical restrictions on women’s dress, freedom of assembly, social advocacy, cultural creativity, and even academic and economic activity. Attempts at

legal reforms in favor of women's rights have been blocked, and a government-backed proposal that would have reinforced polygamy and temporary marriage made women's rights a more urgent concern for a broad spectrum of the female population.

'At the same time, growing globalization, increased access to new communications technology, and recent demographic changes have countered some of these negative trends. Iran has undergone rapid urbanization, and 70 percent of its population is under the age of 30, contributing to a transformation in gender roles. These factors, combined with resistance by women and youth and their collective campaigns for equal rights, have stirred factional conflicts and differences on gender issues among the clerics and other ruling elites. The women's rights movement is reasonably well-organized and surprisingly effective considering the repressive conditions within which it operates. Women's rights defenders have influenced public discourse surrounding discriminatory laws, challenging the regime while pushing for change and often leveraging public opinion to influence policy at high levels.' [112c] (Introduction)

- 24.03 The US Commission on International Religious Freedom (USCIRF) 2012 Annual Report, published on 20 March 2012, stated that: 'The government's enforcement of its official interpretation of Islam negatively affects the human rights of women in Iran, including their freedoms of movement, association, and thought, conscience, and religion or belief, as well as freedom from coercion in matters of religion or belief.' [88a] (p87)
- 24.04 The United Nations Population Fund's Iran Country Profile, accessed 11 July 2012, stated:
- 'Despite significant achievements in health and education of women, there are a number of challenges in promoting gender equity, equality and empowerment of women in accordance with MDG 3 [Millennium Development Goals 3] and pertinent international conferences and conventions... The significant progress achieved in female educational attainment has not been translated into [an] increase in economic participation. There is a need for increased job opportunities for women and improved gender equality in the labour market.' [10s]
- 24.05 The Social Institutions and Gender Index (SIGI) is a composite measure of gender equality based on the Organisation for Economic Co-operation and Development's (OECD's) Gender, Institutions and Development Database. Information on the Social Institutions and Gender Index (SIGI) website, accessed 11 July 2012, noted, 'The Iranian Constitution calls for gender equality before the law at Article 20, although this is negated by the enforcement of discriminatory civil and criminal laws that subordinate women. Iran has not signed or ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), on the grounds that to do so would contradict Islamic law.' [39a] (Background)
- 24.06 Further information on the SIGI website, accessed 11 July 2012, stated that, 'Iran is not ranked in the 2012 SIGI due to missing data for one or more SIGI variables... The country was ranked 95 out of 102 in the 2009 Social Institutions and Gender Index.' [39a]
- 24.07 Amnesty International's (AI) 'Annual Report 2012', published on 24 May 2012 and covering events in 2011, noted:
- 'Women were discriminated against in law and in practice, including by a mandatory dress code. Women's rights activists, including those involved in the One Million Signatures Campaign to demand legal equality for women, were persecuted and

harassed. The draft Family Protection Bill, which would exacerbate discriminatory law against women, remained before parliament pending final approval. Some universities began segregating students by gender.’ [9h]

- 24.08 Al’s submission to the United Nations Economic and Social Council’s (ECOSOC) Commission on the Status of Women, on 2 August 2012, stated:

‘In addition to discrimination enshrined in law, a catalogue of repressive measures is also used against women’s right defenders who challenge this situation [of women] and campaign for women to be able to enjoy all their internationally recognized rights. These repressive measures are also used against other women, particularly those from ethnic or religious minorities, who appear to be targeted either on account of their ethnic origin or faith, or because they stand up for the rights of their communities to be treated equally and in line with Iran’s international human rights obligations.’ [9p] (p2)

[Al’s submission](#) of 2 August 2012 also provided case studies of human rights defenders and women from ethnic and religious minorities arrested by the Iranian authorities. [9p]

- 24.09 The Global Gender Gap Index ‘...is a framework for capturing the magnitude and scope of gender-based disparities and tracking their progress.’ [124a] The Global Gender Gap Report 2012, published in October 2012, placed Iran in 127<sup>th</sup> place (down from 125<sup>th</sup> in 2011) out of the 135 countries ranked for gender equality. [124a]

To consider further the situation regarding women from ethnic and religious minorities, see the sections on [Ethnic Groups](#) and [Freedom of Religion](#). See also [Government suppression of women’s rights organisations](#) and [Trafficking](#)

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## LEGAL RIGHTS

- 24.10 The Freedom House (FH) report, Women’s Rights in the Middle East and North Africa 2010 – Iran, published 3 March 2010 noted:

‘The constitution and the Shari’a-based penal and civil codes, especially those sections pertaining to family and personal status, legalize the subordination of women, treating them as second-class citizens with unequal rights. Women’s rights activists have launched widely publicized equal-rights campaigns that have been successful within the parameters established by the theocracy. However, the overall legal framework remains discriminatory, with the state’s theocratic underpinnings consistently negating its progressive and democratic elements.’ [112c] (**Nondiscrimination and access to justice**)

- 24.11 The US Department of State’s Country Reports on Human Rights Practices 2011, released on 24 May 2012, (USSD Report 2011) stated:

‘The constitution nominally provides women with equal protection under the law and all human, political, economic, social, and cultural rights in conformity with Islam; however, provisions in the Islamic [civil](#) and [penal](#) codes – based on Sharia - particularly sections dealing with family and property law, discriminate against women... The governmental Center for Women and Family continued to publish reports on feminism with a very religious conservative slant and limited the debate on women’s issues to matters related to the home. Ideas contrary to the government or to its interpretation of Islam were not raised by the center.’ [4a] (**Section 6**)

- 24.12 The Women's Forum against Fundamentalism in Iran's website, accessed on 28 August 2012, included a list of ['official laws against women in Iran'](#) compiled in 2005. [59a]
- 24.13 The FH report, Freedom in the World 2012 – Iran, (Freedom House report 2012) covering events in 2011, published on 12 July 2012, noted that, 'Women do not enjoy equal rights under Sharia-based statutes governing divorce, inheritance, and child custody, though some of these inequalities are accompanied by greater familial and financial obligations for men.' [112f] A Guardian news article dated 6 October 2009, by Shirin Ebadi, one of the founders of the 'One Million Signatures Campaign' [also known as the Campaign for Equality], noted that 'Women also require their husband's permission to work, travel or leave the country.' [16d]

See also [Exit and Return](#) for further information on women and children leaving Iran

- 24.14 An August 2010 report by the Iran Human Rights Documentation Center (IHRDC), 'Silencing the Women's Rights Movement in Iran', stated:

'Although Iranian women have made some progress, women are still treated unequally under Iranian law. Women, regardless of their religion, must follow the hejab dress code when in public. The legal marriage age is 13 for women and 15 for men. Men may marry up to four permanent wives and an infinite number of temporary wives at any one time. Men have absolute rights to divorce while women may initiate divorce only if they meet certain conditions, some of which must have been agreed to in the marriage contract. Mothers may have custody rights over children until they reach the age of seven, after which, fathers have automatic custody. Mothers' custody rights are dismissed if they remarry. In case of a custody dispute, the court will decide based on the welfare of the child. Fathers and paternal grandfathers continue to have absolute guardianship rights over children when their fathers die. Mothers can never be awarded guardianship rights... The civil code provides that only Iranian fathers may pass on their citizenship to their children.' [51c] (p11)

- 24.15 The same IHRDC report also noted that 'Women do not have equitable inheritance rights as wives, mothers, sisters or daughters. Even if a wife is the sole survivor to her husband's estate, she may not inherit more than a quarter of the estate; if she is not the sole survivor, she is limited to an eighth of the estate.' [51c] (p11)

- 24.16 The FH report of 3 March 2010 observed:

'Women's extensive legal vulnerability to divorce, polygamy, sigheh, and loss of child custody, combined with broader economic difficulties in Iran, has led prospective wives and their families to demand extremely large mehriyeh [dowry] as a protective measure. This in turn adds to prospective husbands' apprehension about marriage, given rising unemployment and housing costs and their obligation to support their new families financially. The resulting delayed or precarious marriages have added to social problems in the country.' [112c] (Autonomy, security and freedom of the person)

See also [Mehriyeh](#) and [Sigheh or temporary marriage](#) below

- 24.17 The FH report on women's rights published 3 March 2010 observed:

'Measures intended to improve women's rights under the personal status and family laws have been enacted over the years. To help women secure better marital conditions and divorce terms, the prenuptial "conditions" envisioned under Article 1119 of the civil code have been added to the printed standard marriage contract. This reflects the

Islamic tradition that allows a woman to request certain conditions, such as the right to divorce and the right to a residence separate from her husband's relatives. Although the validity of these stipulations is conditional upon the approval of the prospective husband, they nonetheless provide an important potential protection. A prospective bride and her family may feel awkward requesting them during marriage negotiations, and men may simply refuse to accept them. Furthermore, many women are unaware of their legal rights in this area. These factors weaken the potential protection offered by the practice, and unless such conditions become fully integrated into the marriage law, many men will consider them to be "extra rights" or "privileges" to which they may refuse to submit.' [112c] (Autonomy, security and freedom of the person)

24.18 The Freedom House report on women's rights published on 3 March 2010 stated:

'An adult woman is generally not recognized as a full person in court. Except for civil law cases, in which women's testimony has the same value as that of men, the testimony of two women equals that of one man. Nonetheless, judges retain wide discretion in determining what constitutes acceptable testimony. In cases involving major crimes, such as murder, a woman's testimony is impermissible in court...

'The customary practices in most parts of Iranian society are often more progressive than the laws, with the exception of some ethnic groups and tribal communities in a few underdeveloped regions of the country. Because of this gap between law and society, women's rights activists have made legal reforms their top priority.' [112c] (Nondiscrimination and access to justice)

24.19 An AI article dated 29 October 2009 stated that women: '... are particularly vulnerable to unfair trials because in Iran they are more likely than men to be illiterate and more likely to sign confessions to crimes they did not commit. Discrimination against women in other aspects of their lives also leaves them more susceptible to conviction for adultery...' [9m]

24.20 Amnesty International's submission to the United Nations Economic and Social Council's (ECOSOC) Commission on the Status of Women, on 2 August 2012 stated, 'As highlighted in Amnesty International's submission to the Commission on the Status of Women in 2010 and 2011, women in Iran face widespread discrimination under the law. A Family Protection Bill which would increase discrimination against women remains under discussion in parliament.' [9p] (p1)

24.21 Also commenting on the Family Protection Bill, the report of the UN Secretary-General dated 22 August 2012, noted:

'The Family Protection Bill introduced in the Majlis (Parliament) in 2007 is pending final approval. Certain controversial provisions in the Bill on taxing dowries, the marriage of an Iranian woman to a non-Iranian man and the practice of temporary marriages, which have a significant socioeconomic impact on women's lives, were nominally improved. Concern remains that the Bill still hinders women's advancement. For instance, it makes registration of temporary marriages obligatory only in cases where pregnancy is involved; the parties have specifically requested registration; or registration is a condition of the marriage. The lack of obligation to register temporary marriage would be a major setback for the promotion of gender equality and would undermine women's marital rights.' [10ac] (p8)

24.22 The AI submission to ECOSOC dated 2 August 2012 observed:

'Disappointingly, a new Penal Code, approved by parliament but which has not yet been enacted, would continue to discriminate against women, for example by valuing their testimony at half that of a man's. It would also continue to criminalize consensual sexual relations outside marriage even though stoning has been removed as a specified punishment. Stoning - a penalty which has a discriminatory impact on women - could still be imposed as Article 167 of Iran's Constitution requires judges to use their knowledge of Islamic law to rule on a case in the absence of codified law. In these ways the Penal Code continues to have a discriminatory impact on women.

'This new Penal Code, which had been under discussion by the Iranian Parliament for four years, was approved by the Council of Guardians, which reviews legislation for compatibility with the Constitution and Islamic Law, in January 2012. However, the Iranian authorities did not use the review process as an opportunity to remove all discriminatory laws against women from the Penal Code... The revised penal code will come into force once signed by the president following the Council of Guardians' approval, though it is not known when this will happen.' [9p] (p1)

See also [Penal Code](#) for further information on the progress of the new Penal Code.

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## POLITICAL RIGHTS

- 24.23 The Freedom House (FH) report, 'Women's Rights in the Middle East and North Africa 2010 – Iran', published 3 March 2010 noted:

'Women in Iran have the right to vote and run for public office but are excluded from holding leadership roles in the main organs of power, such as the office of the supreme leader, the Assembly of Experts, the Guardian Council, the Expediency Council, the judicial branch, and the presidency. These positions have been reserved exclusively for men, most of whom are also clerics. After the establishment of the Islamic Republic, women were barred from serving as judges, and existing female judges – including Shirin Ebadi, Iran's first female chief judge of a district court – were demoted to administrative positions. Changes made in 2003 allowed women to hold the rank of judge and the right to serve as legal counselors, but they remain prohibited from issuing and signing final verdicts.' [112c] (Political rights and civic voice)

- 24.24 The FH report on women's rights, published on 3 March 2010, stated:

'Even with sex segregation, discriminatory laws, and state policies stressing women's domestic duties, women in Iran play a considerable and very visible role in the public sphere. Using any available spaces and legal rights, they have demonstrated their activism in both formal and informal political and civil society organizations. A growing women's rights movement, especially in the past 10 years, has been challenging discriminatory laws and policies in various areas of life, including those that prevent women from taking part in high-level decision-making and political power. Women's activities have been constrained by some cultural traditions and state repression, especially under the presidency of Ahmadinejad.' [112c] (Political rights and civic voice)

See also section on [Government suppression of women's rights organisations](#)

- 24.25 The USSD Report 2011 noted that:

'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 or from running in parliament. 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 Majlis and the Guardian Council and serving as a consultative council for the supreme leader); and as certain types of judges... On November 20 [2011], ISNA [Iranian Student's News Agency] reported that Minou Kianirad was appointed the first female deputy governor of the central bank since the 1979 revolution. Four women served in the cabinet: the vice presidents for legal affairs and science and technology, the minister of health, and the head of the National Youth Organization. Eight women, in a total of 290 seats, served in the Majlis during the year [2011].' [4a] (Section 3)

- 24.26 Data compiled by the Inter-Parliamentary Union (IPU), dated 30 June 2012, showed that in May 2012, nine of the 290 seats in the lower house (Majlis) were filled by women (3.1 per cent) [117a]
- 24.27 The Report of the UN Secretary-General dated 22 August 2012 noted that, 'There are currently four women cabinet ministers and a number of vice-ministers, and one of the organizational posts in each ministry is allocated to an adviser on women's and family affairs. The number of women members of Islamic Councils in rural and provincial areas increased by 8.44 per cent in the third-term elections.' [10ac] (p7) The same source also observed that, '...the number of women representatives in Parliament remains low. Women face restrictions in their appointment to certain decision-making positions. No woman can serve as President of the country and no woman has ever been appointed to the Council of Guardians or the Expediency Council. Women may act as advisory judges, but cannot preside over a court.' [10ac] (p7)

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## SOCIAL AND ECONOMIC RIGHTS

- 24.28 The USSD Report 2011 noted that, 'Societal discrimination...restricted women's economic, social, and cultural rights.' [4a] (Section 6)

### Abortion

- 24.29 The FH report on women's rights, published 3 March 2010, stated:

'Abortion remains illegal under the penal code, except where the life of the mother is threatened and "ensoulment" – exhibited by signs of life as established in Islamic law – has not occurred in the fetus. It is unclear whether a pregnancy that threatens a mother's life but has progressed to ensoulment could be legally aborted. Illegal abortion is punishable under the diyeh, or compensatory section of the penal code, but can also be punished through qisas, or retaliation, if it occurs after ensoulment. The father or paternal grandfather is the guardian of the fetus and is therefore entitled to the blood money and retaliation.

'If someone other than the mother causes the abortion, the amount of diyeh depends on the fetus's stage of growth until it gains its "human spirit." After that point, Article 487 of

the penal code indicates that a male fetus draws the full diyeh of a male human being, a female fetus draws half that amount, and a fetus of uncertain sex is worth three-quarters of the sum for the male. According to Articles 623 and 624, doctors or any other individuals who play a role in illegal abortion are also punished with prison terms ranging from three months to five years, and payment of diyeh. If the mother aborts her own pregnancy, Article 489 requires her to pay the fetus's full diyeh to the father or his family.' [112c] (Social and cultural rights)

- 24.30 On 20 November 2011, the Tehran Bureau reported the results of a survey published in the journal, *International Perspectives on Sexual and Reproductive Health*, which revealed that, '... despite severe legal restrictions, abortion is common in Tehran.' [118a] The same article also noted that, 'Abortion is legal in Iran only in cases where they [sic] life of the mother is in danger or when the country's Legal Medical Organization diagnoses the fetus with one of several legally recognized diseases or defects. Such severe restrictions drive women seeking abortions who do not meet these requirements to seek clandestine and often unsafe procedures.' [118a]

See also Women, sub section [Health and welfare](#) and [Medical issues](#)

## Marriage

- 24.31 Book 7 of the [Iranian Civil Code](#) relates to marriage and divorce. [51a]

- 24.32 The Freedom House (FH) report, 'Women's Rights in the Middle East and North Africa 2010 – Iran', published 3 March 2010 stated:

'According to Article 1034 of [the] civil code, marriage is defined as being between a man and woman, and a man may become the suitor of any eligible woman. Implicit in law and reinforced by cultural attitudes is the notion that men, not women, should propose marriage. Article 1070 of the civil code requires the mutual consent of both bride and groom for a marriage contract to be valid. In practice, however, very young or widowed women, particularly those living in provincial and rural areas, may be forced into marriage either out of poverty or based on traditional and tribal customs. Although men may also be forced into marriage by their families, rural girls are far more susceptible to such practices.

'The legal age of consent is 13 for girls and 15 for boys, but a permit may be obtained for the marriage of even younger girls or boys upon the request of a father or paternal grandfather to the court. This flexibility, combined with the already-low legal marriage age, increases the likelihood of young girls being married off to older men for financial reasons. More recent sociocultural trends in Iran, however, indicate that such laws are lagging far behind the new realities. At present, the average age of the first marriage for women and men are actually 24 and 27 respectively.

'The validity of a woman's first marriage is contingent upon the approval of her father or paternal grandfather, regardless of her age. If she has no father or grandfather, or can argue that they refused her choice without justification, the daughter may appeal to the court and register her marriage with the court's approval. Such restrictions do not apply to men. It is uncommon and largely undesirable for a young woman to marry without parental (especially the father's) approval, as it may ostracize her from her relatives and community.

‘Only men are permitted to marry multiple spouses. They can take up to four wives and engage in an unlimited number of temporary marriages (sigheh or mutá). In reality, polygamy is not a common practice, and most people disapprove of sigheh. However, because sexual relationships outside of marriage are criminalized under Article 63 of the penal code, sigheh is occasionally used by members of the secular and nonconformist youth to avoid punishment for otherwise illicit sexual activity.’ [112c] (Autonomy, security and freedom of the person)

- 24.33 Amnesty International (AI) reported on 30 November 2011 that, ‘Iranian law currently allows Muslim men to have up to four wives, but only after obtaining a court order demonstrating the permission of the first spouse and his ability to treat them all equally. For women who depend entirely on their husband’s income, sharing that with a second, third or fourth wife can mean severe financial hardship.’ [9]
- 24.34 The same AI report also commented on the new Family Protection Bill, proposed in 2007 and still under consideration, noting that, ‘If passed, “The Family Protection Bill” would reduce Iranian women’s rights even further, allowing men to take up to three additional wives without the consent or knowledge of their first spouse... Four years after its inception, the bill has still not been passed, largely because of widespread opposition from a broad coalition of women’s groups.’ [9]
- 24.35 The USSD Report 2011 stated, ‘The government does not recognize marriages between Muslim women and non-Muslim men, irrespective of their citizenship. The law states that a virgin woman or girl wishing to wed needs the consent of her father or grandfather or the court’s permission, even if she is older than 18.’ [4a] (Section 5)

See also [Sigheh \(temporary marriage\)](#) below and [Legal Rights](#) above

### Sigheh (temporary marriage)

- 24.36 Footnote 31 of the Freedom House (FH) report on women’s rights published on 3 March 2010 observed that: ‘Sigheh is a provision within Shi’a Islam that gives legitimacy to sexual relationships of any duration and to their offspring. It is a contract between a man and a woman based on a specified sum of money paid to the woman. The majority of the world’s Muslims (Sunnis) and even many Shiites do not approve of this practice.’ [112c] (Autonomy, security and freedom of the person)
- 24.37 The same report also noted: ‘... because sexual relationships outside of marriage are criminalized under Article 63 of the penal code, sigheh is occasionally used by members of the secular and nonconformist youth to avoid punishment for otherwise illicit sexual activity.’ [112c] (Autonomy, security and freedom of the person)
- 24.38 The USSD Report 2011 stated, ‘The 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 are not granted rights associated with traditional marriage.’ [4a] (Section 6)
- 24.39 Amnesty International (AI) reported on 30 November 2011:
- ‘According to Shi’a Islam, Iranian men can already take any number of “temporary wives” without informing their first wife. The length of a temporary marriage is defined in advance and can last anything from hours to decades. Temporary wives generally face social ostracism, and their children may face difficulties in accessing public services

such as education because if the marriage is unregistered, it may be hard for the mother to prove paternity.’ [9]

24.40 The August 2010 IHRDC report noted that:

‘Temporary marriage in Iran (siqih or nikah-i munqati’) is a legal contract between a man (married or not) and an unmarried woman. At the time of marriage, the woman must be an unmarried virgin, divorced or widowed. In the contract, both parties agree on the time period for the relationship and the bride gift (mihriyyih) to be paid to the woman. A man can marry as many women as he wants through temporary marriage. A woman cannot be involved in more than one temporary marriage at once, and cannot enter into a new temporary marriage before completing a waiting period mandated by law.’ [51c] (p4, footnote 11)

24.41 On 4 June 2012, Payvand Iran News reported:

‘The “Tehran Official Center for Temporary Marriage” is the name of a new site launched to propagate the concept of “sighe,” a temporary marriage arrangement sanctioned in Shiism. Over the recent years, tens of other similar sites have sprung, all with the goal of facilitating temporary marriages, and with legal permits.

‘Article 1075 of Iran’s civil code, sanctions temporary marriages. The conditions for issuing a temporary marriage licence are the same as those required for a permanent marriage plus a specified term for the marriage and the specification of an amount of money as alimony for the woman. The restrictions for a temporary marriage are also the same that exist for a permanent marriage.

‘These sites provide information regarding their members to applicants who register and submit an online application form and facilitate the establishment of such relations.

‘While many of these sites have been registered with the ministry of Islamic guidance and other appropriate agencies making their activities completely legal, they still at times come under criticism by some government officials.’ [130a]

The same [Payvand Iran News article](#) also included excerpts of an interview on temporary marriage with Asieh Amini, a journalist and women’s rights activist, which may be accessed directly for further information. [130a]

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### **Mehriyeh (nuptial gift/marriage settlement)**

24.42 The Freedom House report on women’s rights, published 3 March 2010, stated:

‘Many of the improvements made to women’s marital rights center on financial support offered to women during marriage and upon divorce. A woman is entitled to mehriyeh, a sum of money or object of monetary value specified in the marriage contract that a husband is obligated to pay to his wife. Generally, the dowry is paid upon divorce and is intended to deter men from initiating divorce or, failing that, to provide financial support to divorced women. Article 336 of civil code was amended in 2006 to allow a wife to demand monetary compensation from her husband for domestic labor she performed during their marriage, particularly when the man initiates the divorce without a

reasonable excuse. Finally, a divorced woman is entitled to her jahiziyeh, the items she brought into the home upon marriage.

‘Although these provisions potentially protect the financial security of women, in practice it is difficult to secure the mehriyeh or compensation for domestic labor. Given other imbalances in the marriage law, especially the fact that the right to divorce lies almost exclusively with men, women often forfeit their mehriyeh and other financial benefits in exchange for a divorce, buying their freedom from unhappy or abusive marriage[s].’ [112c] (Autonomy, security and freedom of the person)

See also section on [Divorce](#)

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## Adultery

24.43 The Amnesty International webpage, ‘Execution by stoning’, last updated on 23 February 2012, stated:

‘Stoning is mandatory for both men and women convicted of “adultery whilst married” under Iranian law.

‘Those sentenced to death are frequently poor or otherwise marginalised from society. Most of those sentenced to death are women for the simple reason that they are disadvantaged in the criminal justice system, and face wide-ranging discrimination in law, particularly in regard to marriage and divorce. However, in recent years more men are known to have been stoned to death than women.’ [9aa]

24.44 Book 2 of the [Islamic Penal Code](#) (IPC) of Iran defines adultery and refers to punishments for committing adultery (Articles 63 to 102). Punishments include flogging, stoning and, in certain situations, death. (Mission for Establishment of Human Rights in Iran [MEHR]) [66a]

24.45 A briefing by the Global Initiative to End all Corporal Punishment of Children, submitted to the Committee on Economic, Social and Cultural Rights working group held from 21 to 25 May 2012, stated, ‘The Penal Code specifies how the lashing is to be administered for adultery – for a male, on the bare body, “severely”, except hands and face, while standing, for a female whilst sitting with a cloth tied to her body (article 100). More than three “pious people” must be present (article 101).’ [13a] The same [briefing](#) also provided further detailed information on the implementation of lashings under other articles of the IPC. [13a]

24.46 The Global Campaign to Stop Killing and Stoning Women website, accessed 11 July 2012, stated that ‘...most stoning sentences in Iran are issued not on the basis of testimony or confession but on the judge’s “knowledge” or “intuition.” Article 105 of the Islamic Penal code of Iran allows a single judge to rule according to his personal opinion instead of hard evidence. As a result, most if not all adultery cases are unfairly tried.’ [114a]

24.47 The USSD 2011 noted ‘Women sometimes received disproportionate punishment for crimes such as adultery, including death sentences.’ [4a] (Section 6) The same report continued, ‘Adultery remained punishable by death by stoning, but there were no reported executions by stoning during the year [2011]. The law provides that a victim of

stoning is allowed to go free if he or she escapes. It is much more difficult for women to escape as they are buried to their necks whereas men are buried only to their waists.’ [4a] (Section 1a)

- 24.48 The HRW report, ‘Codifying Repression: An Assessment of Iran’s New Penal Code’, published in August 2012, commented on provisions in a new Penal Code (which has not yet been signed into law), stating:

‘Articles 222-231 of the new code address the crime of zena (“adultery” or “fornication,” depending on the marital status of the individuals involved), generally defined as consensual or forced penetrative sex between a man and a woman outside of marriage. The new code removes, but does not specifically prohibit the imposition of the punishment of stoning, which is explicitly reserved for adulterers in the old code. However, in this area the amendments largely leave intact the provisions of the old code which make the death penalty mandatory for all individuals who willingly engage in sex with someone other than their married spouse (i.e. adultery), those who engage in incest, men who have sex with their stepmothers, and non-Muslim men who have sex with a Muslim woman regardless of his marital status. Judges can sentence offenders who have not reached the ‘age of maturity’ only to correctional and rehabilitation measures.’ [8j] (p2)

See the [HRW report](#) directly for more information. [8j] (p24-25)

See also sections on [Stoning](#), [Honour killings](#), [Knowledge of the Judge](#), [Penal Code](#) and [Death penalty](#)

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## Divorce

- 24.49 Book 7 of the [Iranian Civil Code](#) relates to marriage and divorce. Article 1133 of the Civil Code states that, ‘A man can divorce his wife whenever he wishes to do so.’ [51a]
- 24.50 Article 1120 states that, ‘Marriage may be dissolved by cancellation, by divorce, or by waiver of the remaining period in the case of a temporary marriage.’ [51a] Articles 1121 to 1132 of the Civil Code set out the circumstances under which divorce may be obtained. [51a]
- 24.51 The USSD Report 2011 stated:
- ‘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 is not required to cite a reason for divorcing his wife. Traditional interpretations of Islamic law recognize a divorced woman’s right to part of shared property and to alimony. These laws were not enforced. On June 21[2011], the Supreme Court voted in favor of a law allowing women to withhold sex from their husbands if the husbands refuse to pay alimony. (Under the law alimony can be requested during the marriage as well as after a divorce.) According to ISNA [Iranian Students’ News Agency], if the alimony is not paid, the wife can “reject all legal and religious obligations” to her husband. If the alimony is not paid after the divorce, the woman can sue her ex-husband in court. Despite this new ruling, the ability of a woman to seek divorce was still extremely limited in practice.

'The law provides divorced women preference in custody for children up to age seven; divorced women who remarry must 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.' [4a] (Section 6)

See [Child custody](#) below

24.52 The FH report of 3 March 2010 observed:

'While the power of divorce lies principally with the husband, he cannot divorce his wife without going through the family court and its required procedures. The court appoints arbitrators, usually from among the relatives of the couple, in an attempt to secure reconciliation. If the husband insists on divorce, the court will grant its approval. The process is less arduous if the couple files for divorce on mutual basis, but far more difficult when the wife applies for divorce on her own. According to Article 1130 of the civil code, she has the burden of proving that the continuation of the marriage would expose her to "difficult and pressing conditions." These can include the husband's addiction, impotence, adultery, abandonment, and physical abuse. Polygamy cannot be cited as the reason for a divorce unless it violated a condition in the couple's marriage contract. Another option for women is a type of divorce called khula. According to the Article 1146 of the civil code, a woman can file for such a divorce, based on her disgust toward the husband, if she forfeits her mehriyeh or pays him an equivalent sum. It should be noted that khula is possible only when the husband concedes.

'In a divorce initiated by the husband, it is his prerogative to return to the wife and reconcile the marriage during the course of a waiting period known as eddeh (three months or three menstrual cycles), regardless of the wife's wishes. A divorced wife consequently has to remain in the husband's residence for three months after the intent to divorce is stated.' [112c] (Autonomy, security and freedom of the person)

24.53 The New York Times reported on 6 December 2010 that:

'Divorce is skyrocketing in Iran. Over a decade, the number each year has roughly tripled to a little more than 150,000 in 2010 from around 50,000 in 2000, according to official figures. Nationwide, there is one divorce for every seven marriages; in Tehran, the ratio is 1 divorce for every 3.76 marriages, the government has reported.

'While the change in divorce rates is remarkable, even more surprising is the major force behind it: the increasing willingness of Iranian women to manipulate the Iranian legal system to escape unwanted marriages.' [77a]

## Child custody

24.54 The Freedom House (FH) report on women's rights, published 3 March 2010, stated:

'After a divorce, a woman's child custody rights are determined by law based on the child's age. Article 1169 of the civil code originally gave women primary custody rights over their children until boys turn two and girls turn seven, but the age for boys was later raised to seven as well. After children reach the age threshold, custody goes to the father, unless his insanity or some other disqualifying factor is proven in court. According to Article 1170, the mother loses her custody rights to young children "if she becomes insane or marries another man during her period of custody." Article 1174

guarantees access to the child for the noncustodial parent.’ [112c] (Autonomy, security and freedom of the person)

- 24.55 In their ‘Comments on the Iran Country Report of April 2005’ dated August 2005, UNHCR noted the distinction between custody and guardianship:

‘Iranian Civil Code makes a distinction between custody and guardianship. Even when custody of children is with the mother, “natural” guardianship remains with the father (or paternal grandfather). Therefore, mothers cannot travel outside of Iran without the permission of the father of the child even if the child is in custody of the mother (ACCORD, Iran Country Report: 7th European Country of Origin Information Seminar, June 2001).’ [3h] (p5)

- 24.56 The report of the UN Special Rapporteur on violence against women dated 27 January 2006 stated that:

‘Child custody laws ... favour men over women. In principle, both the physical custody (hezanat) and the legal guardianship (velayat) of the child belong to the father. While, under certain circumstances, women are granted physical custody, legal guardianship, which includes the authority over decisions regarding the child’s well-being, is almost exclusively given to the father. Following a divorce, physical custody was until recently granted to the mother until age 7 for girls and age 2 for boys. In 2003, the law was changed to allow both children to remain with the mother till age 7, custody is then automatically transferred to the father, or if he is absent or incapable, to another male in his family. If the mother remarries, the physical custody then shifts to the father. Women who have been subjected to violence frequently do not want to risk losing their children and, when faced with such a possibility, they often feel they have no choice but to remain in a relationship with a violent partner.’ [10ad] (p14)

- 24.57 The Iran Human Rights Documentation Center (IHRDC) report, ‘Silencing the Women’s Rights Movement in Iran’, published in August 2010 stated:

‘Mothers may have custody rights over children until they reach the age of seven, after which, fathers have automatic custody. Mothers’ custody rights are dismissed if they remarry. In case of a custody dispute, the court will decide based on the welfare of the child. Fathers and paternal grandfathers continue to have absolute guardianship rights over children when their fathers die. Mothers can never be awarded guardianship rights.’ [51c] (p11)

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## **Dress code and gender segregation**

- 24.58 The Freedom House (FH) report, ‘Women’s Rights in the Middle East and North Africa 2010 – Iran’, published 3 March 2010, observed:

‘During its formative years, the Islamic Republic deliberately presented sex segregation and mandatory hijab (veiling) as the hallmarks of its cultural identity. However, there has never been a consensus among the ulema [Muslim scholars] on the meaning and extent of Islamic hijab; some do not consider it to be a mandate under the Koran. Conservative clerics and authorities view chador (an all-encompassing black cloak worn over street clothes) as the most desirable hijab, with some considering the garment to be an Islamic mandate. However, the less restrictive manteau-rusary (a long overcoat,

trousers, and a head-scarf) is increasingly acceptable, and the number of women in chadors is decreasing. Many women in major cities have turned the dull color and form of manteau-rusary into colorful, stylish fashions and are using cosmetics in larger numbers, although they risk punishment for doing so.' [112c] (Social and cultural rights)

24.59 The FH report on women's rights dated 3 March 2010 also stated:

'Head and body coverings for women are mandatory under Article 638 of the penal code, which stipulates that those who fail to comply with hijab shar'è (Shari'a-based veiling) face 10 days to two months in prison or fines between 50,000 and 500,000 rials (US\$5 to US\$50). The law lacks specificity on what constitutes a violation, but in practice, women have been punished for all of the following: showing part of one's hair, using cosmetics, wearing sunglasses, wearing a tight or short manteau (coat or gown), showing skin above the wrist or ankle, showing neckline, and wearing boots over (rather than under) trousers. No private plaintiff is necessary for prosecution, as it is the state's prerogative to monitor and control women's apparel.

'Harsher enforcement has increased the number of arbitrary arrests and detentions in recent years... since 2006, male and female officers have stopped, verbally scolded, physically attacked, arrested, or temporarily detained thousands of women and some young men for wearing insufficiently modest clothing, or "bad hijab." [112c] (Non-discrimination and access to justice)

24.60 The Freedom House Report 2012 noted that, 'Women must conform to strict dress codes and are segregated from men in some public places. There has been a crackdown in recent years on women deemed to be dressed immodestly.' [112f] In their February 2012 report, Amnesty International noted that:

'The authorities have stepped up efforts in recent years to enforce the 2005 Law on Promoting the Culture of Chastity and Modesty, which has led some universities to threaten students who do not comply with the dress code with a ban on completing their studies. The dress code, however, has never been fully defined, and while many women wear traditional forms of dress, others have also chosen to interpret this code in other ways. This leaves them at risk of harassment from police or other security forces, including the Basij militia, particularly during summer crackdowns, which have increased since 2005.' [9x] (p15)

24.61 The report of the Special Rapporteur, 'The situation of human rights in the Islamic Republic of Iran', dated 23 September 2011, observed:

'...strict implementation of the morality code concerning dress and attempts to criminalize improper veils have limited women's participation in public and social arenas. Equally worrisome are statements made by authorities that blame victims for inducing attackers to violate their physical integrity. These include reports of Government officials citing women's dress as the cause of recent attacks that took place in Isfahan in June 2011, where 14 women were kidnapped and gangraped while attending a private party. Government statements asserted that the women's dress was a source of the violence perpetrated against them and a rationale for the lack of action in bringing the perpetrators to justice.' [10e] (paragraph 56)

24.62 The USSD Report 2011 stated:

'The penal code provides that a woman who appears in public without an appropriate hijab 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...

'On June 10 [2011], Ahmadsreza Radan, deputy commander of the police force, announced that June 15 would usher in a new drive against un-Islamic female dress. Radan's plan was expected to crack down harder on inappropriate public dress and dole out harder punishments for women that did not comply. According to the new rules, women who fail to comply with the harsher dress code standards will be imprisoned between 10 days to two months. Under these rules female students are banned from wearing bright clothes, having long nails or tattoos, wearing caps or hats without scarves, and wearing tight jeans or shorts.' [4a] (Section 6)

24.63 The USSD Report 2011 noted:

'There were numerous reports throughout the year [2011] of women arrested for wearing improper hijab or tight-fitting clothing. Authorities also warned men against wearing necklaces and having "glamorous" hairstyles. There were several reports of morality police shutting down hair salons for dispensing "inappropriate" styles for men. Vigilantes continued their attacks on young persons considered "un-Islamic" in their dress or activities during the year, with no reports of criminal sanction for their violence. On May 9, the head of the morality police, Commander Ahmad Rouzbehani, announced that 70,000 officers would be dispatched to enforce the stringent moral codes, particularly concerning "un-Islamic" dress, among the population. The media reported several arrests, some with violence, over the summer as these officers stopped vehicles to arrest women without proper head coverings and stopped people on the street for "appearing in public like models." YouTube featured several videos of women being harassed by uniformed and plainclothes officers for inappropriate dress.' [4a] (Section 1f)

24.64 A submission to the UN Committee on Economic, Social and Cultural Rights (CESCR) by the International Federation for Human Rights (FIDH) and the Iranian League for the Defence of Human Rights (LDDHI) in April 2012 stated:

'A scheme to enforce the dress code on women, known as "hijab and efa", which is being enforced by the police and other security forces, has been combined with employment of violence against women. While the police commanders have denied the use of violence, video clips posted on the Internet provide evidence to the contrary. There have also been reports of disciplinary measures and physical violence against female university students who fail to abide by "appropriate" dress code, including expulsion from dormitories.' [56a]

24.65 The USSD Report 2011 also noted:

'The government enforced gender segregation in most public spaces, including for patients during 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. In a sermon honoring Fatemeh Zahra, daughter of the Prophet Mohammad, on May 5 [2011], grand ayatollah and Shiite legal authority Safi Golpaygani stated, "In the optimal situation, a woman will not see any other man except her husband." He added that such

contact is “most unfortunate” and that the mingling of women and men is so prevalent that it leads to mental illness and moral corruption.

‘On July 3, Greater Tehran Law Enforcement Forces commander Hossein Sajedinia announced that, from July 11, women would not be allowed into coffee houses that provide water pipes. He stated the new measure had been decided “after repeated requests from the people, particularly families.” Enforcement of morality laws became stricter after new “morality patrols” were deployed on June 15 [2011].’ [4a] (Section 6)

- 24.66 The AI report of February 2012 stated, ‘In February 2012, it was reported that all women civil servants would be obliged to wear a specific uniform said to conform to “Islamic dress” from the start of the new Iranian year, which begins on 21 March 2012. According to reports in Iranian news agencies, the policy would be applied first in Tehran, but then would be extended to other parts of the country.’ [9x] (p15)

See also Women: [Health and Welfare](#) and [Education](#) for further information on segregation.

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## Women in the workplace

- 24.67 The World Bank Country Brief on Iran, updated April 2012, noted that, ‘Iranian women have been playing an increasingly important role in the economy, though their market participation and employment rates remain limited.’ [36a]

- 24.68 The report of the UN Secretary-General dated 22 August 2012 reported that, ‘The number of women in management positions in the Ministry of Education is reported to have increased from 45 in 2005 to 482 in 2011...

‘The 2011 national census indicated that women’s overall economic participation rate is 12.6 per cent, a decrease of 3 per cent compared with 2005. Women constitute only 13 per cent of the paid workforce. This is coupled with the prevalence of discriminatory job advertisements, which call for only men or only women applicants. Such requirements would seem discriminatory and could be based on stereotyped assumptions regarding which jobs are considered suitable for women.’ [10ac] (p7)

- 24.69 The FH report on women’s rights dated 3 March 2010 noted:

‘Article 38 of the 1991 labor law mandates equal pay for equal work and prohibits discrimination on the basis of sex in determining wages. However, this requirement is not always enforced, and women workers do not receive the same retirement and family benefits as men. According to Article 75 of the labor law, women are barred from dangerous jobs and hazardous working conditions, the definition of which is established by the Ministry of Labor and Social Affairs. This law is reinforced by the right of a husband to prevent his wife from taking up employment that is “incompatible with the family interests or the dignity of himself or his wife.”’ [112c] (Economic rights and equal opportunity)

- 24.70 The USSD Report 2011 stated:

‘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. Despite the high prevalence of women in universities, the unemployment rate for women was nearly triple that of their male counterparts. According to the World Economic Forum's 2011 report on the global gender gap, women in the country earned on average two-thirds of a man's salary for the same job. One Majlis member suggested that banning women from the workplace could solve the country's unemployment problems. Women cannot serve in many high-level political positions or as judges except as consultant or research judges without the power to impose sentences.' [4a] (Section 6)

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## Education

24.71 The USSD Report 2011 noted, 'Women had access to primary and advanced education, and approximately 65 percent of university students were women.' [4a] (Section 6)

24.72 The report of the UN Secretary-General dated 22 August 2012 observed:

'The authorities have been working towards comprehensive gender segregation in universities and other institutions of higher education. In September 2011, the Minister of Science, Research and Technology revealed a comprehensive gender segregation plan based on a decision of the Supreme Council of the Cultural Revolution. The plan has received support from religious clerics, who have been pressing for total gender segregation in public places. Since September 2011, several universities have received authorization to implement gender segregation. Authorities have also been encouraging women students to study in their home cities and require those wishing to study elsewhere to produce authorizations from their father or husband. Women's access to higher education is further curtailed by the quota system in universities. The Guidelines for University Entrance Exams (2011-2012) prescribe a quota for admission of men and women to certain public engineering universities for the current academic year. Based on those restrictions, it was estimated that fewer than 32 per cent of the admitted students were women. The percentage was 45 per cent for 2007-2008. These measures constrain women's ability to exercise their free and equal access to higher education.' [10ac] (p7)

24.73 Amnesty International's submission to the Commission on the Status of Women, on 2 August 2012, reported:

'In August 2011, it was reported that 20 universities would be restricting certain courses to one gender of students only. Amnesty International is concerned that gender segregation in universities raises issues about whether women and men will continue to enjoy equal access to the same quality of higher education. Reports indicate that at the start of the 2011-2012 school year, some universities in Iran had already begun to implement gender segregation. At Tehran's University of Science and Culture (USC), entrances for male and female students were segregated. Female students at USC were reportedly subject to body searches prior to being granted physical admittance to the university. The stated purpose of searches was to inspect female students' clothing and make-up to verify if they conformed to Islamic dress, though male students were not subject to similar inspections. A number of the female students searched were asked to provide student ID cards, present birth certificates, or driving licenses. Those who did not have student IDs were not permitted to attend classes. In early March 2012,

more than ten female students were reported to have been suspended from their classes in the Iran University of Science and Technology in Tehran for “failing to observe the Islamic dress code”.’ [9p] (p2)

24.74 The USSD Report 2011 stated:

‘For the first time, boys and girls had to sit in separate classrooms at universities when the new school year began in October [2011]. Majlis member Ali Karimi-Firouzjani, a member of the Majlis Education and Research Committee, stated: “The higher education minister has announced that some universities will hold separate courses for males and females in the new academic year. The grand ayatollahs and the families have warned against any contact between students of opposite sexes.”’ [4a] (Section 6)

24.75 On 5 October 2012, Human Rights Watch (HRW) reported:

‘A 2005 United Nations Educational Scientific and Cultural Organisation survey found that a higher percentage of girls than boys were in primary school in Iran, making it one of the most successful countries promoting access to girls’ education. The majority of girls went on to secondary school and college. In fact, by 2007 when much of the world was still discussing how to get girls into so-called non-traditional careers – more than 70 per cent of students on science and engineering courses in Iran were women.

‘But as Iran’s academic year began on September 22 [2012], students at several public universities across Iran faced seemingly arbitrary new restrictions on their fields of study - based solely on their gender. A month earlier - the Science and Technology Ministry, which is responsible for higher education, announced new restrictions to limit the numbers of places for women in a large number of academic institutions. A manual published annually by the ministry lists the major fields of study available to applicants sitting that year for the national entrance exam for public universities, which is held in June. This year’s edition revealed that 36 public universities across the country have banned female enrollment in 77 academic fields.

‘The manual also indicates that this “single-gendering” is not limited to women: universities have also barred male enrollment in a number of majors. But a review of the list of banned majors for women includes a high number of technical and applied science majors, including engineering, which have been some of the most lucrative fields for graduates. An increasing percentage of women have been employed in these fields in recent decades.’ [8e]

See also [Children, Education](#)

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## VIOLENCE AGAINST WOMEN

24.76 The Freedom House report, ‘Women’s Rights in the Middle East and North Africa 2010 – Iran (FH report on women’s rights)’, published 3 March 2010 stated:

‘During the reform era that lasted from 1997 to 2005, the media were able to conduct investigative reports that uncovered various forms of violence against women throughout Iran. However, coverage has been more limited as media restrictions have increased in recent years. Sporadic reports indicate ongoing “honor killings” and serial killings of women in different regions. Close to 50 women were murdered during 2008 in

four reported cases of serial killing in Abadan, Karaj, Varamin, and Gilan. According to one report, even the state-run newspaper “Iran” was pressured to refrain from publishing information related to these murders.’ [112c] (Autonomy, security and freedom of the person)

- 24.77 A report by the Norwegian Country of Origin Information Centre (Landinfo) published on 22 May 2009 stated that:

‘The tradition of Muslim cultures to regard problems and violence within families as a private and internal family matter is both a common and a widespread problem. This is also the case in Iranian culture and society. The religious and socio-cultural situation means that many girls and women do not see the option of getting help from outside the family circle or from the authorities as a real alternative. Lacking awareness of legal rights combined with strong family ties, fear of social shame and stigmatisation, threats and financial dependence lead many girls and women to give in to their family’s wishes, remain in unhappy marriages or commit suicide.’ [33b] (p9)

- 24.78 In her report of the fact finding mission to Iran, dated 27 January 2006, the UN Special Rapporteur on Violence against Women noted that:

‘Violence against women in Iran is ingrained in gender inequality, which is upheld and perpetuated by two factors: (a) patriarchal values and attitudes based on notions of male supremacy, and (b) a State-promoted institutional structure based on gender-biased, hard-line interpretations of Islamic principles. While the former is a universal and historically rooted phenomenon, the latter is particular to Iran and is rooted in gender politics and policies prevalent in the country. Both factors, however, represent a male-dominated society with male-empowering laws and practices. While the official ideological underpinning of the State gender discourse rests on the premise that women in the Islamic Republic have been attributed [sic] with honour and due dignity, this very ideology has served to rationalize subordinating women, discriminating against them and subjecting them to violence. Furthermore, it is instrumental in silencing defiance and enforcing compliance.

‘The ruling clergy, in their reading of the sharia that shapes both the attitudinal as well as the institutional structures, have tended towards conservative, gender-biased interpretations.

‘This has been the source of divisive debates in the political arena between the hardliners and the reformists. The Sixth Majlis was reportedly a turning point for the articulation of reformist politics of gender in Iran. Within this process...some positive change has occurred in the laws and the administration of justice. However, gender-biased provisions and practices that prompt women’s vulnerability to violence in the private as well as public spheres are still the norm.’ [10ad] (p10)

- 24.79 The FH report on women’s rights of 3 March 2010 stated:

‘Certain laws and cultural practices reinforce violence against women. Polygamy and temporary marriages destabilize spousal relations, increasing the likelihood of domestic violence. In addition, rape is not criminalized as a distinct offense. Instead it falls under the penal code’s Article 63 definition of adultery, as sexual intercourse between a man and a woman “forbidden to each other.” The victim of rape can assert that she committed adultery under duress and escape punishment, but this claim is difficult to establish because judges often look to the clothing and behavior of women – rather than the aggression of the perpetrator – for the “cause” of the rape. Because the satisfaction

of the husband's sexual needs is considered a wife's duty, spousal rape is not seen as a crime.' [112c] (Autonomy, security and freedom of the person)

24.80 Regarding the stringent requirements for witnesses to a rape before conviction, the UN Special Rapporteur's report dated 27 January 2006 observed that: 'Given that most violence against women takes place in the private sphere, it is extremely difficult for women to provide such eyewitnesses to acts of violence. If the defendant is acquitted, the victim runs the risk of being charged and convicted for false accusation (qazf) or illicit sexual relations (zina).' [10ad] (p16)

24.81 The USSD Report 2011 stated:

'Rape is illegal and subject to strict penalties including execution, but it remained a problem, and the government did not enforce the law effectively. There were reports of government forces raping individuals in custody... Sex within marriage is considered to be consensual by definition, and therefore 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 punishment for having been raped, as they could be charged with adultery for being in the presence of an unrelated male while unaccompanied, indecency, or immoral behavior. They also feared societal reprisal such as ostracism. According to the penal code, rape is a capital offense, and four Muslim male witnesses or a combination of three male and two female witnesses to the rape itself are required for conviction. The stringent witness requirement was also a possible reason for low reporting of rape to authorities. A woman or man found making a false accusation of rape is subject to 80 lashes.' [4a] (Section 6)

24.82 On 26 July 2011, Radio Free Europe/Radio Liberty (RFE/RL) reported:

'More than 500 Iranian women's rights activists and their supporters have issued a statement calling on authorities to put an end to "systematic violence against women" as the sixth gang rape in recent months was reported, RFE/RL's Radio Farda reports...

'Asieh Amini, a Norway-based activist and signatory to the statement, told RFE/RL on June 23 that violence had not only become rooted in Iran's social hierarchy, but is also reinforced by the regime's policies.

'She added that the reason for the prevalence of violence against women in Iran was that the Iranian establishment, as a patriarchal system, did not recognize women as independent human beings.' [42f]

24.83 The USSD Report 2011 noted:

'The law does not specifically prohibit domestic violence. Spousal abuse and violence against women was common... On November 4 [2011], the UNHRC [United Nations Human Rights Council] issued a statement condemning the lack of laws protecting women from domestic violence as well as the lack of investigation, prosecution, and punishment of perpetrators of domestic violence. The Census Bureau, an official government agency, has precluded international organizations from performing studies of domestic violence in the country and has never conducted its own study of violence against women.

'The director of the Iranian National Social Emergency Unit, physician Majid Arjomandi, told Pupils Association News Agency on November 1 that there were approximately

8,000 domestic violence cases reported to his organization. According to a University of Tehran study published on June 15, a woman is physically abused every nine seconds in the country, and an estimated three to four million women are battered each year by their husbands. One of every two marriages had at least one instance of domestic violence. 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 campaign. Some nongovernmental shelters and hotlines assisted victims during the year [2011].’ [4a] (Section 6)

- 24.84 In the concluding observations of the UN Human Rights Committee, 17 October to 4 November 2011, the Committee expressed its concerns ‘...about the absence of specific provisions on domestic violence within the Penal Code, as well as the lack of investigation, prosecution and punishment of perpetrators of domestic violence. It is also concerned that a husband is exempted from punishment for voluntary manslaughter in the event that he murders his wife on suspicion of adultery (articles. 2, 26).’ [10t] (paragraph 11)
- 24.85 The FH report on women’s rights published 3 March 2010 stated:
- ‘No specific law criminalizes domestic violence, and Iran has no public or private shelters for abused women. Due to legal shortcomings, societal attitudes, and the very nature of such abuse, domestic violence remains a private hardship. Victims who turn to the police are treated no differently from those who are attacked by a stranger. They can be compensated through the diyeh [diyat] system of the penal code, provided they supply witnesses and medical reports. Victims of bodily injury may also seek out retribution under Article 273 of the penal code. Sexual harassment in public places is outlawed under Article 619 of the penal code, which generally prohibits verbal or physical harassment of women or children in public places. If convicted under this statute, offenders face two to six months in prison and up to 74 lashes.’ [112c] (Autonomy, security and freedom of the person)
- 24.86 Book 4 of the [Islamic Penal Code](#) refers to the practice of diyat (blood money) being given as compensation for murder. Article 300 states that ‘The blood money for the first- or second-degree murder of a Muslim woman is half of that of a murdered Muslim man.’ (MEHR) [66a] This is reiterated by the USSD Report 2011 which observed that, ‘The blood money paid to the family of a female crime victim is half the sum paid for a man.’ [4a] (Section 6)
- 24.87 Regarding protection for victims of domestic abuse, the Landinfo report of 22 May 2009 observed that
- ‘The Western European model of a crisis centre/shelter for women does not exist in Iran. There are, however, state institutions for single women, prostitutes, drug addicts and children and young people who have run away from home. These institutions are run by the national welfare organisation and offer protection, welfare services and rehabilitation programmes of varying quality for a transitional period. The number of such institutions in existence at any given time, and in which provinces they are found, is not public knowledge. The Iranian authorities are generally unwilling to provide the public with information about social situations and problems that may generate criticism of Islamic law and the Islamic Republic.’ [33b] (p10)

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## Honour killings

- 24.88 A report by the Norwegian Country of Origin Information Centre (Landinfo) published on 22 May 2009 noted that access to information from Iran on 'honour-related violence' and 'honour killings' is very limited:

'The primary sources of available open information are Iranian and are representatives of civil society, the authorities and media run by exiled Iranians. The Iranian authorities do not permit human rights groups such as Amnesty International or Human Rights Watch, foreign researchers or journalists to travel to Iran on their own to obtain information about honour killings or other forms of violence against women. One exception to the authorities' policy of refusing foreigners entry to Iran, was the trip made by the UN Special Rapporteur to Iran in 2005 (United Nations Commission on Human Rights 2006) [See below].' [33b] (p5)

- 24.89 The USSD Report 2011 stated 'There were no official reports of honor killings during the year [2011], although human rights activists stated that they often occurred out of the public eye.' [4a] (Section 6)

- 24.90 The International Federation for Human Rights (FIDH) report, 'Iran/death penalty: a state terror policy', dated 28 April 2009, noted that:

'Even though it is not expressly stated, the IPC [Iranian Penal Code] does not treat all murderers equally...under the patriarchal provisions of the IPC, "a father (or paternal grandfather) who kills his child" (or grandchild) "will not be sentenced to qesas [retributory or retaliatory punishment] but to payment of diyeh [compensation] to survivors of the victim and ta'zir [discretionary punishment]" (Article 220). Survivors of the victim, i.e. the mother if the father is the killer (or parents, if the grandfather is the killer), generally forgo the demand for punishment.' [56b] (p15-16)

- 24.91 The UN Special Rapporteur's report dated 27 January 2006, based on her visit to Iran from 29 January to 6 February 2005, noted that some cases of self-immolation in the city of Ilam were:

'... linked to the lack of legal protection for women victims of violence, lack of shelters, difficulty in obtaining a divorce, child custody laws that favour the father and pervasive gender discrimination throughout society.

'The self-immolation incidents are also said to be related, in some cases, to honour crimes, which are particularly common in Ilam and Khuzistan province. According to statistics provided by a consultant to the governor of Khuzistan in 2003, there have been 45 cases of honour killings of women under the age of 20 in one tribe alone. In 2001, a total of 565 women lost their lives in honour-related crimes, of which reportedly 375 were staged as self-immolation cases of women who were forced to set themselves on fire.' [10ad] (p11)

- 24.92 The Amnesty International report dated July 2008 on human rights abuses against the Kurdish minority stated that 'Self-immolation is a practice that occurs in all the areas of Kurdish settlement, where it is more common than in other parts of Iran. Some alleged suicides may have been staged to cover up "honour" killings.' [9e] On 28 August 2008, Iran Human Rights Voice (IHRV) reported that, in the first half of 2008 [1387], the number of Kurdish women victims of honour killings had increased. According to the Committee Against Honor-Related Violence, the number of murders in the first five

months of 2008 stood at six; however, Parvin Zabihi, an advocate for women in the Kurdistan section of Iran, was reported as saying that the numbers were probably higher as details of three further murder cases had been received. [11b]

24.93 For the results of a survey by the International Journal of Burns and Trauma into self-immolation see, [‘Tragedy of women’s self-immolation in Iran and developing communities: a review’](#), published online 15 September 2012, for further information on self-immolation in Iran. [125a]

24.94 The Landinfo report of 22 May 2009 observed that:

‘The available source material suggests that honour killings primarily occur among tribal peoples such as Kurdish, Lori, Arab, Baluchi and Turkish-speaking tribes. These groups are considered to be more socially conservative than the Persians, and discrimination against women in attitude and in practice is seen as being deeply rooted in tribal culture. The majority of these groups are Sunni Muslims and they live in the socioeconomically least developed and geographically most isolated areas of Iran.’ [33b] (p7)

24.95 The Landinfo report continued:

‘There is also information about honour killings being carried out in the capital Tehran. According to an Iranian source, the greater part of women killed in Greater Tehran i[n] 2008 were killed by their husbands. This type of killing accounted for 35 per cent of all killings in Greater Tehran in a six-month period (IHRV [Iran Human Rights Voice] 2008b). On the basis of the information available, there is nothing to suggest that the Iranian authorities actively try to combat honour killings...A woman who is threatened with honour killing or subjected to other forms of violence must seek help on her own. The community around her will not come to her assistance unless she asks directly for help. Whether it is possible to ask for help depends on where a woman lives. In some parts of Iran, the physical and geographical conditions are such that fleeing is not possible in practice.

‘The extent to which a woman can get help depends on a number of factors; such as what the case concerns, how old she is, where she lives, what she wants and to what extent she is able to mobilise parts of her own family network to plead her case and negotiate in the conflict. Depending on the nature of the case, she can for example seek help from a women’s network, provided that such a network exists where she lives and that she is aware of it. Or she can file a suit in a family court or report the matter to the police. If she goes to the police, the scope of the violence and threats will be decisive in determining whether she receives help and what kind of help she is offered. She is responsible for presenting evidence that she is in fact threatened by violence, which in certain cases can be impossible. The attitudes of the police or a local judge may have a decisive impact on her chance of being given real protection.’ [33b] (p9-10)

24.96 On 1 November 2010, Shahrzad News reported that: ‘Several thousand Iranian women are murdered every year. The home-news pages of Iranian newspapers, particularly in the provinces, are full of stories of horrific killings. According to police statistics, 20% of all the homicides in the country are honour-related, that is to say, they have a religious or cultural motive.’ The same article also noted that, when Shahrzad News attempted to conduct a survey on honour killings, ‘Only 25 out of 300 interviewees in the main Iranian cities were prepared to express their opinion, the rest refusing to be drawn and replying ‘nothing’ when asked what they thought about it.’ [93a]

## Government suppression of women's rights activists

Subsection should be read in conjunction with [Political affiliation](#), [Freedom of speech and media](#), and [Human rights institutions, organisations and activists](#).

- 24.97 Human Rights Watch (HRW) reported on 6 March 2010 that: 'For more than 30 years, the women's rights movement has been at the forefront in the struggle for human rights and gender equality in Iran...'. [8f] Commenting on the situation in recent years, the Freedom House report of March 2010 observed:

'Increased repression under the Ahmadinejad administration has hampered the expansion of the women's movement, forcing activists to make even greater sacrifices as they defend women's political and civil rights. Nevertheless, the level of gender consciousness, the extent of demands for women's rights, and the organizational skills in networking and resource mobilization (at both international and domestic levels) that activists currently enjoy is unprecedented in the history of the women's movement in Iran.' [112c]

- 24.98 The Amnesty International (AI) report, 'Election contested, repression compounded', published 10 December 2009 also reported that women activists had been among those particularly targeted in the run-up to the June 2009 Presidential election and during the crack down by the authorities following the disputed election results. [9t] (p15 and 24) The AI report continued, 'Women's rights defenders, who have been particularly active in recent years, faced reprisals for their peaceful activities before and during the election, and the pattern of repression persists.' [9t] (p31-32)
- 24.99 The August 2010 report by the Iran Human Rights Documentation Center (IHRDC), 'Silencing the Women's Rights Movement in Iran', noted that, following the disputed June 2009 presidential elections:

'Some demonstrators took to the streets for the first time. However, many women's rights activists and defenders were veterans of civic protest. These women had been repeatedly interrogated and jailed over the years. Many had experience in mobilizing grass roots support and reaching media outlets in the face of heavy suppression. The Iranian regime recognized this connection and the danger presented by these veteran activists passing along their knowledge, organizational expertise and experience to the larger yet somewhat-less-organized green movement.

'The regime, therefore, immediately honed in on women's rights activists. It attempted to dismantle the movement by silencing leaders, both home and abroad, and arresting and jailing activists, both active and relatively inactive...

'The goal of silencing women's rights activists was confirmed in the indictment that was read at the first of a series of mass show trials in August 2009, and during interrogations of activists. The indictment alleged that the women's rights movement was a leader in a "velvet coup." [51c] (p16-17)

- 24.100 The same source concluded that 'The Iranian government continues to target women's rights activists in an effort to dismantle the movement in violation of Iranian and international law. Its agents continue to arrest, interrogate, mistreat, threaten and imprison activists because of their beliefs, membership in organizations, participation in

demonstrations, and other advocacy. Activists continue to be forced into hiding or exile.’ [51c] (p50)

See the [IHRDC report](#) for more background information on the women’s rights movement in Iran and for detailed information on women rights activists arrested and their treatment by the authorities following the June 2009 elections. [51c]

24.101 The Freedom House report, ‘Women’s rights in the Middle East and North Africa 2010 – Iran’, published 3 March 2010 also noted that, ‘Individual members of women’s rights groups are subject to arbitrary arrest and detention as well as smear campaigns in the state-run media, verbal and physical harassment, travel bans, and other forms of suppression.’ [112c] (Nondiscrimination and access to justice)

24.102 The report of the Special Rapporteur, ‘The situation of human rights in the Islamic Republic of Iran’, dated 23 September 2011, drew attention to ‘the application of certain laws that erect barriers to gender equality’, further noting that:

‘Women’s rights activists who endeavour to address the aforementioned gender equality issues seem to have been targeted for their campaigns and activities in support of women’s rights. For example, members of the “One Million Signatures Campaign” have routinely been subjected to threats, harassment, interrogations and imprisonment. The Special Rapporteur conducted two interviews with members of that campaign who wish to remain anonymous. Those individuals reported that they had been monitored, arrested, detained and interrogated while blindfolded for actions related to their student and women’s rights activities. They also reported having been threatened with expulsion from university or prevented from pursuing further education as result of their activities. In addition, they reported having endured lengthy periods in solitary confinement during the investigative phases of their cases, lack of access to legal counsel and being coerced for the purposes of incriminating themselves or others known or unknown to them. One of the witnesses reported having been sentenced in absentia to five years’ imprisonment for the “encouragement for protests”, one year for disseminating propaganda through media interviews and articles and one year and 74 lashes for “acting against the regime by means of participating in peaceful demonstrations”. [10e] (p15)

24.103 AI’s report, “We are ordered to crush you”, Expanding repression of dissent in Iran’, published in February 2012 reported:

‘Several women’s rights activists are currently detained or serving prison terms for their peaceful activities, often on vaguely worded charges related to offences against the state. Most are associated with the One Million Signatures Campaign (also known as the Campaign for Equality), a grassroots movement dating from 2006 that aims to collect a million signatures of Iranians demanding an end to discrimination against women in law. Judicial procedures regarding their detention, trial and release have not been respected. Many have been held in solitary confinement or with extremely limited contact with their families and lawyers. Some have been ill-treated and denied medical care. Others are banned from travelling abroad.’ [9x] (p32)

24.104 AI’s submission to the United Nations Economic and Social Council’s (ECOSOC) Commission on the Status of Women, on 2 August 2012, was

‘...intended to draw the Commission’s attention to the continuing pattern of human rights violations experienced by women in Iran in reprisal for their peaceful human rights or political activities on account of their ethnic origin, their faith, the peaceful exercise of

their rights to freedom of expression and association, or their relationship to men who have expressed views dissenting from those considered acceptable by the Iranian authorities.’ [9p] (p1)

24.105 [AI’s submission](#) of 2 August 2012 provided detailed information on the treatment of ten women rights defenders arrested and imprisoned by the Iranian authorities. [9p]

24.106 The Minority Rights Group International report, ‘State of the World’s Minorities and Indigenous Peoples 2012’, published 28 June 2012, stated that, ‘Activists from the One Million Signatures campaign, a women’s grassroots movement aimed at ending discrimination against women, were targeted in 2011 by the state. Several women are currently detained or serving prison terms for their activities, and many have been held in solitary confinement or have limited contact with their families and lawyers.’ [46c] (p197) The AI Report 2012 noted that, ‘Fatemeh Masjedi and Maryam Bidgoli, activists in the One Million Signatures Campaign, each served six-month prison terms – the first members of the Campaign to be jailed for collecting signatures.’ [9h]

The [Report of the Special Rapporteur](#) dated 6 March 2012 included details of 19 female ‘Prisoners of Conscience’ detained at the time the report was written. [10d] (Table III, p30)

24.107 The report of the UN Secretary-General dated 22 August 2012 stated:

‘According to various reliable reports, women activists continue to face intimidation and detention. A group of Iranian women activists, fearful of reprisal from the authorities, decided not to attend the fifty-sixth session of the Commission on the Status of Women in New York (February-March 2012). A number of activists had been arrested and charged with national security-related charges for their participation in the Commission’s fifty-fifth session in 2011, including Maryam Bahrman, an Iranian women’s rights activist and member of the “One Million Signatures Campaign”, who was arrested on 11 May 2011 and charged with national security offences. She is currently awaiting a court hearing. Another women’s rights activist, Faranak Farid, also arrested in September 2011, is facing similar charges. The authorities argue that women activists associated with the “One Million Signatures Campaign” are engaged in illegal activities because they failed to gain legal permission as required by the law on “Activities of Political Parties, Societies, Political and Professional Associations and Islamic and Recognized Minority Religious Associations”.’ [10ac] (p8)

24.108 The International Campaign for Human Rights in Iran (ICHRI) website has a section on [women rights](#) which provides further information on the situation for women rights activists. [52]

See also [Freedom of speech and media](#) and [Human rights institutions, organisations and activists latest](#)

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## Health and welfare

24.109 The United Nations Population Fund’s (UNFPA) ‘Iran Country profile’, accessed 11 July 2012, included the following statistics:

‘Maternal Mortality Rate (MMR) = 30 in 100,000 live birth  
Crude Birth Rate (CBR) = 18.3%

Crude Death Rate (CDR) = 6%  
 Skilled Birth Attendance = 97.3%  
 Infant Mortality Rate (IMR) = 17.9 Deaths/1,000 Live Births  
 Life Expectancy at Birth =

Total population: 70.86 years  
 Male: 71.1 years  
 Female: 73.1 years

Total Fertility Rate (TFR) = 1.78 children born/woman' [10s]

Further statistics on women are also included on the [United Nations Children's Fund \(UNICEF\) website](#). [10m]

24.110 The UNFPA website, accessed 11 July 2012, noted that:

'Iran is known as a family planning success story. The country's dramatic decline in fertility from an average of 7 lifetime births per woman in 1986 now reached replacement level at 1.96 nationally, with only a minimal gap between urban and rural areas. Many of the strategies put in place two decades ago to address the country's bulging population a strong network of rural health centres, mandatory pre-marital counselling on family planning methods and free family planning services and contraceptives are still contributing to the general well being of Iranian families and promoting the health of mothers and children.' [10s]

24.111 The Freedom House (FH) report on women's rights, published 3 March 2010, observed that, 'Although access to birth control and reproductive care has increased in recent years, women have limited control over their own care as written permission from the husband or father is needed for major surgical operations.' [112c] (Social and cultural rights)

24.112 The USSD Report 2011 noted, 'On November 1 [2011], according to Shahrzad News, the Health Ministry relaunched an initiative to gender-segregate hospitals. According to the deputy health minister for patient care, Hasan Emami Razavi, 'Every province will have a major general hospital for women only... [T]he one problem we have is that there are not enough women to drive the emergency ambulances.'" [4a] (Section 6)

24.113 A 2010 paper, '[Women's mental health in the north of Fars, Iran](#)', provided the results of a regional study conducted by Islamic Azad University to examine the effects of demographical factors on women's mental health in an Iranian sample. [115a]

See also [Medical issues](#)

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## 25. CHILDREN

### OVERVIEW

25.01 The Foreign Policy Centre's (FPC) report, 'From Cradle to Coffin: A Report on Child Executions in Iran', published on 30 June 2009 stated that Iran became a state party to the Convention on the Rights of the Child (CRC) on 5 September 1991:

‘But when ratifying it on 13 July 1994 Iran reserved the right to ignore any Articles or provisions that are in contradiction to “Islamic Laws and the internal legislation in effect” and went on to clarify that where “domestic laws strongly differ” from the Convention Articles, they can be “revised, provided that they do not contradict the principles of the Shari’a.” Such a reservation undermines the very purpose and spirit of the CRC...Iran’s vague reservation has resulted in a growing gap between the country’s international commitments and human rights record. Iran has yet to pass legislation calling for the implementation of this Convention in its entirety.’ [49a] (p19)

25.02 The United Nations Children’s Fund’s (UNICEF) input into the 2010 UN Human Rights Council’s Universal Periodic Review (2010 UNHRC UPR) of the situation in Iran noted:

‘Iran submitted its report to the Committee on the Rights of the Child in 2005. The Committee’s main concern was that a narrow interpretation of the Convention on the Rights of the Child was impeding the fulfilment of human rights and it recommended that the Government adopt a national plan of action for the implementation of the Convention. This would include: the establishment of an independent institution for monitoring rights; more training programmes for civil society, children, adolescents, and professional groups working with children; and a review of legislation to see where it could be harmonized with the Convention. Steps have been taken in all these areas, albeit not through a national plan of action, but instead through integration into existing social development programmes.’ [10w] (p1-2)

25.03 Iran ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 26 September 2007. (United Nations Treaty Collection, accessed 31 October 2012) [10ah] Iran signed the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in armed conflict in September 2010. (Secretary-General’s interim report, 14 March 2011) [10aa] (p3)

25.04 The Iran page on the Children’s Rights Portal dated 15 March 2012 stated:

‘Children’s lives are mired in difficulty in Iran. Each month, more than 100 children die as a result of famine, street fights, and illness. National authorities are searching for ways to check the flow of child trafficking and child labor. However, it is sometimes authorities who themselves violate the most fundamental of children’s rights. Iran is one of the last countries in the world that allows the death penalty for those under the age of 18.’ [53a]

25.05 The same source also noted the main problems affecting children in Iran were to do with poverty, healthcare, education, the criminal justice system and retention of the death penalty for those under the age of 18, child marriage, trafficking, street children and child labour. [53a]

See the [Children’s Rights Portal](#) [53a] and the sub sections below for further information.

The [UNICEF](#) website also includes general information on the situation of children in Iran. UNICEF’s State of the World’s Children 2012 report, ‘[Children in an Urban World](#)’, published in February 2012 provided a series of statistics on children in Iran.

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## Basic legal information

- 25.06 UNICEF's input into the 2010 UNHRC UPR noted that 'The age of criminal responsibility in Iran is linked to the age of puberty, in accordance with Sharia law and is eight years and nine months (nine lunar years) for girls and 14 years seven months (15 lunar years) for boys.' [10w] (p3) The Secretary-General's report to the UN General Assembly dated 15 September 2010 observed that the age for criminal liability in Iran '...is not only discriminatory but also low by international standards. The Iranian authorities state, however, that all offences committed by persons under the age of 18 are tried by children's courts.' [10u] (p6)
- 25.07 The most recent Concluding Observations of the UN Committee on the Rights of the Child (UN CRC) were published on 31 March 2005. The report stated 'The Committee notes the increase in the age of marriage for girls from 9 to 13 years (while that of boys remains at 15) and is seriously concerned at the very low minimum ages and the related practice of forced, early and temporary marriages.' [10ag] (para 22)
- 25.08 The US Department of State's 'Country Reports on Human Rights Practices 2011, Iran', released on 24 May 2012, (USSD Report 2011) stated:
- '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. The age of criminal responsibility for girls is nine years, while the law does not consider boys criminally responsible until age 15. For example, if a 12-year-old girl accused a 14-year-old boy of rape, the 12-year-old girl would face any criminal penalties alone. Sex outside of marriage is illegal and is punishable by death, although the media reported that the common punishment was imprisonment and lashing. In December [2011] the director general of the Census Bureau in Hormozgan announced that there had been five marriages of girls under age 10 in his province. The government did not investigate these cases or begin any prevention campaigns, as these marriages were not considered illegal.' [4a] (Section 6)
- 25.09 Amnesty International's submission to the United Nations Economic and Social Council's (ECOSOC) Commission on the Status of Women on 2 August 2012, reported that, 'Unmarried girls and women must have the permission of their father or guardian to marry, and fathers can apply to the courts for permission for their daughters to marry from the age of nine lunar years. In the Iranian year 1389 (March 2010-March 2011), 716 girls under the age of ten are reported to have been married.' [9p] (p2)

## LEGAL RIGHTS

- 25.10 The UN CRC report of March 2005 noted:

'The Committee continues to be concerned about legislation that provides for corporal punishment within the family. While welcoming the new Law on the Protection of Children and Adolescents (2003), which includes the prohibition of all forms of molestation and abuse of children and the obligation to report cases of child abuse, the exceptions stated therein continue to legally allow various forms of violence against children. More particularly, several articles of the Civil and Penal Code have been excluded, including article 1179 of the Civil Law and article 59 of the Penal Code, which gives parents the right to physically discipline their children within non-defined "normal limits". In the Committee's view, such exceptions contribute to the abuse of children

inside and outside the family and contravene the principles and provisions of the Convention, in particular article 19. The Committee also notes with concern, that certain forms of sexual abuse of children or grandchildren are not explicitly prohibited.’ [10ag] (Para 47)

See also section on [Violence against Children](#)

25.11 UNICEF’s input into the 2010 UNHRC UPR, stated:

‘Children’s concerns are covered by the “Child Protection Code” of 2002 which contains nine articles covering child abuse, sale of children, child exploitation, and using children in illegal actions including smuggling. The Iranian Penal Code and chapter five of the Act on Penal Procedural Law cover criminal issues including those of children and young people under 18 years of age. A juvenile justice bill is currently passing through parliament. While there are no dedicated national institutions which cover children’s issues, these concerns are spread across relevant ministries (for example, the Ministry of Health and Medical Education dealing with Child Health and the State Welfare Organisation (part of Ministry of Welfare) is mandated to address the rights of children in need, orphans, street children and other vulnerable children). A national youth organisation is established within the President’s office to oversee youth related policies.’ [10w] (p2)

25.12 The Women’s News Network on 23 September 2008 noted that, ‘According to existing family law, citizenship cannot be passed to children from their mothers. Many Iranian women who have married Afghan and Iraqi men cannot get birth certificates for their children; hence these children cannot go to school. It is estimated that there are 100,000 children today in Iran without birth certificates who are denied their basic human right to education.’ [34a]

See also sections on [Childcare and protection](#) and [Documentation](#).

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## Judicial and penal systems

Some of the sources referred to in this and other sections refer to a new Penal Code. It should be noted, however, that the current or old Iranian Penal Code was still in force when this report was drafted. The new Penal Code is awaiting signature by President Ahmadinejad and is not yet in operation.

25.13 The UN CRC report of March 2005 noted that:

‘The Committee notes the various legislative measures undertaken by the State party and referred to in its response to the list of issues (CRC/C/RESP/71) and welcomes in particular the information provided by the delegation that the Bill on the Establishment of Juvenile Courts has been approved by the Council of Ministers and has been submitted to the Majlis, a bill which, inter alia, abolishes the death penalty for crimes committed by persons under 18. The Committee also notes that this Bill has yet to be approved by the Council of Guardians before it becomes law.’ [10ag] (Para 8)

25.14 UNICEF’s input into the 2010 UN Human Rights Council’s Universal Periodic Review of the situation in Iran, advised that the new bill, the ‘... ‘Act of Formation of Juvenile Courts’ – was submitted to the Parliament in 2005 for ratification and is currently going

through the review process for adoption. Amendments have also been made to the Penal Code Bill and the Penal Procedure Code to address improvements to the low age of criminal responsibility.’ [10w]

25.15 The UN CRC report of March 2005 stated that: ‘The Committee reiterates its serious concern at article 220 of the Penal Code, which provides that fathers who kill their child, or their son’s child, are only required to pay one third of the blood money to the mother, and are subjected to a discretionary punishment, in the event that the mother makes a formal complaint.’ [10ag] (Para 31)

25.16 The same report continued:

‘The Committee deeply regrets that, under existing laws, persons below the age of 18 who have committed a crime can be subjected to corporal punishment and sentenced to various types of torture or other cruel, inhuman or degrading treatment or punishment, such as amputation, flogging or stoning, which are systematically imposed by judicial authorities and which the Committee considers to be totally incompatible with article 37(a) and other provisions of the Convention...’ [10ag] (Para 45)

25.17 The UN CRC report concluded:

‘The Committee welcomes the efforts of the State party to improve the laws with regard to persons below 18 in conflict with the law, in particular the Bill on the Establishment of Juvenile Courts ... However, it deplores the information referred to ... that, despite the statement of the delegation made during the consideration of the second periodic report that, in view of that Bill, executions, torture and other cruel, inhuman or degrading treatment or punishment of persons for having committed crimes before the age of 18 have been suspended, such executions and ill-treatment have continued since the consideration by the Committee of the State party’s initial report. The Committee remains concerned at the existing poor quality of the rules and practices in the juvenile justice system, reflected, inter alia, in the lack of statistical data, the limited use of specialized juvenile courts and judges, the low age of criminal responsibility, the lack of adequate alternatives to custodial sentences, and the imposition of torture and other cruel or inhuman punishment and in particular of the death penalty.’ [10ag] (Para 72)

25.18 On 27 January 2010, the Foreign and Commonwealth Office (FCO) advised that:

‘In general, children who are accused of committing a crime or have been sentenced following judicial processes, are detained in “Juvenile Correction and Rehabilitation Centres (JCRCs)’ or Kanoon-e Eslaah va Tarbiat (in Persian).

‘In each province, there is one JCRC which is a sub-department of the Prisons’ Organization. The latter is one of the Judiciary’s main bodies. The Head of Judiciary appoints the Prisons’ Organizations’ manager.

‘All children and juveniles in conflict with the law are sent to the JCRC through competent courts. The JCRC plays no role in sentencing and/or releasing these juveniles. These offenders are held in the Centre until the time that a decision is made on their cases. This can be enforcement of judgement and/or acquittal...

‘The JCRCs collaborate with international organizations e.g. UNICEF, government institutions e.g. Education and Labour Ministries, and NGOs with regards to child rights-related issues.

‘Upon entering the Centres and admission, the juveniles are placed in a temporary settlement section and undergo medical checks. Then a judicial file is established for each individual.’ [26b]

25.19 The FCO also stated that:

‘The JCRCs are also involved in cases of juveniles condemned to death i.e. on death row. The JCRC staff is very much involved in mediation and resolution of such cases at managerial and/or technical level, with a view to settling these cases through obtaining the pardon of the victim’s family and/or collection and payment of dieh (blood money). They also coordinate internally with the Prisons’ Organizations in order to refrain from sending former juveniles who have reached the age of 18, to adult prisons.’ [26b]

25.20 The FCO further advised that the JCRCs have a separate section for juveniles suspected or convicted of murder. ‘However, despite being held in separate quarters, it should be emphasised that they receive the same support/protection services that other juveniles in conflict with the law receive.’ [26b]

See also [Death Penalty](#) for further information on the judicial process in murder cases.

25.21 The UN CRC report of March 2005 recorded that, ‘The Committee is concerned about the large number of children living in prisons with their mothers, their living conditions and the regulation of their care if they are separated from their mothers in prison.’ [10ag] (Para 51)

25.22 On 22 February 2012, the Iran Human Rights Documentation Center (IHRDC) explained aspects of Iran’s new Penal Code with regards to juvenile offenders. The report described the categorization of children under four age groups combined with the categorization of crimes and punishments (hudud, qisas and ta’zir), and provided [eight possible situations](#) that might occur under the new Code. The report concluded that:

‘...according to the new Code, there have been some desirable changes in respect to ta’zir punishments. As a result, children, if they commit ta’zir crimes before turning 18 years old, whether they are boys or girls, and whether they have reached the age of maturity or not, shall be sentenced merely to correctional and security measures. So, there is no possibility for application of adult ta’zir punishments on children and juveniles. In comparison with the old Code, in which reaching the age of maturity resulted in full criminal responsibility, these changes may be regarded as positive, especially for girls. In addition, the possibility of averting hudud and qisas in a situation in which a lack of mental development is proved is another positive change, though this is arguable and does not completely solve the problem... under the new Penal Code, there remains the possibility of the application of hudud and qisas punishments on people under 18 years old, and, obviously it has not been abolished. In addition... the new Code, like the old one, clearly discriminates between boys and girls.’ [51f]

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## Death penalty for children

25.23 The Human Rights Watch (HRW) report, ‘Codifying Repression’, published in August 2012, stated:

'Iran remains the world leader in executing individuals who committed an offense while under the age of 18. During the past three years, Iran is believed to have executed more juvenile offenders than any other country in the world. Authorities executed at least three children in 2011, one in 2010, and five in 2009. In 2011 there were at least 143 child offenders on death row in Iranian prisons for alleged crimes including rape and murder. The figures for 2009 are five children; in 2008 seven, and in 2007 at least eight. Despite all evidence to the contrary, President Mahmoud Ahmadinejad claimed in 2008 that his country does not execute people for crimes committed before they were 18-years-old.' [8j] (p19)

25.24 The concluding observations of the UN Human Rights Committee, 17 October to 4 November 2011, stated, 'The Committee is gravely concerned about the continued execution of minors and the imposition of the death penalty for persons who were found to have committed a crime while under 18 years of age, which is prohibited by article 6, paragraph 5, of the Covenant (art.6).' [10t] (paragraph 13)

25.25 The Hands off Cain World Report 2012 covering 2011 and the first six months of 2012, noted:

'The execution of child offenders continued into 2011, in open violation of the Convention on the Rights of the Child to which it is a co-signatory. At least 4 people were hanged, after being convicted of offences they had allegedly committed when they were under the age of 18. Two of them were under 18 years of age at the time they were executed. Two other juvenile offenders were executed in 2011 according to unofficial sources but IHR hasn't confirmed their age yet. At least 2 juvenile offenders were hanged in Iran in 2010 and at least 5 in 2009.' [60a]

25.26 Amnesty International's report, 'Death sentences and executions in 2011', published 27 March 2012, stated:

'Iran was the only country worldwide in 2011, as in 2010, to still execute juvenile offenders – those under the age of 18 at the time the crime was committed. Such executions are strictly prohibited under international law. Amnesty International continues to record such executions, despite Iranian officials' claims that these are no longer taking place. Most juvenile offenders who are executed in Iran have been convicted of murder, but some death sentences are imposed on children convicted of alleged drugs offences. According to official reports, two juvenile offenders were executed in the southern port of Bandar Abbas in April. A third, Ali Reza-Molla Soltani, was publicly hanged on 21 September in Golshahr Square in Karaj, near Tehran, where he had stabbed a man, which he claimed he had done in self defence. The Iranian authorities claimed that he was already 18 according to the "shorter Islamic calendar". In addition, Amnesty International received reports of a possible four other executions of juvenile offenders.' [9y] (p38)

25.27 In 'Human Rights and Democracy: The 2011 Foreign & Commonwealth Office [FCO] Report', released in April 2012, the FCO also reported that the practice of executing juveniles continued in 2011 including that of Alireza Molla-Soltani, a boy aged 17 years accused of murder, who was hung by suspension strangulation in front of a reported crowd of 15,000 people. [26d] (p251)

25.28 The UN Secretary-General's report of 20 March 2012 presented the Iranian authorities' view, stating:

'... during its visit to Tehran in December 2011, the delegation of OHCHR was informed by the Iranian authorities that the number of juvenile executions has dropped dramatically and offences committed by persons under the age of 18 are tried in children's courts where efforts are being made towards lenient punishments. The authorities further noted that even in cases of retribution (qisas), considered under Iranian law as the private right of the victim's family and which cannot be overruled by judiciary, extensive efforts are made by the Conciliation Commission of the judiciary to encourage families of the victim and perpetrator to reach a diyah (blood money) settlement. They also informed the OHCHR delegation that the Governments' policy is to encourage the next of kin to forfeit the right to qisas and each year specific funds are earmarked in the Ministry of Justice to assist those convicted to pay the diyah settlement.' [10ai] (p6)

25.29 Regarding the new Penal Code, which is not yet in operation, the UN Secretary-General's report of 22 August 2012 stated:

'There have been efforts to progressively restrict the executions of juvenile offenders. The revised Islamic Penal Code, which is yet to be approved, does not end juvenile executions but establishes new measures to limit the juvenile death penalty. It revokes capital punishment for persons under the age of 18 charged with certain crimes, such as smuggling narcotics. In cases of attempted premeditated murder, where juveniles may still face execution, the Code introduces the notion of mental maturity and the ability to reason as key elements regarding their sentencing under capital offences. Article 90 of the revised Islamic Penal Code stipulates that juveniles under 18 who commit offences under the categories of hudud and qisas will not be sentenced to death if the court decides, through forensic evidence, that the offender did not have adequate mental maturity and the ability to reason. However, the Code does not raise the age of criminal liability of children. The latest juvenile execution reported was in September 2011, when 17-year-old Alireza Molla-Soltani was publicly hanged.

'Furthermore, under the category of discretionary penalties (tazir), the Code abolishes corporal punishment and introduces alternative penalties that include community service, thereby minimizing the incidence of depriving children of their liberty; takes age and the severity of the offence into account in the determination of the punishment; and authorizes judges to assess progress in the rehabilitation of child offenders and eventually, discontinue punishment, especially in the case of deprivation of liberty. Moreover, the revised Code of Criminal Procedures, which has yet to be adopted, contains provisions that protect the rights of children. The revised Code of Criminal Procedures also provides for the establishment of juvenile courts that would hear all crimes committed by children and individuals under 18.' [10ac] (p6)

25.30 Reporting on Iran's new penal code, the International Campaign for Human Rights in Iran stated on 27 February 2012 that 'The Iranian government purports that the new penal code abolishes the execution of children under eighteen. However, this claim does not stand up to examination: under the new penal code, juvenile execution is still not fully abolished... It still permits the use of the death penalty against juvenile offenders in hodoud or qesas crimes.' [52t]

25.31 Also commenting on the new penal code, the HRW report of August 2012 noted that, 'An assessment of the new amendments...reveals that while lawmakers have abolished the death penalty for "discretionary crimes" such as drug possession or trafficking,

judges may still exercise their discretion in sentencing child offenders to death for “crimes against God” or “retribution crimes.” [8] (p19)

See also [Penal Code](#) and [Death penalty and LGBT section, Charges, sentences and punishments](#)

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## VIOLENCE AGAINST CHILDREN

25.32 A briefing by the Global Initiative to End All Corporal Punishment of Children submitted to the Committee on Economic, Social and Cultural Rights session of 21 to 25 May 2012, stated:

‘Corporal punishment of children in Iran appears to be unlawful in schools and in penal institutions (information unconfirmed), but it is lawful in the home, as a sentence of the courts and in alternative care settings. Article 1179 of the Civil Code (1935, amended 1991) states that parents “are entitled to punish their children” within the “limits of correction”. Article 59 of the Islamic Penal Code (1991, amended 1996) states that actions by parents for the purposes of correction do not constitute an offence. Article 7 of the Law on the Protection of Children exempts the “correction measures” in the Civil and Penal Codes from the prohibition of violence.

‘With regard to children in conflict with the law, article 49 of the Islamic Penal Code states that if a minor commits a crime, the parent/guardian is responsible for his/her “correction”, including “bodily punishment” which “must have a limit and be appropriate”. A minor is defined as a person who has not reached puberty, which according to the Civil Code (article 1210) is age 15 for boys and 9 for girls. Older children convicted of a crime are punished under the Penal Code, including by corporal punishment – lashings and amputation – for crimes relating to sex, false accusation, alcohol and bodily injury.’ [13a]

See also section on [Legal Rights](#)

25.33 The USSD Report 2011 stated:

‘There was little information available to reflect how the government dealt with child abuse. Abuse was largely regarded as a private family matter. According to ISNA [Iranian Student’s News Agency), more than 7,000 cases of child abuse were officially reported during the year. On December 13 [2011], the managing director of the Office for Protection of Vulnerable Citizens stated that his office received calls from more than 215,000 persons during the year, of which approximately 93,000 were calls directly from victims and an additional 47,000 were by medical professionals who treated emergency cases. In May 2010 the government announced that approximately 150,000 cases of child abuse had been recorded in the six months prior. A prominent attorney noted that the government did little to address the problem.’ [4a] (Section 6)

25.34 On 20 May 2010, Radio Free Europe/Radio Liberty’s Radio Farda reported that prominent Tehran-based lawyer, Nastrin Sotoudeh had “accused the government of failing to address the problem of child abuse in Iran.” The article noted her as saying that “When a man beats his wife or child, the court sees it as a ‘private family dispute’ and avoids looking into the details of the case”...The state Welfare Organization

announced earlier this month that there have been almost 150,000 cases of child abuse recorded in Iran over the last six months.’ [42b]

See section on [Human rights activists and lawyers](#) for information on the detention of Nastrin Sotoudeh.

## Child labour and street children

25.35 Iran has ratified ‘... the ILO [International Labour Organisation] Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention No. 182) (ratified on 8 May 2002).’ (Secretary-General’s Report to the UN General Assembly, 23 September 2009) [10g] (p16) When Iran’s 2nd Periodic Report was considered by the UN Committee on the Rights of the Child (CRC) on 20 January 2005, the ratification of the ILO Convention was welcomed but:

‘... the Committee remains concerned at the large number of children below the age of 15, particularly in rural areas, who are involved in child labour, especially in the informal sector, including carpet weaving and other traditional family businesses. The Committee also notes that although article 79 of the Labour Code sets the minimum age of access to employment at 15, other legislation, including the Agricultural Code, sets that age at 12.’ [10ag] (Para 68)

25.36 The US Library of Congress website, updated on 30 April 2012 stated ‘The Law Aggravating Punishment for Employing Children under 12 Years of Age in the Carpet Industry of February, 1969 provides for a jail term of six months to one year and a fine of five thousand to fifty thousand rials for violators. Other than the carpet industry, the Labor Law sets age fifteen as the minimum age for employment.’ [7a]

25.37 The USSD Report 2011 noted that, ‘Family members and others forced children to work.’ [4a] (Section 7b) The same report continued:

‘The law prohibits employment of minors younger than 15 and places restrictions on employment of minors younger than 18, such as prohibitions on hard labor or night work; however, the law permits children to work in agriculture, domestic service, and some small businesses from the age of 12. The government did not adequately monitor or enforce laws pertaining to child labor, and child labor was a serious problem.

‘According to government sources, 600,000 children worked in the country during the year. Approximately 360,000 children between the ages of 10 and 14 worked full time and another 380,000 children worked in seasonal employment. Family poverty, insufficient economic growth, and uneven distribution of wealth were the sources of the problem, according to government news reports. 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 involuntary servitude as beggars and laborers.’ [4a] (Section 7c)

25.38 On 28 November 2012, Payvand Iran News reported:

‘Iranian children’s rights activist Ali Akbar Esmailpour has spoken out against the lack of close supervision of child labour in Iran. Esmailpour told ILNA on Tuesday that the Iranian government fails to accurately report on just how many child workers are used in workshops in Iran.

'He said: "The only information at hand is the statistics regarding street children, because they are very visible, but this does not give the complete picture."

'The head of the Association for the Protection of Children's Rights said the Ministry of Labour is responsible for regularly inspecting workshops and following up on the situation of child workers, adding that "children sometimes work between 12 to 16 hours under very bad conditions without the slightest safety or hygienic considerations."

'Esmailpour explained that the sixth parliament passed a law that exempted workshops with fewer than 10 employees from following labour laws. He emphasized: "This is why the ministry does not stand accountable for the child workers in such workshops."

'Tehran city officials reported in September [2012] that the number of child workers rounded up across the city has increased by 15 percent, and the number is continually on the rise.' [130c]

See also [Trafficking](#) and [Employment rights](#)

25.39 The concluding observations of the 2005 UN CRC report stated:

'The Committee continues to be concerned about the large number of children living and/or working in the streets, particularly in urban centres such as Tehran, Isfahan, Mashhad, and Shiraz. It regrets that the State party could not present studies on the extent and nature of the problem and is concerned that the centres known as "Khaneh Sabz", "Khaneh Shoush" and "Khaneh Reyhane" homes, which were established to assist these children, albeit in a limited capacity, have been closed down. It is equally concerned at reports of the round-up and arrest of Afghan children in the streets despite the fact that they were registered with the authorities, and that as a "condition" for their release the authorities request that their parents register for repatriation.' [10ag] (p13)

25.40 An article by the Institute for War and Peace Reporting dated 17 March 2011 reported that Afghan children were being taken from the streets by the Iranian security forces, detained and deported back to Afghanistan:

'Some of these children have never been to Afghanistan before and appear to have been removed from Iran without their parents' knowledge...

'Sultan Mohammad Wafakesh of AIHRC says children often report being mistreated by the Iranian authorities.

"There are many children whose families live in Iran. They've been detained by Iranian police when they leave their homes for some reason, and are then deported," he said. "According to the children, they are not given any food in the Iranian camps [prior to deportation] and are forced to perform work like as unloading trucks or cleaning toilets. Children are kept in the same rooms as adults, which runs contrary to all principles of child rights.'" [120b]

## Trafficking

25.41 The concluding observations of the UN Committee on the Rights of the Child on 31 March 2005, expressed concern '...at reports of unaccompanied children arriving in Iran from neighbouring countries, in particular Afghanistan, allegedly for the purpose of exploitation.' [10ag] (p12-13) The April 2009 issue of Forced Migration Review included an article which noted, 'Recent newspaper reports, supported by the declarations of judicial

and law enforcement officials, acknowledge the existence of organised criminal networks involved in the trafficking of narcotics, and small arms as well as people. In this context, of particular concern are reports of trafficking of children (Afghans, as well as Iranians) from Iran to the Persian Gulf Region.’ [121a]

- 25.42 An investigation in 2011 by the Institute of War and Peace Reporting (IWPR) found that Afghan children were being used by smuggling rings to traffic heroin across the border to Iran. See the [IWPR report](#) directly for more detailed information. [120a]
- 25.43 The USSD’s ‘Trafficking in Persons’ report of 19 June 2012 reported that, ‘Iran is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Iranian and Afghan boys and girls residing in Iran are forced into prostitution within the country. Iranian women, boys, and girls, are subjected to sex trafficking in Iran, as well as in Pakistan, the Persian Gulf, and Europe. Azerbaijani women and children are also subjected to sex trafficking in Iran.’ [4f] (p189)
- 25.44 The USSD Report 2011 noted ‘Children were trafficked within the country for commercial sexual exploitation, sometimes through forced marriages in which girls’ new ‘husbands’ forced them into prostitution and involuntary servitude as beggars or laborers to pay debts, provide income, or support drug addiction of their families. The government did not report any law enforcement efforts during the year to punish trafficking offenders and continued to lack any victim protection measures.’ [4a] (Section 6)

See also [Trafficking](#)

## Female genital mutilation (FGM)

- 25.45 An article published on the Gozaar website dated 11 August 2010 stated that, based on reports on female genital mutilation (FGM) in Iran, ‘...it seems that female circumcision is prevalent mostly in the provinces of Khuzestan, Lorestan, and Kurdistan. The city of Hormozgan and the ports of Bandar Kang and Jask are among southern cities where female circumcision is customary.’ [94b] Furthermore:

In southern Iran, it is commonly believed that this custom was brought into the country through maritime exchange with India and Somalia. Female circumcision is practiced in western Iran as well: in Uramanat (in Kurdistan), Baneh, Nosud, Paveh, Piranshahr and even in the vicinity of Orumiyeh. In fact, it is considered an Islamic tradition among certain Sunni and Shafi’i Muslims. In these parts, girls are usually circumcised between the ages of four and six with a knife or sharp razor and, afterwards, some ash is applied to their circumcised genitals.” [94b]

- 25.46 The results of a study conducted in the city of Ravansar in Kermanshah province, where Kurdish was the predominant language, was published in the Journal of Women’s Health Care in May 2012. The study found that, ‘... the prevalence of FGM among women was 55.7%. The majority of FGM operations (87.7%) had been performed by traditional local female circumcisers. The respondents were also asked about their intention of subjecting their daughters to FGM in the future. About 47% of the respondents replied that their daughters should undergo FGM.’ [122a]

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## Childcare and protection

25.47 The UN 38th session CRC report of March 2005 stated that:

'The Committee welcomes the information, in paragraphs 95 and 96 of the State party's report, that one of its priorities will be the development of child adoption in its lawful form and the provision of counselling services in that regard, but remains concerned at the lack of a clear legal and policy framework for various forms of alternative care, such as fostering, or kafalah. It is particularly concerned about the large number of orphaned children born out of wedlock, the large number of long-term orphans resulting from the Bam earthquake currently in institutional care, and the temporary placement of the children of drug addicts, who may be obliged to stay in institutional care for long periods, as well as the poor quality of supervision, monitoring and training of the staff of these institutions. It is also concerned about reports that a certain number of girls from these institutions are married off upon reaching the marriageable age (13 years).' [10ag] (Para 49)

25.48 The UN 38th session CRC report of March 2005 stated that:

'The Committee continues to be concerned about the large number of children living and/or working in the streets, particularly in urban centres such as Tehran, Isfahan, Mashhad, and Shiraz. It regrets that the State party could not present studies on the extent and nature of the problem and is concerned that the centres known as "Khaneh Sabz", "Khaneh Shoush" and "Khaneh Reyhane" homes, which were established to assist these children, albeit in a limited capacity, have been closed down.' [10ag] (Para 64)

25.49 UNICEF's input into the 2010 UNHRC UPR, stated:

'...in the area of legal protection, a new Child Protection Bill was drafted in 2007 which addresses situations that place children at risk e.g. lack of effective caregivers, malfunctioning of family or legal guardian of the child, maltreatment of the child, involvement of the child in prostitution, pornography, drug smuggling, addiction, and forced labour. The bill considers child victims and witnesses of crime in need of protection and establishes certain mechanisms for protecting children at risk and in need of protection and is also currently before Parliament.' [10w] (p3)

25.50 A February 2010 report by the National AIDS Committee Secretariat, Ministry of Health and Medical Education, Iran, stated that:

'In the Islamic Republic of Iran, the government is obliged to provide support to all those children who have lost their both [sic] parents for any reason or the child with non-appropriate household head. At the present Welfare Organization is in charge of such services. Some of these children are HIV infected and some of them have lost their parents of this disease. These children receive such extra services as supportive, social, emotional and medical services in addition to the general supervisory services.' [85a] (p59-60)

See also section on [Violence against Women](#) for further information on care homes and shelters

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## Education

- 25.51 The Central Intelligence Agency (CIA) World Factbook, updated on 18 April 2012, accessed 23 May 2012, stated that in 2002, an estimated 77 per cent of the total population were literate (83.5 per cent of men and 70.4 per cent of women). [111a]
- 25.52 Europa World online, accessed on 21 May 2012, noted that:
- ‘Primary education, beginning at the age of six and lasting for five years, is compulsory for all children and provided free of charge. Secondary education, from the age of 11, lasts for up to seven years, comprising a first cycle of three years and a second of four years. According to the Government, 24,000 schools were built between the 1979 Revolution and 1984. According to official figures, 5,591,800 pupils were enrolled in primary education in 2009/10, while 6,274,600 were engaged in secondary education. In 2006/07, according to UNESCO estimates, primary enrolment included 99% of children in the relevant age-group, while in 2004/05 enrolment at secondary schools included 77% of the appropriate age-group.’ [1e] (Education)
- 25.53 The USSD Report 2011 stated, ‘Although primary schooling up to age 11 is free and compulsory for all, the media and other sources reported lower enrollment in rural areas for girls than for boys. This gender disparity is largely due to cultural differences from the urban centers, lower education among the parents, and stronger religious influence. More than 25 percent of refugee children of primary school age were not enrolled in school either due to the lack of identification cards or available places in schools...’ [4a] (Section 6)
- 25.54 United Nations Educational, Scientific and Cultural Organization’s (UNESCO) [World Data of Education, 7th Edition, 2010/11](#), dated July 2011, provided detailed information on Iran’s laws, regulations, structure and organisation of the education system, including the educational process in pre-primary, primary, secondary and higher education. [10z]
- 25.55 The UN 38th session CRC report of March 2005 stated that:
- ‘Although the Committee notes the high level of literacy in Iran and the measures taken by the State party to increase school enrolment and lower dropout rates, it remains concerned that not all children are enrolled in or graduate from primary school. Working children, children living on the streets and children without complete personal documents, particularly refugee children with binational parents, have reduced access to schools. It is also concerned that refugee children are currently only being enrolled in schools if their parents have registered with the authorities, and that the enrolment of refugee children is not currently being offered free of charge. It is further concerned about well-documented information that a large number of Baha’i students were not admitted to university on the grounds of their religious affiliation.
- ‘The Committee is also concerned about the disparity that continues to exist between boys and girls; the high dropout rates of girls in rural schools upon reaching puberty; the lack of female teachers in rural areas; long distances between homes and schools, which keep girls at home, particularly after primary school and the lack of mobile schools for nomadic children, as well as the remarkable differences in the personal and material equipment between schools in urban and rural areas and between the most and least developed provinces, resulting in unequal educational opportunities.’ [10ag] (Paras 59-60)
- See also [Baha’is](#) for further information about restrictions placed upon them.

25.56 The Iranian Minorities' Human Rights Organisation (IMHRO) reported on 18 February 2008 that education in Iran is provided only in Farsi. The organisation states that this results in many non-Farsi-speaking children leaving school before they should and the literacy rates of minorities being very low. [109a] 'While there are several ethnic communities with their distinct languages in Iran, they do not have the right to education in their own mother tongues. The Iranian Constitution (Article 15) permits only the right to teach the literature of non-Persian languages in the schools.' (International Federation for Human Rights (FIDH), Submission to the UN Committee on Economic, Social and Cultural Rights, May 2012. [56a])

25.57 A Freedom House report, based on research conducted on compulsory textbooks used in 2006/2007, concluded:

'The government of Iran is teaching the country's children to discriminate against women and minorities, to view non-Muslims with suspicion if not contempt, and to perpetuate the regime's theocratic ideology. Discrimination and intolerance are deeply ingrained in the textbooks that make up the core of Iran's school curriculum. The country's textbooks systematically denigrate the importance of women as individuals, largely neglect minority groups or fail to acknowledge them entirely, propagate Shi'ite egocentrism, and encourage hostility toward non-Muslim countries.' [112g]

25.58 Europa World online, accessed on 21 May 2012, stated that:

'Iran has 39 universities, including 16 in Tehran. Universities were closed by the Government in 1980 but have been reopened gradually since 1983. According to official sources, some 2,335,800 students were enrolled at Iran's public colleges and universities in the 2009/10 academic year, in addition to the 1,460,000 students enrolled at the Islamic Azad University. Apart from Tehran, there are universities in Bakhtaran, Esfahan, Hamadan, Tabriz, Ahwaz, Babolsar, Meshed, Kermanshah, Rasht, Shiraz, Zahedan, Kerman, Shahrekord, Urmia and Yazd. There are c. 50 colleges of higher education, c. 40 technological institutes, c. 80 teacher-training colleges, several colleges of advanced technology, and colleges of agriculture in Hamadan, Zanzan, Sari and Abadan. Vocational training schools also exist in Tehran, Ahwaz, Meshed, Shiraz and other cities.' [1e] (Education)

See also [Academic Freedom](#)

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## HEALTH AND WELFARE

25.59 The World Health Organisation's (WHO) report, 'World Health Statistics 2012', recorded that the under-five mortality rate was 26 per 1000 live births. The number of live births attended by skilled health personnel was 99 per cent. [28a] In July 2012, the WHO and UNICEF estimated that, in 2011, 99 per cent of children in Iran were immunised against measles. [28f]

For further details of Iran's immunisation programme see the [WHO/UNICEF report](#). [28f]

Further information may also be found in the [WHO's World Health Statistics 2012](#). [28a]

25.60 An undated article on the UNICEF website, accessed on 18 July 2012, stated:

'In recent years, Iran has registered remarkable achievements in the area of child health, with high primary health coverage and lowered child mortality rates. Pre-primary care and education services have increased considerably, with rural children in disadvantaged areas a major target for development.

'Nevertheless, the country faces a number of challenges in meeting the full range of children's needs, particularly those children made vulnerable by poverty either through distance from central services and/or unemployment of caregivers.' [10]

25.61 The WHO's Country Cooperation Strategy, dated April 2009, noted that, 'Maternal and child health have improved but malnutrition and low-weight births are higher than average in rural areas.' [28d] Information on the Children's Rights Portal, updated 15 March 2012, stated, 'Iran has a very high mortality rate for children under the age of 5. Premature birth, pneumonia, pelvic congestion, and diarrhea are the main causes of infant mortality.' [53a]

25.62 The Guardian reported on 14 November 2012:

'A teenage Iranian boy suffering from haemophilia has died due to a shortage of medicine in the country. It is the first civilian death said to be directly linked to the impact that western economic sanctions are having on the Islamic republic. Manouchehr Esmaili-Lioui was a 15-year-old from a nomadic tribe based in the mountains near the city of Dezful, in Iran's south-western province of Khuzestan. He died in hospital after his family failed to find the vital medicine he desperately needed for his disease, Iran's state news agencies reported on Wednesday.' [16]

See also [Medical Issues](#) for further information on the impact of sanctions on medical supplies

## DOCUMENTATION

25.63 A comprehensive 2005 UNICEF report, 'Birth Registration in Iran', stated:

'Iran adopted a Birth Registration Law in 1918, making Birth Registration compulsory. Article 12 of the Registry Act stipulates that the birth of every child born in Iran, regardless of the nationality of his/her parents shall be reported (within 15 days) to the official representative or agent of the Birth Registration Organization and the birth of the children of Iranian nationals residing outside Iran shall be reported to the local Consulate of the Islamic Republic of Iran and in the event that there is no local Iranian consulate, it shall be reported to the nearest Iranian consulate or the Birth Registration Organization of Iran... The legal grace period for the announcement of the birth of a child is 15 days from the date of birth. After the expiration of the prescribed period, if the fact of birth is not recorded, those who are legally bound are considered violators of the law and will be prosecuted, pursuant to Article 3 of the Law on Contravention, Crimes and Punishments concerning Registration of Personal Status enacted by the Council of Expediency (August 1991). In case of conviction, the violator shall be liable not only for registration of the birth but also for payment of a fine. However, these laws are often not comprehensive enough, are not enforced or do not function.' [10h] (p5)

This [UNICEF report](#) contains detailed information on the birth registration process and should be accessed directly for further information.

- 25.64 The USSD Report 2010 stated that ‘The responsibility for implementing birth registration law falls to the Ministries of Justice, Interior, and Foreign Affairs. According to UNICEF, despite efforts to register rural births, 13 percent of births were not reported in 2005.’ [2f] (Section 6)
- 25.65 The Women’s News Network on 23 September 2008 noted that ‘According to existing family law, citizenship cannot be passed to children from their mothers. Many Iranian women who have married Afghan and Iraqi men cannot get birth certificates for their children; hence these children cannot go to school.’ [34a] The report of the UN Secretary-General dated 22 August 2012 noted that, ‘Children born of registered refugee parents also continued to be denied birth certificates.’ [10ac] (p10)

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## 26. TRAFFICKING

- 26.01 The US Department of State’s ‘Trafficking in Persons’ report (USSD TiP 2012), published 19 June 2012, covering 2011, noted:

‘Iran is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor... Iranian women, boys, and girls, are subjected to sex trafficking in Iran, as well as in Pakistan, the Persian Gulf, and Europe. Azerbaijani women and children are also subjected to sex trafficking in Iran...

‘The Government of Iran does not comply with the minimum standards for the elimination of trafficking, and is not making significant efforts to do so. The government did not share information on its anti-trafficking efforts with the international community during the reporting period; this impedes the collection of information on the country’s human trafficking problem and the government’s efforts to curb it. Publicly available information from NGOs [Non Governmental Organisations], the press, international organizations, and other governments nonetheless indicate that the Iranian government is not taking sufficient steps to address its extensive trafficking challenges.’ [4f] (p189)

- 26.02 Regarding legislation, the USSD TiP 2012 noted that Iran is not a party to the 2000 United Nations (UN) TiP Protocol. Furthermore:

‘The Government of Iran made no discernible law enforcement efforts against human trafficking during the reporting period [2011]. A 2004 law prohibits trafficking in persons by means of threat or use of force, coercion, abuse of power or of a position of vulnerability of the victim for purposes of prostitution, removal of organs, slavery, or forced marriage. The prescribed penalty under this law reportedly is up to 10 years’ imprisonment, which is sufficiently stringent, but not commensurate with penalties prescribed under Iranian law for other serious crimes, such as rape. The Constitution and Labor Code both prohibit forced labor and debt bondage; the prescribed penalty of a fine and up to one year’s imprisonment is not sufficient to deter these serious crimes. In addition, the Labor Code does not apply to work in households. NGO sources report that these laws remain unenforced due to a lack of political will and widespread corruption. There were no reports of investigations or prosecutions of trafficking cases

or convictions of trafficking offenders. It was extremely difficult for women in forced prostitution to obtain justice; first, because Iranian courts accord legal testimony by women only half the weight accorded to testimony by men, and second, because women who are victims of sexual abuse are liable to be prosecuted for adultery, which is defined as sexual relations outside of marriage and is punishable by death. There were no reports of government officials being investigated or punished for complicity in trafficking offenses during the reporting period.’ [4f] (p189-190)

The [USSD TIP 2012](#) also includes more detailed information on the Government’s treatment of traffickers and trafficking victims. [4f]

26.03 The Concluding Observations of the UN Human Rights Council, 17 October 2011 to 4 November 2011, stated:

‘The Committee is concerned about the persistent trafficking in women and children, particularly young girls from rural areas, often facilitated by temporary marriages (“siqeh”) (art.8).

‘The State party should take steps to combat and prevent the trafficking and sale of persons under 18 years of age. The State party is also requested to provide the Committee in its next periodic report with statistics, on an annual basis, on the number of arrests and convictions under the 2004 law to combat trafficking.’ [10t] (paragraph 20)

See also Children, sub section [Trafficking](#), [Women](#) and [Corruption](#)

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## 27. MEDICAL ISSUES

### OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

27.01 The World Health Organisation (WHO) April 2009 Country Cooperation Strategy for Iran stated:

‘Health status has improved over four decades. The Ministry of Health and Medical Education (MOHME) finances and delivers primary health care (PHC). Recent remarkable developments in the health sector, such as establishing health networks to ensure provision of PHC services, resulted in improvement in various health indicators. However, considerable disparities remain; over 8-10% of the population is not covered by any insurance scheme and has to pay directly. Restricted access and low service availability in the less developed provinces (Sistan and Baluchistan) result in poor health indices compared to the rest of the country.’ [28d]

27.02 The World Bank Country Brief, updated April 2012, stated:

‘Iran’s health outcomes have also improved considerably over the past twenty years. The mortality rate for children under five steadily declined from 65 (per 1,000) in 1990 to 27 in 2009. Similarly, the maternal mortality ratio per 100,000 live births declined from 150 to 30 during the same period. Consequently, health indicators are usually above regional averages. This success is based on the effective delivery of primary health care which almost balanced health care outcomes in rural and urban areas. Iran’s new

5th five-year development plan from 2011 to 2015 continues to focus on social policies.’ [36a]

- 27.03 The United Nations Population Fund’s (UNFPA) ‘Iran Country Profile’, accessed 11 July 2012, stated:

‘The Ministry of Health and Medical Education (MOHME) has executive responsibility for health and medical education within the Iranian government. The Ministry has the legal authority to oversee, license and regulate the activities of the private health sector.

‘An elaborate system of health care network provides primary health care (PHC) to the vast majority of the Iranian public. MOHME owns and runs Iran’s largest health care delivery network and medical schools. MOHME is in charge of provision of healthcare services through its network, medical insurance, medical education, supervision and regulation of the healthcare system in the country, policymaking, production and distribution of pharmaceuticals, and research and development.’ [10s]

- 27.04 A WHO Bulletin dated August 2008 reported on the establishment of ‘health houses’ in Iran of which there are around 17,000: ‘According to Dr Mohammad Esmael Motlaq, the director of the Centre for Healthcare Promotion affiliated with the Ministry of Health, more than 90% of the Islamic Republic of Iran’s 23 million rural population enjoys health-care services through the health houses staffed by these community health workers. “People enjoy primary health care services free of charge,” Motlaq says.’ [28c]

- 27.05 Information from the Foreign and Commonwealth Office (FCO) dated 14 February 2011 stated:

‘There are two types of hospitals in Iran, private and governmental. Depending on the circumstances, both private and Government hospitals can be used by anyone, although treatment can be considerably cheaper at a government run hospital. As in the UK, private hospitalisation, treatment and operations can be very expensive in Iran.

‘If the patient belongs to a social security scheme whereby an employer pays the subscriptions for the employee, this then entitles them to subsidised medical treatment and medication. This insurance cover applies to all government hospitals and some private hospitals too.

‘In Tehran and all other larger cities such as Shiraz and Isfahan there are many well-reputed hospitals. These are staffed by physicians and specialists, most of whom are very experienced and internationally trained. There is an extensive range of specialist care found in Tehran, both in the private and governmental sector.

‘For complex medical conditions where treatment is not available locally, the patients can apply to the Supreme Medical Council for financial assistance towards payment of medical expenses overseas. The Supreme Medical Council consists of a group of specialist doctors who assess and examine each case to determine whether such assistance in funding should be allocated.’ [26a]

- 27.06 An International Organisation for Migration (IOM) Country Brief on Iran updated on 30 November 2009 stated:

‘According to the last census that the Statistical Centre of Iran undertook in 2003, there are 730 medical establishments (e.g. hospitals, clinics) in Iran, of which 488 are directly affiliated and run by the Ministry of Health and Medical Education, 120 owned by the

private sector and the rest are managed by other organizations such as the Social Security Organization of Iran (SSO). About 73% of all Iranians have SSO coverage according to the same source.

'Iran has been very successful in training/educating the necessary human resources for its health system. The system of almost 30 years ago where the country was facing a shortage of all kinds of skilled personnel in the health and medical sector has been completely changed. Today, there is enough trained adequate medical staff to meet the country's needs. An elaborate system of health network[s] has been established which has ensured provision of Primary Health Care (PHC) to the vast majority of the public. However, access and availability of health care continues to be somewhat limited in lesser developed provinces where the health indicators are also lower compared to the national averages.' [48a] (p3)

27.07 The UNFPA Iran Country Profile, accessed 11 July 2012, stated that, 'Since the 1979 revolution, Iran has adopted a full generic-based National Drug Policy (NDP), with local production of essential drugs and vaccines as one of the main goals. MOHME has a mission to provide access to sufficient quantities of safe, effective and high quality medicines that are affordable for the entire population.' [10s]

27.08 A national therapeutic drug policy/essential list of drugs is present, formulated in 1988. The essential drugs list was last updated in 2001. (WHO, 2005) [28e]

27.09 Information from the FCO dated 14 February 2011 noted:

'Most drugs are readily available in Iran and those medicines not easily available, which are approved by the US Food and Drug Administration, can be ordered through the Red Crescent Society or governmental pharmacists, by presenting a doctor's prescription. The prices for medications bought in Iran are much cheaper than UK prescription and dispensing charges. There has also been considerable development in the pharmaceutical industry in Iran during the last decade. The essential raw materials for the majority of medicines are imported from overseas and then the medicine is produced and packaged locally. This is again subsidised by the Government. Care should be taken that the medicines prescribed comply to [sic] international standards. [26a]

27.10 The IOM Country Brief updated on 30 November 2009 observed that:

'Iran has a rather developed pharmaceutical production capability but the country still relies on importations of raw materials and many specialized drugs. The Ministry of Health has the mission to provide access to sufficient quantities of safe, effective and high quality medicines at an affordable price for the entire population. Since the 1979 revolution, Iran has adopted a full generic-based National Drug Policy, with the local production of essential drugs and vaccines.

'Therefore, apart from very rare and special medicines, all medications are available in Iran. There are many private pharmacies all over the country. There are also four major governmental pharmacies that would provide any kind of prescribed medicine, but in small quantities to avoid the creation of [a] black market. There are thousands of pharmaceutical facilities in Tehran and hundreds more around the country.' [48a] (p5)

- 27.11 A 2011 BioMed Central article reported that, 'Although the majority of the population is covered by health insurance, the fact that some medications and non-medical therapies are not covered might hinder the access of some poor patients to them.' [126a] (p9)
- 27.12 On 15 October 2012, Radio Free Europe/Radio Liberty reported that:
- 'Sanctions imposed on Iran over its controversial nuclear activities are said to be taking a toll on the population, including seriously ill patients who find it increasingly difficult to access needed drugs.
- 'Iranian media report that the country is facing shortages of medicine needed for the treatment of a number of illnesses - including life-threatening conditions like cancer and heart disease, pulmonary problems, hemophilia, and multiple sclerosis.
- "Tejaratnews," an Iranian trade publication, published a list over the weekend of 50 imported drugs that it says have become rare as a result of financial sanctions. Several types of antibiotics and at least two types of birth-control pill are also in short supply.
- 'The website reports that some 40 drugs made inside the country are also difficult to obtain. The report says some cancer and diabetes patients are trying to buy from pharmacies large amounts of medicine, apparently to avoid interruption or delay in their supplies, which could have deadly consequences.' [42d]
- 27.13 BBC News also reported on the impact of sanctions on medical supplies on 24 November 2012:
- 'Hospitals, clinics and pharmacies in Iran are running out of medicine as the government cuts health funding because of international sanctions, putting the lives of thousands of people at risk...
- 'Although trade in medicine is exempt from international sanctions imposed by the UN Security Council and the unilateral sanctions announced by the US and EU, Iranian importers say Western banks have been declining to handle it...
- 'Iranians suffering from diseases such as the blood disorders thalassemia and haemophilia, and various types of cancer, so far have been hardest hit.' [21r]
- See also Children, subsection [Health and Welfare](#) for further information on the impact of sanctions.

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## HIV/AIDS – ANTI-RETROVIRAL TREATMENT

- 27.14 The most recent available UNAIDS statistics on the UNAIDS website, accessed 7 November 2012, were for 2009 and these indicated that an estimated 92,000 people were living with HIV in Iran, of whom approximately 26,000 were women aged over 15. Furthermore, an estimated 6,400 people had died of AIDS. [10v]
- 27.15 The UNAIDS 'Report on the global AIDS epidemic 2010', published on 23 November 2010, stated that 'The Islamic Republic of Iran is believed to have the largest number of people who inject drugs in the region, and its HIV epidemic is centred mainly within this

population group. An estimated 14% of people who inject drugs countrywide were living with HIV in 2007.’ [10o] (p54)

- 27.16 A report by the National AIDS Committee Secretariat, Ministry of Health and Medical Education, Iran, dated March 2012, stated:

‘ARV Therapy: procurement and distribution of ARV drugs began within the framework of the national health and treatment system in 1997. There are currently 14 types of ARV drugs available in Iran. This variety allows for the provision of a wide range of three-drug combination regimens in Iran. ARV drug prescriptions are free across the country through medical-sciences-university affiliated behavioral disease counselling centers in accordance with the aforementioned guidelines. There are no limits either in terms of quotas or prioritization of access based on patients’ sex, age, or social stratum. All cases identified that are indicated for ARV therapy (in accordance with the national guidelines) who wish to receive treatment are covered by ARV therapy free of charge.’ [85b]

- 27.17 The same National AIDS Committee Secretariat report also noted that:

‘At the end of the year 2010, 2209 persons (Including 518 female and 1691 male) were receiving Antiretroviral Therapy. In December 2011, the number raised up to 2752 persons (Including 684 female and 2068 male).’ [85b] The same report also noted, ‘Estimated by Spectrum Software, the number of people who need ART across the country was 21620 and 35255 persons in 2010 and 2011 respectively...In December 2010 and December 2011, 10.2% and 7.8% of the total people who needed antiretroviral therapy received it respectively.’ [85b]

- 27.18 The US Department of State’s, International Narcotics Control Strategy Report (INCSR) 2012, published March 2012, covering the period 1 January to 31 December 2011, stated:

‘Drug use has driven the spread of HIV/AIDS in the country. By mid 2011, there were 23,125 people registered with HIV/AIDS infections. Injecting drug use was a factor in contracting the disease in nearly 70 percent of these cases. The average HIV prevalence among injecting drug users in Iran is 14.3 percent. The total number of infected persons may be up to 80,000, according to the Iranian Ministry of Health.

‘Recently, Iran’s drug officials demonstrated a sharp reversal of their former policies to incarcerate drug abusers; they now claim to emphasize treatment over punishment. In addition to treatment clinics, free needle programs and the distribution of condoms have been used to curb HIV and other blood-borne disease infection rates in Iran. Methadone and Buprenorphine are used to maintain addicts during withdrawal treatment.’ [4b] (p267)

- 27.19 Information on the website of the UN Office on Drugs and Crime (UNODC), accessed on 7 November 2012, stated:

‘The Islamic Republic of Iran is a pioneer country in the fields of opium substitution therapies and prevention and treatment of HIV/AIDS. Many communities benefit from outreach programmes, drop-in centres and other initiatives. Almost 88% of treatment, rehabilitation and social supports offered to drug-dependents are provided by the private sector or NGOs. Successful programmes on HIV prevention and treatment are being rolled out in the prison setting.’ [10c]

- 27.20 The USSD Report 2011 stated that ‘Persons with HIV/AIDS reportedly faced discrimination in schools and workplaces.’ [4a] (Section 6) The same source also noted that, ‘Men and women received equal access to diagnosis and treatment of sexually transmitted infections, including HIV. However, women requested testing less regularly than men, likely because of social stigma attached to doing so.’ [4a] (Section 6)

See also [Overview of availability of medical treatment and drugs](#) for latest information on availability of drugs in Iran and the impact of sanctions.

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## MENTAL HEALTH

- 27.21 The most recent World Health Organization Assessment Instrument for Mental Health Systems [WHO-AIMS] report dated 2006, stated that ‘A mental health policy and programme was initially formulated in 1986. The main components are advocacy, promotion, prevention, treatment and rehabilitation. The main strategy has been to integrate the mental health pr[o]gram within the Primary Health Care system.’ [28b] (p8) The same report also noted that within Iran’s mental health policy, ‘...a list of essential medicines is present. These medicines include: (1) antipsychotics, (2) anxiolytics, (3) antidepressants, (4) mood stabilizers, and (5) antiepileptic drugs.’ [28b] (p10)
- 27.22 A review article by Vandad Sharifi, MD, published in the 2009 Spring and Summer edition of the Iranian Journal of Psychiatry and Behavioral Sciences (IJPBS), commented on the provision of general mental health services in Iran:
- ‘The main strategy of Iran’s National Program of Mental Health has been the integration of mental health into the primary health care (PHC) system. Since 1986, expansion of the integration has resulted in great improvements in the provision of mental health services in rural areas but there is some evidence showing that the integration did not reach its objectives in urban areas where most of the country’s population reside. Recently, some initiatives have been made to face the challenge, for example, home care, aftercare services, and community mental health centers.’ [17a]
- 27.23 The IJPBS article further noted that, ‘... with a [sic] very few exceptions, community-based programs for patients with severe mental illnesses are nonexistent, and service disengagement and the revolving door phenomenon of discharges, and readmissions is incredibly frequent... The shortage in psychiatric beds is great and insufficient provision of community based services has increased the magnitude of the problem...’
- ‘Since 2004, supported by the Mental Health Office at the Ministry of Health, home aftercare services were developed in several centers across the country to deliver a community-based service to the patients with severe mental illnesses. The service uses a multidisciplinary approach to care for patients with severe mental illnesses...’
- ‘A recent randomized trial of the service in Tehran has shown its effectiveness in reduction of rehospitalisation and improved functioning. Recently, a community-based protocol was developed and approved by the Mental Health Office to provide outpatient services to patients with severe mental disorders. In this package, services such as home care, telephone followup, family education, and rehabilitation and crisis services have been proposed. Now, three centers in Tehran and Isfahan have started its implementation and investigation of its effectiveness...’

'Another improvement has been the establishment of psychiatric wards and outpatient clinics in general hospitals. These services are provided by specialist mental health professionals such as psychiatrists and psychologists... Despite the regulation to allocate up to 10% of the general hospital beds to psychiatric beds, the expansion is still facing resistance from other medical disciplines and partly because of that, their ability to provide care to patients with severe mental disorders is limited.' [17a]

- 27.24 A 2011 BioMed Central research article reported the results of a study undertaken in Tehran. The article noted:

'Since the late 1980s, Iran has pursued full integration of mental health care into the national primary care structure. The aim was to establish a hierarchical, pyramid-like referral system, which would improve physical access to mental health services. Reports have pointed to the limited integration in urban areas, showing very poor case detection. The urban coverage of the programme has also been lower when compared with rural areas (21.7% and 82.8%, respectively, in 2004). Despite the fact that the majority of mental health professionals, including all psychiatrists, are currently working in large cities, service delivery is disorganized and most services are hospital- and clinic-based. The majority of the users are treated in medical-oriented outpatient clinics and mental hospitals (948 and 130.4 patients per 100,000 people, respectively). The rate of users consulting day treatment facilities and community residential facilities, where extra services such as rehabilitation or counselling are offered, is low (2.8 and 6.0 per 100,000 people, respectively). There are a total of 33 mental hospitals, with 7.9 beds per 100,000 people, which is low compared with other countries in the Middle East region: 9.7 beds per 100,000 persons in Qatar, and 14 beds per 100,000 in the United Arab Emirates.' [126a] (p2-3)

- 27.25 The BioMed Central article also reported on mental health facilities in Tehran, where:

'There are five mental health hospitals offering comprehensive mental health services under the supervision of public medical universities. The city is divided into five main areas (North, South, East, West and Central), and each hospital covers one part. Referrals from the different divisions and from other cities are common. These hospitals provide inpatient as well as outpatient services. University mental health hospitals have the highest referral level and all of their facilities are integrated with the mental health outpatient facilities. Patients can choose freely where they want to be treated. Medical costs are covered by social health insurance. For patients without insurance coverage, the fee for services is lower than in the private sector.' [126a] (p3)

- 27.26 The WHO Country Cooperation Strategy dated April 2009 stated that 'Mental health disorders and substance abuse are highly prevalent (21.9%), particularly in females (25.9% versus 14.9% in males); this is reflected in the numbers seeking professional assistance and the amount of psychotropic drugs used. Major depression and generalized anxiety are common morbidity causes.' [28d]

See also [Overview of availability of medical treatment and drugs](#) for latest information on availability of drugs in Iran including the impact of sanctions.

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## 28. FREEDOM OF MOVEMENT

For more information about movement into and out of Iran, see [Exit and Return](#)

- 28.01 The US Department of State's 'Country Report on Human Rights Practices 2011, Iran', released on 24 May 2012, (USSD Report 2011) stated:

'The constitution provides for freedom of movement within the country, foreign travel, 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.

'In-country Movement: Women faced difficulties traveling independently, especially in rural areas, where they faced significant official and unofficial harassment for traveling alone. Rural women's freedom of movement outside the home or village was particularly restricted, often requiring a male guardian's permission or a male chaperone.

'Foreign Travel: 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 also restricted foreign travel of some religious leaders and members of religious minorities and scientists in sensitive fields. It also increasingly targeted journalists, academics, opposition politicians, and activists - including women's rights activists - for travel bans and passport confiscation during the year.

'In January [2011], for example, authorities banned Mohammad Baqer Qalibaf, the mayor of Tehran, from traveling to the United States to receive an award for advancing sustainable transportation. In March authorities banned former president Mohammad Khatami from traveling to Ireland to attend a political seminar.

'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.

'Exile: The government did not use forced external exile, but many dissidents practiced self-imposed exile to be able to express their beliefs freely. In addition the government often placed prisoners in facilities far from their homes to prevent family visits; they called this placement "exile." [4a] (Section 2d)

- 28.02 Information on the Iran Human Rights Documentation Center's (IHRDC) website, 'Fundamentals of freedom of movement in Iran', dated 2011, stated, 'Iran limits the freedom of movement within its borders of political activists and others it deems threats to the State party... Iran also interferes with individuals' freedom of movement by subjecting former detainees to frequent and arbitrary arrests, and requiring them to check in at a court or office... Iran interferes with individuals' freedom of movement by arbitrarily preventing them from leaving the State.' [51g]

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## 29. FOREIGN REFUGEES

- 29.01 The US Department of State's 'Country Report on Human Rights Practices 2011, Iran', released on 24 May 2012, (USSD Report 2011) stated, 'The country's laws provide means for granting asylum or refugee status to qualified applicants. While the government reportedly had a system for providing protection to refugees, the UNHCR [United Nations High Commissioner for Refugees] did not have any information as to how the country made asylum determinations.' [4a] (Section 2d)
- 29.02 Regarding employment, the USSD Report 2011 noted, 'Registered refugees were able to obtain permits to work in the country.' [4a] (Section 2d)
- 29.03 The 2012 UNHCR country operations profile on Iran, undated, accessed 7 November 2012, stated:
- 'The Islamic Republic of Iran hosts one of the largest and most long- staying refugee populations in the world, comprised of Afghans who have been in the country for more than 30 years. As of July 2011, according to the Bureau for Aliens and Foreign Immigrants' Affairs, the total number of refugees registered with the authorities stood at some 1,061,500, including 1,019,700 Afghans and 41,800 Iraqis. Some 3,500 Iraqi refugees registered with UNHCR are awaiting a decision on their legal status by the authorities. Most refugees in the Islamic Republic of Iran reside in urban areas, with only some 3 per cent living in settlements.
- 'UNHCR has assisted almost 886,000 Afghan refugees to return home voluntarily since 2002. The repatriation continues under the auspices of tripartite agreements signed by the Islamic Republic of Iran, Afghanistan and UNHCR. Beginning in 2008, there was a steady decline in the number of Afghan refugees opting to return to Afghanistan. But in 2011, this trend has appeared to be turning, with the number of people wishing to repatriate increasing substantially.' [10r]
- 29.04 A report by the Institute of Peace and Conflict Studies dated 25 July 2012 considered Iranian policy towards Afghan refugees, stating:
- 'The Iranian government has been attempting to induce repatriation by imposing several restrictions on Afghan refugees and taking steps to increase their cost of living in the country. Such measures include the cutback of subsidies on healthcare, unemployment insurance and access to free education, and passage of laws prohibiting Iranians from hiring undocumented Afghans. Simultaneously, the number of work permits issued by the government to Afghan refugees has been cut drastically and the cost for renewing the previously issued permits has been hiked. This has made more Afghan refugees susceptible to deportation. There has also been a substantial increase in the number of "Afghan-free provinces" with them being prohibited from living in certain Iranian provinces or cities – the most recent being Mazandaran province. These measures have been denounced as being racist and discriminatory by critics of the government.
- 'Iran has carried out a number of forcible repatriation drives in recent years and though it claims that it only seeks to deport unregistered refugees, there are reports citing the deportation of Afghans with proper legal documents.' [127a]
- 29.05 The USSD Report 2011 stated:
- 'According to reports, 30 provinces were partially or fully closed to refugees. Authorities generally required registered Afghan refugees in these "no-go areas" to choose either to relocate to refugee settlements, sometimes in other parts of the country, or to repatriate.

In 2010-11 approximately 24,000 Afghans voluntarily repatriated; however, the vast majority said they were under pressure to return due to the government's no-go areas policy as well as from fear of the government.' [4a] (Section 2d)

29.06 The 2012 UNHCR country operations profile reported:

'In June 2011, the Iranian Government began re-registering Afghan refugees extending the validity of the [identification] card to one year and linking the Amayesh residence permits with the issuance of the work permits. During the exercise, which receives financial support from UNHCR, the Government has identified vulnerable refugees to be granted exemption from payment of municipality taxes and school tuition fees. Such fees are normally obligatory for registered Afghan refugees.

'In May 2011, following an agreement with the Government and a private insurance company, UNHCR launched a Health Insurance Scheme for refugees in Iran. The scheme complements UNHCR's support for the Ministry of Health programme to provide free primary health care to refugees. UNHCR contributes some 40 per cent of the cost of each policy, which covers secondary and tertiary medical health care, with refugees paying the rest. The insurance plan will allow refugees to have 70 per cent of their medical bills reimbursed by the insurance company.' [10r]

29.07 The USSD Report 2011 noted that, 'The government also identified vulnerable refugees to be granted exemptions from payment of municipality taxes and school tuition fees, which are normally obligatory without exceptions.' [4a] (Section 2d)

29.08 The Amnesty International (AI) report, 'Death sentences and executions in 2011', published on 27 March 2012, noted that, 'Members of marginalized groups – including impoverished communities, ethnic minorities that suffer discrimination, and foreign nationals, particularly Afghans – are most at risk of execution for drugs offences. There may be as many as 4,000 Afghan nationals on death row for drugs offences.' [9y]

29.09 The USSD Report 2011 stated that, 'During the year [2011] the government executed dozens of undocumented Afghans, predominantly on drug-related charges and often without due process.' [4a] (Section 2d)

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## IDENTITY CARDS

29.10 The United States Committee for Refugees and Immigrants World Refugee Survey on Iran 2009 (USCRI 2009), released on 17 June 2009, stated that: 'Iran issues Special Identity Cards (SIDs) with greater privileges to Afghan refugees who are religious students, disabled in the Iran-Iraq war, relatives of martyrs, or married to Iranians. Children of registered refugees receive refugee cards upon reaching school age. Law-enforcement officials, judiciary, and local authorities all recognize the residence cards issued in the 2008 registration.' [35a]

29.11 A report by the Afghanistan Research and Evaluation Unit on second-generation Afghans in Iran, published in April 2008, explained the different identity cards issued by the Bureau for Aliens and Foreign Immigrants Affairs (BAFIA):

'The identification (ID) card constitutes the external layer of an individual's identity and records the individual's personal characteristics. Since the arrival of Afghans in the late

1970s, BAFIA has issued several identification cards in a variety of colours. For example, from 1979–92, most Afghans entering Iran were issued with “blue cards” which indicated their status as involuntary migrants or mohajerin. Blue card holders were granted indefinite permission to stay in Iran legally. Until 1995, blue card holders had access to subsidised health care and food, and free primary and secondary education, but were barred from owning their own businesses or working as street vendors, and their employment was limited to low-wage, manual labour. ... ID cards are required to register children at school and to travel outside of the place of residence registered on the card. Respondents had been issued with various coloured ID cards from BAFIA (pink, red, green, gold), each colour representing a certain year of issue and period of validity. ... Characteristics of the cards listed as being held by respondents follow:

- ‘• Amayesh identification (pink card): issued by BAFIA since 2003, the majority of Afghans in Iran are said to hold Amayesh identification.
- ‘• Amayesh identification (gold card): issued by BAFIA, these cards accord additional rights such as the right to have a bank account in Iran, and are issued to high-ranking figures such as Afghan clergy, and those with government positions.
- ‘• Educational passport: issued by universities and religious schools to Afghan students to indicate full-time enrolment as students.
- ‘• Iranian identification (*shenasnameh*): issued by BAFIA to children aged 18 years and above, born of mixed marriages whose Afghan parent has a passport from Afghanistan.’ [110a] (p49)

29.12 The 2012 UNHCR country operations profile reported that: ‘In June 2011, the Iranian Government began re-registering Afghan refugees extending the validity of the [identification] card to one year and linking the Amayesh residence permits with the issuance of the work permits.’ [10r]

29.13 The USSD Report 2011 noted that, ‘Some asylum seekers did not have identification cards and were unable to benefit from basic government subsidies for food, health care, insurance, and housing...The government also identified vulnerable refugees to be granted exemptions from payment of municipality taxes and school tuition fees, which are normally obligatory without exceptions.’ [4a] (Section 2d)

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## 30. CITIZENSHIP AND NATIONALITY

30.01 The US Office of Personnel Management (USOPM) 2001 report, ‘Citizenship Laws of the World’ stated that citizenship is based upon the Iranian Civil Code as follows:

‘BY BIRTH: In general, birth within the territory of Iran does not automatically confer citizenship. The following are instances where birth within the territory of Iran does confer citizenship:

‘Child born to unknown parents;  
 ‘Child born to non-citizens, one of whom was born within Iran;  
 ‘Child born to non-citizens, who, after reaching the age of 18, continues to reside within Iran for at least one year.

‘BY DESCENT: Child born to an Iranian father regardless of the child’s country of birth.

‘MARRIAGE: Foreign woman who marries an Iranian man is entitled to citizenship.

‘BY NATURALIZATION: Iranian citizenship may be acquired upon fulfillment of the following conditions: Person must be at least 18 years of age, have resided in Iran for five years, not be a military service escapee, and not have been convicted of a major crime in any country. The wives and minor children (under 18) of naturalized Iranian citizens are also considered Iranian citizens.’ [32a]

30.02 The same source stated that dual citizenship is not recognised, with the following exceptions: ‘Child of an Iranian father, who acquires citizenship due to birth in a foreign country. A foreign woman who marries an Iranian is automatically granted Iranian citizenship, whether it is requested or not. [32a]

30.03 Regarding loss of citizenship, the USOPM report referred to voluntary and involuntary losses as follows:

‘VOLUNTARY: Person seeking to voluntarily renounce Iranian citizenship must have reached the age of 25, have performed military service, have settled all affairs in the country, and acquired the permission of the Council of Ministers. Though the rules for renunciation of citizenship are stated in Iranian Law, practical experiences have shown that Council permission is difficult to obtain, thus hindering legal renunciation of Iranian citizenship.

‘INVOLUNTARY: Voluntary acquisition of a foreign citizenship does not lead to automatic loss of Iranian citizenship. According to Iranian law, any Iranian national who acquires foreign citizenship without due observance of legal procedures will not have a renunciation of citizenship recognized by the government of Iran. In the eyes of the government, a male (and, in some cases, his wife and children) is still considered a citizen of Iran, regardless of the individual’s status in the new country of citizenship.’ [32a]

30.04 On 24 September 2006 Iran’s parliament passed a law allowing children with an Iranian mother and a foreign father to acquire Iranian nationality after they reach 18. (Gulfnews.com, 25 September 2006) [20a]

30.05 The United Nations Children’s Fund (UNICEF) report, ‘Birth Registration in Iran’, dated July 2005 set out the relevant laws regarding Iranian nationality:

‘Article 976 of the Civil Code provides that the following persons are regarded as Iranian nationals:

- ‘1. All residents of Iran except those whose foreign nationality is proven; the foreign nationality of those whose documents of nationality are not objected by the Government of the Islamic Republic of Iran is indisputable;
- ‘2. A person whose father is an Iranian national regardless of his/her place of birth;
- ‘3. A person born in Iran and whose parents are not known;

- '4. A person born in Iran whose parents are not Iranian nationals but one of whom was born in Iran;
  - '5. A person born in Iran whose father is a non-Iranian national but who has resided in Iran for at least one year before reaching the age of 18;
  - '6. Any non-Iranian woman who marries an Iranian national;
  - '7. Any previously non-Iranian national who has legally adopted Iranian nationality.
- 'Note: Children whose parents are diplomats and consular agents are not subject to paragraphs 4 & 5 of this article.

'Article 977 of the Civil Law states: Whenever the persons specified in Paragraph 4 of Article 976 reach 18 years of age and desire to adopt their father's nationality, they must forward their written request and enclose to it the approval of the government of the country their father is a national of, stating that they shall recognize their status of nationality, to the Ministry of Foreign Affairs within one year.

'If the persons specified in Paragraph 5 of Article 976 reach 18 years of age and desire to preserve the nationality of their father, they must forward their written request and enclose to it the approval of the government of the country their father is a national of, stating that they shall recognize their status of nationality, to the Ministry of Foreign Affairs.

'Granting nationality... Most states confer nationality according to the principle of *jus soli* (which translates literally as "law of the soil") or *jus sanguinis* ("law of blood") or a combination of the two. By civil law, Iranian nationality is conferred mostly by *jus sanguinis* on the paternal side; children cannot acquire the nationality of their mothers.

'Iran has not ratified the 1961 Convention on the Reduction of Statelessness, which provides that children should acquire the nationality of the State in which they were born if they are not granted nationality by any other State, or if such children fail to make the proper applications to obtain this right, then they should be entitled to the nationality of one of their parents. So far, no measures have been adopted by Iranian Registry Law to ensure the child's right to acquire a nationality, in particular where the child would otherwise be stateless. Those born of Iranian mothers married to foreign men who have abandoned them are often left without a nationality or a birth certificate because of prevailing laws.

'According to Article 1060 of Civil Law, the marriage of an Iranian woman to a foreign national - provided there is no legal prohibition - is allowed only if the Government issues special permission.' [10h] (p7-8)

30.06 The USSD Report 2011 stated:

'Citizenship is derived from a child's 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. The birth registration law requires that all births be registered within 15 days. According to UNICEF, 13 percent of births were not reported in 2005; more recent statistics available were not available.' [4a] (Section 6)

30.07 The Freedom House report, 'Women's Rights in the Middle East and North Africa 2010 – Iran', published 3 March 2010, noted:

'Women cannot pass on nationality and citizenship to their children or their husbands. Children's nationality and citizenship are determined through their fathers only. A Muslim man can marry non-Muslim women with no legal problem or state intervention, as it is assumed that the wife's religion and citizenship are determined through her husband. A Muslim woman can marry a previously non-Muslim man only if it is proved that he has converted to Islam, and even in this case, a non-Iranian man cannot earn citizenship through his Iranian wife. These citizenship restrictions have affected thousands of Iranian women, particularly those married to Afghan or Iraqi refugees, as well as expatriate Iranian women married to non-Iranians. As Iran has pushed millions of such refugees to return to their homelands in recent years, many Iranian women have been forced to choose between their native country and their noncitizen husbands and children.' [112c] (Nondiscrimination and access to justice)

## IDENTITY CARDS

30.08 The Danish Immigration Services Report of April 2009 on their fact finding mission to Iran from 24 August to 2 September 2008 advised that:

'According to the Attorney at Law, Iran presently operates with two kinds of ID cards. One ID card is called "Shenasnameh". It is, at present time, the most used ID card and is issued after registration of birth. During the last years, Iran has issued a new national ID card. This ID card has a unique ID number for every Iranian citizen. The previous ID card did not have any unique number since it was issued in different towns and the numbers often repeated themselves. Not all Iranians are in possession of this new ID card yet, though it is the aim of the government that this ID card will replace the "Shenasnameh" and become the only accepted ID card in Iran. Iranian citizens who have been issued with the new national ID card often carry both this ID card and the "Shenasnameh" on them.' [86a] (paragraph 8.1)

30.09 Information on the Middle East Consultancy Services website dated 9 September 2012 stated:

'Iranian authorities started to issue national IDs almost 10 years ago. Today every Iranian nation [sic] needs to have one national ID card as well as having a birth certificate. Each national ID card contains a ten digit ID number which is exclusive to each card holder. Iranian national ID cards are issued by Sazman Sabte Ahval i.e. individuals registry office. This ID number is requested by authorities on various occasions such as issuing passport, marriage certificates and land registry. Each individual is traceable and identifiable by this ID number.' [57a]

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## 31. FORGED AND FRAUDULENTLY OBTAINED OFFICIAL DOCUMENTS

31.01 The Danish Immigration Service's April 2009 report on their fact finding mission to Iran from 24 August to 2 September 2008 stated that:

'According to the airline liaison officer and document advisor at the embassy (3), some Iranians manage to leave through the airport on forged documents. The embassy has recently come across three false Schengen visas. In such cases bribery might also be

involved. People caught by the airport authorities attempting to leave Iran on forged documents face serious questioning at the airport. The person may be fined. It was added that it is unclear whether the person may also be detained or imprisoned for trying to leave the country on false documents. Sajdrabi [who is in charge of passport border control at Imam Khomeini International Airport] explained that if a person is caught trying to leave Iran on a forged document he or she will not be allowed to board the plane. The person will be held back in the airport and the authorities will try to find information on how the forged document has been obtained. It was added that anyone trying to leave on forged documents might receive a fine. This will be for the court to decide. Sajdrabi was unable to confirm whether a person would be detained or imprisoned for using false documents.’ [86a] (paragraph 7.5.2)

- 31.02 A response by the CIRB dated 6 May 2009 included the following information on forged court documents in Iran: ‘AI [Amnesty International] has no information on the relative difficulty in obtaining forged or false court documents in Iran. Anecdotal evidence suggests that within Iran forgeries are rarely used since the provenance of a document can be easily checked by reference to court or office registers. It is impossible to determine whether forged court documents found outside Iran are produced within or outside the country.’ [2a]
- 31.03 Two other sources consulted by the CIRB for the same response of 6 May 2009, the International Campaign for Human Rights in Iran and an attorney with a legal firm in London, said that they had no reliable information on forged documents in Iran. [2a]

See also [Exit and return](#) and [Corruption](#).

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## 32. EXIT AND RETURN

This section should be read in conjunction with [Freedom of movement](#). Recent information on exit and return procedures has been difficult to find, hence the inclusion of older sources.

### LEGAL ENTRY AND EXIT

- 32.01 Information on the Wegolran website, accessed 8 November 2012, stated that ‘The new Iranian passports are usually valid for 10 years. They can be renewed after five years.’ [105a]
- 32.02 Iran’s Ministry of Foreign Affairs’ (MFA) website, dated 5 August 2011, stated that, ‘ [A] Multiple exit permit is issued for the purpose of facilitation of the process of travelling back and forth, for Iranian foreign residents, and can only be done through the embassies of the Islamic republic of Iran. Iranians that are not under obligation of Military service, and who possess a credible residence abroad, can apply for the issuance of a Multiple exiting permit.’ [128a]
- 32.03 The MFA website also advised that, ‘As of 1/9/1386 (22/11/2007), entry and departure stamps are no longer imprinted in passports. Iranian[s], whose passports state that their location of residence is not Irani, may have multiple trips to Iran, under the condition that their stay does not exceed one year.’ [128a]

32.04 The Advisory Panel on Country Information (APCI) review of the COI Service's Iran COI Report of August 2008, undertaken by Dr Reza Molavi and Dr Mohammad M Hedayati-Kakhki of the Centre for Iranian Studies at Durham University, dated 23 September 2008, (APCI Report 2008) stated that:

'... In the past, namely prior to approximately December 2006, a separate, green stamp was physically included to the passport at the time of issue to authorise the general right to travel, leading to some confusion in terminology, calling it an "exit authorisation/stamp"; the current procedure of making this a precondition for the very issuance of the passport reflects more accurately the nature of this process.' [6a] (p72)

32.05 The US Department of State's 'Country Report on Human Rights Practices 2010, Iran', released on 24 May 2012, (USSD Report 2011) stated, '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.' [4a] (Section 2d)

32.06 The APCI Report 2008 stated that:

'The authorisation which permits a woman to receive a passport and, by default, travel outside Iran unless otherwise specified by the husband, is referred to as the Consent for International Travel. However, it is a common misconception that this Consent is itself some form of visual attribute, such as a stamp, present in the passport and verifiable. In fact, as the Consent for Travel is a prerequisite for the issuance of the passport itself, the very fact of a woman's possession of such a passport serves as an indicator to the relevant inspecting official, at the border, that she is in fact authorised to travel, without the need for a discrete "stamp" as provided following a husband's consent. The only indicator of this fact, common to both men and women, is a pre-printed notice containing a box with text ("Date of issue... The holder of this passport is authorised, to cross the national border, on a multiple-entry basis, subject to the payment of the exit fee on each occasion") on page 6 of the new-format passports.' [6a] (p72)

32.07 The APCI Report 2008 continued:

'... a check is carried out, at the time of passport issue, in relation to any other outstanding security issues, such as outstanding warrants, which could prevent either a male or a female from being issued the passport. This takes place at the time of the general passport application rather than when issuing any particular "exit stamp", as explained above. This is done using a specialised database, which is also the same system used at the airport when conducting the final verification of eligibility to travel at the security checkpoint, as will be explained below. Where women are concerned, this is done in addition to the marital-consent check for married women.' [6a] (p73)

32.08 The same report continued:

'However, it must be clarified that, in reality, only those individuals who have been the subject of a specific Exit Ban order are "flagged" on this system, rather than those who are being investigated, released on bail, summonsed to court or indeed any other stage prior to the issuing of the actual Exit Ban. ...Exit Bans are only rarely issued unless there is a very specific reason to believe the individual would attempt to depart from the country.' [6a] (p74)

See the [APCI Report 2008](#) directly for further information on entry and exit. [6a] (p72-77)

32.09 The Danish Immigration Service's report of April 2009 on their fact finding mission to Iran from 24 August to 2 September 2008 noted that:

'Mirfakhar [Director General, Consular Affairs, Ministry of Foreign Affairs] and Sajdrabi [who is in charge of passport border control at Imam Khomeini International Airport] explained that Mehrebad Airport, which used to be the only airport in Tehran, is no longer being used for international departures and arrivals. The airport is mainly used for domestic flights; the only exceptions being international VIP flights and flights for pilgrims travelling on pilgrimage.' [86a] (paragraph 7.9.1)

32.10 The Danish Immigration Service's April 2009 report provided comprehensive information on the security procedures for leaving Iran from Imam Khomeini International Airport:

'Sajdrabi introduced the delegation to the security procedures in Imam Khomeini International Airport and explained the various security checks. The first security check takes place upon entry from the public area into the terminal area for travellers only. The passenger's luggage will be checked at this point. The luggage goes through a scanner and if anything looks suspicious, the Immigration Police will take the person aside and open the suitcase. The passport of the person travelling is checked and the person passes through a detector (women and men go through separate detectors). This check is the responsibility of the Immigration Police. After passing through the luggage check the passenger goes to the check-in counter. At the check-in counter, flight personnel will check in the passenger's luggage, check the visa and issue a boarding pass. If anything is wrong in terms of visa or passport, the flight personnel will contact the Immigration Police.

'After check-in, the passenger goes to a counter where Immigration Police conducts a third security check. The Immigration Officer sits inside a booth behind a glass window. He checks the passport and personal information on a computer system. The passport and the exit visa are verified. The data of the passport holder appears on the screen, together with a photograph of the traveller. If the person is married and has children, the photos and names of his wife and children will also appear on the screen. If the passport holder is registered on a list of individuals who have an outstanding issue with the government or for other reasons are not allowed to leave Iran, this information will appear on the screen. When the security check is completed, and if the person is allowed to leave Iran, an exit stamp will be stamped in the passport. The person travelling now enters the duty free zone. Before entering the area with flight gates, yet another security check is conducted. This is a physical check where the hand luggage is scanned and the passenger goes through a metal detector. This security check is conducted by the Revolutionary Guards. The Immigration Police and airline personnel conducted the previous checks. The very last check is done just before boarding, where the traveller shows his or her boarding pass. Airport personnel conduct this check.

'On the tour through the checks, Sajdrabi pointed to the fact that a staircase guarded by an airport official separates the airport's arrival and departure areas. However, the delegation noticed upon departure from Iran, that no one was guarding the staircase. Which means that a person who may, for whatever reason not want to travel or enter the last check done by the Iranian Revolutionary Guards Corps, can enter the arrival area if the staircase is not guarded at the time.' [86a] (paragraph 7.9.2)

- 32.11 The Danish Immigration Service's report of April 2009 on their fact finding mission to Iran from 24 August to 2 September 2008 reported on the security procedures in Imam Khomeini International Airport on arrival:

'After leaving the aircraft the person enters an area with counters for passport checks. There are separate counters for foreigners and Iranians. The Immigration Police who are sitting inside a booth behind a glass window conduct this security check. The Immigration Officer scans the passport and registers all the personal data from the passport of the arriving passenger in the computer system. The personal information is already registered in the computer system. The information includes a photograph of the passport holder and this photograph appears on the screen. The Immigration Officer checks the validity of the passport and if the person is entering Iran on illegal grounds or has outstanding issues with the authorities he will be held responsible in accordance to Iranian law, rules and regulations...According to Sajdrabi, the computer system is a few years old and has been able to identify forged visas, passports and other documents.'

[86a] (paragraph 7.9.3)

- 32.12 The office of the United Nations High Commissioner for Refugees (UNHCR) stated in their 'Comments on the Iran Country Report of April 2005', dated August 2005, that:

'There are no specific provisions relating to the exit of a mother with minor children from the country without the consent of the father or paternal grandfather. According to the Law on Passports, authorization in writing of the guardian is required for issuance of a passport for a minor or inclusion of a minor's name in a relative's passport. According to an ACCORD report, "if a woman has managed to obtain travel documents for her minor children, she has probably resorted to an illegal act based on which she can be sentenced upon return. For example she may have forged her husband's authorization and submitted it to the Passport Bureau and could therefore be sentenced to imprisonment from two months to up to two years" (ACCORD, June 2001, p104).'

[3h] (p5)

- 32.13 In a report dated 17 November 2005, the CIRB reported that:

'In 10 and 16 November 2005 telephone interviews with the Research Directorate, the first counsellor of the Embassy of the Islamic Republic of Iran in Ottawa provided the following information:

"A minor child can leave Iran only with the consent of his or her father. A mother cannot bring a child out of the country without the consent of her husband. If the father decides to bring the child out of the country, no further consent is required. The father's consent must be provided at the time the child obtains a passport. In order to obtain a child's passport, the father must apply in person, in which case he can grant permission to his wife to take the child out of the country. The child's passport is stamped to indicate the valid period (often five years) in which the mother can take her child out of the country. There are generally no further steps required, even at the airport, for a mother to take her child out of the country. However, the father can decide to cancel the validity of the passport stamp at any time, thereby forbidding the mother to leave Iran with her minor child." The counsellor could not provide further details on the procedure that must be followed by a father who wishes to cancel the validity of the passport stamp.

'...the counsellor added that minor children (under 18) of Iranian citizens require their father's permission to leave Iran, "even if the mother has been granted full custody by an Iranian court," and further added that since non-Iranian women who marry Iranian

nationals must convert to Islam and acquire Iranian citizenship, they too require their husbands permission to depart the country.’ [2c] (p1)

32.14 The APCI Report 2008 stated that there was:

‘... [a] requirement for an administrative fee that must be paid in order to be enabled to leave the country. This step applies to both for men and for women regardless of marital status, is an administrative rather than a security step.

‘... the contemporary procedure, in place by the end of 2006, requires the official to issue a separate receipt, on a discrete piece of paper unattached to the passport, indicating confirmation - as this is more consistent with the fact that the stamp is not a security/immigration measure but rather a levy-collection one. The individual who left legally and in compliance with this procedure would not have evidence of this payment as the receipt/confirmation is handed over to the border official to prove that payment has occurred. The payment procedure is still often mistakenly referred to as “stamping” the passport for exit.’ [6a] (p73-74)

32.15 The Danish Immigration Service’s Report dated April 2009 reported on their fact finding mission to Iran from 24 August to 2 September 2008; referring to legal exit from Iran, the report stated that:

‘A western embassy (3) explained that Iranian male citizens have permission to leave the country until reaching the age of military service. When reaching the age of military service, a person has to apply for permission to travel outside Iran. The permission can be obtained through a bank or at the airport. It was added that when a person obtains a passport and permission to leave, the person can also return to Iran. When a person has completed his military service, he is free to travel, if he does not have any issues with the authorities.

‘The embassy further stated that members of minority groups may face difficulties in obtaining the permission to leave, which indicates that not all Iranian citizens may be granted the permission even though they may qualify for this according to law. Minorities may be discriminated against, and it may be more difficult for them to obtain a passport or permission to leave Iran.’ [86a] (paragraph 7.1)

32.16 The same report continued:

‘Sajdrabi [who is in charge of passport border control at Imam Khomeini International Airport] informed that permission to leave Iran might be revoked in cases where the authorities find it necessary. This may be because a person has outstanding issues with the government or other reasons that may lead to the authorities revoking the permission. When asked, Sajdrabi did not specify the “other reasons”. Hence, a person may not be allowed to leave even though he or she has permission to do so. The Immigration Police may revoke the permission to leave anywhere in the airport, since the airport is under the jurisdiction of the Immigration Police.’ [86a] (Paragraph 7.2)

32.17 Furthermore:

‘Sajdrabi stated that if a person has a case pending before the court, the person cannot leave Iran. The person will be registered on a list of people who are not allowed to leave the country. The list appears in the computer system used by the airport personnel.

Hence, an immigration officer sitting at one of the counters, examining the passport of the travelling person will see the list and will then prevent the person from travelling.

'Mirfakhar [Director General, Consular Affairs, Ministry of Foreign Affairs] confirmed that there is a list in the airport with names of people who cannot leave Iran. The people on the list have committed crimes and for this or other relevant reasons they are not allowed to leave the country. The other relevant reasons vary depending on the specific case. If a person on the list has already left Iran, the person may face problems on return. The seriousness of the problems depends on the crime that caused the person to appear on the list.' [86a] (Paragraph 7.3)

- 32.18 The Iran Human Rights Documentation Center report, *Silencing the Women's Rights Movement in Iran*, August 2010, stated:

'Article 133 of Iran's Procedures for Criminal Prosecution provides that individuals may be barred from traveling abroad, but only if an active prosecution case is underway (and the individual is out of prison on bail or a third-party financial guarantee). According to the Iranian Passport Law, "persons will not be issued a passport to leave the country ... [if] according to the written announcement of the judicial officials, [they] are banned from exiting the country." If such persons, according to this law, have already been issued a passport, upon attempting to exit the country, "the passport will be confiscated" and "the person will not be permitted to leave the country" until the restriction on the persons traveling is lifted...

'...Mohammad Saleh Nikbakht, an Iranian attorney who has represented people who were banned from leaving Iran, reports that in recent cases, it appears there was no judge's order putting the ban in place. "Political and human rights activists, artists, writers and other civil activists ... have been exit banned. However, no reason or reasons for their exit ban has so far been issued to them." Nikbakht adds that such people are then referred to various organs for follow up on their case, but to no avail. According to Nikbakht, the authority issuing the ban is never announced.

'Activists who are not in judicial proceedings have had their passports confiscated at the airport. For example, in March 2010, Simin Behbahani, the 83-year-old Iranian poet, was prevented from travelling to Paris. As with her case, there is little to no indication that the banned individuals constitute legitimate security threats based on either their activities or their affiliations. As such, these travel bans appear to violate Iranian and international human rights law and simply serve to intimidate and control activists.' [51c] (p49-50)

- 32.19 A Christian Science Monitor (CSM) article dated 7 January 2010 commented on security procedures at Tehran's Imam Khomeini International Airport (IKIA) which reopened in 2007 under the auspices of the Revolutionary Guards. The article noted that although

'...several prominent journalists and human rights activists have been detained at the airport, a surprisingly large number believed to be on government watchlists have slipped through, thanks to bureaucratic delays and also because Tehran's new airport may not be integrated into the country's security network...Passengers entering and leaving the country are checked against two watchlists issued by the Ministry of Intelligence and Security (MOIS) and the Revolutionary Guard. Those flagged are either arrested on the spot, allowed to pass through and surveilled while in the country, or have their passports confiscated and enter Iran on the condition they attend interrogation sessions at MOIS offices.

“Those on the list are normally allowed entry, only to have their movements inside the country monitored and [later] be arrested at the airport when they are leaving Iran,” said Nader Uskowi, a Washington-based Iran expert and consultant to the US government on Afghanistan.’ [68a]

32.20 The same CSM article also stated that:

‘Nicola Pedde, the director of the Rome-based Institute for Global Studies and a frequent visitor to Iran, said that the Turkish-constructed IKIA is a “middle-level security standard international airport like a Turkish or Egyptian one.” Although cameras are fitted, it is unknown whether they are equipped with facial recognition technology or the equipment to machine-read passports. Officers tap names and passport codes manually into their computers.

‘The authorities may also be alerted to Individuals of interest when their tracked cellphones enter the airport cellphone towers’ coverage area...

‘Ultimately, one of the simplest ways to identify persons of interest is also one of the most time-tested. Spotters keep watch for up to 200 suspects whose pictures they memorize.’ [68a]

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## ILLEGAL ENTRY AND EXIT

32.21 The CIRB, in a report dated 3 April 2006, stated:

‘The UNHCR official in Tehran provided the following information with regard to illegal entry and exit:

‘It is easier to enter into Pakistan and Afghanistan, due to the fact that Afghans and Pakistanis living in the border regions cross the border easily and continuously. The majority of the population living in the poverty-stricken regions of the South East of Iran resort to lucrative activities such as the smuggling of goods and human beings.

‘Kurds living on both sides of the border between Iran and Turkey help people to pass across the border. In this case, the fact that Kurds have always been passing through the border and also the difficulty of controlling borders in the mountainous regions of Kurdistan makes the smuggling of goods and people easier for smugglers.

‘UNHCR has not received any information about moving to and from Azerbaijan, perhaps because such moves are not so prevalent.

‘As to Oman and the United Arab Emirates, moving from the southern regions of Iran to those countries by using local boats is a long standing tradition. People living on both sides of the Gulf construct their own boats with minimum instruments and use them for their own shipping activities, (31 Mar. 2006).

‘Apparently due to the volatility of the region, travel information websites strongly advise against overland travel between Iran and Pakistan (Canada 27 Jan. 2006; UK 9 Mar. 2006; Yahoo! Travel Guide n.d.). In addition, the website of the Lonely Planet travel guide reported that in Iran, “[r]oad travel can be interrupted by roadblocks at any time of

year, most frequently on either side of a main city, but occasionally dotted through remote areas near the Pakistan and Afghanistan borders” (n.d.).

‘For travel by sea, ferries reportedly cross the Persian Gulf to and from the United Arab Emirates, Bahrain, Kuwait, and Qatar (Yahoo! Travel Guide n.d.). In addition, it is “also possible to travel across the Caspian Sea on an irregular cargo boat between the Azerbaijan capital of Baku and Bandar-é Anzali” (ibid.).

‘Much of the information about illegal entry and exit from various land and sea borders is drawn from reports about illegal migrant workers (UN 23 Dec. 2004, Para. 12; BBC 8 Sept. 2005) and human trafficking (USSD Trafficking in Persons Report 3 June 2005; Iran Daily 29 Jan. 2006). The 2004 United Nations (UN) Special Rapporteur’s report on the human rights of migrant workers noted that,

‘[o]wing to its geographical location, a number of persons, mainly from Bangladesh, Afghanistan and Pakistan, cross the border to try to settle irregularly in Iran or to transit irregularly through Iran, the main entry points being Baloushistan Province or the Oman sea for those wishing to go to neighbouring Arab States. If caught at the border, the irregular migrants are initially detained by the police in “special camps” or “closed camps” prior to being deported and handed over to the authorities of the country of origin. If caught within Iran, they are brought before a judge and might face a fine prior to being deported, (23 Dec. 2004, Para. 12, 7).’ [2b] (p3)

See also [Corruption](#) and [Forged and fraudulently obtained official documents](#).

#### 32.22 The APCI Report 2008 stated that:

‘According to Article 34, any Iranian who leaves the country illegally, without a valid passport or similar travel documents, will be sentenced to between one and three years imprisonment, or will receive a fine between 100,000 and 500,000 Rials. In order to proceed the cases relating to illegal departure, a special court is located in Mehrabad Airport in Tehran. Its branch number is given as 1610. If an Iranian arrives in the country, without a passport or any valid travel documents, the official will arrest them and take them to this court. The court assesses the background of the individual, the date of their departure from the country, the reason for their illegal departure, their connection with any organisations or groups and any other circumstances. The judge will decide the severity of the punishment within the parameters of Article 34. This procedure also applies to people who are deported back to Iran, not in the possession of a passport containing an exit visa; in this case the Iranian Embassy will issue them with a document confirming their nationality....illegal departure is often prosecuted in conjunction with other, unrelated offences. Such a methodology appears to suggest that it is the investigation into the facts surrounding the easily observable and provable offence of illegal departure, namely the motive for such an act (as a decision to depart illegally suggests a desire to escape prosecutorial/police detection for past illegal deeds), that eventually results in the discovery of the underlying offence, leading to a combined prosecution.’ [6a] (p76)

#### 32.23 The Danish Immigration Service’s report also commented on the situation on return for those who have left Iran illegally

‘The sources were consulted on the matter of return to Iran of Iranians who have left the country illegally. Mirfakhar informed that a person who has left Iran illegally and who is not registered on the list of people, who cannot leave Iran, will not face problems with

the authorities upon return, though the person may be fined. It was added, that a person who has committed a crime and has left Iran illegally will only be prosecuted for the crime previously committed and not for leaving the country illegally. However, a western embassy (3) stated that a fine is given for leaving the country illegally. The fine for illegal exit can run up to 50 million Iranian Rial which amounts to approximately 5,000 USD. To the knowledge of the embassy, people who have left Iran illegally are not detained upon return. The embassy did not know what happens if a person is unable to pay the fine. The Attorney at Law confirmed that there is a fine for leaving Iran illegally. However, he believed the fine to be around 200-300 US dollars.

'It was added that if a person has outstanding issues with the authorities (other than leaving illegally) he or she may very likely be punished for these upon return. The punishment will be according to law. However, it may also come to a stricter punishment since the person has left Iran illegally. It was further explained that if a person continues to leave Iran illegally the penalty might rise accordingly. Hence, continuous illegal departures from Iran will result in harsher criminal punishment. A western embassy (1) informed that an Iranian citizen can return even if he or she has left the country illegally. The embassy explained that the punishment a person might face upon return depends on the acts committed before leaving Iran. A fine may be given for illegal exit. The embassy did not know the size of the fine. Mahdavi stated that only a small number of Iranians leave the country illegally. The fine for leaving Iran illegally is a few hundred dollars and there is no other punishment. This statement is in contrast to the information given by a western embassy (1) and the Attorney at Law. Both sources knew of high numbers of Iranians who have left Iran illegally. According to Sajdrabi, a person who has left Iran illegally will be subjected to the laws and regulations that cover these issues. When asked to specify this, Sajdrabi repeated that Iranian laws and regulations will be applied in accordance.' [86a] (Paragraph 7.4.)

See also [Political dissidents outside Iran](#) regarding the treatment of those who have criticised the regime whilst abroad.

32.24 The Danish Immigration Service's report also reported on the possibility of being able to bribe officials when leaving Iran:

'A western embassy (3) stated that Iranians abroad might be misinforming foreign authorities by saying that they have left Iran illegally through an airport, as this is very difficult due to thorough security checks. However, it was elaborated that it may be possible to bribe airport personnel, which makes it possible to leave through the airport illegally. This, though, will include bribing of a lot of airport staff members since there are several check points in the airport. Sajdrabi at first rejected that it is possible for anyone to bribe his or her way through the airport. It was explained how the Immigration Police does not have influence on who can exit Iran, as it is the information in the computer system that will provide information as to who is prohibited from leaving Iran. However, it was later stated that in cases where a person does manage to leave Iran illegally this is not due to flaws within the computer system but rather a human error – i.e. a person has been bribed.' [86a] (Paragraph 7.5.1.)

The [Danish Immigration Service's April 2009 report](#) contains further information on exit and entry procedures, including documentation and may be accessed directly.

See also [Forged and fraudulently obtained documents](#) and [Corruption](#)

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## FAILED ASYLUM SEEKERS

32.25 On 6 May 2011, Amnesty International (AI) reported that ‘Nineteen-year-old student activist Arash Fakhavar was reportedly arrested on arrival in Tehran after returning from France where he was an asylum-seeker. The circumstances of his departure from France are unclear. His current whereabouts are unknown, and he may have been subjected to enforced disappearance.’ [9q] The AI report elaborated:

‘Mohammad Reza Fakhavar (known as Arash) was arrested on 31 December 2010 after participating in demonstrations against the authorities which took place in Iran in late December 2009 during the Ashoura religious commemorations. He was held for 30 days in solitary confinement. A family member told Amnesty International that on 19 January 2011, he was tried on charges of “insulting the Supreme Leader, and taking parts in riots and unrest”. He was given a suspended prison sentence, which could be activated if he were to be convicted of having undertaken similar actions at any point over subsequent five years.

‘In late January 2011, he fled Iran for Iraq where he registered with UNHCR as an asylum-seeker. He travelled to France on 29-30 January, where he was an asylum seeker. In March and April 2011, Arash Fakhavar took part in demonstrations against the Iranian government in France.

‘His family in Iran and abroad have so far been unable to find out where he is since his reported return to the country and they are concerned about the circumstances of his return.’ [9q]

32.26 The same source also reported that, ‘In February 2011, Rahim Rostami, a 19-year-old member of Iran’s Kurdish minority who had arrived in Norway as an unaccompanied minor, and whose asylum claim had been rejected by the Norwegian authorities, was forcibly returned by Norway to Iran where he was reportedly arrested. He is believed to still be detained, with bail reportedly having been denied.’ [9q]

32.27 AI’s report, “We are ordered to crush you” Expanding repression of dissent in Iran, published February 2012 reported:

‘Failed asylum seekers ... risk arrest if they return to Iran, particularly if forcibly returned, where their asylum application is known to the authorities. A report issued by a Swiss refugee agency quotes an unnamed judge as saying:

“Asylum seekers are interrogated on return, whether or not they have been political activists in Iran or abroad. If they have tried to conduct propaganda against Iran, then they are culpable and are detained until a judge decides the sentence. In recent years many people have tried to destroy the reputation of Iran and this must be stopped. Such people help the opposition groups and their culpability is plain. Returnees will therefore be held for a few days until it is clear to the police, that they have not been involved in political activity. If the police can prove that the person was not active and has not done or said anything that could damage the reputation of the Islamic Republic, then they are released. If the person was either politically active in Iran before leaving, or has been active abroad, they must be tried and receive a punishment appropriate to their activities.”

'This report followed an article written by a former Supreme Court judge which appeared in Iran newspaper, a daily paper published by the Iranian government, on 17 February 2011. Referring to existing laws that enable Iran's judiciary to bring charges against Iranians for alleged violations of Iranian law committed while outside Iran, the article stated that failed asylum-seekers could be prosecuted for making up accounts of alleged persecution. On 26 April 2011, Kayhan newspaper, which is controlled by the Office of the Supreme Leader, also reported that Iranians are seeking asylum "on the pretext of supporting the opposition".' [9x] (p56)

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### 33. EMPLOYMENT RIGHTS

33.01 The US Department of State's 'Country Report on Human Rights Practices 2011, Iran', released on 24 May 2012 (USSD Report 2011) stated:

'The constitution provides for freedom of association, but neither the constitution nor the labor code guarantee trade union rights. The labor code states workers may establish an Islamic labor council or a guild at any workplace, but the rights and responsibilities of these organizations fall significantly short of international standards for trade unions. In workplaces where an Islamic labor council has been established, no other form of worker representation is permitted. The law requires prior authorization for organizing and concluding collective agreements, and it does not provide for the right to strike. Strikes are prohibited in the public sector. Private sector workers may conduct "peaceful" campaigns within the workplace. The labor code does not apply to establishments with fewer than five employees.

'Freedom of association and the right to collective bargaining were not respected in practice. The government severely restricted freedom of association and interfered in worker attempts to organize. The government and the judiciary imprisoned and aimed to silence labor activists...

'According to international media reports, security forces continued to respond with arbitrary arrests and violence to workers' attempts to organize or conduct strikes. Strikes and worker protests often prompted a heavy police response, and security forces routinely monitored major worksites. On February 7 [2011], taxi drivers in the northern city of Babol went on strike to protest low fares set by the government. Although security and intelligence forces appeared at the protest site, the workers persisted with their strike. At the end of the four-hour protest, the ICHRI [International Campaign for Human Rights in Iran] reported that police temporarily detained and interrogated a number of workers...

'On October 17, the Iranian Independent Workers Union announced that security forces arrested Ayat Niafar, the spokesperson for the Follow-up Committee to Form Workers Organizations, also known as the Committee to Pursue the Establishment of Trade Unions, at a metro stop in Tehran and took him to Evin Prison, where he remained at year's end [2011].' [4a] (Section 7a)

See the [USSD Report 2011](#) directly for further information on the treatment of individuals. [4a] (Section 7a)

33.02 The Amnesty International (AI) report, 'Iran: Determined to live in dignity: Iranian trade unionists' struggle for rights', published on 10 June 2011, noted that, '...independent trade unions are banned in Iran.' [9f] The AI report continued:

'There are two government-controlled bodies that claim to represent workers' interests in Iran: the Islamic Labour Councils (ILCs) and the recently formed Assemblies of Workers' Representatives (AWRs), along with their respective national coordinating bodies. However, ILCs are not fully representative of workers because candidates standing for election to ILC boards are subject to discriminatory screening procedures. They must demonstrate their Islamic belief and "practical allegiance" to Islam and show that they are faithful to the ideological basis of the Islamic Republic of Iran. The national body representing regional AWRs in Iran was created in August 2008. However, its role and remit are not clear, including to Iranian workers themselves.' [9f]

33.03 The Freedom House report Freedom in the World 2012 – Iran, published on 12 July 2012, stated, 'Iranian law does not allow independent labor unions, though workers' councils are represented in the Workers' House, the only legal labor federation. Workers' public protests and May Day gatherings are regularly suppressed by security forces.' [112f]

33.04 AI's '2012 Annual Survey of Violations of Trade Union Rights – Iran', published on 6 June 2012, reported:

'In 2011, as in previous years the authorities detained, questioned, harassed, threatened and imprisoned scores of people for their labour rights activities. Activists were often released only upon payment of extremely high bail bonds. For example, on 8 January, Pedram Nasrollahi, a labour movement and women's movement activist, was released on payment of 40 million tomans (29,300 Euros) bail. In early January, according to reports published by the Free Union of Workers in Iran, jailed labour activist Behnam (Asad) Ebrahimzadeh was sentenced to 20 years in prison. Behnam is a member of the workers' group Pursuit Committee for the Formation of Labour Organisations. Behnam worked at a polyethylene pipe-manufacturing plant in the outskirts of Tehran. He had already spent nearly seven months in prison since his arrest in June 2010. He had been previously detained along with scores of other worker activists, at a rally on Labour Day 2009.' [9n]

See AI's, '[2012 Annual Survey of Violations of Trade Union Rights – Iran](#)' of 6 June 2012 for more detailed information on the treatment of trade unionists and labour activists. [9n]

33.05 The USSD Report 2011 also noted, 'The labor code prohibits all forms of forced or compulsory labor. However, such practices occurred in the construction and agricultural sectors, primarily among Afghan adult males.' [4a] (Section 7b)

See also [Political affiliation](#), [Economy](#) and [Children](#)

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## Annex A

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### CHRONOLOGY OF MAJOR EVENTS

This chronology is taken from the British Broadcasting Corporation (BBC) News, [Timeline: Iran](#), updated 18 November 2012 [21p]. For events prior to 1935 see the BBC Timeline directly.

- 1935** Formerly known as Persia, Iran is adopted as the country's official name.
- 1941** The Shah's pro-Axis allegiance in World War II leads to the Anglo-Russian occupation of Iran and the deposition of the Shah in favour of his son, Mohammad Reza Pahlavi.
- 1950** Ali Razmara becomes prime minister and is assassinated less than nine months later. He is succeeded by the nationalist, Mohammad Mossadeq.
- 1951**  
April Parliament votes to nationalise the oil industry, which is dominated by the British-owned Anglo-Iranian Oil Company. Britain imposes an embargo and a blockade, halting oil exports and hitting the economy. A power struggle between the Shah and Mossadeq ensues and the Shah flees the country in August 1953.
- 1953**  
August Mossadeq is overthrown in a coup engineered by the British and American intelligence services. General Fazlollah Zahedi is proclaimed as prime minister and the Shah returns.
- 1963**  
January The Shah embarks on a campaign to modernise and westernise the country. He launches the 'White Revolution', a programme of land reform and social and economic modernisation. During the late 1960's the Shah became increasingly dependent on the secret police (SAVAK) in controlling those opposition movements critical of his reforms.
- 1978**  
September The Shah's policies alienate the clergy and his authoritarian rule leads to riots, strikes and mass demonstrations. Martial law is imposed.
- 1979**  
January As the political situation deteriorates, the Shah and his family are forced into exile.  
February The Islamic fundamentalist, Ayatollah Ruhollah Khomeini, returns to Iran following 14 years of exile in Iraq and France for opposing the regime.  
April The Islamic Republic of Iran is proclaimed following a referendum.  
November Islamic militants take 52 Americans hostage inside the US embassy in Tehran. They demand the extradition of the Shah, in the US at the time for medical treatment, to face trial in Iran.
- 1980**  
January Abolhasan Bani-Sadr is elected the first President of the Islamic Republic. His government begins work on a major nationalization programme.

July	The exiled Shah dies of cancer in Egypt.
September	Start of Iran-Iraq war which lasts for eight years.
<b>1981</b>	
January	The American hostages are released ending 444 days in captivity.
June	Bani-Sadr is dismissed, he later flees to France.
<b>1985</b>	
	After the US and Soviet Union halted arms supplies, the US attempted to win the release of hostages in Lebanon by offering secret arms deals, this would later become known as the Iran-Contra affair.
<b>1988</b>	
July	290 passengers and the crew of an Iran Air Airbus are mistakenly shot down by the USS Vincennes. Iran accepts a ceasefire agreement with Iraq following negotiations in Geneva under the aegis of the UN.
<b>1989</b>	
February	Ayatollah Khomeini issues a religious edict (fatwa) ordering Muslims to kill British author, Salman Rushdie, for his novel, 'The Satanic Verses', considered blasphemous to Islam.
June	Ayatollah Khomeini dies. On 4 June, President Khamene'i is appointed as new supreme leader.
August	Ali Akbar Hashemi-Rafsanjani is sworn in as the new president.
November	The US releases 567 million dollars of frozen Iranian assets.
<b>1990</b>	
June	A major earthquake strikes Iran, killing approximately 40,000 people.
	Iran remains neutral following Iraq's invasion of Kuwait.
September	Iran and Iraq resume diplomatic ties.
<b>1995</b>	
	US imposes oil and trade sanctions over Iran's alleged sponsorship of 'terrorism', seeking to acquire nuclear arms and hostility to the Middle East process. Iran denies the charges.
<b>1997</b>	
May	Mohammad Khatami wins the presidential election with 70% of the vote, beating the conservative ruling elite.
<b>1998</b>	
September	Iran deploys thousands of troops on its border with Afghanistan after the Taliban admits killing eight Iranian diplomats and a journalist in Mazar-e Sharif.
<b>1999</b>	
July	Pro-democracy students at Tehran University demonstrate following the closure of the reformist newspaper 'Salam'. Clashes with security forces lead to six days of rioting and the arrest of more than 1,000 students.
<b>2000</b>	
February	Majlis elections. Liberals and supporters of Khatami wrest control of parliament from conservatives for the first time.

April	The judiciary, following the adoption of a new press law, bans the publication of 16 reformist newspapers.
May	Inauguration of the Sixth parliament.
<b>2001</b>	
June	President Khatami re-elected.
<b>2002</b>	
January	US President George Bush describes Iraq, Iran and North Korea as an 'axis of evil', warning of the proliferation of long-range missiles being developed in these countries. The speech causes outrage in Iran and is condemned by reformists and conservatives alike.
September	Russian technicians begin construction of Iran's first nuclear reactor at Bushehr despite strong objections from US.
<b>2003</b>	
June	Thousands attend student-led protests in Tehran against clerical establishment.
September	UN nuclear watchdog, IAEA, gives Tehran weeks to prove it is not pursuing an atomic weapons programme.
October	Shirin Ebadi becomes Iran's first Nobel Peace Prize winner; lawyer and human rights campaigner became Iran's first female judge in 1975 but was forced to resign after 1979 revolution.
November	Iran says it is suspending its uranium enrichment programme and will allow tougher UN inspections of its nuclear facilities. IAEA concludes there is no evidence of a weapons programme.
December	40,000 people are killed in an earthquake in south-east Iran; the city of Bam is devastated.
<b>2004</b>	
February	Conservatives regain control of parliament in elections. Thousands of reformist candidates were disqualified by the hardline Council of Guardians before the polls.
June	Iran is rebuked by the IAEA for failing to fully cooperate with an inquiry into its nuclear activities.
November	Iran agrees to suspend most of its uranium enrichment under a deal with the EU.
<b>2005</b>	
June	Mahmoud Ahmadinejad, Tehran's ultra-conservative mayor, wins a run-off vote in presidential elections, defeating cleric and former president Akbar Hashemi Rafsanjani.
August-September	Tehran says it has resumed uranium conversion at its Isfahan plant and insists the programme is for peaceful purposes. IAEA finds Iran in violation of the nuclear Non-Proliferation Treaty.
<b>2006</b>	
January	Iran breaks IAEA seals at its Natanz nuclear research facility.
	Bomb attacks in the southern city of Ahvaz - the scene of sporadic unrest in recent months - kill eight people and injure more than 40.

- February IAEA votes to report Iran to the UN Security Council over its nuclear activities. Iran resumes uranium enrichment at Natanz.
- April Iran says it has succeeded in enriching uranium at its Natanz facility.
- August UN Security Council deadline for Iran to halt its work on nuclear fuel passes. IAEA says Tehran has failed to suspend the programme.
- December Iran hosts a controversial conference on the Holocaust; delegates include Holocaust deniers.  
UN Security Council votes to impose sanctions on Iran's trade in sensitive nuclear materials and technology. Iran condemns the resolution and vows to speed up uranium enrichment work.

**2007**

- February IAEA says Iran failed to meet a deadline to suspend uranium enrichment, exposing Tehran to possible new sanctions.
- March Diplomatic stand-off with Britain after Iran detains 15 British sailors and marines patrolling the mouth of the Shatt al-Arab waterway separating Iran and Iraq.
- April President Ahmadinejad says Iran can produce nuclear fuel on an industrial scale.  
IAEA says Iran has begun making nuclear fuel in its underground uranium enrichment plant. It also says that Iran has started up more than 1,300 centrifuge machines.
- May IAEA says Iran could develop a nuclear weapon in three to eight years if it so chooses.
- June Protests erupt after government imposes petrol rationing amid fears of possible UN sanctions.
- July Iran announces plans to stop making cars that only run on petrol and switch to dual-fuel vehicles, which also run on gas.

**2008**

- February Iran launches a research rocket to inaugurate a newly built space centre. Washington describes the launch as 'unfortunate'.
- March President Ahmadinejad makes unprecedented official visit to Iraq, where he calls on foreign troops to leave. He also stresses his government's desire to help rebuild Iraq and signs a number of cooperation agreements.  
Conservatives win over two-thirds of seats in parliamentary elections in which many pro-reform candidates were disbarred from standing. The conservatives include supporters of President Ahmadinejad as well as more pragmatic conservatives who oppose his confrontational foreign policy.  
UN Security Council tightens economic and trade sanctions on Tehran.
- May IAEA says Iran is still withholding information on its nuclear programme.  
Iran's new parliament elects former nuclear negotiator Ali Larijani as its speaker.
- June EU foreign policy chief Javier Solana presents an offer of trade benefits, which Tehran says it will look at, but will reject if it demands suspension of uranium enrichment.
- July Iran test-fires a new version of the Shahab-3, a long-range missile it says is capable of hitting targets in Israel.
- August Informal deadline set by Western officials for Iran to respond to package of incentives in return for halt in nuclear activities passes without reply.  
  
Iran says it has successfully launched a test rocket capable of carrying a satellite into space.

- September UN Security Council passes unanimously a new resolution reaffirming demands that Iran stop enriching uranium, but imposes no new sanctions. The text was agreed after Russia said it would not support further sanctions.
- November Parliament votes to dismiss the interior minister, Ali Kordan, who admitted that a degree he said he held from Oxford University was fake. The move is a blow to President Ahmadinejad ahead of next year's presidential election.  
In an unprecedented move, President Ahmadinejad congratulates US president-elect Barack Obama on his election win. Mr Obama has offered to open unconditional dialogue with Iran about its nuclear programme.
- December Police raid and close the office of a human rights group led by the Nobel Peace Prize winner, Shirin Ebadi. Officials say the centre is acting as an illegal political organization.
- 2009**
- February Speaking on the 30th anniversary of the Islamic revolution in Iran, President Mahmoud Ahmadinejad says he would welcome talks with the US as long as they are based on 'mutual respect'.
- March Supreme Leader Ali Khamenei tells anti-Israel rally that US President Obama is following the 'same misguided track' in Middle East as President Bush.
- 2009**
- April An Iranian court finds Iranian-American journalist Roxana Saberi guilty of spying for the US. She is sentenced to eight years in prison.
- May Iran rejects a US state department report saying it remains the 'most active state sponsor of terrorism' in the world.  
Jailed Iranian-American journalist Roxana Saberi is freed and returns to US.
- June Mahmoud Ahmadinejad is declared to have won a resounding victory in the 12 June presidential election. The rival candidates challenge the result, alleging vote-rigging. Their supporters take to the streets, and at least 30 people are killed and more than 1,000 arrested in the wave of protests that follow.  
The Iranian authorities claim foreign interference is stoking the unrest, and single out Britain for criticism.
- July President Ahmadinejad dismisses his most senior vice-president, Esfandiar Rahim Mashaie, under pressure to do so by Supreme Leader Ayatollah Ali Khamenei.
- August Mahmoud Ahmadinejad sworn in for second term as president, presents cabinet - the first since the founding of the Islamic Republic in 1979 to include women.  
A number of senior opposition figures are accused of conspiring with foreign powers to organise unrest and are put on trial.  
Supreme Leader Ayatollah Ali Khamenei says there is no proof that opposition leaders blamed for the post-election unrest were agents of foreign powers.
- September Iran admits that it is building a uranium enrichment plant near Qom, but insists it is for peaceful purposes.  
The country test-fires a series of medium- and longer-range missiles that put Israel and US bases in the Gulf within potential striking range.
- October Five permanent UN Security Council members plus Germany offer Iran proposal to enrich its uranium abroad.
- November Iran refuses to accept the international proposal to end the dispute over its nuclear programme. UN nuclear watchdog IAEA passes a resolution condemning Iran for developing a second uranium enrichment site in secret.

	Iran denounces the move as 'political' and announces plans to create 10 more uranium enrichment facilities.
December	Death of influential dissident cleric Grand Ayatollah Hoseyn Ali Montazeri triggers further clashes between opposition supporters and security forces. At least 8 people die in what is the worst violence since the contested presidential election.
<b>2010</b>	
January	Iran executes two men arrested during the period of unrest that followed the disputed presidential election of June 2009. It also puts 16 people on trial over the Ashura Day opposition protests in December, when eight people were killed.
	Iranian physics professor Masoud Ali-Mohammadi is killed in a bomb attack in Tehran. No group claims responsibility. The government accuses the US and Israel of his death, while Iranian opposition groups say Mr Mohammadi supported one of their candidates in last year's presidential election.
February	Iran says it is ready to send enriched uranium abroad for further enrichment under a deal agreed with the West. The US calls on Tehran to match its words with actions.
	Opposition leader Mir Hossein Mousavi says the opposition will continue its peaceful struggle against the government.
May	Iran reaches a deal to send uranium abroad for enrichment after mediation talks with Turkey and Brazil; Western states respond with scepticism, saying the agreement will not stop Iran from continuing to enrich uranium.
June	UN Security Council imposes fourth round of sanctions against Iran over its nuclear programme, including tighter financial curbs and an expanded arms embargo.
July	International outcry as a woman is sentenced to death by stoning for adultery. 27 killed as suicide bombers attack a Shia mosque in Zahedan near the Pakistan border.
August	In what Tehran describes as a milestone in its drive to produce nuclear energy, engineers begin loading fuel into the Bushehr nuclear power plant.
September	Stuxnet – a computer worm which affects industrial systems and which may have been created by a nation-state – is reportedly detected in staff computers at the Bushehr nuclear plant.
	Sarah Shourd, a US citizen caught hiking with two friends near the Iran-Iraq border, is freed after a year in prison. The three deny they were spying.
	US imposes unprecedented sanctions against eight senior Iranian officials for human rights violations.
	US imposes unprecedented sanctions against eight senior Iranian officials for human rights violations.
October	A former British embassy employee jailed in 2009 for espionage has his sentence commuted.
December	Main achievement of talks in Geneva between Iran and key world powers on Iran's nuclear programme is to agree to hold another round of talks in Istanbul in January.
	President Ahmadinejad sacks Foreign Minister Manouchehr Mottaki, thought to be his main opponent within Iranian leadership.
<b>2011</b>	
January	Nuclear chief Ali Akbar Salehi says Iran now possesses technology needed to make fuel plates and rods for nuclear reactors.

February	First mass opposition demonstrations in a year amid a wave of unrest rippling across the Middle East and North Africa. Iran sends two warships through Suez Canal for first time since the Islamic Revolution, in what Israel describes as an act of provocation.
April	Rare public row between Supreme leader Ayatollah Khamenei and President Ahmadinejad over the resignation of Intelligence Minister Heidar Moslehi.
May	Iran's Atomic Energy Organisation says the generating unit at the Bushehr nuclear power plant has begun operating at a low level.
August	Two US citizens arrested on the Iran-Iraq border in 2009 are found guilty of spying and sentenced to eight years in prison.
September	Iran announces that the Bushehr nuclear power station has been connected to the national grid.
October	The US accuses Iran of being behind an alleged plot to kill the Saudi ambassador to Washington. Tehran rejects the charges as part of an American propaganda campaign.
November	A report by the UN nuclear watchdog, the IAEA says Iran is carrying out research that can only be used to develop a nuclear bomb trigger. Iran rejects the findings as politically motivated.
November/ December	Protesters attack the British embassy in Tehran after London imposes tighter economic sanctions. Britain evacuates its diplomatic staff and expels all Iranian diplomats, but ties are not severed.
<b>2012</b>	
January	US imposes sanctions on Iran's central bank, the main clearing-house for its oil export profits. Iranian threatens to block the transport of oil through the Strait of Hormuz Iran begins enriching uranium at its underground Fordo plant, in what the US terms a 'further escalation' in the nuclear row. The European Union imposes an oil embargo on Iran over its nuclear programme.
February	International Atomic Energy Agency (IAEA) inspectors leave Iran after being denied access to the Parchin site, south of Tehran.
March-May	US, British and French warships pass unhindered through the Strait of Hormuz. Supporters of Supreme Leader Ayatollah Khamenei beat those of President Mahmoud Ahmadinejad in parliamentary polls boycotted by pro-reform groups.
May	UN nuclear inspectors find traces of uranium enriched at 27% at Iran's Fordo nuclear site, a day after Iran and world powers hold inconclusive talks on Iran's nuclear programme in Baghdad.
June	US exempts seven major customers - India, South Korea, Malaysia, South Africa, Sri Lanka, Taiwan and Turkey - from economic sanctions in return for their cutting imports of Iranian oil.
July	European Union boycott of Iranian oil exports comes into effect.
September	International Atomic Energy Agency (IAEA) quarterly report says Iran doubles production capacity at Fordo nuclear site and 'significantly hampered' IAEA ability to inspect Parchin military site. Canada breaks off diplomatic relations over Iran's nuclear programme and support for the Assad government in Syria.
October	Iran's rial currency falls to a new record low against the US dollar, having lost about losing 80% of its value since 2011 because of international sanctions. Riot police attack about 100 currency traders outside the Central Bank.

EU countries announce further sanctions against Iran over its nuclear programme, focusing on banks, trade and crucial gas imports.

November Leaked IAEA report says Iran is ready to double output at the Fordo underground uranium enrichment facility. Iran has 2,784 centrifuges there, and numbers operating could soon be increased from 700 to 1,400, the UN watchdog says.

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## Annex B

### POLITICAL ORGANISATIONS

'Iranian politics is very dynamic and fluid, with parties emerging for short periods of time and disappearing, reflecting splits and disputes among reformists and conservatives.' (Jane's 'Sentinel Security Assessment', updated 25 June 2012) [61a] (Internal Affairs)

Europe World Online, accessed 21 May 2012, noted:

'Most of the following are either registered political parties which have boycotted elections to the Majlis-e-Shura-e Islami (Islamic Consultative Assembly) in the 2000s, or are unregistered organizations or guerrilla groups:

- Ansar-e Hezbollah (Helpers of the Party of God)
- Daftar-e Tahkim-e Vahdat (Office for Strengthening Unity)
- Democratic Party of Iranian Kurdistan
- Fedayin-e-Khalq (Organization of the Iranian People's Fedayeen – Majority)
- Fraksion-e Hezbollah
- Free Life Party of Kurdistan (PJAK)
- Hezb-e Etemad-e Melli (National Confidence Party – NCP)
- Hezb-e Hambastegi-ye Iran-e Islami (Islamic Iran Solidarity Party)
- Hezb-e-Komunist Iran (Communist Party of Iran)
- Iran National Front (Jebhe Melli Iran)
- Jame'e-ye Esлами-e Mohandesin (Islamic Society of Engineers)
- Jebbeh-ye Mosharekat-e Iran-e Islami (Islamic Iran Participation Front)
- Komala Party of Iranian Kurdistan
- Marze Por Gohar (Glorious Frontiers Party)
- Mujahidin-e-Khalq (Holy Warriors of the People)
- National Democratic Front
- Nehzat-e Azadi-ye Iran (Liberation Movement of Iran)
- Pan-Iranist Party
- Sazeman-e Mujahidin-e Enqelab-e Islami (Organization of the Mujahidin of the Islamic Revolution)
- Sazmane Peykar dar Rahe Azadieh Tabaqe Kargar (Organization Struggling for the Freedom of the Working Class)
- Tudeh Party of Iran (Party of the Masses)

[1f] (Political Organisations)

The following is a short description of some political parties:

**al-Ahwaz Arab People's Democratic Front (APDF) also known as Al-Ahwaz Arab Popular Democratic Front, Arab People's Democratic Front, Democratic Popular Front for the Arab People of Ahwaz**

Formed 12 June 2005; London-based separatist group dedicated to the independence of Iran's Khuzestan region in southwestern Iran which is home to many of Iran's ethnic Arab minority. The group aims to establish an independent, Marxist Arab state for the people of Khuzestan. (US Department of Homeland Security, 1 March 2008) [74a]

**Anjoman-e Padeshahi-e Iran (API) also known as the Kingdom Assembly of Iran**

The API is a banned Monarchist group. (British Broadcasting Corporation (BBC) News, 28 January 2010) [21g] 'API seeks to overthrow the Islamist regime and to restore the monarchy.'

It is also staunchly anti-Islam, instead emphasizing Iran's pre-Islamic Persian heritage in what it labels as its struggle to inspire a Persian Renaissance... The late Dr. Froude Fouladvand founded API abroad before disappearing on January 17, 2007 along the Turkish-Iranian border, during what his supporters described as a mission to 'liberate' Iran. Fouladvand operated his anti-regime activities from London.' (Jamestown Foundation, 20 May 2008) [23a]

### **Daftar-e Tahkim-e Vahdat (Office for Strengthening [Fostering] Unity)**

'A national organisation of Islamist university students that supported Khatami's presidential bid in 1997 and reformist parliamentary candidates in 2000. Since then, in 2002, the organisation has undergone splits over tactical and ideological issues. The majority wing, known as the Neshast-i Allameh, wanted to withdraw from mainstream politics, whereas the minority wing, known as the Neshast-i Shiraz, preferred to continue its support for the reformists.' (Jane's Sentinel Security Assessment, 25 June 2012) [61a] (Internal Affairs)

See also [Student Activists](#)

### **Free Life Party of Kurdistan (Partiya Jiyana Azada Kurdistan – PJAK)**

'Founded 2004; militant organisation which operates in mountainous areas of Iran and northern Iraq; apparently has close links with the Partiya Karkeren Kurdistan (PKK) (Kurdistan Workers' Party) of Turkey; seeks a federal, secular system of gov't in Iran, in order to secure the national rights of the Kurdish people. Sec.-Gen: Rahman Haji Ahmadi.' (Europa World online, 21 May 2012) [1f],

See also section on [Partiya Jiyana Azada Kurdistan \(PJAK\) – Kurdistan Free Life Party](#)

### **Hezb-e Etemad-e Melli (National Confidence Party—NCP)**

'Founded 2005 by Mahdi Karrubi, formerly of the Militant Clergy Association, shortly after his defeat in the presidential election of June; reformist, centrist. Sec.-Gen: Mahdi Karrubi.' (Europa World online, 21 May 2012) [1f],

### **Hezb-e Islami-ye Kar (Islamic Labour Party)**

'This [reformist] party announced its formation in February 1999. Its initial platform was described as "protecting the rights of the workers and labourers". Spokeswoman Soheila Jelodarzadeh is also an advocate of women's issues. Founding members were part of the Workers House (Khaneh-yi Kargar), which supported Khatami to become president in 1997.' (Jane's Sentinel Security Assessment, 25 June 2012) [61a] (Internal Affairs)

### **Hezb-e Motalefeh-e Islami (Islamic Coalition Party)**

Founded 1963; also known as Jam'iyat-e Motalefeh-e Islami (Islamic Coalition Society); traditionalist conservative, includes clerics and merchants; opposed to political reforms, but some members favour economic reforms. Secretary General: Muhammad Nabi Habibi. (Europa World online, 21 May 2012) [1f]

### **Iran National Front (Jebhe Melli Iran)**

'Founded late 1940s by the late Dr Muhammad Mussadeq; secular pro-democracy opposition group, which also seeks to further religious freedom within Iran.' (Europa World online, 21 May 2012) [1f]. Website: [www.jebhemelli.net](http://www.jebhemelli.net)

### **Iran Paad**

'...claims to have been founded in London about 19 years ago, with the aim of providing an umbrella organisation that would invite all other Monarchist groups to be part of their network. Iran Paad claims to have thousands of members both inside and outside of Iran. They also organise demonstrations which take place outside Iranian Embassies in other countries of the

world, to keep their campaign in the public's eye.' (Advisory Panel on Country Information (APCI) Report 2008) [6a] (p24)

### **Islamic Revolution Mujahideen Organisation**

BBC News reported on 27 September 2010 that this leading reformist party had been banned. The party had supported opposition leader Mir Hossein Mousavi in the 2009 presidential election and some party members had been imprisoned during the mass protests that followed the election. [21d]

### **Jame'e-ye Esлами-e Mohandesin (Islamic Society of Engineers)**

'Founded 1988; conservative; members incl. President Mahmoud Ahmadinejad. Sec.-Gen: Muhammad Reza Bahonar.' (Europa World online, 21 May 2012) [1f],

### **Jamiyat-e Isargaran-e Inqilab-e Islami (Islamic Revolution Devotees' Society)**

Hardline conservative; includes former officers of the Revolutionary Guards. Co-Founder: Mahmoud Ahmadinejad. (Europa World online, 21 May 2012) [1f]

### **Jebhe-yi Mosharekat-i Islami-i Iran (Islamic Iran Participation Front)**

'The creation of this organisation was announced in September 1998 as a partnership between former members of the Executives of Construction, members of the Tehran Militant Clergy Association (Jameh-yi Ruhaniyat-i Mubarez-i Tehran) and former student activists. The current secretary-general is Mohsen Mirdamadi, who took over in early 2005 from Mohammad Reza Khatami (the former president's brother).' (Jane's Sentinel Security Assessment, 25 June 2012) [61a] (Internal Affairs)

On 18 April 2010, Agence France Presse reported that the party's leader, Mohsen Mirdamadi, had been sentenced to '...six years in jail and barred from involvement in politics or journalism for 10 years...' after being found guilty of '...harming national security and propaganda against the regime.' [14b] He was believed to still be in prison at the end of 2011. (US Department of State's Country Reports on Human Rights Practices 2011, Iran, released on 24 May 2012 (USSD Report 2011)) [4a] (Section 1e)

BBC News reported on 27 September 2011 that the Islamic Iran Participation Front, a leading reformist party, had been banned. The party had supported opposition leader Mir Hossein Mousavi in the 2009 presidential election and members of the party had been imprisoned during the mass protests after the election. [21d]

### **Jundullah (Soldiers of God) aka People's Resistance Movement**

Founded in 2002 to defend the Sunni Muslim Baluchi minority in south-east Iran [21h]; its leader was Abdolmalek Rigi until 20 June 2010 when he was executed for 'terrorist' activities (BBC News, 20 June 2010). [21s] The organisation was accused of carrying out the suicide bombing on 18 October 2009 which killed members of the Revolutionary Guards. (BBC News, 19 October 2009) [21h] Jundullah has also claimed responsibility for other high profile attacks in Sistan-Baluchistan province. [21s]

See [People's Resistance Movement of Iran \(PMRI\)](#) aka Jondallah or Jundullah

### **Komala Party of Iranian Kurdistan, or Komaleh or, the Revolutionary Organisation of the Toilers of Iran**

'Founded 1969; Kurdish wing of the Communist Party of Iran; Marxist-Leninist. Sec.-Gen: Abdullah Mohtadi.' (Europa World online, 21 May 2012) [1f] An earlier party, also called Komala, was formed by left-leaning Kurdish activists in Mahabad in the 1940s. In July

1945, this Komala Party changed its name to the Kurdistan Democratic Party of Iran (KDPI) [also known as the Democratic Party of Iranian Kurdistan]. (Human Rights Watch, 9 January 2009) [8h]

### **Kurdistan Democratic Party of Iran (KDPI) or, Democratic Party of Iranian Kurdistan (DPIK)**

Founded 1945 [by Qazi Mohammad [51e]]; seeks a federal system of government in Iran, in order to secure the national rights of the Kurdish people; member of the Socialist International; 95,000 members. (Europe World Online, 21 May 2012) [1f] (Political Organisations) Formerly known as Komala; based in Iraq since 1984; called off armed activities in 1991. (Human Rights Watch, 9 January 2009) [8h] KDPI leader, Dr Abd al-Rahman Qasemlu was assassinated in Vienna in 1989. Another leader, Dr Sadeq Sharafkandi was also assassinated in Berlin in 1992. (Chatham House, December 2007) [73a] (p6)

### **KDPI (Revolutionary Leadership) (KDPI RL)**

Formed as a result of the KDPI leadership split in 1988. (Chatham House, December 2007) [73a] (p6)

### **Lejnat al-Wefaq al-Eslami (Islamic Unity Party - IUP)**

The International Federation for Human Rights (FIDH) and the Iranian League for the Defence of Human Rights (LDDHI) report, 'The Hidden Side of Iran: discrimination against ethnic and religious minorities', published October 2010, noted that this party represented Arabs and their leader was Jasem Shadidzadeh Al-Tamimi. [56c] (p13) 'Mr. Shadidzadeh, having been disqualified from standing for parliamentary election in 2004, was detained and later released without charge. The IUP had engaged in lawful peaceful activities to represent the rights of the Arab population and its list of all-Arab candidates had won all the seats with the exception of one in the municipal council elections in Ahvaz in 2003. Nevertheless, the authorities outlawed the IUP in November 2006.' [56c] (p14)

### **Majma-yi Ruhaniyun-i Mubarez (Militant Clerics Association)**

'This group broke away from the original Tehran Militant Clergy Association and is now considered the left-leaning clergy association. Prominent members of this group include former President Mohammad Khatami, Mehdi Karroubi (the former speaker of parliament) and Mohammad Asqar Musavi-Khoeniha.' (Jane's Sentinel Security Assessment, 25 June 2012) [61a] (Internal Affairs)

### **Marze Por Gohar (Glorious Frontiers Party)**

Founded 1998 in Tehran; nationalist party advocating a secular republic in Iran. Chair. Roozbeh Farahanipour. (Europa World online, accessed 3 May 2011) Website: [www.marzeporgohar.org](http://www.marzeporgohar.org)

### **Mujahidin-e-Khalq (MEK) (Holy Warriors of the People) or, People's Mojahedin Organisation of Iran (PMOI)**

The Mojahedin-E Khalq (MEK) is also known as the MKO and is an Islamist/Socialist organisation formed in 1965. Its leaders are Masud and Maryam Rajavi. The organisation has been classified as a terrorist organisation by several countries; it was removed from the UK's list of alleged terrorist groups in June 2008. (Danish Immigration Service, April 2009) [86a](p16) Member of the National Council of Resistance [see below]; based in Paris 1981–86 and in Iraq since 1986. (Europe World Online, accessed on 21 May 2012) [1f] (Political Organisations) On 29 September 2012, BBC News reported that the US had removed the MEK from its 'terror blacklist'. Moreover, 'The state department said its decision had been taken in view of the MEK's public renunciation of violence, the absence of any confirmed acts of terrorism by the

organisation for more than a decade and its co-operation in the closure of their paramilitary base in Iraq.’ [21c]

### **National Council of Resistance (NCR)**

‘The National Council of Resistance was formed in Paris, France, in October 1981 by former President Abolhasan Bani-Sadr and Massoud Rajavi, the leader of the Mujahidin-e-Khalq in Iran. In 1984 the Council comprised 15 opposition groups, operating either clandestinely in Iran or from exile abroad. Bani-Sadr left the Council in that year because of his objection to Rajavi’s growing links with the Iraqi Government. The French Government asked Rajavi to leave Paris in June 1986 and he moved his base of operations to Baghdad. In June 1987 Rajavi, Secretary of the NCR, announced the formation of a 10,000–15,000-strong National Liberation Army as the military wing of the Mujahidin-e-Khalq. However, the status of the Mujahidin was initially uncertain following the invasion of Iraq by the US-led coalition in March 2003 ... and firmer measures being taken against the activities of the organization by the authorities in Paris in mid-2003. In July 2004 the USA declared a group of 3,800 members of the Mujahidin-e-Khalq interned in Iraq to have ‘protected status’ under the Geneva Convention. There is also a National Movement of Iranian Resistance, based in Paris.’ (Europe World Online, accessed on 21 May 2012) [1f] (Political Organisations)

### **Nehzat-e Azadi-ye Iran (Liberation Movement of Iran or Freedom Movement of Iran)**

Founded 1961; emphasis on basic human rights as defined by Islam. Secretary General: Dr Ibrahim Yazdi. (Europa World online, accessed 21 May 2012) [1f] On 20 March 2011, Voice of America reported that Ibrahim Yazdi had been released from prison and had announced his resignation as leader of the Freedom Movement of Iran, ‘...a banned opposition group that opposes Iran’s clerical rule and seeks democratic change. Iranian authorities detained Yazdi in 2009 during the wave of unrest which followed the disputed re-election of President Mahmoud Ahmadinejad. Yazdi had been speaking out against what he saw as a rigged election.’ [98a]

### **Sazeman-e Mujahidin-e Enqelab-e Islami (Mujahedin of the Islamic Revolution)**

‘This group emerged shortly after the Islamic revolution when several underground organisations merged, and much of its membership consists of former members of the militant Mujahedin-e-Khalq organisation. It dissolved in the early 1980s but re-emerged in the late 1990s. Some of its members served in the Islamic Revolution Guards Corps. Among those responsible for its revival are former Minister of Heavy Industry Behzad Nabavi-Tabrizi, former deputy Minister of the Interior Mostafa Tajzadeh, parliamentarian Mohsen Armin, Professor Hashem Aghajari and former Tehran council member Said Hajjarian.’ (Jane’s Sentinel Security Assessment, 25 June 2012) [61a] (Internal Affairs)

### **Tudeh Party of Iran (Party of the Masses)**

‘Founded 1941; declared illegal 1949; came into open 1979; banned again April 1983.’  
First Secretary Central Committee: Ali Khavari. (Europa World online, accessed 21 May 2012) [1f] (Political organisations) Website [www.tudehpartyiran.org](http://www.tudehpartyiran.org)

See also [Political system](#) and [Political affiliation](#)

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## Annex C

### PROMINENT PEOPLE

The list below is a selection of prominent figures in Iran; it is not intended to be a comprehensive list of all Iranians of political, social, economic or cultural significance.

### POLITICAL LEADERSHIP

<b>Supreme Religious Leader (Wali Faqih):</b>	Ayatollah Sayed Ali Khamenei
<b>President:</b>	Mahmoud Ahmadinejad (assumed office 6 August 2005; re-elected 12 June 2009).
<b>First Vice-President:</b>	Muhammad Reza Rahimi.
<b>Executive Vice-President:</b>	Hamid Baghaei
<b>Vice-President in charge of Legal Affairs:</b>	Fatima Bodaghi
<b>Vice-President in charge of Parliamentary Affairs:</b>	Hojatoleslam Sayed Muhammad Reza Mir Taj al-Diny.
<b>Vice-President and Head of the Atomic Energy Organization</b>	Fereydoun Abbasi Davani
<b>Vice-President and Head of the Organization for the Protection of the Environment:</b>	Muhammad Javad Muhammadi Zadeh.
<b>Vice-President for Strategic Planning and Supervision Affairs:</b>	Ebrahim Azizi.
<b>Vice-President for Management Development and Human Resources Affairs</b>	Lotfollah Forouzandeh Dehkordi.
<b>Vice-President for International Affairs</b>	Sayed Ali Saidloo
<b>Vice-President and Head of the Martyrs' and Self-Sacrificers' Affairs Foundation:</b>	Masoud Zaribafan.
<b>Vice-President and Head of the Cultural Heritage, Handicrafts and Tourism Organization:</b>	Ruhollah Ahmadzadeh-Kermani.
<b>Vice-President for Science and Technology:</b>	Nasrin Soltankhah.

NB: The Head of Presidential Office, Esfandiar Rahim-Mashai, and the Cabinet Secretary, Ali Sadoughi, also have full ministerial status. (Europa World online, The Government, accessed 21 May 2012) [1g]

### COUNCIL OF MINISTERS

<b>Minister of Defence and Armed Forces Logistics:</b>	Brig.-Gen. Ahmad Vahidi.
<b>Minister of Foreign Affairs</b>	Ali Akbar Salehi
<b>Minister of the Interior:</b>	Mostafa Muhammad Najjar.
<b>Minister of Intelligence:</b>	Heydar Mosehi.
<b>Minister of Petroleum:</b>	Brig.-Gen. Rostam Ghasemi
<b>Minister of Energy:</b>	Majid Namjou.
<b>Minister of Education:</b>	Hamid Reza Haji Babaie.
<b>Minister of Communications and Information Technology:</b>	Reza Taqipour.

<b>Minister of Economic Affairs and Finance:</b>	Sayed Shamseddin Hosseini.
<b>Minister of Industries, Mines and Trade:</b>	Mahdi Ghazanfari.
<b>Minister of Health and Medical Education:</b>	Marzieh Vahid Dastjerdi.
<b>Minister of Co-operatives, Labour and Social Welfare:</b>	Abdolreza Sheikholeslami.
<b>Minister of Agricultural Jihad:</b>	Sadeq Khalilian.
<b>Minister of Justice:</b>	Morteza Bakhtiari.
<b>Minister of Science, Research and Technology:</b>	Kamran Daneshjou
<b>Minister of Culture and Islamic Guidance:</b>	Sayed Muhammad Hosseini.
<b>Minister of Sport and Youth Affairs</b>	Muhammad Abbasi.
<b>Minister of Roads and Urban Development:</b>	Ali Nikzad.

(Europa World online, The Government, accessed 21 May 2012) [19g]

### **AHMADINEJAD, Mahmoud**

The BBC News country profile, Iran, updated 2 September 2012, stated:

'Mahmoud Ahmadinejad was re-elected as Iran's president in June 2009, amid a bitterly contested poll result which led to the most serious internal unrest seen in the country since the 1979 Islamic revolution... The ultra-conservative Mr Ahmadinejad served as Tehran's mayor before winning a run-off vote in elections in June 2005, defeating his rival, the former president Akbar Hashemi Rafsanjani, to become Iran's first non-cleric president for 24 years... Born near Tehran in 1956, Mahmoud Ahmadinejad is a former provincial governor and Revolutionary Guards officer. He was actively involved in the Islamic revolution and was a founding member of the student union that took over the US embassy in Tehran in 1979. But he denies being one of the hostage-takers.' [21e]

### **EBADI, Shirin**

'Shirin Ebadi, an Iranian lawyer and former judge, won the Nobel Peace Prize in 2003 for her pioneering efforts to promote democracy and human rights, particularly for women and children. She was the first person from Iran and the first Muslim woman to receive the award. Ms Ebadi's outspoken campaigns have often brought her into conflict with the Iranian government and the country's conservative clerics, particularly since the disputed presidential election in June 2009. Though she has not been arrested since becoming a Nobel laureate, many of her close associates have been targeted, and last year [2008] the authorities closed the Human Rights Defenders Centre in Tehran, a leading non-governmental organisation she founded in 2001.

'Ms Ebadi left Iran for a conference the day before President Mahmoud Ahmadinejad's re-election and has not returned since. She says she has been sent "threatening messages" warning her to stop working for human rights and calling for reform, while her husband was recently arrested in Tehran and "severely beaten". She has nevertheless criticised the authorities for their suppression of opposition protests, and urged the international community to reject the outcome and called for a new election monitored by the UN.' (BBC News, 27 November 2009) [21i]

### **KARBASCHI, Gholamhossein**

Former mayor of Tehran from 1988 to 1998, instrumental in Mohammad Khatami's presidential victory in 1997; tried on corruption charges in 1998, sentenced to two years in prison and banned from holding office for ten years. Mr Karbaschi supported Mehdi Karrubi in the June 2009 presidential election. (New York Times, 10 March 2009) [77b]

**KARRUBI (KAROUBI), Mehdi**

'A founder of the leftwing Association of Combatant Clerics... Mehdi Karrubi was Speaker of the Majles during, 1989-1992 and 2000-2004. Formed a separate pro-reform 'National Trust' faction after losing 2005 election. Ran again in 2009, but received few votes and subsequently emerged, along with Musavi, as a leader of the Green Movement. Was physically blocked by regime from attending Green demonstrations during 2010 and, with Musavi, was put under house arrest as of February 14, 2011. Taken away to complete isolation (except for regime agents) at a two room office on July 16, 2011. Reportedly was allowed some access to his family in December 2011.' (Congressional Research Service, 5 September 2012) [78a] (p5-6)

**KHAMENEI, Sayed Ali**

The BBC News country profile, Iran, updated 2 September 2012, stated that Ayatollah Ali Khamenei is:

'The Supreme Leader – the highest power in the land – appoints the head of the judiciary, military leaders, the head of radio and TV and Friday prayer leaders. He also confirms the election of Iran's president. Moreover, the Supreme Leader selects six members of the 12-member Guardian Council, an influential body which has to pass all legislation and which can veto would-be election candidates. The Leader is chosen by the clerics who make up the Assembly of Experts. Ayatollah Ali Khamenei was appointed for life in June 1989, succeeding Ayatollah Khomeini, the founder of the Islamic republic. He previously served two consecutive terms as president in the 1980s. He has intervened on behalf of conservatives, coming into conflict with former president Mohammad Khatami and other reformists.' [21e]

**KHATAMI (KHATEMI), Mohammed**

A Congressional Research Service (CRS) report of 5 September 2012 stated that Mr Khatami was:

'... [a] reformist president during 1997-2005 and declared he would run again for President in June 2009 elections, but withdrew when allied reformist Mir Hossein Musavi entered the race in late March 2009. Khatami elected May 1997, with 69% of the vote; reelected June 2001 with 77%... Perceived as open to a political compromise that stops short of replacement of the regime, and voted in March 2, 2012, election, ignoring reformist boycott of that election.' [78a] (p5)

**KHOMEINI, Ruhollah (Ayatollah)**

The Shi'ite cleric who led the revolution that overthrew the Shah in 1979. He was Iran's ultimate political and religious authority for the next 10 years. Died 3 June 1989. (Encyclopaedia Britannica.com, 2009) [69a]

**LARIJANI, Ali**

The CRS report of 5 September 2012 stated that Ali Larijani has been the:

'Majles Speaker since 2008. Likely to run again for president in 2013. Former state broadcasting head (1994-2004) and minister of culture and Islamic guidance (1993), was head of Supreme National Security Council and chief nuclear negotiator from August 2005 until October 2007 resignation, and sought to avoid U.N. Security Council isolation. Is politically close to Khamene'i and a leading antagonist of Ahmadinejad. Brother of judiciary head. Another brother, Mohammad Javad, was deputy foreign minister (1980s) and now heads a government human rights body.' [78a] (p4)

**LARIJANI, Sadeq (Ayatollah)**

The CRS report of 5 September 2012 stated that Ayatollah Sadeq Larijani was ‘Judiciary head since August 2009. Brother of Ali Larijani; both are close to the Supreme Leader and opponents of Ahmadinejad. Both support hard line against dissidents.’ [78a] (p5)

### **MONTAZERI, Hussein Ali**

The Times reported on 21 December 2009 that:

‘Hussein Ali Montazeri was one of the most influential figures in the history of modern Iran. Among the most senior theologians of the Shia Muslim faith - he was one of the few Grand Ayatollahs - Montazeri was designated successor to Ayatollah Ruhollah Khomeini before falling out with the founder of the Islamic Revolution over the issue of civil rights shortly before the latter’s death in 1989. Khomeini was instead followed as Supreme Leader by the less theologically qualified Ayatollah Ali Khamenei, and Montazeri - while remaining part of the Islamic establishment - became one of the leading critics of the regime’s domestic and foreign policy.

‘Montazeri’s oppositional stance led to his becoming Iran’s most prominent prisoner of conscience, as for more than five years from 1997 he was held under house arrest at his home in Qom. Despite his advanced years and poor health, he played a role in the political crisis that engulfed Iran after Mahmoud Ahmadinejad’s heavily disputed re-election as President in 2009. It was Montazeri who called three days of national mourning for the young student, Neda Agha-Soltan, and others shot dead by security units loyal to Ahmadinejad.’ [15e]

### **MOUSAVI [MUSAVI], Mir Hossein**

The CRS report of 5 September 2012 stated:

‘Titular leader of the Green movement, Musavi is a non-cleric. About 68. An architect by training, and a disciple of Ayatollah Khomeini, he served as foreign minister (1980), then prime minister (1981-1989), at which time he successfully managed the state rationing program during the privations of the Iran-Iraq War but often feuded with Khamene’i, who was then president. At that time, he was an advocate of state control of the economy. His post was abolished in the 1989 revision of the constitution. Musavi later adopted views similar to Khatemi on political and social freedoms and on reducing Iran’s international isolation, but supports strong state intervention in the economy to benefit workers, lower classes. Appeared at some 2009 protests, sometimes intercepted or constrained by regime security agents. However, not necessarily respected by harder line opposition leaders who criticize his statements indicating reconciliation with the regime is possible. He and wife (prominent activist Zahra Rahnevar) repeatedly harassed by regime during 2009 protests. He and Mehdi Karrubi, below, placed under strict house arrest after Green demonstrations resumed on February 14, 2011. With Karrubi, supported reformist boycott of March 2, 2012, Majles elections.’ [78a] (p6)

Mousavi stood as a moderate in the 2009 presidential election and was the main challenger to President Ahmadinejad. (BBC News, 16 June 2009) [21q]

### **PAHLAVI, Mohammad Reza Shah**

Born in 1919 in Tehran; King (Shah) of Iran 1941-1979. The Shah’s government collapsed following widespread uprisings in 1978-1979, prior to the establishment of the Islamic Republic. He left Iran in January 1979 and died in exile in Egypt on 27 July 1980. (Iran Chamber Society, 2009) [58b]

### **PAHLAVI, Reza**

The CRS report of 5 September 2012 stated:

'Some Iranians want to replace the regime with a constitutional monarchy led by Reza Pahlavi, the U.S.-based son of the late former Shah and a U.S.-trained combat pilot. The Shah's son, who is about 55 years old, has delivered statements condemning the regime for the post-2009 election crackdown and he has called for international governments to withdraw their representation from Tehran. He has some support particularly in the older generation in Iran, but he may be trying to broaden his following by capitalizing on the opposition's growing popularity with Iranian youth.

'As of March 2011, he has been increasingly cooperating with - and possibly attempting to co-opt - younger Green Movement figures. In a meeting with the author [of the CRS report] in June 2011, Pahlavi indicated that an internationally provided "strike fund" would help Iranian labor rise up against the regime by protecting their incomes from regime retaliation. He also advocates establishing a large scale opposition radio station, funded presumably by wealthy Persian Gulf states. He is supported by Iranian exile-run stations in California. A younger brother, Ali Reza Pahlavi, committed suicide in January 2011.' [78a] (p15-16)

### **QALIBAF, Mohammad Baqer**

The CRS report of 5 September 2012 stated that Mr Qalibaf is the current mayor of Tehran. He is a:

'Former Revolutionary Guard Air Force commander and police chief, but a moderate conservative ally of Larijani and critic of Ahmadinejad. Encourages comparisons of himself to Reza Shah, invoking an era of stability and strong leadership. Lost in 2005 presidential elections, but supporters won 9 out of 15 seats on Tehran city council in December 2006 elections, propelling him to become mayor of Tehran. Has won some popular support for Tehran's cleanliness and relative order. Recruited moderate-conservatives for March 2008 Majles election. May run again in 2013.' [78a] (p4)

### **RAFSANJANI, Ali Akbar Hashemi**

The CRS report of 5 September 2012 stated that Mr Rafsanjani is:

'Now largely in eclipse, he was long a key strategist and advocate of "grand bargain" to resolve all outstanding issues with United States. Was Majles speaker during 1981-1989 and president 1989-1997. One of Iran's richest men, family owns large share of Iran's total pistachio production. A mid-ranking cleric, was seriously weakened in March 2011 by ouster as Assembly of Experts chairman, an outcome attributed to his tacit support of Green challenge to Ahmadinejad reelection. Rafsanjani funded much of Musavi's election campaign and criticized crackdown on Green protests. His website was blocked by regime hardliners in January 2012. But, Khamene'i reappointed him Expediency Council chair in March 2012 in order to keep Rafsanjani in regime orbit. Daughter Faizah participated in several 2009 protests, was detained briefly in February 2011 for protesting, and was sentenced in early 2012 for opposition activities. Five Rafsanjani family members arrested in June 2009 (and another briefly detained in March 2010), and there was a May 2010 threat to arrest his son, Mehdi, if he returns from exile in Britain.' [78a] (p4)

### **RAJAVI, Massoud**

Leader of the Mojahedin-E Khalq (MEK), also known as the MKO. The MEK has been classified as a terrorist organisation by several countries; removed from the UK's list of alleged terrorist groups in June 2008. (Danish Immigration Service, April 2009) [86a] (p16) On 29 September 2012, BBC News reported that the US had removed the MEK from its 'terror blacklist'. [21c]

See [Mujahidin-e-Khalq \(Holy Warriors of the People\)](#) above.

**RAJAVI, Maryam**

Wife of Massoud Rajavi; leader of the MEK with her husband. (Danish Immigration Service, April 2009) [86a] (p16)

See [Mujahidin-e-Khalq \(Holy Warriors of the People\)](#) above.

**REZA'I, Mohsen**

Former Revolutionary Guard commander-in-chief; now the Expediency Council's executive officer. (CRS, 5 September 2012) [78a] (p4)

**SOLTAN, Neda**

Neda Soltan was '...the student who became a symbol of the opposition after she was shot dead during an anti-government demonstration on June 20 [2009].' (The Times, 16 November 2009) [15a] 'The perpetrator was identified as a member of the Basij but the authorities claimed that British and US news media had caused her death.' (AI Report 2010, 27 May 2010) [9a] (p173)

**Soltani, Abdolfattah**

'Abdolfattah Soltani, a prominent lawyer and co-founder of the [CHRD Centre for Human Rights Defenders] who has been held in Tehran's Evin Prison since his September 2011 arrest, is currently serving a 13-year prison sentence.' (Amnesty International, 1 October 2012) [9ab]

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## Annex D

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### LIST OF ABBREVIATIONS

<b>AI</b>	Amnesty International
<b>CEDAW</b>	Committee on the Elimination of All Forms of Discrimination Against Women
<b>CPJ</b>	Committee to Protect Journalists
<b>EU</b>	European Union
<b>EBRD</b>	European Bank for Reconstruction and Development
<b>FCO</b>	Foreign and Commonwealth Office (UK)
<b>FGM</b>	Female Genital Mutilation
<b>FH</b>	Freedom House
<b>FIDH</b>	International Federation for Human Rights
<b>GDP</b>	Gross Domestic Product
<b>HIV/AIDS</b>	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
<b>HRW</b>	Human Rights Watch
<b>IAG</b>	Illegal Armed Group
<b>ICG</b>	International Crisis Group
<b>ICHRI</b>	International Campaign for Human Rights in Iran
<b>ICRC</b>	International Committee for Red Cross
<b>IDP</b>	Internally Displaced Person
<b>IFRC</b>	International Federation of Red Cross and Red Crescent Societies
<b>IMF</b>	International Monetary Fund
<b>IOM</b>	International Organisation for Migration
<b>IRGC</b>	Iranian Revolutionary Guards Corps
<b>ISNA</b>	Iranian Student's News Agency
<b>LDDHI</b>	Iranian League for the Defence of Human Rights
<b>MSF</b>	Médecins sans Frontières
<b>NGO</b>	Non Governmental Organisation
<b>OCHA</b>	Office for the Coordination of Humanitarian Affairs
<b>OECD</b>	Organisation of Economic Cooperation and Development
<b>OHCHR</b>	Office of the High Commissioner for Human Rights
<b>RSF</b>	Reporters sans Frontières [Reporters without Borders]
<b>TB</b>	Tuberculosis
<b>TI</b>	Transparency International
<b>UN</b>	United Nations
<b>UNAIDS</b>	Joint United Nations Programme on HIV/AIDS
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children's Fund
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>USAID</b>	United States Agency for International Development
<b>USSD</b>	United States State Department
<b>WFP</b>	World Food Programme
<b>WHO</b>	World Health Organization

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## Annex E

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### REFERENCES TO SOURCE MATERIAL

The Home Office is not responsible for the content of external websites.

Numbering of source documents is not always consecutive because some older sources have been removed in the course of updating this document.

- 1 **Europa World online (subscription only)**
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<http://www.europaworld.com/entry/ir.is.2>  
Date accessed 21 May 2012
  - b Iran: Contemporary Political History  
<http://www.europaworld.com/entry/EE001138>  
Date accessed 21 May 2012
  - c Iran: Constitution and Government  
<http://www.europaworld.com/entry/ir.is.60>  
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<http://www.europaworld.com/entry/ir.dir.224>  
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Date accessed 21 May 2012
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<http://www.europaworld.com/entry/ir.dir.90>  
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- 2 **Immigration and Refugee Board of Canada**  
<http://www.irb.gc.ca/eng/pages/index.aspx>
  - a Iran: The circumstances under which court summons and forfeiture documents are issued by courts; information on bail; the circumstances under which notices of conviction are issued by the Islamic Revolutionary Court; the prevalence of forged court documents, IRN 102981.E, 6 May 2009, accessed via  
<http://www.unhcr.org/refworld/country,,IRBC,,IRN,,4b7cee7e1e,0.html>  
Date accessed: 3 December 2012
  - b Canadian Immigration and Refugee Board, IRN101054.E. 3 April 2006. The passport; its features and procedures for application including whether an applicant who was refused a passport would be notified and have recourse; the use and prevalence [sic] of fraudulent or counterfeit passports to exit Iran; ease of illegal entry into and exit from Pakistan, Turkey, and Azerbaijan overland, and Oman and the United Arab Emirates by sea; whether authorities seize passports from certain individuals to prevent their departure from the country (2004–February 2006), accessed via  
<http://www.unhcr.org/refworld/country,,IRBC,,IRN,,45f1475214,0.html>  
Date accessed 3 December 2012

- c Canadian Immigration and Refugee Board, IRN100450.E. 17 November 2005. Documentation required and procedures to be followed by a parent wishing to travel abroad with a minor child in the absence, or without the consent, of the second parent (January 2003–November 2005), accessed via <http://www.unhcr.org/refworld/docid/45f147f520.html>  
Date accessed 3 December 2012
- d Canadian Immigration and Refugee Board, IRN101299.E. 20 June 2006. Arrest warrants and other court documents; trial in absentia in criminal cases; punishment for persons charged with helping anti-revolutionaries; procedure when someone acts as surety; which competent authority or court has legal jurisdiction to issue a death sentence to a convicted criminal; circumstances under which a ‘warning to seal’ document is issued and the consequences for the person named in the document; circumstances under which a private home is ‘sealed’; whether it is pursuant to a court order and, if so, legal documents issued to the person concerned or availability of these documents through legal representatives; impact of a sealing on the resident (2004–2006).  
<http://www.unhcr.org/refworld/country,,IRBC,,IRN,,485ba8651f,0.html>  
Date accessed 3 December 2012
- 3 United Nations High Commissioner for Refugees (UNHCR)**  
<http://www.unhcr.org/cgi-bin/texis/vtx/home>
- h UNHCR Comments on the Iran Country Report of April 2005, August 2005, accessed via <http://apci.homeoffice.gov.uk/PDF/apci511unhcr.pdf>  
Date accessed 9 October 2012
- 4 US Department of State** <http://www.state.gov/>
- a Country Reports on Human Rights Practices 2011 - Iran, 24 May 2012  
[http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic\\_load\\_id=186425#wrapper](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=186425#wrapper)  
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## Annex F

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### CORRESPONDENCE FROM FOREIGN AND COMMONWEALTH OFFICE (FCO)

[26a]

14 February 2011

Iran Coordination Group  
W81  
King Charles Street  
London  
SW1A 2AH

Country of Origin Information Service  
UK Border Agency (UKBA)

Dear Sir/Madam,

Re: Iran: Medical facilities

There are two types of hospitals in Iran, private and governmental. Depending on the circumstances, both private and Government hospitals can be used by anyone, although treatment can be considerably cheaper at a government run hospital. As in the UK, private hospitalisation, treatment and operations can be very expensive in Iran.

If the patient belongs to a social security scheme whereby an employer pays the subscriptions for the employee, this then entitles them to subsidised medical treatment and medication. This insurance cover applies to all government hospitals and some private hospitals too.

In Tehran and all other larger cities such as Shiraz and Isfahan there are many well-reputed hospitals. These are staffed by physicians and specialists, most of whom are very experienced and internationally trained. There is an extensive range of specialist care found in Tehran, both in the private and governmental sector.

For complex medical conditions where treatment is not available locally, the patients can apply to the Supreme Medical Council for financial assistance towards payment of medical expenses overseas. The Supreme Medical Council consists of a group of specialist doctors who assess and examine each case to determine whether such assistance in funding should be allocated.

Most drugs are readily available in Iran and those medicines not easily available, which are approved by the US Food and Drug Administration, can be ordered through the Red Crescent Society or governmental pharmacists, by presenting a doctor's prescription. The prices for medications bought in Iran are much cheaper than UK prescription and dispensing charges. There has also been considerable development in the pharmaceutical industry in Iran during the last decade. The essential raw materials for the majority of medicines are imported from overseas and then the medicine is produced and packaged locally. This is again subsidised by the Government. Care should be taken that the medicines prescribed comply to international standards.

Yours faithfully,

Iran Co-ordination Group

[26b]

Foreign and Commonwealth Office

27 January 2010

**The UK Border Agency contacted the Foreign & Commonwealth Office (FCO) for information on the situation for juveniles convicted of murder. The FCO consulted the United Nations Children's Fund (UNICEF) in Tehran on this matter. They provided us with the following information:**

In general, children who are accused of committing a crime or have been sentenced following judicial processes, are detained in "Juvenile Correction and Rehabilitation Centres (JCRCs)" or Kanoon-e Eslaah va Tarbiat (in Persian).

In each province, there is one JCRC which is a sub-department of the Prisons' Organization. The latter is one of the Judiciary's main bodies. The Head of Judiciary appoints the Prisons' Organizations' manager.

All children and juveniles in conflict with the law are sent to the JCRC through competent courts. The JCRC plays no role in sentencing and/or releasing these juveniles. These offenders are held in the Centre until the time that a decision is made on their cases. This can be enforcement of judgement and/or acquittal.

Article 19 of the JCRC's by-law declares that "JCRCs are centres for keeping, correcting and educating children below the age of puberty and offenders below the age of 18".

The JCRCs collaborate with international organizations e.g. UNICEF, government institutions e.g. Education and Labour Ministries, and NGOs with regards to child rights-related issues.

Upon entering the Centres and admission, the juveniles are placed in a temporary settlement section and undergo medical checks. Then a judicial file is established for each individual.

Juveniles on death row

The JCRCs are also involved in cases of juveniles condemned to death i.e. on death row. The JCRC staff is very much involved in mediation and resolution of such cases at managerial and/or technical level, with a view to settling these cases through obtaining the pardon of the victim's family and/or collection and payment of dieh (blood money). They also coordinate internally with the Prisons' Organizations in order to refrain from sending former juveniles who have reached the age of 18, to adult prisons.

Regarding the situation of juveniles suspected/convicted of murder, the Centres have a separate section for these delinquents. However, despite being held in separate quarters, it should be emphasised that they receive the same support/protection services that other juveniles in conflict with the law receive.

Nobody can officially and/or precisely say how long it takes for a murder case to be closed by the judicial system, due to the complexity and uniqueness of each individual case. In general, for murder cases, there are many aspects to be considered by various relevant institutions i.e.

the police's specialized units, Forensic Medicine Organization, and Penal Courts (including First Instant and Appeal and Supreme Court).

After exhaustion of the entire routine judicial process for penal cases, regarding murder cases with qesas (execution) punishment, the Judgement Enforcement Department needs to ask for the authorization of the Head of the Judiciary (Estizaaan) to proceed with the execution/qesaas.

This final filter at the Head of Judiciary's level may

- a) send the case back to the first stage i.e. first instant court to review the case from the beginning; or
- b) send the case to Dispute Settlement Councils at provincial level to try and settle the case before carrying out the execution.

An exception in this regard is the cases of juveniles in conflict with the law who have been accused of committing an act against national security. In that case, applying special mechanisms, a case may start and be finalized in a month.

[26c]

11th May 2010

Foreign and Commonwealth Office  
King Charles Street  
London  
SW1A 2AH

Country of Origin Information Service  
UK Border Agency (UKBA)

Dear Sir/Madam,

Re: Iran: Rule of Law

Although the Iranian Constitution, procedural penal code and procedural civil code set out the rights of detainees and the fundamentals of due process, these are regularly ignored. The televised show-trials in August 2009 and trials against seven Baha'i leaders in early 2010 all violated Iranian procedural law. Particularly in political cases, lawyers are regularly not granted the rights guaranteed by law, specifically: contact with clients, access to the relevant files and free questioning of witnesses. Sentences are issued, but not always communicated to the accused or his/her lawyer. Those arrested are often held for months without charge.

The independence of lawyers, previously protected to a degree by the Iranian Bar Association, is being threatened by a directive strictly regulating the activities and membership of the Bar. In February 2010, nearly 40 candidates for the Bar Board of Directors were disqualified for political reasons. A second, parallel Bar (the Article 187 Lawyers), directly subordinate to the Judiciary, has been set up. To practice in Iran, every lawyer must be a member of one of these two organisations.

Since the Presidential Elections in 2009 there have been numerous, credible reports of arbitrary arrest and detention. Often those in custody for political reasons are not charged, and those who are, are charged with catch-all crimes such as espionage, threatening national security and contact with foreign entities. As set out below, there are rules for the application of such qualifications, but there are numerous, credible reports of political interference in the judicial process - particularly since the 2009 Presidential elections. There is also considerable flexibility

in the application of qualifications. There is a right of appeal process, and appeals are overseen by a different judge.

It appears that as soon as the penalty for a crime is codified, the judge has little (or no) autonomy in determining the sentence. However, the judge has some ability to apply qualifications in certain cases e.g. threat to national security, or moharebeh (enemy of God). There are some rules around the application of such qualifications e.g. in the case of moharebeh the crime must have involved armed activity against the state. But the use of the qualification is based, it would appear, solely on the presumed 'intent' of the accused and application is up to the judge's discretion. Further, in the case of moharebeh the precise nature of 'arms' is open to dispute. It has been reported in the press that a recent moharebeh sentence was brought against the accused for throwing stones during the Ashura protest. The penalty for moharebeh is automatically death.

Where there is a gap in the codified law, judges may fall back on (their interpretation of) Sharia to determine the punishment. Unlike the UK, there is no strong system of case law. Further, there are also some Islamic penalties that may be applied e.g. stoning for adultery. Despite a circular from the previous Head of the Judiciary condemning the use of stoning, the circular does not have the force of law and some (provincial) judges have continued to sentence people to death by stoning.

In the case of murder it is usual for a qysas sentence to be handed down. A qysas sentence means either the payment of blood money to the victim's family (at which point the accused is freed) or a death sentence. The decision rest solely with the family of the victim - they cannot choose a third alternative (e.g. a lengthy gaol term).

Yours faithfully,

Iran Co-ordination Group

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[26e]

Foreign and Commonwealth Office

30th April 2010

Country of Origin Information Service  
UK Border Agency (UKBA)

Dear Sir/Madam,

Re: Iran: Christians

Under Iran's strict interpretation of Islam, anyone converting to another religion could face the death penalty or at least life imprisonment. The Iranian Constitution officially recognises Christianity, along with Judaism and Zoroastrianism, as minority religions. Although in theory this permits members of these religions to practise their faith under protection of the law, in reality Iran permits them only a limited role in public life and subjects them to gross human rights violations in a similar manner to members of Iran's other religious minorities. Treatment of Christians in Iran, particularly those who have converted from Islam, seriously concerns us as reports suggest that the number of Christians and Christian converts arrested or detained in Iran has increased significantly over the last two years.

In March 2009, two Christians, Marzieh Amirizadeh and Maryam Rostampour, were arrested and detained for 259 days without charge. Despite repeated attempts to force them to recant their faith, the women refused, even when threatened with the death penalty. Two Sunni religious representatives were killed in Kurdistan at the beginning of October 2009, and pressure against secular religious leaders is on the rise. The religious intolerance of the regime also has an impact on Shiite groups that do not share the official version of Islam promoted by the authorities.

Yours faithfully,

Iran Co-ordination Group

[26g]

30th April 2010

Foreign and Commonwealth Office  
King Charles Street  
London  
SW1A 2AH

Country of Origin Information Service  
UK Border Agency (UKBA)

Dear Sir/Madam,

Re: Iran: Military Court Procedures

Although the judicial system in Iran is relatively robust on paper, there have been serious questions about access to fair trial in civilian courts, let alone military tribunals, for some years. This has only escalated since the June 2009 Presidential elections. Large numbers of people have been detained, without access to lawyers, with requests for bail ignored, forced to sign fake confessions and then put forward in televised show trials, before being sentenced for crimes that their lawyers (whom they have often had no access to) say they did not commit. Others have disappeared for weeks with frantic relatives being given no information about their whereabouts. Although the 2.5 years detention in this case is longer than has been encountered in the civilian cases followed, this does not sound implausible.

Yours faithfully,

Iran Co-ordination Group

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