



COUNTRY OF ORIGIN INFORMATION REPORT

IRAN

26 JANUARY 2010

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Preface

- i This Country of Origin Information Report (COI Report) has been produced by 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 8 December 2009. The 'Latest News' section contains further brief information on events and reports accessed from 9 December to 26 January 2010. The report was issued on 26 January 2010.
- ii The Report is compiled wholly from material produced by a wide range of recognised 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 brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. 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 COI 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 COI 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.
- vi As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI 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.

1 The main text of this COI Report contains the most up to date publicly available information as at 8 December 2009. Further brief information on recent events and reports has been provided in the Latest News section to 26 January 2010

- 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 COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office 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 the COI Service upon request.
- ix COI Reports are published regularly on the top 20 asylum intake countries. COI Key Documents are produced on lower asylum intake countries according to operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

Country of Origin Information Service

UK Border Agency
Block B, Whitgift Centre
15 Wellesley Road
Croydon, CR9 1AT
United Kingdom

Email: cois@homeoffice.gsi.gov.uk

Website: http://www.homeoffice.gov.uk/rds/country_reports.html

INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's country of origin information material. The IAGCI welcomes feedback on UKBA's COI Reports, COI Key Documents and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>
- 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 COI 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://www.ociukba.homeoffice.gov.uk/>

- 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.

Independent Advisory Group on Country Information contact details:

Office of the Chief Inspector of the UK Border Agency
4th floor, 8-10 Great George Street,
London, SW1P 3AE

Email: chiefinspectorukba@homeoffice.gsi.gov.uk

Website: <http://www.ociukba.homeoffice.gov.uk/>

Latest News

EVENTS IN IRAN FROM 9 DECEMBER 2009 TO 26 JANUARY 2010

- 25 January "Prominent Iran opposition leader Mehdi Karoubi has said he recognises Mahmoud Ahmadinejad as president, despite saying last year's poll was rigged. Mr Karoubi had refused to accept the president's controversial re-election. Mr Karoubi's son says his father still has doubts about the vote, but accepts the results following Supreme Leader Ayatollah Ali Khamenei's endorsement."
Iran opposition leader Karoubi acknowledges president, 25 January 2010
http://news.bbc.co.uk/1/hi/world/middle_east/8478818.stm
Date accessed: 26 January 2010
- 22 January "Students in Iran have been boycotting end-of-term exams as they continue to show their opposition to the outcome of last year's disputed presidential election. The move comes a month after thousands of students held street demonstrations to protest against President Mahmoud Ahmadinejad's re-election last June."
BBC News, Iran students boycott exams to protest disputed election, 22 January 2010
http://news.bbc.co.uk/1/hi/world/middle_east/8470309.stm
Date accessed: 25 January 2010
- See also [Demonstrations and aftermath of the election](#)
- 19 January "Four people have been arrested after an Iranian state prosecutor was shot dead outside his home in northern Iran. Vali Hajgholizadeh, who officials say had a reputation for fighting corruption, was killed in the town of Khoy near the Turkish border... The Free Life Party of Kurdistan (PJAK), a Kurdish militant group based in Iraqi Kurdistan claimed it carried out the attack..."
BBC News, Four arrested after Iran prosecutor assassinated, 19 January 2010
http://news.bbc.co.uk/1/hi/world/middle_east/8467263.stm
Date accessed: 19 January 2010
- 16 January "Iranian authorities have warned opposition supporters against using text and e-mail messages to organise protest rallies. The country's police chief said these systems were monitored and people misusing them would be prosecuted... He warned that those who incited others to protest or issued appeals: 'have committed a worse crime than those who come to the streets'."
BBC News, Iran warns opposition on e-mails, 16 January 2010
http://news.bbc.co.uk/1/hi/world/middle_east/8462857.stm
Date accessed: 18 January 2010
- 15 January A Kurdish political prisoner, Shirin Alam Hovi, has been sentenced to death by the Revolutionary Court following charges of "moharebeh" or "warring against God". She had been found guilty of cooperating with an opposition group in Kurdistan. There is a right of appeal against the sentence.
International Campaign for Human Rights in Iran, Death sentence for Shirin Alam Hovi, Kurdish political prisoner, 15 January 2010
<http://www.iranhumanrights.org/2010/01/death-sentence-for-shirin-alam-hovi-kurdish-political-prisoner/>
Date accessed: 18 January 2010

- 14 January "Iran is facing mounting international protests about its jamming of the BBC's Persian TV service (PTV) after the channel – which has millions of viewers and is hugely popular with opposition supporters – was taken off a satellite owned by Europe's leading operator. The BBC said today it was 'actively supporting' a formal complaint to the International Telecommunication Union, a UN-affiliated body, about 'deliberate interference' from Iran... Tehran has repeatedly attacked PTV as an arm of the British government, which it accuses of seeking to foment a 'velvet revolution'. Last week, it included the BBC on a list of 60 'subversive' international organisations."

Guardian, BBC joins international protests against Iranian TV interference, 14 January 2010

<http://www.guardian.co.uk/world/2010/jan/14/bbc-joins-iran-tv-protest/print>

Date accessed: 19 January 2010

Dr Nooshin Ebadi, the sister of Nobel Peace Laureate, Shirin Ebadi, was released on 13 January without any charges, after being detained since her arrest on 28 December 2009. "...the fates of 150 others detained during the post-Ashura events remain unknown."

International Campaign for Human Rights in Iran, 14 January 2010

<http://www.iranhumanrights.org/2010/01/shirin-ebadis-sister-is-released-after-17-days/>

Date accessed: 18 January 2010

- 12 January Seven Baha'is who were arrested in 2008 were put on trial in a revolutionary court in Tehran. "The defendants face charges of spying for foreigners, cooperating with Israel and 'corruption on Earth', a charge which carries the death sentence...The US government has condemned the trial, expressing concern about Iran's treatment of Bahais."

BBC News, Iran Bahais begin spying trials, 12 January 2010

http://news.bbc.co.uk/1/hi/world/middle_east/8455052.stm

Date accessed: 14 January 2010

See also Baha'is

A university professor of nuclear physics, Masoud Mohammadi, was killed after a bomb exploded near his home in the Qeytariyeh district of Tehran. Nobody has claimed responsibility for the incident; however, state media have accused Israel and the US of being involved, an allegation which the US State Department has denied.

BBC News, Israel and US behind Tehran blast - Iranian state media, 12 January 2010

<http://news.bbc.co.uk/1/hi/8453401.stm>

Date accessed: 18 January 2010

- 11 January Police in Iran arrested two people and violently disrupted a demonstration in Tehran by relatives of a group of arrested mothers whose children are missing. "Hadi Ghaemi, a spokesman at the U.S.-based International Campaign for Human Rights in Iran, told Radio Farda that the police actions took place one day after the authorities arrested about 30 'mournful mothers' and their supporters. The 'mournful mothers' are a group of women whose children have disappeared or been killed in protests held since Iran's controversial presidential election in June."

Radio Free Europe/Radio Liberty, Relatives of arrested mothers dispersed by Iranian police, 11 January 2010

http://www.rferl.org/content/Relatives_Of_Arrested_Mothers_Dispersed_By_Iranian_Police/1926726.html

Date accessed: 12 January 2010

- 10 January Iran's parliament, the Majlis, published the first publicly documented admission that abuses had occurred following the June 2009 presidential elections. Former Tehran chief prosecutor, Saeed Mortazavi was identified as the main culprit in the Kahrizak detention centre scandal in which at least three prisoners died after being arrested at a demonstration on 9 July 2009. "The deaths were caused by 'limitation of space, poor sanitary conditions, -inappropriate nutrition, heat, lack of ventilation and ... also as a result of physical attacks', the report said."

Guardian, Iran's parliament exposes abuse of opposition prisoners at Tehran jail, 10 January 2010

<http://www.guardian.co.uk/world/2010/jan/10/iran-prisoners-abuse-jail>

Date accessed: 12 January 2010

- 6 January Iranian police arrested 13 members of the Baha'i community on 3 January for "alleged involvement in antigovernment protests". Three of those arrested were subsequently released but 10 remained in Evin prison in Tehran.

Radio Free Europe/Radio Liberty, Baha'is arrested in Iran after protests, 6 January 2010

http://www.rferl.org/content/Bahais_Arrested_In_Iran_After_Protests/1922834.html

Date accessed: 12 January 2010

- 5 January "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."

Guardian, Iran bans contact with foreign organisations, including the BBC, 5 January 2010

<http://www.guardian.co.uk/world/2010/jan/05/iran-bans-contacts-foreign-organisations/print>

Date accessed: 7 January 2010

- 4 January "Iran is deepening its fight against the opposition Green Movement by publishing photographs of protesters in the hopes that informants will step forward and identify them to authorities. Two sets of photographs were published on the pro-Ahmadinejad Raja News site, both in the wake of violent Dec. 27 demonstrations on the Shiite Muslim holiday of Ashura. The latest, published Monday, displays 47 images containing about 100 faces circled in red – adding to the 38 photos published last week with 65 faces circled. The announcement offered readers a hotline and a website to give Iranian police tips on the identity of those individuals."

Christian Science Monitor, Iran uses Internet as tool against protesters, 4 January 2010

<http://www.csmonitor.com/World/2010/0104/Iran-uses-Internet-as-tool-against-protesters>

Date accessed: 6 January 2010

- 30 December "Tens of thousands of Iranians have protested in favour of their government in major cities across the country, following recent opposition protests. Government supporters marched in Tehran, Shiraz, Qom and elsewhere, chanting 'Death to opponents!' The rallies - reportedly organised by the government - were a response to the opposition demonstrations on Sunday."

BBC News, Supporters of Iran's government stage big rallies, 30 December 2009
http://news.bbc.co.uk/1/hi/world/middle_east/8435007.stm

Date accessed: 31 December 2009

Further arrests [see articles dated 27 and 28 December below] were made as the authorities attempted to suppress the resurgent opposition. Those reportedly arrested include the sister of exiled Nobel Prize-winner Shirin Ebadi, the brother-in-law of opposition leader Mir Hossein Mousavi and "...numerous reformist academics, journalists and human rights activists...Far from retreating after Sunday's [27 December] bloody scenes, the regime showed every sign yesterday of preparing for an even tougher crackdown. Abbas Vaez-Tabasi, a cleric close to Ayatollah Ali Khamenei, the Supreme Leader, called the opposition leaders 'enemies of God' who should be executed under Sharia. Ali Larijani, the Speaker of the conservative-controlled Parliament, demanded 'maximum punishment' for protesters who 'hijacked' the religious holiday of Ashura on Sunday [27 December]."

The Times, Iranian regime rounds up relatives of opposition leaders in bid to stop protests, 30 December 2009

http://www.timesonline.co.uk/tol/news/world/middle_east/article6971053.ece

Date accessed: 30 December 2009

- 28 December "A number of opposition figures have been arrested in Iran, a day after at least eight people died during the most violent protests for months." Those reportedly arrested include "...opposition politician Ebrahim Yazdi, a foreign minister after the 1979 revolution and now leader of the Freedom Movement of Iran, [and] his nephew, Lily Tavasoli... The Parlemannews website reported that three aides to Mir Hossein Mousavi had been arrested. It also named two aides to reformist former President Mohammad Khatami as being among those rounded up by the authorities. Mousavi Tebrizi, a senior cleric from the holy city of Qom who is close to Mr Mousavi, is also reported to have been arrested, as is human-rights campaigner and journalist Emeddin Baghi...The official death toll for Sunday's confrontation is the highest since June, and police said about 300 people had been detained."

BBC News, Iran opposition figures arrested after protests, 28 December 2009

<http://news.bbc.co.uk/1/hi/8432297.stm>

Date accessed: 30 December 2009

- 27 December "The nephew of Iran's reformist opposition leader, Mir Hossein Mousavi, was reported to be among at least nine people killed after the streets of Tehran and other cities erupted in violent clashes between security forces and protesters." The authorities responded by declaring a 7pm curfew and banning all gatherings of more than three people. "Disturbances were also reported in Isfahan, Shiraz, Masshad, Arak and Najafabad, where the Rah-e Sabz [reformist website] described the situation as 'severe'".

Guardian, Iran protests leave nine dead, reports claim, 27 December 2009
<http://www.guardian.co.uk/world/2009/dec/27/nine-dead-iran-protests>
 Date accessed: 30 December 2009

23 December "Two Iranian convicts who escaped execution on Tuesday were hanged hours after being recaptured, Iranian media has reported. The men and five relatives who aided their escape from the hangman's noose were caught on the way to the coastal town of Bandar Abbas, officials said... The men were convicted of arms smuggling offences and bank robbery, the Fars news agency reported...The officials have not said what punishment the family members will face."

BBC News, Iran hangs convicts recaptured after escape, 23 December 2009
<http://news.bbc.co.uk/1/hi/8427801.stm>
 Date accessed: 5 January 2010

"More than 50 people were arrested in a mosque in Isfahan, Iran's second biggest city, as police fired pepper spray and teargas at mourners paying their respects to Grand Ayatollah Hossein Ali Montazeri, who died on Sunday. In a related incident, security forces detained and surrounded the home of a local reformist cleric, Ayatollah Jaleddin Taheri, as he attempted to travel to the ceremony." Confrontations were also reported in Najafabad, Montazeri's birthplace.

Guardian, Iran security forces clash with Montazeri mourners, 23 December 2009
<http://www.guardian.co.uk/world/2009/dec/23/iran-clashes-montazeri-mourners>
 Date accessed: 23 December 2009

22 December Opposition leader Mir Hossein Mousavi, who came second in the June election, has been fired as head of the Arts Institution. "The Council for Cultural Revolution, a high-ranking body chaired by President Mahmoud Ahmadinejad, dismissed him on Tuesday night, state media said. Mr Mousavi had run the institution, affiliated to the president's office, since its inception 11 years ago. In recent days, hardliners have urged Iran's judiciary to put Mr Mousavi on trial for instigating unrest." He retains his post on the Expediency Council.

BBC News, Iran's Mousavi loses public post, 22 December 2009
http://news.bbc.co.uk/1/low/world/middle_east/8427458.stm
 Date accessed: 23 December 2009

21 December "Hundreds of thousand of mourners, many chanting anti-government slogans, gathered in the Iranian city of Qom for the funeral today of the leading reformist cleric Grand Ayatollah Hossein Ali Montazeri. Defying a heavy presence of security forces, the funeral became a rallying point for further protests against the disputed re-election of Mahmoud Ahmadinejad. Pictures showed the defeated presidential candidates Mir Hossein Mousavi and Mehdi Karroubi among the mourners, after the opposition movement called for a national day of mourning."

Guardian, Iran braces for protests as 'up to 1m' attend funeral of reformist cleric, 21 December 2009
<http://www.guardian.co.uk/world/2009/dec/21/iran-ayatollah-montazeri-funeral-protests>
 Date accessed: 21 December 2009

19 December Military prosecutors charged three officials with the killing of three people held at Kahrizak prison, south of Tehran, following their

arrest during the post presidential election demonstrations in June 2009. In total, indictments were issued against 12 staff working at the prison. "The Kahrizak centre was shut in July [2009], after Iran's Supreme Leader, Ayatollah Ali Khamenei said it had failed to 'preserve the rights of detainees'."

BBC News, Iran officials on murder charges over inmates' deaths, 19 December 2009 <http://news.bbc.co.uk/1/hi/8422506.stm>

Date accessed: 21 December 2009

See also [Prison conditions](#)

14 December Tehran prosecutor, Abbas Jafari, was quoted as saying that several people had been arrested in connection with the tearing up of a picture of Ayatollah Ruhollah Khomeini, the founder of the Islamic republic, during anti government protests in Tehran last week. "The prosecutor also said there would be 'no mercy towards those who insulted the founder of the revolution,' the official IRNA news agency reported."

Radio Free Europe/Radio Liberty, Iran makes arrests over torn Khomeini picture, 14 December 2009

http://www.rferl.org/content/Iran_Makes_Arrests_Over_Torn_Khomeini_Picture/1903268.html

Date accessed: 15 December 2009

REPORTS ON IRAN PUBLISHED OR ACCESSED BETWEEN 9 DECEMBER TO 26 JANUARY 2010

Amnesty International (AI) <http://amnesty.org>

Iran: Election contested, repression compounded, 10 December 2009

<http://www.amnesty.org/en/library/info/MDE13/123/2009/en>

Date accessed 10 December 2009

The preamble to the above AI report, accessed from the AI website on 10 December 2009, stated:

“During the widespread unrest that followed the contested election result in June 2009, thousands of people were arbitrarily arrested, dozens were killed on the streets or died in detention, and many said they were tortured or otherwise ill-treated. This report includes cases and moving testimonies of individuals whose rights were abused. It shows that the willingness of the authorities to resort to violence and arbitrary measures to stifle protest and dissent has continued long after the post-election protests subsided.”

House of Commons Library <http://www.parliament.uk/>

The Islamic Republic of Iran: An Introduction, 11 December 2009

<http://www.parliament.uk/commons/lib/research/rp2009/rp09-092.pdf>

Date accessed: 13 January 2010

The introduction to the above report, accessed from the House of Commons Library website on 17 December 2009, stated:

“This paper provides an introduction to the Islamic Republic, its politics, economy, foreign and defence policies, and nuclear programme. It examines the governmental structure of the theocratic state, analyses the key personalities and forums of decision-making and assesses Iran’s policies at home and abroad.”

Human Rights Watch <http://www.hrw.org/en/home>

World Report 2010: Iran, 20 January 2010

<http://www.hrw.org/en/node/87713>

Date accessed: 21 January 2010

The introduction to the above report, accessed from the Human Rights Watch website on 21 January 2010, stated:

“The 612-page report, the organization’s 20th annual review of human rights practices around the globe, summarizes major human rights trends in more than 90 nations and territories worldwide, reflecting the extensive investigative work carried out in 2009 by Human Rights Watch staff.”

Further recently published reports are also available on the UNHCR’s refworld database: www.unhcr.org/refworld/; and the European Country of Origin Information Network database: <http://www.ecoi.net/>

Background information

GEOGRAPHY

- 1.01 Europa Worldonline, undated, accessed 3 November 2009, noted “The Islamic Republic of Iran lies in western Asia, bordered by 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). (US State Department (USSD) Background Note, September 2009) [4u] (Geography) “The climate is one of great extremes. Summer temperatures of more than 55°C (131°F) have been recorded, but in the winter the great altitude of much of the country results in temperatures of –18°C (0°F) and below.” (Europa, accessed 3 November 2009) [1a] (Location, Climate, Language, Religion, Flag, Capital) The capital city is Tehran, with an estimated population of 12 to 15 million. (FCO Country Profile – Iran, 7 May 2008) [26d] Other cities are Isfahan, Tabriz, Mashhad, Shiraz, Yazd and Qom. The total population of Iran is an estimated 65.8 million (2008 estimate). (USSD Background Note: Iran, September 2009) [4u] (People)
- 1.02 Europa Worldonline, accessed 3 November 2009 observed that: “The principal language is Farsi (Persian) spoken by about 50% of the population.” [1a] (Location, Climate, Language, Religion, Flag, Capital) Persian and Persian dialects are spoken by about fifty-eight per cent of the population. Twenty-six per cent of the population are Turkic-speaking, Kurdish nine per cent, Luri two per cent, Balochi one per cent, Arabic one per cent, Turkish one per cent and others two per cent. “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 include Zoroastrians, Jews, Baha’is, and Christians.” (USSD Background Note, September 2009) [4u] (People)
- 1.03 Europa Worldonline, accessed 3 November 2009 observed that “The national flag (proportions four by seven) comprises three unequal horizontal stripes, of green, white and red, with the emblem of the Islamic Republic of Iran (the stylised word Allah) centrally positioned in red, and the inscription ‘Allaho Akbar’ (‘God is Great’) written 11 times each in white Kufic script on the red and green stripes.” [1a] (Location, Climate, Language, Religion, Flag, Capital)

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

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CALENDAR

- 1.06 The Iran Chamber Society, undated, accessed 6 February 2009, stated: "The Iranian calendar (also known as Persian calendar or the Jalali Calendar) is a solar calendar currently used in Iran and Afghanistan. It is observation-based, rather than rule-based, beginning each year on the vernal equinox as precisely determined by astronomical 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 1388 began on March 21st 2009." (Economist Intelligence Unit Country Report, September 2009) [24a] (p23)

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 [58a]

PUBLIC HOLIDAYS

- 1.07 Europa Worldonline, undated, accessed 9 November 2009, observed the following public holidays in 2009 and 2010:

"The Iranian year 1388 runs from 21 March 2009 to 20 March 2010, and the year 1389 from 21 March 2010 to 20 March 2011.

"**2009** 6 January*† (Tassoua); 7 January*† (Ashoura); 10 February (Victory of the Islamic Revolution); 16 February* (Arbain); 24 February* (Demise of Prophet Muhammad and Martyrdom of Imam Hassan); 26 February* (Martyrdom of Imam Reza); 15 March (Birth of Prophet Muhammad and Birth of Imam Jafar Sadeh); 19 March (Day of Oil Industry Nationalization); 21–24 March‡ (Norouz, Iranian New Year); 1 April (Islamic Republic Day); 2 April (Sizdah-bedar, Nature Day—13th Day of Nowrooz); 28 May (Martyrdom of Hazrat Fatemeh); 4 June (Death of Imam Khomeini); 5 June (1963 Uprising); 6 July* (Birth of Imam Ali); 20 July* (Prophet Muhammad receives his calling); 7 August* (Birth of Imam Mahdi); 11 September* (Martyrdom of Imam Ali); 20 September* (Eid-e Fitr, end of Ramadan); 14 October* (Martyrdom of Imam Jafar Sadeq); 28 November* (Qorban, Feast of the Sacrifice); 6 December* (Eid-e Ghadir Khom); 26 December*† (Tassoua); 27 December*† (Ashoura).

"**2010** 19 January*† (Tassoua); 11 February (Victory of the Islamic Revolution); 13 February* (Demise of Prophet Muhammad and Martyrdom of Imam Hassan); 15 February* (Martyrdom of Imam Reza); 4 March (Birth of Prophet Muhammad and Birth of Imam Jafar Sadeh); 10 March* (Arbain); 20 March (Day of Oil Industry Nationalization and Martyrdom of Imam Reza); 21–24 March‡ (Norouz, Iranian New Year); 1 April (Islamic Republic Day); 2 April (Sizdah-bedar, Nature Day—13th Day of Nowrooz); 18 May (Martyrdom of Hazrat Fatemeh); 3 June (Death of Imam Khomeini); 4 June (1963 Uprising); 8 July* (Prophet Muhammad receives his calling); 8 August* (Birth of Imam Ali); 9 September* (Birth of Imam Mahdi); 10

September* (Eid-e Fitr, end of Ramadan); 15 October* (Martyrdom of Imam Ali); 16 November* (Qorban, Feast of the Sacrifice); 17 November* (Eid-e Ghadir Khom); 18 November* (Martyrdom of Imam Jafar Sadeq); 16 December* (Ashoura).

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

“† This festival occurs twice (in the Iranian years 1387 and 1388) within the same Gregorian year.

“‡ This festival begins on the date of the Spring Equinox.” [1h] (Public Holidays)

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ECONOMY

- 2.01 The Congress Research Service paper, *Iran's Economic Conditions: US Policy Issues*, dated 15 June 2009, provides an overview of the country's economic situation:

"Since [financial year] FY2000, Iran's economy has experienced real economic growth rates of about 6.4% on average annually. The annual change in real [Gross Domestic Product] GDP reached a high of 7.8% in FY2007... Recent economic growth has been driven by government spending on priority sectors, expansionary monetary and fiscal economic policies, increased growth in credit, and private consumption. Despite high international oil prices in recent years, the contribution of the oil and gas sector to economic growth has been more modest. The oil economy has been faced with low levels of production and inadequate investment. U.S. and U.N. sanctions levied against Iran, along with the poor domestic business environment, may contribute to low levels of investment. Iran's economic growth is expected to slow in 2009 and 2010, owing to the decline in international oil prices in late 2008, domestic economic mismanagement, and limited oil revenue savings to weather the recent global economic turnaround.

"Iran's economic growth has been hampered by consistently double-digit rates of inflation. Although high inflation is widespread among the oil-exporting countries in the Middle East and Central Asia, Iran has one of the highest. Iran's average Consumer Price Index (CPI) inflation reached 17.1% in FY2007 and is projected to grow to 28.0% for FY2008. By some estimates, Iran's inflation level is over 30% presently. Iranians struggle with the rising cost of basic foods, such as rice, chicken, and eggs, and housing prices, which have eroded real wages. The poor are hit hardest by inflation. It is the poor, mainly from rural areas, who supported President Ahmadinejad in the 2005 presidential election. Support for Ahmadinejad weakened marginally during the March 14, 2008 parliamentary elections, despite Iran's economic difficulties.

"Domestic factors contributing to the rise in inflation include expansionary government economic policies and growing consumption demands. External factors include international sanctions against Iran and rising international food and energy import prices. Inflation levels have been associated with Ahmadinejad's efforts to curb banking interest rates for loans to sub-inflation levels. The Central Bank has opposed these hikes. Inflation levels are expected to ease in the coming months due to the decline in international prices for oil and other commodities.

"The unemployment rate remains high, reaching an estimated 12.5% in 2008. Some observers contend that the unemployment rate is higher than figures reported by the Iranian government. At least one-fifth of Iranians lived below the poverty line in 2002. Iran has a young population and each year, about 750,000 Iranians enter the labor market for the first time, placing pressure on the government to generate new jobs. The emigration of young skilled and educated people continues to pose a problem for Iran. The IMF reported that Iran has the highest 'brain drain' rate in the world." [78c] (p4-5)

- 2.02 The Foreign and Commonwealth Office country profile of Iran, updated on 19 March 2009, reported:

“GDP (2006): [US] \$184.5 billion

“GDP per capita: (2008) [US] \$5.247

“GDP Growth (2006): 4.7%

“Inflation: (est) 11.2%

“Unemployment: (est) 11%

“Major Industries: Oil provides about 80% of export earnings and 50% of government revenue. Other main trading areas are gas, petrochemicals, mining, agriculture, car manufacturing, mineral products, metal fabrication, and food processing.” [26d]

- 2.03 The exchange as of 30 October 2009 was £1: 16,295 Rial (IRR). [40a]

See also [Employment rights](#)

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HISTORY

PRE 1979

- 3.01 The US State Department Background Note: Iran, updated September 2009 stated that “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.” **[4u] (History)**
- 3.02 The USSD Background Note: Iran, updated September 2009, reported that:
- “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.” **[4u] (History)**
- 3.03 The same source observed: “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.” **[4u] (History)** “By the end of 1978 anti-Government protests were widespread, involving both left-wing and liberal opponents of the Shah, as well as Islamist activists.” (Europa, accessed 20 October 2009) **[1b] (Recent History)** “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.” (USSD Background Note, September 2009) **[4u] (History)**

FROM 1979 TO 1999

- 3.04 The Freedom House, *Freedom in the World 2009* report, Iran, covering events in 2008, released in July 2009, (Freedom House Report 2009) noted:
- “In 1979, a revolution ousted Iran's monarchy, which had been marked by widespread corruption and misguided modernization efforts. The revolution mobilized much of the population and brought together diverse political interests, but under the leadership of the previously exiled Ayatollah Ruhollah Khomeini, democratic and secular elements were largely subsumed. The constitution drafted by Khomeini's disciples provided for a president and parliament elected through universal adult suffrage, but an unelected body, the Council of Guardians, was empowered to approve

candidates and certify that the decisions of elected officials were in accord with Sharia (Islamic law). Khomeini was named supreme leader [Vali-e-Faghih] and vested with control over the security and intelligence services, armed forces, and judiciary. Soon after the establishment of the Islamic Republic, Iraqi leader Saddam Hussein launched an invasion to settle a long-running border dispute. The conflict, 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 middle-ranking cleric who lacked the religious credentials and popularity of his predecessor. The constitution was changed to consolidate his power and give him final authority on all matters of foreign and domestic policy.” [112g]

- 3.05 The US Library of Congress Federal Research Division (LOC/FRD) report of May 2008 stated that:

“During the presidency of Ali Akbar Hashemi Rafsanjani (1989–97), reformists controlled a majority of seats in parliament until 1992 and supported Rafsanjani’s policies for economic reform and the normalization of relations with neighboring countries. The conservatives won a majority of seats in both the 1992 and 1996 parliamentary elections and subsequently used their position in the legislature to weaken or stop outright many reforms proposed by the Rafsanjani government. The administrations of Rafsanjani’s successor, Mohammad Khatami (in office 1997–2005), encountered the same resistance. Reformists won a majority of seats in the 2000 parliamentary elections and then enacted several notable pieces of reform legislation in the ensuing term. Having lost control of the parliament, conservatives tried to use their influence in the judiciary and bureaucracy to impede reforms they perceived as threatening their positions. Conservatives regained control of the parliament in the 2004 elections.” [79a]

- 3.06 After a second term Rafsanjani was succeeded in 1997 by Sayed Muhammad Khatami. (Europa, accessed 20 October 2009) [1b] (**Recent History**) In March 1997 Rafsanjani was appointed Chairman of the Council to Determine the Expediency of the Islamic Order (which arbitrates in disputes between the Majlis [parliament] and the Council of Guardians), the upper house of the legislative process, for a five-year term and thus continuing his influential role in political life. [1b] (**Recent History**)

- 3.07 In August 1997, President Sayed Muhammad Khatami, regarded as a ‘liberal’, and supported by the Servants of Iran’s Construction, intellectuals, professionals, women’s and youth groups, was inaugurated following a landslide victory in elections held in May. (Europa, accessed 20 October 2009) [1b] (**Recent History**)

- 3.08 The Freedom House Report 2009 noted “Under his [Khatami’s] administration, more than 200 independent newspapers and magazines representing a diverse array of viewpoints were established, and the authorities relaxed the enforcement of restrictions on social interaction between the sexes. Reformists won 80 percent of the seats in the country’s first nationwide municipal elections in 1999 and took the vast majority of seats in parliamentary elections the following year, with student activists playing a major role in the success of reformist politicians.” [112g] As president from 1997 to 2005, Khatami was known for promoting political

openness, press freedom, and reducing tensions with the United States. (RFE/RL, 13 March 2008) [42a] Ayatollah Khamenei, meanwhile, continued to denounce the West's military and cultural ambitions, particularly those of the USA and Israel. The divergent messages between the two men were interpreted by Western commentators as indicative of the conflict between Iran's 'moderate' and 'conservative' factions. (Europa, accessed 20 October 2009) [1b] (Recent History)

- 3.09 President Khatami's attempts to introduce reform continued to meet resistance. "The issue of press censorship had increasingly become a focus of the political rivalries between 'conservatives' and 'reformists'." (Europa, accessed 20 October 2009) [1b] (Recent History) These tensions erupted into violence:

"In July [1999], the closure of Salam, a 'reformist' newspaper with close links to President Khatami, triggered a small demonstration by students at the University of Tehran, which was dispersed with considerable violence by police. This action, in conjunction with a raid on student dormitories by security forces, aided by militant vigilantes of the Ansar-e Hezbollah (in which at least one student was killed), provoked five days of rioting in Tehran and other cities, resulting in some 1,400 arrests. Within a year both the national and the Tehran chiefs of police had been dismissed, while as many as 100 police officers had been arrested for their role in the campus raid." (Europa, accessed 20 October 2009) [1b] (Recent History)

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FROM 2000 TO 2008

- 3.10 Europa Worldonline, accessed 20 October 2009, stated:

"In July 2000 the former Tehran chief of police and 17 co-defendants were acquitted on charges arising from the police invasion of student dormitories [see paragraph 3.09 above], but two police officers received custodial sentences, having been convicted on relatively minor charges. Of the student demonstrators tried for alleged crimes relating to the unrest, four suspected leaders had their initial death sentences commuted to 15 years' imprisonment in April 2000, 45 were given custodial terms, and another 20 were acquitted." [1b] (Recent History)

- 3.11 The Freedom House Report 2009 observed:

"The 2000 parliamentary elections prompted a backlash by hard-line clerics that continued through 2006. Over the four years after the polls, the conservative judiciary closed more than 100 reformist newspapers and jailed hundreds of liberal journalists and activists, while security forces cracked down on the ensuing student protests. Significant political and economic reforms were overwhelmingly approved by the parliament only to be vetoed by the Council of Guardians. Despite being reelected with 78 percent of the vote in 2001, Khatami did not challenge the conservative clerics. He ignored pleas by reformist lawmakers to call a referendum to approve vetoed legislation, and implored citizens to refrain from demonstrating in public." [112g]

- 3.12 Europa Worldonline, accessed 20 October 2009, stated:

“In 2002 the Iranian administration denied accusations by the USA that it was permitting fleeing al-Qa’ida and Taliban fighters to cross the Afghan border into Iran. Relations deteriorated abruptly in January, when, in his annual State of the Union address, the US President referred to Iran as forming (together with Iraq and the Democratic People’s Republic of Korea—North Korea) an ‘axis of evil’, explicitly accusing Iran of aggressively pursuing the development of weapons of mass destruction and of ‘exporting terror’. Bush’s remarks were denounced in the strongest terms by the Iranian leadership, with President Khatami accusing his US counterpart of ‘warmongering’.” [1b] (Recent History)

- 3.13 The Freedom House Report 2009 observed:

“Popular dissatisfaction with the reformists’ failures, coupled with the Council of Guardians’ rejection of the candidacies of most reformist politicians, allowed hard-liners to triumph in the 2003 and February 2004 parliamentary elections. Emboldened by the victories, the clerical establishment moved to further restrict public freedom and attacked the country’s last refuge of free expression – the internet. In October, the head of the judiciary announced that ‘anyone who disseminates information aimed at disturbing the public mind through computer systems’ would be jailed. The government also launched a crackdown on ‘social corruption,’ deploying thousands of morality police and vigilantes to enforce dress codes and prevent public mingling of men and women.” [112g]

- 3.14 The same source noted: “The Council of Guardians ensured a reactionary outcome to the June 2005 presidential election by rejecting the candidacies of popular reformists, but the victory of Tehran mayor Mahmoud Ahmadinejad over other approved candidates reflected popular desires for change.” [112g]

See also [Presidential Elections – June 2005](#).

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Student unrest

- 3.15 The June 2004 Human Rights Watch Report, *‘Like the Dead in Their Coffins’* observed that:

“The current pressure for democratic reform in Iran changed dramatically after the student protests at Tehran University in 1999, protests that marked the beginning of the contemporary student movement. The protests began over the closure of the well known newspaper Salam. Black-clad thugs attacked the students, beating many and killing at least one student. President Khatami called for an investigation and trial of those responsible, but no convictions were ever returned. Every year on the anniversary of the 1999 event, students have gathered at Tehran University and other major campuses throughout the country. The date has been a flashpoint for violence and tension, and as recently as July 2003 the authorities have tried

to keep large crowds from gathering at the university campus in Tehran.” [8j] (p32)

- 3.16 The Amnesty International report, *Fear for Safety/Fear of Ill Torture or Ill-Treatment*, 26 June 2003, stated:

“On 11 June [2003], around 80 students living in student dormitories in the Amir Abad area of Tehran demonstrated against draft proposals to privatize universities in Iran. They were joined by local residents and the demonstration reportedly escalated and became increasingly politicized, with slogans being chanted against political leaders. Militant supporters of religious leaders opposed to social reform began to attack the demonstrators and police rapidly intervened to end the clashes. As the demonstrations grew over the following nights, Tehran's Special Forces (Nirou-ye Vijeh) were deployed to disperse demonstrators. There were reports, however, that the Special Forces permitted some militants to attack peaceful demonstrators and that in certain instances, excessive force may have been used to break up the demonstrations. Some demonstrators were reportedly attacked by unknown individuals on motorcycles wielding iron bars.” [9w]

- 3.17 The same report noted: “The demonstrations were part of countrywide unrest which began on 11 June and lasted for ten days. Hundreds of people have reportedly been arrested and according to a statement made by the head of the Tehran Justice Department Abbas Ali Alizadeh on 24 June ‘the judiciary is intent on dealing firmly with the main perpetrators.’” (Amnesty International, 26 June 2003) [9w]

- 3.18 About 4,000 people were arrested all over the country before and after the protests. Although many of those have since been released, there are still scores of students behind bars. (BBC News, 7 August 2003) [21u] Some of these have been in prison since they were arrested as a result of similar disturbances in 1999, 2000 and 2001. (CEDOCA Mission report, 16 May-6 July 2002) [43] (p17)

- 3.19 An International Federation of Human Rights note dated October 2005 stated that:

“Abbas Deldar have been [sic] condemned to 15 years in prison; Javid Tehrani, condemned to seven years in prison and freed four years later, was re-arrested in June 2004. Peyman Piran (condemned to ten years in prison) and his father, Mostafa Piran (condemned to 18 months in prison) are detained since more than a year.

“Akbar Mohammadi (condemned to 14 years in prison), his brother, Manoutchehr Mohammadi (condemned to 13 years in prison), and Ahmad Batebi (condemned to 15 years in prison) have been freed after seven years of detention for health reasons but might be sent back in prison [sic] at any moment, notably if they communicate with the media. The same is true of Amir-Abbas Fakhravar and Heshmattollah Tabarzadi. The latter, responsible of a students' association, had been condemned to 14 years in prison in January 2005 and was liberated for health reasons in August 2005.

“Bina Darab-Zand, another student, was condemned in October 2004 to three years and a half in prison and is currently detained.

“18 students were arrested in September and October 2005, arrests which were confirmed by the authorities. However, their name [sic] and the reason for their arrest were not disclosed.” [56e] (p3)

- 3.20 In a Canadian Immigration and Refugee Board paper of 26 June 2006 it was reported that:

“The following information was provided during a 17 May 2006 telephone interview with a representative of the Student Movement Coordination Committee for Democracy in Iran (SMCCDI) based in Texas. The representative said that the situation of student activists in Iran has not improved in the last few years. The repression is ‘harsher’, and the current regime has become more ‘intelligent’ in how it deals with student activists. He also explained that students who have been pardoned are usually not ‘genuine students’ or they are students who support the Islamic regime because, according to him, genuine dissidents would not be pardoned (SMCCDI 17 May 2006). As for the burial of Iranian soldiers on university campuses, the representative explained that the authorities use this tactic ‘to put pressure on students’ and limit so-called ‘dissident’ activities by establishing the grounds as sacred and ensuring respect for the mourning of the buried soldiers (ibid.).” [2ae] (p5)

- 3.21 In a HRW report ‘Iran, Denying the Right to Education’, of 25 October 2006 it was recounted that:

“When the new academic year started in Iran in late September 2006, several graduate students learned that the government was barring them from registering to take up university places. Because of their political beliefs and opinions, and in blatant violation of its international human rights obligations, the Iranian government is denying these students the right of access to education. Other students were informed that to be allowed to register they must sign a ‘commitment letter’, making the taking up or retaining of their university places conditional on toeing the line politically.

“This development comes on the heels of a year-long official drive to punish student activists for political activities, beliefs, writings, and membership in student associations that are not officially endorsed. Several official organs within and outside of the universities have led a campaign against student activists, including university disciplinary committees, the Judiciary, the Ministry of Science, Research and Technology (SR&T Ministry), and the Ministry of Information. University supervision committees have also banned 19 student publications, and suspended or dissolved Islamic Students’ Associations in 15 universities.” [8aa] (p1)

- 3.22 Freedom House stated in their *Freedom in the World 2008* report, covering events in 2007, released in July 2008:

“In July 2007, a group of students at Amir Kabir University held a sit-in that was broken up by security forces. Students were beaten by police and detained without charge. Student publications and groups, even student Islamic Associations, were shut down during the year. The Alumni Association of Iran was also raided by security officials, who arrested 10 members, ransacked their homes, and confiscated their belongings. In September, three leaders of the Office for the Consolidation of Unity, Iran’s

leading student organization, and five other students were charged with endangering national security and insulting Islam.” [112c]

3.23 On 8 October 2007, RFE/RL reported that:

“Dozens of students chanting slogans against Iranian President Mahmud Ahmadinejad scuffled with his supporters on the campus of Tehran University today while the president spoke at the school ...Before and during the president’s speech, activists chanted ‘Death to the dictator!’ and other anti-Ahmadinejad slogans. Liberal-minded students accuse Ahmadinejad of clamping down on dissent on university campuses. In December [2006], a speech by Ahmadinejad at another university in Tehran was disrupted by students hurling firecrackers and burning his picture.

“Several students have also been expelled from school or have been blacklisted on official documents if they participated in student activities deemed by officials to be antigovernment.” [42t]

3.24 On 8 November 2007, the public voice of Iran’s largest pro-reform student group was detained in Tehran:

“The detention of Ali Nikunesbati, the spokesman for the Office for Strengthening Unity (Daftar-e Tahkim-e Vahdat), is the sixth of a student activist in the past 10 days in Tehran. His detention comes after another student leader, Ali Azizi, was detained on November 4 [2007]. Human rights advocates and student groups in Iran have expressed concern over what they describe as renewed government pressure on universities and student activists.

“In recent weeks, students in Tehran have staged at least three protests against the crackdown on academic institutions.” (RFE/RL, November 8, 2007) [42u]

3.25 It was further reported:

“Student rallies began to gain momentum in early December [2007]. But they appear to be part of a wave of open dissent that began to build in earnest one year ago when - during a speech by Mahmud Ahmadinejad at Tehran University - students in the crowd burned photos of the president and chanted, ‘Death to the dictator!’ Similar, if less strident, rallies followed in May and October, with the authorities responding in each case by arresting activists.

“On December 4 [2007], some 250 students at Tehran University gathered to chant slogans such as ‘Freedom and Equality!’ and ‘No to war!’ About 20 were arrested and sent to Tehran’s Evin prison. Several were released but others are still being held, students say. Similar protests spread the next day to the cities of Hamadan, Isfahan, Mazandaran, Shiraz, and Kerman, where students reportedly openly criticized Iran’s disputed nuclear program.” (RFE/RL, 9 December 2007) [42v]

3.26 The US State Department Report on Human Rights Practices 2008, Iran, released on 25 February 2009, (USSD Report 2008) stated that:

“In March [2008] 30-year-old student activist Ahmad Batebi fled the country; authorities had permitted him to leave Evin Prison temporarily for medical treatment related to a partial stroke. Batebi, whose death sentence for his involvement in a 1999 student protest was commuted to 15 years in prison, stated prison and security officials thrashed him with a metal cable, beat his testicles, kicked in his teeth, and forced his face into a pool of excrement. Batebi stated authorities often tied him to a chair and kept him awake for multiple days and nights, cutting him and rubbing salt into the wounds.” [4a] (Section 1c)

3.27 The Freedom House Report 2009 stated that:

“Academic freedom is limited. Scholars are frequently detained, threatened, and forced to retire for expressing political views, and students involved in organizing protests face suspension or expulsion. Student organizations have been sidelined since the election of Ahmadinejad, and even peaceful protesters are attacked and arrested. Three members of the organization Students Seeking Freedom and Equality who were arrested in December 2007 remained in custody during 2008 for their alleged intent to stage a protest, and a fourth member, Ali Kantouri, was arrested in January. He was hospitalized after his arrest and transferred to several different prisons within Iran, but was released in May on bail. His trial was held in August, but the court had not returned its verdict by year’s end. More than 40 members of the student organization have been arrested in recent years and allegedly subjected to mistreatment and torture.

“Among other students detained during 2008, two Isfahan University students were arrested in June and sentenced to three and six years of prison and internal exile to a prison in a small village for allegedly contacting Kurdish opposition groups. Separately, legal scholar Mehdi Zakerian was arbitrarily detained weeks before his scheduled departure to teach at the University of Pennsylvania in the United States.” [112g]

For details of more recent student activity and the Government’s responses, see [Latest news](#), [Recent developments](#), [Freedom of political expression](#), [Freedom of association and assembly](#)

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Parliamentary elections – February 2004

3.28 Europa Worldonline, undated, accessed 20 October 2009, reported:

“With elections to the seventh Majlis [parliament] scheduled for late February [2004], the Council of Guardians announced in early January that, from a preliminary list of around 8,200 candidates, more than 2,000 candidates would be barred from standing in the polls, including 80 current Majlis deputies. (‘Reformists’ insisted that at least one-half of the proposed candidates would effectively be disqualified.). President Khatami’s brother and the Secretary-General of the Islamic Iran Participation Front, Muhammad Reza Khatami, was perhaps the most notable of these ‘reformist’ candidates, along with two other leaders of the party. President Khatami and several of his ministers threatened to resign in protest at the ban, as did all of the country’s 27 regional governors, and about 100

deputies staged a 'sit-in' at the Majlis. Although, as a result of two direct interventions by Ayatollah Khamenei, the Council of Guardians reversed its decision in relation to a small number of the barred candidates, in late January the Council vetoed emergency legislation that had been adopted by the Majlis with the intention of weakening the former's control over the election process and thereby reversing the bans on all of the candidates." [1b] (Recent History)

3.29 The same source also noted:

"At the elections to the Majlis, held on 20 February, turn-out by voters was estimated to be as low as 51% (with a recorded rate of only 28% in Tehran); 229 candidates received enough votes to be elected directly to the Majlis, with the remainder of the 290 seats to be filled at a second round of voting, held on 7 May. The 'reformist' Speaker of the outgoing Majlis, Mahdi Karrubi, withdrew his candidacy after failing to secure re-election at the first round. As had been widely predicted, 'conservatives' were confirmed as having secured a majority in the legislature, and following the second round of voting were estimated to have secured 195 seats in the Majlis and the 'reformists' fewer than 50, with the remainder being held by 'independents'." [1b] (Recent History)

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Presidential elections – June 2005

3.30 The Center for Contemporary Conflict (CCC) report dated August 2005 stated that:

"Close observers of Iran for several years had anticipated that the June 2005 election would produce major change. The pro-democracy reform movement that emerged with the May 1997 election of President Mohammad Khatami stalled after several years, weakened by continual attacks from its conservative opponents. Although the reformists managed to achieve landslide victories in the 1999 municipal council elections, the 2000 parliamentary election, and the 2001 presidential election (when Khatami was re-elected), they were unable to use their control over these institutions to achieve significant change, either in domestic political conditions or in the economic and socio-cultural conditions that more directly affect common Iranians. As a result, the Iranian public became increasingly disillusioned with Khatami and his reformist allies. This was reflected in the 2003 municipal council elections and the 2004 parliamentary election, when reformist candidates were decisively defeated, amid sharply lower turnout. With Khatami unable to run for a third term, many observers believed that the reformists would suffer another defeat and turnout again would be low in the June 2005 election." [72b] (p1)

3.31 An Update Briefing from the International Crisis Group, dated 4 August 2005 observed that "Over 1,000 people applied to run but the unelected Guardian Council approved only eight. Every female candidate was disqualified." It continued:

"Of the eight presidential candidates authorised to run by the twelve-member Guardian Council, Mahmoud Ahmadi-Nejad appeared among the least competitive until practically the end. Until a week prior to the election,

he had barely surfaced in opinion polls and was denying rumours of imminent withdrawal. In the last week, most surveys predicted a three-man race between a centrist (former president Hashemi Rafsanjani), a conservative (former national police chief Mohammed Bagher Ghalibaf), and a reformist (former Minister of Higher Education Mostafa Moin).” [84a] (p2)

3.32 The CCC, in a report dated August 2005, stated that:

“Mahmoud Ahmadinejad, a hardline conservative Islamist, scored a stunning victory in the second round of Iran’s June 2005 presidential election. Many observers have described Ahmadinejad’s victory as a key turning point for Iran, predicting that it will produce a new era of radical, puritanical rule at home and greater militancy in Iran’s foreign policy. However, Iran’s new president will face important political obstacles that will limit his ability to act, so it is not clear whether, and to what extent, he will be able to carry out such drastic changes.” [72b] (p1)

3.33 The USSD Report 2008 stated that: “In 2005 hardline conservative Mahmoud Ahmadi-Nejad won the presidency in an election widely viewed by the international community as neither free nor fair.” [4a] (Introduction)

3.34 In its Country Report 2005, published in September 2005, the Economist Intelligence Unit stated that:

“The victory of Mahmoud Ahmadinejad in the presidential election in June marked the culmination of a campaign by conservatives – which began after the election of the reformist president, Mohammed Khatami, in 1997 – to reassert their dominance over domestic political affairs. There are fears, both locally and abroad, that Mr Ahmadinejad will rein in political, social and economic freedoms in line with an austere interpretation of the ideals of the Islamic Revolution. Some steps in this direction are likely, but the supreme leader, Ayatollah Ali Khamenei, is aware of the dangers of shutting political opponents out entirely – notably that they may form an alliance against the dominant movement – and will probably seek to prevent this occurring.” [24b]

3.35 In August 2008, Ayatollah Ali Khamenei “praised the president for ‘standing up’ to the West and predicted he would be returned to office for four more years at the 2009 election.” (BBC News, 24 August 2008) [21c]

Assembly of Experts, local and parliamentary bye elections - 2006

3.36 The USSD for 2007 reported that:

“In December 2006 there were elections for the Assembly of Experts, municipal councils, and Majles by-elections. These elections were neither free nor fair, as the Guardian Council disqualified candidates based on ideological background. The parliamentary election commission and Guardian Council disqualified hundreds of potential candidates, largely reformists. Only 144 of the 492 prospective candidates were deemed eligible to run in the December 2006 Assembly of Experts elections. In the Assembly of Experts elections, Expediency Council chair Hojatolislam Ali Akbar Hashemi-Rafsanjani, a pragmatic conservative, received the most votes in the Tehran constituency by a significant margin. Reports indicated that 100 candidates withdrew their applications, and all female candidates

failed the written exam on religious interpretation ('ijtihad') and were disqualified." [4t] (Section 3)

- 3.37 A report from RFE/RL of 20 February 2007, commenting on the opening day of the Assembly of Experts fourth term, stated that: "Last December's elections are thought to have consolidated the position of veteran clerics and establishment figures - like Expediency Council Chairman Hashemi-Rafsanjani - against a current of political radicalism associated with Ayatollah Mesbah-Yazdi, considered an ideological mentor of President Mahmud Ahmadinejad." [42p] (p1)

Parliamentary elections – 2008

- 3.38 BBC News's timeline for Iran, accessed on 22 October 2009, noted that in March 2008, the conservatives, who included supporters of President Ahmadinejad and also comprised other more pragmatic conservatives, won over two-thirds of seats in the parliamentary elections in which many pro-reform candidates were disbarred from standing. [21p]
- 3.39 Around one-third of the elected conservatives were reportedly members of the Broad Principlist Coalition, which was more critical of the President's foreign and economic policies. "It was, therefore, generally assumed that Ahmadinejad would experience greater levels of opposition among Majlis deputies than had been the case in the previous parliament, especially in the run-up to the presidential polls scheduled for 2009. On 28 May 2008 Larijani was elected to the influential position of Speaker of the Majlis, in succession to Gholam-Ali Haddad-Adel." (Europa, accessed 20 October 2009) [1b] (Recent History)

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RECENT DEVELOPMENTS (JANUARY TO NOVEMBER 2009)

NUCLEAR PROGRAMME AND INTERNATIONAL DIPLOMACY

- 4.01 Jane's Sentinel Security Assessment for Iran, updated on 13 May 2009, stated that:

"Highly Enriched Uranium (HEU) traces were detected by IAEA [International Atomic Energy Agency] inspectors in 2003 in at least two different sites, traces which were deemed pure enough to produce nuclear weaponry. The Iranian military have admitted to producing centrifuges to enrich uranium, yet Iran has repeatedly claimed that its nuclear programme is for the generation of electricity alone...

"In December 2006 the Security Council of the United Nations adopted Resolution 1737, imposing sanctions on Iran over its failure to halt uranium-enrichment-related and reprocessing activities. The sanctions were tightened in March 2007, under Resolution 1747.

"In December 2007 the US National Intelligence Estimate stated that Iran had ceased its military nuclear programmes in 2003. Nonetheless, the Bush administration remained concerned about Iran's continuing efforts to pursue enrichment - a programme Tehran maintained was for civilian nuclear power. In March 2008 the UN Security Council approved a third round of sanctions on Iran. In Resolution 1803 adopted that month, the Security Council tightened restrictions on Iran's proliferation-sensitive nuclear activities, and called on all states to exercise 'vigilance and restraint' in regard to individuals supporting such activities on the part of Iran or supporting the development of nuclear-weapon delivery systems. However, the council also welcomed an agreement between Iran and the IAEA to 'resolve all outstanding issues' concerning Iran's nuclear programmes. In June 2008 the European Union agreed to impose new sanctions against Iran over its failure to comply with demands to curb its nuclear programme." [125a]

- 4.02 On 16 November 2009, the *Guardian* noted that a report published on that day by the United Nations nuclear watchdog, the International Atomic Energy Agency (IAEA), "expressed fears that Iran may have other secret nuclear sites following the discovery of the facility hidden in a mountain near the holy city of Qom." It was reported that:

"...the previously secret site at Fordo was in 'an advanced state of construction' and was scheduled to start up in 2011.

"The IAEA reprimanded Iran for failing to inform it until September about the site, even though construction had begun at least two years ago. In a more pointed criticism of Iran than usual, the IAEA says the delay 'reduces the level of confidence in the absence of other nuclear facilities under construction and gives rise to questions about whether there were any other nuclear facilities not declared to the agency'.

"The expression of concern comes at a sensitive moment, with no sign of a peace deal between Iran and the US, backed by Britain, France and

Germany. Iran has not yet formally replied to a compromise offered by Barack Obama, who said at the weekend that time was running out.” [16b]

- 4.03 On 17 November 2009, BBC News reported that Iran had “played down” the IAEA’s report. Iran’s envoy to the IAEA, Ali Asghar Soltaniyeh, was reported as saying “Iran has provided all information about the new facility and the material inside it. We will later proceed with installing the required equipment. The facility will go online in 2011.’ He said he was ‘comfortable’ with the report, as it confirmed Iran was ‘fully co-operating’ and that the activities at Qom were ‘in accordance with the IAEA instructions and limitations’”. [21h]

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PRESIDENTIAL ELECTION – 12 JUNE 2009

- 4.04 The Congressional Research Service’s (CRS) *Report Iran’s 2009 Presidential Elections*, dated 6 July 2009 noted that “In 2009, nearly 500 candidates for Iran’s presidency filed their candidacy with the Guardian Council. On May 20, 2009, the council announced that four candidates had been approved: incumbent president Mahmoud Ahmadinejad, conservative Mohsen Reza’i, reformist Mir Hussein Musavi, and reformist Mehdi Karrubi.” [78d] (p3)

- 4.05 Amnesty International, in a news report dated 5 June 2009 noted that:

“In the run-up to its tenth presidential election from which women candidates have been barred, the country has witnessed the arbitrary arrest and harassment of activists and members of minority communities, censorship, armed attacks and suicide bombings. ... The organization has expressed its concern about Iran’s discriminatory selection process for electoral candidates, which involves the Council of Guardians screening all candidates for election to ‘ensure their suitability for the Presidency’.

“In a public statement on 15 May [2009], Amnesty International urged the Council of Guardians to ensure that no one was excluded from standing as a candidate solely on the grounds of their race, colour, sex, language, religion, social origin or political or other opinion and that none of the 42 women who registered to stand were barred solely on account of their gender. However, all but four candidates were excluded, including all the women candidates.” [9g]

- 4.06 The CRS report of 6 July observed that:

“Social and political restrictions are often eased in Tehran during campaign season, but observers remarked that public activity this year was notably more energetic than would be expected. Some attribute this shift to the four years of crackdowns on social freedoms that have characterized President Ahmadinejad’s term in office. Others attribute the pre-election atmosphere to increased public tension between the candidates in the days leading up to the election, when the campaign became increasingly acrimonious.

“During the week of June 3, 2009, the candidates participated in six live debates. The debate between incumbent President Mahmoud Ahmadinejad

and reformist candidate Mir Hussein Musavi was particularly heated, most notably because of Ahmadinejad's open criticism of Musavi's wife, Zahra Rahnavard. The debates offered the public an opportunity to observe fierce exchanges between the candidates for the first time in a presidential election and reportedly were watched by 40 to 50 million viewers, according to Iranian media reports." [78d] (p3-4)

4.07 The CRS report continued:

"On June 12, following the heated campaign between Musavi and Ahmadinejad, Iranians went to the polls. Record voter turnout was reported throughout the day and the Interior Ministry ordered that voting centers stay open to accommodate those waiting to vote.²⁰ Many observers were optimistic that pro-reform segments of the population, who had boycotted elections in the past, had gone to the polls in favor of Musavi. Large campaign rallies prior to the election had even sparked discussion of a possible "Green Revolution." As the polls closed, however, the prospects began to dim for a Musavi victory, and for a popularly-accepted election outcome. As the polls closed, police and Basij paramilitary forces reportedly were deployed throughout Tehran, locking down the Interior Ministry where votes were being counted. Internet sites and mobile phones were also reportedly disabled. Less than three hours after the polls closed, the Interior Ministry announced that the election results were in and that Mahmoud Ahmadinejad had won, capturing 62% of the vote. The Interior Ministry also reported that 39 million votes were cast (about 85% of Iran's eligible voters), an unprecedented turnout.

"Following the announcement by the Interior Ministry, Supreme Leader Ayatollah Ali Khamenei issued a statement congratulating President Ahmadinejad, which most observers interpreted as a certification of the election results. Khamenei said the 'miraculous hand of God' was evident in the 'great epic' of the election. Both Ahmadinejad and Musavi claimed victory as the announcement was made, even before the Guardian Council certified the results." [78d] (p6-7)

4.08 The CRS report noted that the announcement of President Ahmadinejad's victory "...was followed by allegations of vote rigging and election fraud and prompted supporters of leading reformist candidate Mir Hussein Musavi and others to hold public demonstrations in several major cities of a size and intensity unprecedented since the Iranian Revolution of 1979." [78d] (summary)

4.09 President Ahmadinejad was sworn in on 5 August 2009 for a second five year term "...but the inauguration ceremony was boycotted by a number of senior leaders, highlighting the mounting divisions within the country's political and clerical elite..." Of the 21 people nominated, 18 of the President's cabinet nominees were approved by the "conservative-dominated" Majlis. (Keesing's News Digest for September 2009) [12a]

4.10 Keesing's also stated that:

"One of Ahmadi-Nejad's most controversial appointments was that of Gen. Ahmad Vahidi as minister of defence and armed forces logistics. Vahidi, a former Revolutionary Guard commander, was alleged to have planned the bombing of a Jewish centre in Buenos Aires (the capital of Argentina) in

1994 in which 85 people died...Vahidi was one of five Iranians sought by Interpol over accusations of involvement in the attack. Iran denied that it was involved in the bombing. In the Majlis vote, Vahidi won 227 out of 286 votes, more than any other nominee...Marzieh Vahid-Dastjerdi also won approval as health minister, making her Iran's first woman minister since the Islamic Revolution of 1979... Vahid-Dastjerdi, a gynaecologist, had twice been elected as a member of the Majlis. She was regarded as a conservative and had once backed segregated healthcare facilities for men and women...The Majlis rejected the appointment of two other women – Fatemeh Ajorlu and Susan Keshavarz – as minister for welfare and minister for education, respectively - and the appointment of Mohammad Ali-Abadi as minister of energy.” [12a]

For more recent developments see [Latest News](#), also see [Fair Trial](#), [Freedom of political affiliation](#) and [Freedom of speech and media](#).

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DEMONSTRATIONS AND AFTERMATH OF THE ELECTION

- 4.11 The CRS report, *Iran's 2009 Presidential elections*, dated 6 July 2009 observed that:

“The reported outcome of the June 12, 2009 presidential election in Iran prompted public demonstrations in several major cities of a size and intensity unprecedented since the Iranian Revolution of 1979. The announcement that President Mahmoud Ahmadinejad was reelected by a 62% margin was followed by allegations of vote rigging and election fraud. Supporters of leading reformist candidate Mir Hussein Musavi and others staged large protests in the streets of Tehran and other major cities that have drawn international attention.” [78d] (p2)

- 4.12 The CRS report continued:

“Shortly after the election results were announced, Iran's interior ministry issued a ban on unauthorized public gatherings. Despite the warning, protests reportedly continued every day in Tehran and other major cities—including Mashhad, Tabriz, Shiraz, and Isfahan, until the Basij crackdown on June 20. Restrictions on journalists and government efforts to restrict telecommunications made it difficult to know the scope of the public protests, but most accounts indicate numbers in the hundreds of thousands or more in Tehran. A counter demonstration in support of President Ahmadinejad also was reported, but most estimates indicate that it was significantly smaller than those in protest of the results—less than 10,000 people. Some media outlets alleged that the images of the Ahmadinejad rally were doctored to inflate the apparent size of the crowd. Smaller protests have reportedly continued since June 20, with estimates ranging from hundreds to thousands of people.

“In his speech on Friday, June 19, Supreme Leader Khamenei demanded an end to the protests, reiterated his support for President Ahmadinejad, and accused foreign ‘enemies’ of interfering in Iran's domestic affairs. Protests continued in Tehran and in other cities, however, and on

Saturday, June 20, Iranian Basij and Revolutionary Guard forces reportedly used tear gas and live ammunition to disperse crowds. Ten deaths were reported, bringing the unofficial toll to at least 17, although many speculate that violence between police and military forces and the protestors may be more widespread and lethal than media reports indicate. On June 22, reports indicated that the Basij and Revolutionary Guard have been deployed throughout Tehran as the government crackdown on demonstrations continues to intensify. In addition, the Iranian government also appears to be continuing its arrests of reformist leaders. On June 21, members of former President Rafsanjani's family were reportedly arrested, causing speculation that rifts in Iran's religious leadership could be widening.

"Smaller protests have reportedly continued since June 20 [to the time of writing on 6 July], with estimates ranging from hundreds to thousands of people. Reports of arrests, injuries, and deaths are difficult to substantiate, but have gained international attention and raised concerns about human rights and freedom of expression." [78d] (p7-8)

4.13 Euronews, in an article dated 23 June 2009 reported that:

"There was a relative calm on the streets of Tehran on Tuesday [23 June] after days of protests against a presidential election the opposition claim was rigged. However, the dispute escalated on the diplomatic front with Britain expelling two Iranian embassy officials in response to the same action by Tehran. ... The propaganda war has also intensified. The Iranian leadership has accused the West of inciting unrest in the country through its media coverage of the election. State TV has taken up the theme, airing interviews with people it claims are rioters who admit being influenced by Western reporting." [18a]

4.14 An article in the *Economist* dated 2 July 2009 observed:

"...After weeks of unrest, the state has reasserted its power. Heavy policing has blunted public protests, while a more targeted campaign of arrests, intimidation and controls on communications has hamstrung attempts to organise and sustain opposition. But with accusations of foul play still being voiced, even within the religious establishment that supports the Islamic Republic, Iran's hardliners will struggle to re-establish legitimacy.

"The Guardian Council, an appointed body dominated by clerics allied to Iran's supreme leader, Ayatollah Ali Khamenei, was in charge of investigating allegations of electoral fraud... the council announced on June 29th that its researches, including a partial recount, had produced no sign of wrongdoing, so closing the last legal channel to contest the outcome. Pro-regime news outlets even suggested that the revised tally showed gains for Mr Ahmadinejad. The president declared not just a personal triumph but the defeat of an enemy plot to overthrow the regime." [22a]

4.15 The article further noted:

"...A statement from an influential group of reformist clerics hinted at the change in mood. While reserving the right to protest, it said that Iranians had already paid a high price for speaking out and gave warning that escalating tensions and street protests 'are not the solution'. Powerful reformist allies, including the former presidents Muhammad Khatami and Hashemi

Rafsanjani, have taken to reasserting their loyalty to the Islamic Republic while working behind the scenes to negotiate a compromise... The widest sweep of suspected regime opponents since the 1980s has seen hundreds of ordinary citizens hauled off to jail, along with prominent journalists, human rights advocates and dozens of reformist party leaders, many of whom served as senior officials in previous administrations. In what appears to be the beginning of a full-scale purge, reformist sympathisers in Iran's oil ministry have been replaced by hardliners. Even those with no apparent involvement in politics, such as Bijan Khajepour, a well-known business consultant, have been detained... the state-controlled media have taken to airing purported confessions from some of these prisoners. The interior minister also claims to have uncovered a conspiracy whereby armed saboteurs pretended to be members of the baseej, a vigilante force of zealots which has been widely accused of brutality." [22a]

- 4.16 Reuters reported on 10 September 2009 that, according to an Iranian commander of Iran's elite Revolutionary Guards, Abdollah Araghi, 36 people died in the unrest following the disputed June 2009 election. This figure included three who had died in Kahrizak prison in south Tehran, where many of those arrested during the protests had been taken:

"Araghi's figure compares to previous official estimates of around 26 people killed in post-election violence. The opposition has put the death toll at more than 70 people... Rights groups say thousands of people, including senior pro-reform figures, were arrested after the presidential poll almost three months ago. Most of them have been freed but more than 200 remain in jail, according to the opposition." [5a]

- 4.17 The report of the Secretary-General entitled *The situation of human rights in the Islamic Republic of Iran* of 23 September 2009 observed:

"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.

"The head of the judiciary issued a directive stating that all remaining cases should be finalized in August 2009; however, that directive has not been complied with, as the trials have continued into September 2009." [10g] (p8-9)

- 4.18 On 26 October 2009, Human Rights Watch reported that:

"...on September 30, Alireza Avaie, head of the Tehran Justice Department, told reporters that the Revolutionary Court had issued preliminary verdicts against 20 political prisoners arrested after the presidential elections. He did not give names or the length of the sentences. Since then, authorities have announced more than 10 additional sentences - four death sentences and others ranging from five to 12 years." [8b]

- 4.19 On 4 November 2009 the *Guardian* reported that, on that day:

"Iran's opposition has come out in force to mount some of the biggest street protests since June's disputed elections in an attempt to overshadow official rallies marking the 30th anniversary of the storming of the US embassy in Tehran.

“Thousands of demonstrators poured into the capital to defy riot police, revolutionary guards and Basij militiamen wielding clubs and kicking protesters, as well as firing teargas and – according to some unconfirmed reports – bullets...Mousavi and Mehdi Karoubi, another defeated reformist candidate for the presidency, had urged their supporters to take to the streets to protest against Ahmadinejad and maintain pressure on the regime. Mousavi was barred from leaving his home. Karroubi briefly joined protesters in Haft-e Tir Square, according to the Mowjcamp reformist website.” [16g]

4.20 The *Guardian* article also stated that “The last big demonstrations in Iran were in mid-September [2009] when the opposition also tried to hijack an official event – the annual al-Quds day celebration expressing solidarity with the Palestinians – safe in the knowledge that the authorities would not want to cancel it for fear of trouble.” [16g]

4.21 BBC News reported on 7 November 2009 that, according to officials, 109 people had been detained for public order offences following the protests on 4 November. “The 109 people were on the fringes of an opposition-organised demonstration when they were detained. Security spokesman Azizollah Rajabzadeh said 62 are due to face trial while the others were released after questioning.” [21n] Reuters reported on 8 November 2009 that, according to the official agency IRNA, 47 of the 109 people detained had been released. [5d]

4.22 On 2 December 2009 BBC News reported that a prominent Iranian economist had received a prison sentence of nine years for protesting over the re-election of President Ahmadinejad in June 2009:

“Saeed Laylaz was convicted of attending illegal gatherings and possessing classified documents by a court, Iranian media reported. Mr Laylaz, a prominent reformist, had been critical of President Ahmadinejad's policies. Reports say 81 people have been jailed since the protests over the polls...

“Sentences handed out by the courts for journalists and activists arrested during the protests have been up to 15 years. As many as five people have been sentenced to death, prosecutors say.” [21s]

4.23 On 7 December 2009, the *Telegraph* reported that:

“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. Universities in several cities, including Tehran's top seats of learning, were sealed off as guards checked identity cards of people trying to join the student demonstrations.

“Earlier in the day, the authorities detained 23 members of a protest group of grieving mothers. They included the mother of Neda Agha-Soltan, known as the ‘Angel of Freedom’, who was shot by pro-government militia at the height of demonstrations against Mahmoud Ahmadinejad's re-election in June [2009].” [134c]

For more recent developments see [Latest News](#), also see [Fair Trial](#), , [Freedom of political affiliation](#) and [Freedom of speech and media](#) for more information on the aftermath of the demonstrations.

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DETENTION OF BRITISH EMBASSY STAFF

4.24 Aljazeera.Net, in an article dated 28 June 2009 reported that:

“Iranian authorities have detained eight employees of the British embassy in Tehran, accusing them of involvement in post-election unrest in the Islamic Republic, the semi-official Fars news agency has reported. ‘Eight local employees at the British embassy who had a considerable role in recent unrest were taken into custody,’ Fars said on Sunday, without giving a source. ‘This group played an active role in provoking recent unrest.’

“Iran has accused Western powers - mainly Britain and the US - of inciting street protests and violence that rocked the country after its disputed June 12 presidential election. Britain has denied the accusations. David Miliband, the British foreign minister, condemned the arrests.” [13a]

4.25 The *Guardian* reported on 9 August 2009 that one of those arrested, Hossein Rassam, an Iranian citizen, had gone on trial the day before charged with “damaging the country’s national security.” Of the British Embassy employees arrested, he was the only one to be charged. [16a]

4.26 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.” It was reported that:

“Hossein Rassam, 44, the embassy’s political counsellor, was sentenced in a closed courtroom this week, although the outcome is yet to be publicly announced. The Foreign and Commonwealth Office learnt of his sentence on Tuesday and summoned the Iranian ambassador in protest. The British ambassador in Tehran has also lodged an official complaint.

“Mr Rassam was one of eight Iranian staff at the British Embassy arrested after mass street protests that erupted in cities across Iran following the disputed re-election of President Ahmadinejad on June 12.” [15b]

For more information about recent events see [Latest news](#).

Further, updated news can be found on the following websites: [BBC News](#), [The Economist](#), [RFE/RL Iran](#) and [The Guardian](#).

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CONSTITUTION

- 5.01 Europa Worldonline, accessed 3 November 2009, 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.” [1c] **(Constitution)** A referendum on 28 July 1989 approved a further 45 amendments which increased the powers of the Presidency by abolishing the post of Prime Minister, formerly the Chief Executive of the Government. [1c] **(Constitution)**
- 5.02 Europa Worldonline also noted: “The Constitution states that the form of government of Iran is that of an Islamic Republic, and that the spirituality and ethics of Islam are to be the basis for political, social and economic relations. Persians, Turks, Kurds, Arabs, Balochis, Turkomans and others will enjoy completely equal rights.” [1c] **(Constitution)**
- 5.03 The Constitution, as revised to 1992, accessed via the University of Richmond, also states that:
- “After the office of Leadership, the President is the highest official in the country. His is the responsibility for implementing the Constitution and acting as the head of the executive, except in matters directly concerned with the office of the Leadership... **(Article 113)** The President is elected for a four-year term by the direct vote of the people. His re-election for a successive term is permissible only once.” [121] **(Article 114)**
- 5.04 The 2009 Annual Report of the United States Commission on International Religious Freedom, released May 2009, 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, be based on Islamic criteria.” [88b]

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POLITICAL SYSTEM

- 6.01 The US State Department *Country Report on Human Rights Practices 2008*, Iran, released on 25 February 2009 (USSD Report 2008), stated that:

“The Islamic Republic of Iran, with a population of approximately 70 million, is a constitutional, theocratic republic in which Shia Muslim clergy dominate the key power structures. Government legitimacy is based on the twin pillars of popular sovereignty—albeit restricted--and the rule of the Supreme Leader of the Islamic Revolution. The current supreme leader, Ayatollah Ali Khamenei, was not directly elected but chosen by a directly elected body of religious leaders, the Assembly of Experts, in 1989. Khamenei's writ dominated the legislative, executive, and judicial branches of government. He directly controlled the armed forces and indirectly controlled the internal security forces, the judiciary, and other key institutions. The legislative branch is the popularly elected 290-seat Islamic Consultative Assembly, or Majles. An unelected 12-member Guardian Council reviewed all legislation passed by the Majles for adherence to Islamic and constitutional principles and also screened presidential and Majles candidates for eligibility.”

[4a] (Introduction)

- 6.02 The USSD Report 2008 further stated that:

“The constitution provides citizens the right to change peacefully the president and the parliament through free and fair elections; however, the authority of unelected representatives over the election process severely abridges this right in practice. The Assembly of Experts elects the supreme leader, the recognized head of state, who can be removed only by a vote of the assembly. The assembly was composed of 86 members and was restricted to clerics, who served eight-year terms and were chosen by popular vote from a list approved by the Guardian Council (a 12-member body composed of government-appointed clerics and religious jurists). There was no separation of state and religion, and clerical influence pervaded the government. The supreme leader also approved the candidacy of presidential candidates, with the exception of an incumbent president.” [4a] (Section 3)

- 6.03 The USSD Background Note of September 2009 stated that suffrage is universal at 18. [4u] (Government) The Immigration and Refugee Board of Canada concurs: “Iran has universal suffrage and persons 18 years of age or over are eligible to vote.” [2af] Europa, accessed on 3 November 2009, recorded that “provision is made for the representation of Zoroastrians, Jews and Christians.” [1c] (Constitution)

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POLITICAL PARTIES

- 6.04 The Library of Congress country profile of Iran, dated May 2008, reported:

“Political parties were legalized in 1998. However, official political activity is permitted only to groups that accept the principle of political rule known as velayat-e faqih, literally, the guardianship of the faqih (religious jurist). Allegiances, still based on special interests and patronage, remain fluid. In

1998, 18 parties joined in a broad coalition called the Second of Khordad coalition. All were reformist parties that supported the political and economic proposals of President Mohammad Khatami; in the early 2000s, internal differences over specific economic policies have hampered the coalition's effectiveness, however. During that period, the conservatives were more united, despite the existence of several major conservative parties. The Islamic Iran Builders Council (known as Abadgaran) emerged as a powerful conservative coalition beginning in 2003, leading the conservatives to victory in the 2004 parliamentary elections and the 2005 presidential election. Conservatives also prevailed in the 2008 parliamentary elections." [79a]

6.05 Europa World Online, accessed on 3 November 2009, recorded 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. In the mid-2000s there were estimated to be more than 100 registered political organizations..." [1f] (Political Organisations)

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

INTRODUCTION

- 7.01 The Human Rights Watch (HRW) *World Report 2009*, released 15 January 2009 stated:

“With the government of President Mahmoud Ahmadinejad continuing to invoke ‘national security’ as a justification for silencing dissent, 2008 saw a dramatic rise in arrests of political activists, academics, and others for peacefully exercising their rights of free expression and association in Iran. There were numerous reports of the torture and mistreatment of such detainees. The Judiciary, accountable to Supreme Leader Ali Khamenei, and the Ministry of Intelligence continued to be responsible for many serious human rights violations. The number of executions also increased sharply in 2008.” [8f]

- 7.02 The US State Department *Country Report on Human Rights Practices 2008*, Iran, released on 25 February 2009, (USSD Report 2008) stated:

“The government's poor human rights record worsened, and it continued to commit numerous serious abuses. The government severely limited citizens' right to change their government peacefully through free and fair elections. The government executed numerous persons for criminal convictions as juveniles and after unfair trials. Security forces were implicated in custodial deaths and committed other acts of politically motivated violence, including torture. The government administered severe officially sanctioned punishments, including death by stoning, amputation, and flogging. Vigilante groups with ties to the government committed acts of violence. Prison conditions remained poor. Security forces arbitrarily arrested and detained individuals, often holding them incommunicado. Authorities held political prisoners and intensified a crackdown against women's rights reformers, ethnic minority rights activists, student activists, and religious minorities. There was a lack of judicial independence and fair public trials. The government severely restricted civil liberties, including freedoms of speech, expression, assembly, association, movement, and privacy, and it placed severe restrictions on freedom of religion. Official corruption and a lack of government transparency persisted. Violence and legal and societal discrimination against women, ethnic and religious minorities, and homosexuals; trafficking in persons; and incitement to anti-Semitism remained problems. The government severely restricted workers' rights, including freedom of association and the right to organize and bargain collectively, and arrested numerous union organizers. Child labor remained a serious problem. On December 18, for the sixth consecutive year, the UN General Assembly (UNGA) adopted a resolution on Iran expressing ‘deep concern at ongoing systematic violations of human rights’.” [4a] (Introduction)

- 7.03 The Foreign and Commonwealth Office's *Annual Report on Human Rights 2008*, released 26 March 2009, observed that:

“... Iran's human rights record today is dismal. In 2008, Iran has continued to execute juveniles, harass activists and human rights defenders, and demonstrated no tolerance toward activists; it has clamped down rigidly on

any form of dissent, opposition or organised protest. Charges such as 'propaganda against the Islamic Republic', 'acting against national security' and 'organising illegal gatherings' have become increasingly common. A Human Rights Watch report of January 2008 quoted an Iranian activist as saying 'The articles on security are so general that you can detain anyone for anything and give him a prison sentence'. [26b]

- 7.04 Amnesty International's report 2009, Iran, released on 28 May 2009, noted:

"The authorities maintained tight restrictions on freedom of expression, association and assembly. They cracked down on civil society activists, including women's rights and other human rights defenders and minority rights advocates. Activists were arrested, detained and prosecuted, often in unfair trials, banned from travelling abroad, and had their meetings disrupted. Torture and other ill-treatment of detainees were common and committed with impunity. Sentences of flogging and amputation were reported. At least 346 people were known to have been executed, but the actual number was probably higher. Two men were executed by stoning. Those executed included eight juvenile offenders." [9h]

- 7.05 The report of the Secretary-General to the United Nations on the situation of human rights in the Islamic Republic of Iran, dated 1 October 2008, observed that:

"The Islamic Republic of Iran has had a poor record of cooperation with treaty bodies. It has not reported to the Committee on Economic, Social and Cultural Rights or the Human Rights Committee for more than a decade. The concluding observations of each of those bodies adopted in 1993 remain largely unimplemented...The Islamic Republic of Iran has a practice of entering general reservations upon signature or ratification, which has repeatedly been cited by treaty bodies as one of the main factors impeding the enjoyment of some human rights protected under the conventions." [10a] (p18)

- 7.06 The report of the Secretary-General to the United Nations, entitled *The situation of human rights in the Islamic Republic of Iran*, dated 23 September 2009 noted that the Iranian government had agreed in principle to visits by all the UN special procedures mandate holders [human rights experts]; however, "No visits by any special procedures mandate holders have taken place since 2005." [10g] (p17)

- 7.07 The same Secretary-General's report also 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. The Iranian Constitution contains a comprehensive chapter on the rights of the people, which encompass civil and political rights, along with economic, social and cultural rights. The Penal Code and the Code of Criminal Procedure also provide various procedural guarantees aimed at ensuring due process of law and fair trial rights, although concerns in that area are noted in section IV.I below. A revised penal code is still being debated by the specialized commissions of the Islamic Consultative Assembly, or Majlis, but it includes a number of areas that would be

incompatible with international human rights standards. According to the authorities, provisions providing for stoning have been removed from the draft by the Legal and Judiciary Committee, but the proposed law contains provisions that call for other forms of capital punishment, flogging and amputation of limbs. Once adopted by the Majlis, the new code will go to the Guardian Council for final review.” [10g] (p3)

- 7.08 Commenting on human rights developments since the June 2009 elections, the UN Secretary-General’s report of 23 September 2009 stated:

“On 12 June 2009, after a vigorous campaign featuring open and critical debates, the Iranian electorate went to the polls to elect a new president. The public debates before and after the election were a positive sign of vitality and dynamism in the civil and political life of the Islamic Republic of Iran, but the handling by authorities of the protests that followed has raised concerns about respect for freedom of expression, assembly and association, the use of force in policing demonstrations and the treatment of and due process afforded to detainees...”

“On 19 June 2009, five independent United Nations experts in a press statement voiced grave concern about the use of excessive police force, arbitrary arrests and killings. They noted that, while the protests had largely been peaceful, violent clashes with security forces had resulted in the death, injury and arrest of numerous individuals. The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression expressed grave concern that the recent arrests and the use of excessive police force against opposition supporters might be a direct attempt to stifle freedom of assembly and expression in the country.” [10g] (p6-7)

- 7.09 HRW reported on 21 September 2009 that they and the International Campaign for Human Rights in Iran had “...documented extensive violations committed by state-sponsored forces since the June 12 presidential election, including unlawful use of lethal force against peaceful protesters, lengthy solitary confinement, and coerced confessions. There have also been numerous allegations of torture and rape of detainees.” [8g]

- 7.10 HRW also noted 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 human rights experts have repeatedly requested to travel to the country, but the government has denied their requests.” [8g]

- 7.11 On 20 November 2009, Reuters reported that the UN General Assembly’s human rights committee had condemned Iran for “a violent crackdown on protesters” following the June presidential elections. The Canadian-drafted resolution was approved by the assembly’s Third Committee:

“The Iran resolution ‘expresses its deep concern at serious ongoing and recurring human rights violations.’

“It voiced ‘particular concern at the response of the Government of the Islamic Republic of Iran following the Presidential election of 12 June 2009 and the concurrent rise in human rights violations.’

“Among those violations were ‘harassment, intimidation and persecution, including by arbitrary arrest, detention or disappearance, of opposition members, journalists and other media representatives, bloggers, lawyers, clerics, human rights defenders, academics, (and) students.’

“The result, it said, has been ‘numerous deaths and injuries.’ It also condemned reports of ‘forced confessions and abuse of prisoners including ... rape and torture.’” [5c]

A list of the most recent United Nations Special Procedures’ reports on Iran can be found on the Office of the High Commissioner for Human Rights website:

<http://www.ohchr.org/EN/countries/AsiaRegion/Pages/IRIndex.aspx>. [10c]

7.12 The United Nations’ (UN) list of Ratifications and Reservations recorded Iran as a signatory to:

- the International Covenant on Economic, Social and Cultural Rights (ICESCR);
- the International Covenant on Civil and Political Rights (ICCPR), except the optional protocol;
- the International Convention on the Elimination of All Forms of Racial Discrimination (CERD); and
- the Convention on the Rights of the Child (CRC). [10ah]

For more recent information about human rights see [Latest news](#). Also human rights of various groups are detailed in the sections following: [Political affiliation](#); [Freedom of speech and media](#) (including journalists and internet bloggers); [Freedom of religion](#), [Human rights institutions and activists](#), [Ethnic groups](#), [Lesbian, Gay, Bisexual and Transgender persons](#); [Women and Children](#).

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CRIME

ILLEGAL DRUGS SITUATION

8.01 A United Nations Office on Drugs and Crime (UNODC) article dated 19 November 2008 stated that: "Today, Iran's proximity to Afghanistan, which supplies more than 90 per cent of the world's opiates, means that the country is particularly vulnerable to drug abuse. Iran is also a main trafficking route for heroin destined for European markets." [10k]

8.02 The 2002 report by the Centre for Harm Reduction and Burnet Institute recorded:

"The Anti-Narcotics Law of 1988 covers all aspects of drug control including cultivation, production, consumption, sales and distribution. In 1997 this law was amended in order to be more responsive to the internal drug problem. The age of criminal responsibility is 16 years (UNDCP 2000). The possession and smuggling of opium and cannabis of up to 50 grams can result in a fine of 4 million Rials and up to 50 lashes. The penalties become harsher according to the amount that is found on the person. The death penalty may be commuted to life imprisonment and 74 lashes if the quantity does not exceed 20 kg and the perpetrator did not succeed in smuggling/distributing/selling (DCHQ 1997). The execution of drug offenders is usually limited to drug lords, organised drug criminals and armed drug traffickers (DCHQ 2001). Anyone who deals in, puts on sale or carries heroin or morphine is sentenced to various punishments, for example for more than five centigrams to one gram the fine is two to six million Rials in cash plus 30 to 70 lashes (DCHQ 1997)." [34] (p104)

8.03 In the International Narcotics Control Strategy Report, published in March 2007, it was stated that:

"There is overwhelming evidence of Iran's strong commitment to keep drugs leaving Afghanistan from reaching its citizens. As Iran strives to achieve this goal, it also prevents drugs from reaching markets in the West. Iran claims that more than 3500 Iranian law enforcement personnel have died in clashes with heavily armed drug traffickers over the last two decades, and Iran reports that another 56 died in 2005. Iran spends a significant amount on counter drug-related activities, including interdiction efforts and treatment/prevention education. Estimates range from \$250-\$300 million to as much as \$800 million each year, depending on whether treatment and other social costs are included. Iran claims to have invested upwards of \$1 billion in its elaborate series of earthworks, forts and deep trenches to channel potential drug smugglers to areas where they can be confronted and defeated by Iranian security forces. Nevertheless, traffickers from Afghanistan and Pakistan continue to cause major disruption along Iran's eastern border. Iranian security forces have had excellent seizure results for the last several years by concentrating their interdiction efforts in the eastern provinces.

"Iran is a party to the 1988 UN Drug Convention, but its laws do not bring it completely into compliance with the Convention. The UNODC is working with Iran to modify its laws, train the judiciary, and improve the court system." [95a] (p1)

- 8.04 An Amnesty International report, dated 17 September 2007 noted that “The Iranian authorities are co-operating with the international community in attempts to curb the activities of drug-smugglers. [9b] On 20 May 2009 the United Nations Office on Drugs and Crime (UNODC) reported that, on a visit to Iran, their Executive Director, Antonio Maria Costa,

“...praised Iran for ‘holding back a flood of heroin’. He said that Iran was ‘making a massive sacrifice’ to stop the smuggling of drugs from Afghanistan to the West, and deserved ‘both the gratitude and the support of the international community’. ‘The anti-narcotics police in Iran are among the best in the world’, he said.

“According to UNODC estimates most of the opium going from Afghanistan to the West is smuggled via Iran. This amounts to approximately 2500 tons of opium crossing Iran's borders every year. Mr. Costa lauded the Iranian authorities for seizing one-third of that amount last year. To stem the flow, the government of Iran has erected over 1000km series of embankments, canals, trenches, and cement walls along its eastern border.” [10m]

- 8.05 The Amnesty International report, ‘Iran: The Last Executioner of Children’, dated 27 June 2007 reported on punishments:

“The death penalty is ... provided for crimes covered in the Anti-Narcotics Law introduced in January 1989, and amended in 1997. These crimes include smuggling or distribution of more than 5kg of hashish or opium, or more than 30g of heroin, codeine, methadone or morphine. People who commit a fourth offence of cultivation of narcotic plants, recidivist (repeated) possession of opium and hashish, and the manufacture or supply of various chemicals that can be used in the manufacture of drugs can also receive the death penalty.

“Punishments for ta'zir crimes are open to pardon – for example, Article 38 of the Anti-Narcotics law allows for death sentences imposed under this law to be sent to the Amnesty Commission ‘if there are reasons by which the punishment... can be mitigated.’ Moreover, repeat offenders whose cumulative possession of heroin, morphine or cocaine or their derivatives exceeds the stipulated amounts are regarded as ‘corrupt on earth’ and punishable by death – that is, their crimes may be regarded as falling under the hodoud section of the Penal Code and, therefore, would appear not to be open to pardon. The Anti-Narcotics Law also provides for the death penalty for armed smuggling of narcotics – from media reports about the executions of alleged armed drug smugglers, it appears that in at least some cases, although it is not specifically stated, perpetrators are designated as ‘being at enmity with God’, a hodoud offence.” [9aac] (p8)

- 8.06 On 5 August 2009, Telegraph.com reported that a mass execution of 24 convicted drug traffickers had taken place at the Karaj prison, west of Tehran on 30 July 2009. This followed the hanging of 20 other drug smugglers earlier that month. [134b]

See also [Death Penalty](#) and [Drug Addiction](#) (for information on how drug addicts are treated)

ARAZEL VA OBASH

- 8.07 An Agence France Press article, dated 10 July 2007, reported “In May, Iranian police launched a morality crackdown specifically aimed at what are termed in Farsi as ‘arazel va obash’, literally ‘rascals and villains’ accused of disturbing the peace in low-income neighbourhoods.” [61c]
- 8.08 An article on Iranfocus.com, dated 8 November 2007, states that “Nineteen men were hanged in Tehran and Mashhad after being arrested in a sweep on ‘arazel va obash’, a Persian phrase that translates loosely as thugs. It is used for rapists, drug-traffickers and criminals who disturb public security.” [76a]
- 8.09 An Arab Times Online article dated 19 October 2008 reported that “Nine people convicted of disturbing the peace in Iran were flogged in public in the holy city of Qom ... the nine ‘thugs’ (‘arazel va obash’ in Farsi) were flogged 74 lashes each and fined 10 million rials (\$1,000) each as well for disturbing public order. [They] were arrested on October 10 after being involved in a collective brawl during which they damaged 15 vehicles.” [71a]

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SECURITY FORCES

OVERVIEW

- 9.01 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:

"Iran maintains an extensive network of internal security and intelligence services. The main parts of the domestic security apparatus are made up of the Ministry of Intelligence and Security, the Basij Resistance Force, the intelligence unit of the [Iranian Revolutionary Guards Corps] IRGC, and the law enforcement forces within the Ministry of Interior that largely are responsible for providing police and border control. The leadership of each of these organizations appears to be fragmented and dispersed among several, often competing, political factions. Public information on all Iranian security and intelligence forces is extremely limited and subject to political manipulation.

"Key to most paramilitary and intelligence forces in Iran is the IRGC, as it holds control over several other organizations or parts thereof. All security organizations without exception report to the Supreme National Security Council (SNSC), as the highest body in the political chain of command. The phenomenon of the fragmented leadership of the security organizations is reflected in their relationship to the SNSC as different security organizations maintain special ties to certain elements of the SNSC. The Supreme Leader, Ali Khamenei, installed an advisory panel called Strategic Council on Foreign Policy in May 2006. This body is supposed to advise the Supreme Leader in a broad range of foreign policy matters. It can only be speculated what the implications of this body are, but its creation send a caveat to observers that there may be some significant tension among the security components in Iran. In addition, it has to be assumed that other state organizations, most notably the police services, exert varying control over internal security. As with virtually all other organizations, the IRGC is believed to have considerable leverage over these services.

"The effectiveness of the internal security organizations is unclear and the political will to use them is hard to predict. After local unrest in the Iranian province of Baluchistan in May 2006, police were unable to seize control of the situation against regional tribal forces." [6a] (p7)

- 9.02 Jane's Sentinel Country Risk Assessments for Iran, updated 23 January 2009, stated that: "The entezamat (law enforcement) and quasi- and paramilitary forces of Iran present a confused picture to the West. Although the complex, multiple institutional structure of the security and foreign policy apparatus suggests disarray and discord, it is not anarchic." [125e] (**Security and Foreign Forces**)
- 9.03 The US State Department *Country Report on Human Rights Practices 2008*, Iran, released on 25 February 2009, (USSD Report 2008) stated:

“Several agencies share responsibility for law enforcement and maintaining order, including the Ministry of Intelligence and Security (MOIS), the LEF under the Interior Ministry, and the Iran Revolutionary Guard Corps (IRGC). The Basij and various 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.

“Corruption and impunity were problems. The regular and paramilitary security forces both 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 them.” [4a]

9.04 The USSD Report 2008 added: “Civilian authorities did not fully maintain effective control of security forces.” [4a] (Introduction)

9.05 The USSD Report 2008 further stated that:

“The constitution states that ‘reputation, life, property, (and) dwelling(s)’ are protected from trespass except as ‘provided by law’; however, the government routinely infringed on these rights. Security forces monitored the social activities of citizens, entered homes and offices, monitored telephone conversations and Internet communications, and opened mail without court authorization. There were widespread reports that government agents entered, searched, or ransacked the homes and offices of reformist journalists in an attempt to intimidate them.

“Vigilante violence included attacking young persons considered too ‘un-Islamic’ in their dress or activities, invading private homes, abusing unmarried couples, and disrupting concerts. During the year, the government continued its crackdown on ‘un-Islamic dress’ or ‘bad hijab’ (headcovering). According to press reports, morality police stopped or detained more than two million individuals during the year and in 2007 for ‘inappropriate hairstyles’ or wearing headscarves that revealed too much hair. There were reports that police used force in these instances less frequently after an image of a girl’s face covered in blood following a beating by police for un-Islamic dress was circulated widely in 2007. According to press reports, the Tehran police chief stated the girl had ‘instigated the incident herself.’ In December, according to press reports, police in the northern city of Qaemshahr arrested 49 persons for ‘appearing in public wearing satanic fashions and unsuitable clothing.’” [4a] (Section 1f)

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LAW ENFORCEMENT FORCES (INCLUDING THE POLICE)

9.06 Jane’s Sentinel stated that the estimated total strength of the ‘Security Forces (Police)’ is 400,000. [125e]

9.07 Jane’s Sentinel, updated 23 January 2009, stated that:

“[The Law Enforcement Forces (Niruha-ye Entezami-ye Jomhuri-ye Islami or 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. In November 2007 the LEF announced a programme to upgrade the equipment of the border regiments. The move would help strengthen border security and counteract the activities of terrorist groups. The LEF also has a major role in anti-smuggling operations and in countering drugs trafficking.

“Units within the LEF have overlapping responsibilities. The Social Corruption Unit of the LEF deals with social behaviour of an immoral nature. 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. In October 2005, the head of LEF, Brigadier General Esmail Ahmadi Moqaddam stated that ‘raising the index of societal security’ would be among the main aims of the organisation under his leadership. Moqaddam, a hardliner, was appointed by President Mahmoud Ahmadinejad in July 2005. In 2007 the LEF launched a highly controversial crackdown on ‘improper dressing’.

“The LEF also has an intelligence and counter-intelligence unit. In 2000 a Tehran Military Court confirmed an eight-month sentence imposed on the head of the unit, Commander Mohammed Reza Naqdi, over the mistreatment and torture of a number of detainees. In September 2000 Abdolhosein Ramexani was appointed to replace him.

“Actions of Islamist pressure groups and the LEF are sometimes co-ordinated. Perhaps the most infamous example of this occurred in July 1999, when hardliners attacked protesting students at Tehran University as the authorities stood by, and then elements from the LEF and the Ansar-e Hizbullah pressure group raided the student dormitory. This led to a week of violent riots across the country. These events highlighted the fact that by July 1999, a new division of labour had emerged: the 1999 student riots strongly suggest that the LEF, with the Basij providing support, has become the regime’s first line of defence against domestic unrest, a role hitherto played by the Islamic Revolutionary Guards Corps (IRGC).

“Former minister of the interior Musavi-Lari, a reformist in the Khatami administration, expressed dissatisfaction with his lack of control over the LEF. However, political disagreements over how the organisation is supervised are not likely in the foreseeable future given that the present minister of the interior, the president and the LEF chief are politically allied.

“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.” [125e]

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IRANIAN REVOLUTIONARY GUARDS CORPS ('PASDARAN')

- 9.08 A 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.

"The force is estimated to have 125,000 active troops, boasts its own ground forces, navy and air force, and oversees Iran's strategic weapons. 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 The APCI Report 2008 stated that "The IRGC has a large intelligence operation and unconventional warfare component. Roughly 5,000 of the men in the IRGC are assigned to the unconventional warfare mission. The IRGC has the equivalent of one Special Forces division, plus additional smaller formations, and these forces are given special priority in terms of training and equipment." [6a] (p7)

- 9.10 Jane's Sentinel Risk Assessment of Iran, Security and Foreign Forces, updated 23 January 2009, included more detailed information on the IRGC, stating that:

"The Islamic Revolutionary Guards Corps (IRGC), commonly known as the Pasdaran (Guardians), is composed of five main branches - Ground Forces, Air Force, Navy, Basij militia and the Qods Force special operations branch. There is also 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 lies in supporting the regular forces when required.

"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. Throughout the 1990s, the regular army and IRGC alike protested at being ordered to suppress citizens demonstrating against Iran's worsening economic conditions. For instance, in August 1994, they refused orders to open fire on protesters in Qazvin. The Basij, however, had no such qualms. They were similarly deployed by conservative clerics to quell the student riots of 1999 and 2003.

"The IRGC has its own ground, air and naval forces. Originally formed as a counterweight to the monarchist-orientated regular military forces and as the custodian of the nezam (revolutionary order), the IRGC was initially

subordinate to the ruling religious leaders. By 1986, it numbered over 300,000 personnel organised into battalion-sized units, with an independent chain of command and the capability of operating independently or in conjunction with regular units. Although attaining ministerial status in 1982, post-war reforms - specifically the creation of the Ministry Of Defence and Armed Forces Logistics (MODAFL) in 1989 - effectively curtailed the institutional autonomy of the IRGC. Since the enactment of military reforms, the IRGC has been placed under an integrated command with Iran's regular armed forces at the General Staff level. It retains an independent command chain below this level, however, and generally continues to exercise as an independent force.

"New uniforms have been introduced, together with a system of military ranks divided into four categories - soldiers, fighters, officers and commandants. In all, some 21 ranks were introduced in September 1991 which, with six exceptions, parallel those of the regular forces. Military training standards have also been raised. During the Iran-Iraq war the IRGC provided the lightly armed manpower that carried out the 'human wave' attacks on Iraqi positions. The appalling casualties suffered during these attacks, however, had a severe impact on morale and, by 1988; it was becoming increasingly difficult to attract volunteers. IRGC basis units are usually of battalion-size, organised into brigades and divisions, and although some units are in possession of specialised weapons, most are lightly armed and not capable of sustained operations...

"In August 2005, Ayatollah Khamenei, who directly oversees the Revolutionary Guards and holds regular sessions with their top commanders, asked the IRGC leadership to devise a new command structure and military strategy for the IRGC that would give the elite military force unlimited access to national resources and absolute priority over the regular army in case of a foreign military confrontation.

"In October 2007, the US government announced sanctions against the IRGC. In a statement, the US Department of the Treasury said that the IRGC 'has been outspoken about its willingness to proliferate ballistic missiles capable of carrying WMD'." [125e] (Security and Foreign Forces)

9.11 Jane's Sentinel continued that the "IRGC forces often man the internal customs posts found about 10 km outside each major city or conurbation. Patrols often operate on a freelance basis with the LEF, Highway Police and other civilian organisations." [125e] (Security and Foreign Forces)

9.12 The BBC News profile of 18 October 2009 stated that:

"Soon after his election in 2005, President Ahmadinejad named several former veterans [of the IRGC] to key ministries in his cabinet. After his disputed re-election in June, the Revolutionary Guards warned demonstrators against further protests. Many people in Iran saw the subsequent crackdown on the opposition as an assertion of control by the Revolutionary Guards. It is an impression the Guards have confirmed themselves, and members of the Basij militia, a group affiliated with the Guards, have been prominent in putting down the opposition protests.

"There are also reports that the Revolutionary Guards have increased their already substantial stake in Iran's economy, with the purchase of a majority

stake in the main telecommunications company. The Guards are thought to control around a third of Iran's economy through a series of subsidiaries and trusts. The Guards' engineering wing, Khatam-ol-Anbia (also known by an acronym, GHORB), has been awarded several multi-billion-dollar construction and engineering contracts, including the operation of Tehran's new Imam Khomeini international airport." [21i]

- 9.13 On 18 October 2009, BBC News reported that:

"Several top commanders in Iran's elite Revolutionary Guards have been killed in a suicide bombing in the volatile south-east of the country. Iranian state television said 31 people died in the attack, in the Pishin region of Sistan-Baluchistan, and more than 25 were injured. Shia and Sunni tribal leaders were also killed. A Sunni resistance group, Jundullah, said they carried it out." [21j]

- 9.14 On 21 October 2009, Reuters reported Iran's police chief as saying that arrests had been made in connection with the attack on the Revolutionary Guards and that "... talks were underway with Pakistan about also seizing 'the main elements behind the terrorist attack'... Analysts say the rebel group Jundollah [Jundullah] (God's soldiers) is increasingly inspired by Sunni militants based in Pakistan." [5b]

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Qods / Quds Force

- 9.15 The 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. Many U.S. experts believe that the Quds forces have provided significant transfers of weapons to Shi'ite (and perhaps some Sunni) elements in Iraq. These may include the shaped charge components used in some IEDs in Iraq and the more advanced components used in explosively formed projectiles, including the weapon assembly, copper slugs, radio links used to activate such devices, and the infrared triggering mechanisms. These devices are very similar to those used in Lebanon, and some seem to operate on the same radio frequencies. Shaped charge weapons first began to appear in Iraq in August 2003, but became a serious threat in 2005.

"On January 11, 2007, the director of the Defense Intelligence Agency stated in a testimony before the U.S. Senate Select Committee on Intelligence that the Quds force of Iran's Islamic Revolutionary Guard Corps has the lead for its transnational terrorist activities, in conjunction with Lebanese Hezbollah and Iran's MOIS." [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 Risk Assessment of Iran, Security and Foreign Forces, updated 23 January 2009, stated that:

“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).” [125e]

Basij

- 9.18 The APCI Report 2008 stated that:

“The IRGC oversaw the creation of a people’s militia, a volunteer group it named the Basij Resistance Force (which means Mobilization of the Oppressed), in 1980. The Basij derives its legitimization from Article 151 of the Iranian Constitution, which calls upon the government to fulfill its duty according to the Quran to provide all citizens with the means to defend themselves. Numbering over 1,000,000 members, the Basij is a paramilitary force, mostly manned by elderly men, youth, and volunteers who have completed their military service.

“This force is organized in a regional and decentralized command structure. It has up to 740 regional ‘battalions,’ each organized into three to four subunits. Each battalion has 300–350 men. According to one source, about 20,000 Basij forces were organized in four brigades during an exercise in November 2006.

“It maintains a relatively small active-duty staff of 90,000 and relies on mobilization in the case of any contingency. According to an IRGC general, a military exercise (Great Prophet II) conducted in the first two weeks of November 2006 employed 172 battalions of the Basij Resistance Force. According to the same source, the main mission of these troops was to guard ‘public alleyways and other urban areas.’

“The Basij has a history of martyr-style suicide attacks dating back to the Iran-Iraq War, 1980–1988. Today, its main tasks are thought to assist locally against conventional military defense as well as quell civil uprisings. In addition, one of the Force’s key roles has been to maintain internal security, including monitoring internal threats from Iranian citizens and acting as ‘a static militia force.’ The state of training and equipment readiness for the Basij is believed to be low. No major weapon systems have been reported for the inventory of the Basij. The IRGC maintains tight control over the leadership of the Basij and imposes strict Islamic rules on its members. Recent comments by Iranian leaders indicate that the mission of the Basij is shifting away from traditional territorial defense to ‘defending against Iranian security threats.’ Furthermore, there are reports of an increased interest in improving

the Basij under the leadership of President Mahmoud Ahmadi-Nejad.” [6a] (p10)

- 9.19 Jane’s Sentinel Risk Assessment, Security and Foreign Forces, updated 23 January 2009, stated that:

“Known as the 'Mobilisation of the Oppressed', the Basij Volunteer forces are a paramilitary organisation of about 90,000 men with an active and reserve strength of up to 300,000 and a mobilisation capacity of nearly one million men. It is controlled by the IRGC, and consists largely of youths, men who have completed military service and the elderly. It has up to 740 regional battalions with about 300 to 350 men each, which are composed of three companies or four platoons plus support. These include the former tribal levies, and are largely regional in character. Many have little or no real military training. However, Iran has used the voluntary Basij forces to provide local security ever since the popular riots of 1994. It called up over 100,000 men across 19 regions in September 1994, and began far more extensive training for riot control and internal security missions. It also introduced a formal rank structure and a more conventional system of command and discipline and created specialised Ashura (anti-riot) battalions and Al-Zahra (women's battalions) units for internal security missions. Some reports indicate that 36 of these battalions were established in 1994.

“The primary mission of the Basij has so far been internal security, monitoring the activities of Iranian citizens, acting as replacements for the military services and serving as a static militia force tied to local defence missions.” [125e]

Ansar-e Hezbollah

- 9.20 The Global Security website, last updated on 26 April 2005, stated that:

“Ansar-i hizbullah, the followers of the party of God, (also known as Ansar-i Hezbollah or Ansar-e Hezbollah), is a semi-official, paramilitary organization in Iran which carries out attacks on those whom it perceives to be violating the precepts of Islam, such as women wearing makeup, reformist protestors, and unmarried couples...

“Most of the members of Ansar-i Hizbullah either belong to the Basij militia or are veterans of the Iran-Iraq War (1980-1988) who believed that they must continue fighting for the integrity of Islam...

“The Iranian government has chosen to tacitly support groups like Ansar-i Hizbullah because they both aim to maintain the conservative status quo in Iran. Senior conservative clerics use gangs like Ansar-i Hizbullah as a way to consolidate their power and harass and/or eliminate their enemies. Therefore, Ansar-i Hizbullah enjoys a semi-official status; while they are not officially a part of the government, they complement the Iranian government's existing intelligence and security apparatus. Many senior clerics have been associated with Ansar-i Hizbullah and are thought to finance it.” [70b]

- 9.21 Jane’s Sentinel, Risk Assessment, Security and Foreign Forces, updated 23 January 2009, stated that:

“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. The group openly criticised the Khatami administration for ‘propagating social corruption’, and deemed its violent actions against reformist activists since 1999 as necessary to safeguard the revolution. The group has a significant overlap with the Basij voluntary Islamist militia. The group is connected with Ayatollah Ahmad Jannati, the hardline head of the Guardians Council, and is believed to receive most of its funding from the Oppressed and Disabled Foundation, while its membership is drawn from war veterans and the Basij.

“Ansar-e Hezbollah came to prominence in 2003 when a number of its members and leaders were arrested after they stormed into the dormitory of Tehran's Allameh Tabatabai University and attacked reformist students and destroyed their properties. Said Asgar, a member of Ansar-e Hezbollah, was also charged with the failed assassination attempt on Said Hajjarian, a reformist member of the former Tehran City Council in 2000, though he was later freed on bail.

“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.

“Some of the group's recent campaigns have included attempts to force the judiciary to name the ‘economic fat-cats’ who, the group states, have been looting the national wealth and who should be held accountable. One of the group's senior figures, Hamid Ostad, declared in August 2005 that in the face of ‘repeated threats by the US’ it is discussing ‘performing suicide operations against US forces and interests anywhere in the world’ in the event of a foreign invasion. In 2007 the group vociferously backed the LEF's crackdown on ‘improper dressing’.” [125e]

- 9.22 The estimated total strength of Ansar e-Hezbollah is 5,000 (Jane's, 23 January 2009). [125e] (**Security and Foreign Forces**)

ARMED FORCES

- 9.23 Jane's Sentinel Risk Assessment of Iran, Armed Forces, updated 2 December 2008, 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. [125f]
- 9.24 The CIA World Fact Book, updated 11 November 2009, stated that the military branches included:

“Islamic Republic of Iran Regular Forces (Artesh): Ground Forces, Navy, Air Force of the Military of the Islamic Republic of Iran (Niru-ye Hava'i-ye

Artesh-e Jomhuri-ye Eslami-ye Iran, IRIAF; Air Defense Command being formed); Islamic Revolutionary Guard Corps (Sepah-e Pasdaran-e Enqelab-e Eslami, IRGC): Ground Forces, Navy, Air Force, Qods Force (special operations), and Basij Force (Popular Mobilization Army); Law Enforcement Forces (2008).” [111] (Military)

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

OTHER ORGANISATIONS

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

9.25 Jane's Sentinel Risk Assessment, Security and Foreign Forces, updated 23 January 2009, stated that:

“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.

“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. During the 1981-88 Iran-Iraq war, an intense rivalry developed between the agency and the Intelligence Directorate of the Islamic Revolutionary Guards Corps (IRGC). It was decided that the IRGC would continue to maintain its own intelligence directorate. While SAVAK operated largely outside government control, it was decided that the MOIS would operate as part of the mainstream civil service apparatus, as a government ministry... MOIS is currently headed by the minister of intelligence and security, a position currently held by Gholam Hossein Mohseni Ejei, a hardliner who was appointed when Mahmoud Ahmadinejad became president in 2005. Ejei, who is in effect Iran's intelligence chief, replaced Yunesi, a career intelligence officer who had served under the reform-minded Mohammed Khatami when the latter was president... A man of ultra-conservative views, he served as a public prosecutor in the special

court for the clergy, and is said to have targeted reform-minded and anti-regime clerics. He is also a member of the press council, which has the role of media censorship.

"The agency is believed to have approximately 15,000 officers and support staff. MOIS differs from SAVAK in that its personnel are all civilians. The Ministry's foreign intelligence directorate is believed to have around 2,000 officers whose top priority is intelligence gathering in Iraq; Central Asia, Pakistan and the sheikhdoms and emirates on the Arabian Peninsula. It is also part of the role of the foreign intelligence directorate to liaise with 'liberation movements' (for example, Hizbullah and the Palestinian fundamentalist movement, Palestinian Islamic Jihad). The MOIS addresses ethnic and sectarian issues within the country, and it monitors the clerical community and government officials. Although MOIS officers are vetted for ideological conformity, very few can be considered extreme ideological Islamists... The MOIS has been accused of providing support to the Hizbullah militia group in Lebanon as far back as the 1980s. In 2005, a lawsuit was filed in the US against Iran and the MOIS on behalf of 29 US servicemen who were killed or injured, and their families, as a result of the 1983 terrorist bomb attack on the US Marine Corps base in Beirut, Lebanon. The plaintiffs alleged that the MOIS and the Iranian Revolutionary Guards Corps provided the 'economic, technological and other support' to Hizbullah to carry out the attack." [125e]

9.26 The USSD Report 2008 stated that:

"There were also reports during the year that the MOIS pressured families of political prisoners, banning them from speaking to foreign press and blocking their telephone conversations. Radio Free Europe journalist Parnaz Azima, sentenced in absentia in March to a one-year prison sentence for 'propaganda against the regime,' stated the government threatened to seize her 95-year-old mother's home if she did not return to the country to serve the sentence." [4a] (Section 1f)

For information about the Sazeman-e Ettela'at va Amniyat-e Keshvar SAVAK (National Intelligence and Security Organisation: the intelligence agency which operated under the Shah until 1979) see Political affiliation, [Savak](#)

HUMAN RIGHTS VIOLATIONS BY THE SECURITY FORCES

Arbitrary arrest and detention

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

9.27 The USSD Report 2008 stated "The constitution prohibits arbitrary arrest and detention; however, these practices remained common." [4a] (Section 1d) Furthermore, "There were numerous reports of arbitrary and false arrests during the year." [4a] (Section 1d) The UN Human Rights Council's Report of the Working Group on Enforced or Involuntary Disappearances, released 25 February 2009, which covered the period 1 December 2007 to 30 November 2008 stated that the number of enforced or involuntary disappearances in Iran totalled 515 outstanding cases, the whereabouts of whom the Iranian government failed to clarify to the Council. [10f] (p42)

9.28 The USSD Report 2008 added “There were reports of politically motivated abductions during the year. Plainclothes officers or security officials often seized journalists and activists without warning and held them in incommunicado detention for several days before permitting them to contact family members. Families of executed prisoners did not always receive notification of their deaths.” **[4a] (Section 1b)**

9.29 The UN Secretary-General’s report of 23 September 2009 commented on the situation following the June 2009 presidential elections:

“In the aftermath of the election, a number of special procedures mandate holders [human rights experts] signed numerous urgent action appeals regarding the alleged arrest and arbitrary detention of several hundred opposition activists and demonstrators. The arrests had allegedly been carried out by Iranian police, security forces, the Basij militia and plainclothes officers of the intelligence services during demonstrations or at private residences. The vast majority of the people arrested had reportedly been deprived of any contact with members of their family and had not had access to legal council.

“On 7 July, six special procedures mandate holders issued a joint statement expressing grave concern about mass arrests. The rapporteurs noted that hundreds of individuals, including human rights defenders, journalists, students, clerics and opposition supporters, had been injured and arrested following clashes with security forces and members of the Basij militia and that, since 12 June, at least 20 people had been killed and hundreds of others seriously injured in clashes with security forces, which had allegedly used live ammunition and rubber bullets to disperse protests. The six experts reiterated their grave concern about reports of killings, ongoing arrests, use of excessive police force and the ill-treatment of detainees.” **[10g] (p8)**

9.30 On 20 November 2009, Reuters reported that the UN General Assembly’s human rights committee had condemned Iran for “a violent crackdown on protesters” following the June presidential elections. The Canadian-drafted resolution was approved by the assembly’s Third Committee:

“It voiced ‘particular concern at the response of the Government of the Islamic Republic of Iran following the Presidential election of 12 June 2009 and the concurrent rise in human rights violations.

“Among those violations were ‘harassment, intimidation and persecution, including by arbitrary arrest, detention or disappearance, of opposition members, journalists and other media representatives, bloggers, lawyers, clerics, human rights defenders, academics, (and) students.’

“The result, it said, has been ‘numerous deaths and injuries.’ It also condemned reports of ‘forced confessions and abuse of prisoners including ... rape and torture.’” **[5c]**

9.31 In a press release dated 7 December 2009:

“Amnesty International condemned the excessive use of force by Iranian security forces that saw scores of protesters beaten and detained during student-led demonstrations on Monday [7 December].

“In a number of instances, security forces - including the volunteer Basij militia - used batons and tear gas to disperse opposition supporters in the wake of threats by officials that all demonstrations would be considered illegal and met by force. By the end of the day, the number of protesters arrested was not known...

“Thousands of opposition supporters and students had gathered in Tehran and cities across the country to mark the anniversary of the killing of three students by security forces in 1953.” [9r]

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

Torture

9.32 The UN Secretary-General’s report dated 23 September 2009 noted:

“While article 38 of the Constitution of the Islamic Republic of Iran prohibits torture, the country’s steps to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2002 were rejected by the Guardian Council, reportedly because of perceived conflicts with Islamic rules and principles.

“Since June 2008 the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment has sent numerous communications to the Iranian authorities regarding serious allegations that had been received concerning torture and other cruel, inhuman or degrading treatment or punishment...He [the Special Rapporteur] cited a number of different torture methods, including sleep deprivation, beatings, stress positions and lack of access to health care. The individuals allegedly subjected to such treatment included members of student groups, religious groups, journalists, human rights defenders, union campaigners, social activists, individuals who had committed crimes as juveniles and individuals associated with various minority groups, including the Baha’i, Azerbaijani and Kurdish segments of the Iranian population...Amputation and corporal punishment, which are justified by the authorities as Islamic punishments, also remain a serious cause for concern.” [10g] (p9-10)

9.33 The USSD Report 2008 stated: “Security forces were implicated in custodial deaths and committed other acts of politically motivated violence, including torture.” [4a] (Introduction)

9.34 The USSD Report 2008 also observed that:

“The constitution and law prohibit torture; however, there were numerous credible reports that security forces and prison personnel tortured detainees and prisoners.

“Common methods of torture and abuse in prisons included prolonged solitary confinement with sensory deprivation, beatings, long confinement in contorted positions, kicking detainees with military boots, hanging detainees by the arms and legs, threats of execution, burning with cigarettes, sleep

deprivation, and severe and repeated beatings with cables or other instruments on the back and on the soles of the feet. Prisoners also reported beatings on the ears, inducing partial or complete deafness; punching the area around the eyes, leading to partial or complete blindness; and the use of poison to induce illness. According to HRW, student activists were particularly likely to be subjected to torture and abuse.” [4a] (Section 1c)

9.35 The same report added: “During the year the government did not initiate any investigations into reports of torture or punish those believed to be responsible.” [4a] (Section 1c)

9.36 The Amnesty International Report 2009 for Iran, covering events in 2008, released in May 2009, stated: “Torture and ill-treatment of detainees were common, facilitated by prolonged pre-charge detention, denial of access to lawyers and family, and a longstanding pattern of impunity for perpetrators. At least four deaths in custody were reported. No independent investigations were known to have been held into these cases or two others in 2007.” [9h]

9.37 The APCI Report 2008 stated that:

“The use of torture is becoming less discriminate, whether on basis of seriousness of the suspected offence or any distinction between political and criminal offences that may have existed at the time of the relevant determinations.

“As has been documented, torture is becoming a routine investigation method that is applied regardless of the offence in question; as evidenced by the courts’ corresponding willingness to accept confessions and statements procured under duress in a wide variety of prosecutions. [6a] (p22)

9.38 The APCI Report 2008 further added that:

“Perhaps the most persuasive evidence of the authorities’ endorsement and desire to use torture on occasions unconnected to political opposition stems from a quintessentially official source — a Bill before the Parliament that is at an advanced stage of the approval process.

“While the draft Code contains a number of penalties that may be perceived as cruel and unusual, including the death penalty for apostasy, the Article of most relevance is Article 225-10, pertaining to the non-political offence of apostasy, which states ‘Punishment for women, whether Innate or Parental, is life imprisonment and during the sentence, under the guidance of the court, she will be subjected to physical hardship, and she will be guided to the right path and encouraged to recant, and if she recants she will be freed immediately.’ The Note to the Article states that the conditions of hardship will be determined according to the religious laws.” [6a] (p23)

9.39 The UN Secretary-General’s report of 23 September 2009 recorded that:

“On 13 August [2009], three special procedures mandate holders [human rights experts] expressed serious concern over reports of detainees being subjected to torture and harsh interrogations in order to obtain confessions. The three experts said that the accused included lawyers, journalists and

other human rights defenders, as well as members of the opposition, who had protested in the aftermath of the presidential elections.” [10g] (p9)

Extra judicial killings

- 9.40 The USSD Report 2008 stated: “There were reports that the government and its agents committed arbitrary or unlawful killings.” [4a] (Section 1a)
- 9.41 A BBC News Profile dated 18 June 2009 stated that:
- “In the days following the 2009 presidential elections, members of the [Basij] militia were accused of being responsible for the deaths of seven anti-Ahmadinejad protesters after they fired at a crowd that had attacked a Basij compound. They were also accused of attacking students at Tehran University and other academic institutions. Despite usually being seen as beyond scrutiny, the interior ministry agreed to an investigation following a call from the parliament speaker, Ali Larijani.” [21af]
- 9.42 The UN Secretary-General’s report of 23 September 2009 noted that the Iranian government had agreed in principle to a visit by the Special Rapporteur on extrajudicial, summary or arbitrary executions in September 2006 but a visit had not yet been scheduled. Several follow-up requests had been sent, the latest being in December 2008. The report observed that “No visits by any special procedures mandate holders have taken place since 2005.” [10g] (p17)
- 9.43 On 27 October 2009, the Special Rapporteur on extrajudicial, summary or arbitrary executions gave a press conference: “On Iran, he 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]

See also [Death Penalty](#)

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MILITARY SERVICE

- 10.01 The CIA World Fact Book, updated 11 November 2009, 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)." [111] (Military)
- 10.02 Iranian men become eligible for military service as of 21 March of the year they reach 19, although the minimum voluntary recruitment age is 16. Most of the armed forces are reportedly made up of conscripts who received minimal training and served for 18 months. (Coalition to Stop the Use of Child Soldiers (CSC) Global Report 2008, Iran, 20 May 2008) [30a] "Large-scale conscription was seen as wasteful and unnecessary during periods of economic downturn, such as that experienced in 1998-2000. In 2008 the period of conscription was reduced from two years to 20 months. The military service period for those serving in harsh climate areas was reduced to 18 months and to 17 months for those serving in border military operations. In 2003 the period of conscription had been reduced to a period of 17 to 20 months in certain areas of Iran." (Jane's Sentinel, 5 January 2009) [125b]
- 10.03 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..., released April 2009, stated:
- "... military service is compulsory in Iran. The Attorney at Law informed that generally the duration of military service is two years and it is only compulsory for men. However, it can be shortened to 20 months. 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." [86b] (p47)
- 10.04 War Resisters' International 1998 reports that the right to conscientious objection is not legally recognised and there are no provisions for substitute service. [25a] Iran appears as a co-signatory to a letter dated 24 April 2002 addressed to the UN Commission on Human Rights concerning the question of conscientious objection. It states that Iran does not recognise the universal applicability of conscientious objection to military service. (UN, 24 April 2002) [10q]

See also [Exit and Return](#)

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JUDICIARY

ORGANISATION

- 11.01 Jane's *Sentinel Country Risk Assessment* for Iran, updated on 30 April 2009, stated that:

"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 Sharoudi (the head of the judiciary) and the supreme leader." [125g]

- 11.02 The Advisory Panel on Country Information (APCI) review of the COI Service's Iran COI Report of Augst 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 the Article 156 of Iran's Constitution, the Judiciary is supposed to be an independent power, the protector of the rights of the individual and society, responsible for the implementation of justice, and entrusted with the following duties:

- Investigating and passing judgment on grievances, violations of rights, and- complaints; the resolving of litigation; the settling of disputes; and the taking of all necessary decisions and measures in probate matters as the law may determine;
- Restoring public rights and promoting justice and legitimate freedoms;
- Supervising the proper enforcement of laws;
- Uncovering crimes; prosecuting, punishing, and chastising criminals and enacting the penalties and provisions of the Islamic penal code;
- Taking suitable measures to prevent the occurrence of crime and to reform criminals." [6a] (p13)

- 11.03 The US State Department *Country Report on Human Rights Practices 2008*, Iran, released on 25 February 2009, (USSD Report 2008) stated that:

"After the 1979 revolution, the judicial system was revised to conform to an Islamic canon based on the Koran, 'Sunna' (the traditions of the Prophet), and other Islamic sources. The constitution provides that the head of the judiciary shall be a cleric chosen by the supreme leader. The head of the Supreme Court and prosecutor general also must be clerics. Women continued to be barred from serving as certain types of judges." [4a] (Section 1e)

- 11.04 The USSD Report 2008 continued:

“There are several court systems. The two most active are traditional courts, which adjudicate civil and criminal offenses, and Islamic revolutionary courts. The latter try offenses viewed as potentially threatening to the Islamic Republic, including threats to internal or external security, narcotics and economic crimes, and official corruption. A special clerical court examines alleged transgressions within the clerical establishment, and a military court investigates crimes connected with military or security duties. A press court hears complaints against publishers, editors, and writers. The Supreme Court has review authority over some cases, including appeals of death sentences.” [4a] (Section 1e)

11.05 The Library of Congress country profile of Iran, dated May 2008, noted:

“The highest judicial authority is the Supreme Court, members of which are appointed by the head of the judiciary. That individual, appointed to a five-year term by the leader, also approves the candidate list from which the president chooses a minister of justice. The Supreme Court nominally has 33 regional branches, to which the chief of the Supreme Court assigns cases, but all but two are located in Tehran. The Supreme Court oversees enforcement of the laws by lower courts, sets judicial precedent, and acts as a court of appeal. Public courts try conventional civil and criminal cases at the provincial and local levels. Revolutionary courts try cases involving political offenses and national security. The Clerical Court, which is outside the court system and overseen directly by the leader, deals with crimes committed by members of the clergy, including ‘ideological offenses.’ Such offenses include interpretations of religious precepts that are not acceptable to the establishment clergy and activities, such as journalism, outside the realm of religion. Iran also has special courts for members of the security forces and government officials. The judges of all courts must be experts in Islamic law.” [79a] (p15)

11.06 The 2005 Danish fact-finding mission (FFM) report *On certain crimes and punishments in Iran: Report from the fact-finding mission to Teheran and Ankara*, 22 January to 29 January 2005, stated that there were the following courts in Iran:

“The various courts:

1. Public courts: a) criminal courts b) civil courts
2. Revolutionary courts
3. Religious courts
4. Military courts
5. Administrative courts
6. Appeal courts
7. The Supreme Court

“The source explained in relation to the distribution of case areas in the Iranian courts that the public courts deal with cases concerning adultery, homosexuality, the consumption of alcohol, religious conversion, breaches of clothing rules etc.

“The revolutionary courts deal with matters of national security, terrorism, improper pronouncements on Khomeini and the supreme leader, espionage and narcotics-dealing. According to the source, 99% of the revolutionary court’s cases involve drug crime.

“The religious courts deal with cases in which Islamic priests and other religious persons have broken the law.

“The military courts deal with cases concerning military personnel, including members of the revolutionary guard, Basij and the like, who have broken the law.

“The Appeal Courts and Supreme Courts function as instances of appeal.

“All sources stressed that all sentences passed in the first instance can be appealed against to an Appeal Court. This also applies to sentences passed in absentia. All cases of a certain importance, including those in which a sentence of death or other corporal punishment has been passed, can be the subject of appeal to the Supreme Court. The Supreme Court must always be consulted in cases of the death penalty, irrespective of any appeal. In some cases, a Supreme Court decision can be overruled by the supreme head of the judicial system.

“In all larger towns there are courts that deal with cases in the first instance. In all provincial capitals there are Appeal Courts. The Supreme Court sits in Teheran.

“Courts of first instance have a single judge. Appeal Courts have a collegiate of three judges and the Supreme Court has a varying number of judges depending on the nature of the case involved.” [86a] (p6)

11.07 An undated article on the United Nations website, accessed 10 December 2008, states that:

“Since 1978, the structure of the Iranian judicial system has gone through drastic organizational revisions. The present structure of the Iranian court system includes:

“The Supreme Court: it is the highest court in Iran with the task of supervising the correct implementation and proper application of laws by the lower courts, as well as of ensuring uniformity in Judicial procedures. (Article 161 of the Constitution). The Head of the Judiciary, in consultation with the judges of the Supreme Court, nominates the Chief of the Supreme Court who, among other qualifications, must be a specialist in Islamic Law.

“The Court of Administrative Justice: under the supervision of the Head of Judiciary this court has a mandate to investigate complaints by privates against actions by public institutions and organs (Article 173 of the Constitution).

“The Courts of Appeal: it is the second instance court competent for reviewing cases decided by public and revolutionary courts. In the year 2001-2, 216 courts of appeals settled a total of 40,013 cases out of 345,746 pending cases.

“The Public Courts: These courts have jurisdiction to deal as first instance tribunals and are divided into two categories dealing with civil cases and criminal offences respectively. In the year 2001-2002, 2,260 public courts settled a total of 4,377,160 cases.

“The Revolutionary Courts: the Revolutionary Courts have jurisdiction over various offences including: crimes against national security, narcotic drugs, terrorism, state-related embezzlement, bribery and profiteering, all acts that undermine the system of the Islamic Republic of Iran. Settled cases at the Revolutionary courts can be forwarded to the courts of Appeal. 226 Revolutionary courts were on operation in Iran in 2001-2002.

“The Military Courts: they are mandated to investigate crimes committed in connection with military or security duties by members of the Armed Forces, the Police, and the Islamic Revolution Guards Corps. The office of the military prosecutor and the military courts are also part of the judiciary and are subject to the same principles that regulate the Judiciary (Article 172 of the Constitution).

“Office of the Public Prosecutor: Based on the recent amendments to the Law on Public and Revolutionary Courts, the offices of prosecutor general have been reintroduced in the judicial system all over Iran. These offices are now responsible for all pre-trial investigations and referral of those cases were [sic] there are [sic] strong evidence of a crime to the courts.

“Dispute Resolution Councils: are new bodies established in accordance with to the latest revisions in the judicial system in Iran. These councils are responsible for settlement of minor civil and criminal cases through mediation before their referral to the courts.

“The office of the military prosecutor and the military courts are also part of the judiciary and are subject to the same principles that regulate the judiciary. (Article 172 of the Constitution).” [10d]

11.08 Europa World Online, accessed 3 November 2009, reported:

“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)

11.09 Amnesty International reported in February 2006 that:

“In October 2005, Press Courts were reintroduced to try cases of breaches of the Press Code, which contains vaguely worded provisions which can be used to punish people for the peaceful expression of their opinions. They comprise a panel of three judges and a jury selected by the judiciary... Following the reintroduction of the Press Courts, dozens of cases of journalists and newspapers began to be examined, leading in several cases to suspended prison sentences.” [9f] (p8)

Complaints

- 11.10 The report of the UN Secretary-General on the situation of human rights in the Islamic Republic of Iran, dated 23 September 2009, stated that:

“In addition to the judiciary...there are several other institutional mechanisms that provide opportunities for citizens to seek redress. Article 174 of the Constitution provides for a National General Inspectorate under the supervision of the head of the judiciary, which supervises the proper conduct of affairs and the correct implementation of laws by the administrative organs of the Government and reportedly handles individual complaints. Under article 90 of the Constitution, the legislature can also examine and investigate written complaints by the public against its own work and the work of the executive and the judicial branches. In addition, there are quasi-judicial institutions, including arbitration and dispute settlement councils, which settle large volumes of cases. Moreover, the Islamic Human Rights Commission, established in 1996, is a non-governmental body that monitors the human rights situation in the country. It has no representative status as a national institution nor has it been recognized by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights as complying with the Paris Principles relating to the status and functioning of national human rights institutions. Additionally, the Islamic Republic of Iran has established a human rights headquarters under the judiciary to facilitate international cooperation and coordinate among Government bodies on human rights-related matters.” [10g] (p4)

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INDEPENDENCE

- 11.11 The Constitution of the Islamic Republic of Iran (Article 156) states that the Judiciary is an independent power, the protector of the rights of the individual and society, responsible for the implementation of justice. (UN, accessed 10 December 2008) [10d]

- 11.12 The USSD Report 2008 added:

“By law, the judiciary was independent from the executive and legislative branches; in practice it remained under the influence of executive and religious government authorities. According to the constitution, under the supervision of the head of the judiciary, the Court of Administrative Justice investigates the grievances of citizens with regard to government officials, organs, and statutes. In practice, citizens' ability to sue the government was limited. It appeared that 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)

- 11.13 The report of the Secretary-General to the United Nations on the situation of human rights in the Islamic Republic of Iran, dated 1 October 2008, stated that:

“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.

“The Supreme Leader appoints the head of the judiciary who in turn appoints the head of the Supreme Court and the Chief Public Prosecutor. The Iranian judicial system has three tiers: regular civil and criminal courts are overseen by courts of appeal that are in turn supervised by the Supreme Court. There are specialized courts at different levels, such as the administrative court, family courts and juvenile courts. There are also special public and revolutionary courts that try certain categories of offences, including crimes against national security and narcotics smuggling. Decisions rendered in revolutionary courts can be appealed, except for sentences of less than three months’ imprisonment and fines under 500,000 rials. Special courts handle cases involving military personnel and the clergy. The Working Group on Arbitrary Detention, during its visit in 2003, raised concerns about the impact of such courts on the principle of equality before the law. The Working Group called for their functions to be transferred to the ordinary courts.

“The Working Group also noted that the abolition of prosecutors between 1995 and 2002 was one of the main reasons for the malfunctioning of the justice system (E/CN.4/2004/3/Add.2 and Corr.1). Prosecutors were reintroduced to the system in 2002; however they remain functionally part of the judiciary under the supervision of the head of the judiciary and do not exercise a fully independent role.” [10a] (p4)

- 11.14 The same report added that: “The Iranian Bar Association has expressed concern over new legislation that establishes a parallel system for the issuance of attorney licences, which could further undermine the independence of the bar.” (UN, 1 October 2008) [10a] (p17)

- 11.15 The 2005 Danish FFM report stated:

“Mohammad Javad Shariat Bagheri, Director General of the Iranian judicial system’s international department reported that the judicial system is independent of government, including the Ministry of Justice. The judicial system is directly under the control of Khomeini, the ‘supreme leader’. Since 1999, the senior director of the judicial system has been Mahmoud Hashemi Sharudi, who has carried out a number of reforms. For example, a real

prosecuting authority was reintroduced in 2002 and a number of state advocates have since been appointed.” [86a] (p6)

11.16 The Danish FFM report 2005 added:

“Mohammad Javad Shariat Bagheri, Director General of the Iranian judicial system’s international department reported that all judges in the various courts can have two different educational backgrounds. The normal educational background is a legal qualification from a university. Around 90% of judges have a university education in law. Around 10% of judges have theological training from a priests’ seminary. Irrespective of educational background, all prospective judges must go through a one-year judicial training course ending with an examination before they are allowed to practise. The course is designed to give its participants the skills to carry out the office of judge in a correct manner.” [86a] (p7)

11.17 The Freedom House, *Freedom in the World 2009* report on Iran, published on 16 July 2009, reported that:

“The judicial system is not independent, as the supreme leader directly appoints the head of the judiciary, who in turn appoints senior judges. General Courts ostensibly safeguard the rights of defendants, but in practice, 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.” [112g]

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FAIR TRIAL

11.18 The report of the Secretary-General to the United Nations on the situation of human rights in the Islamic Republic of Iran, dated 1 October 2008, stated that:

“The Penal Code and the Code of Penal Procedure provide various procedural guarantees aimed at ensuring due process of law and fair trial rights. For instance, article 190 of the Code of Penal Procedure requires that defence lawyers be given full access to prosecution documents and time to review them. However, some provisions fall short of international human rights standards. For instance, article 33 of the Code of Criminal Procedure allows for a suspect to be detained without charge for one month, which may then be renewed.” [10a] (p4)

11.19 The same report adds: “Particularly in revolutionary court hearings, an extremely restrictive interpretation of article 128 of the Code of Penal Procedure and note 3 to the Law on the Selection of Counsel led to the exclusion of counsel at the discretion of the judges.” (UN, 1 October 2008) [10a] (p17)

11.20 The USSD Report 2008 stated that:

“... according to the constitution and the 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 involving major penalties. However, 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 press court, a council of 11 persons specifically selected by the court adjudicates the case. Defendants did not have the right to confront their accusers, and were not granted access to government-held evidence.

“UN representatives, including UN special representatives (UNSRs) and the UN Working Group on Arbitrary Detention, as well as independent human rights organizations, noted the absence of procedural safeguards in criminal trials. Numerous human rights groups condemned trials in the revolutionary courts for disregarding international standards of fairness. Revolutionary court judges were chosen in part due to their ideological commitment to the system. Authorities often charged individuals with undefined crimes, such as ‘antirevolutionary behavior,’ ‘moral corruption,’ and ‘siding with global arrogance.’ If post-revolutionary statutes did not address a situation, the government advised judges to give precedence to their knowledge and interpretation of Islamic law. Secret or summary trials of only five minutes’ duration occurred frequently. Other trials were deliberately designed to publicize a coerced confession.

“The legitimacy of the special clerical court system continued to be subject to debate. The clerical courts, which investigate offenses and crimes committed by clerics and which are overseen directly by the supreme leader, are not provided for in the constitution and operated outside the domain of the judiciary. According to a 2007 AI report, defendants could only be represented by court-nominated clerics who are not required to be legally qualified. AI reported that in some cases the defendant was unable to find a person among the nominated clerics willing to act as defense counsel and was tried without legal representation. Critics alleged clerical courts were used to prosecute clerics for expressing controversial ideas and participating in activities outside the sphere of religion, such as journalism or reformist political activities.” [4a] (Section 1e)

- 11.21 On 26 October 2009, Human Rights Watch reported that “Scores of prominent reformist politicians, intellectuals, journalists, clerics, student leaders, and others have been put on trial before courts that do not meet international fair trial standards following the nationwide protests against the disputed results of Iran’s elections on June 12, 2009.” HRW reported that 30 verdicts had so far been issued by the Revolutionary Court, including four death sentences and other sentences of between five and 12 years “All 30 of the prisoners had been held for months without access to lawyers, much of that time in solitary confinement. The authorities assigned them lawyers at their trials, but there was no time to prepare their defense and the court-appointed lawyers have not represented them properly.” [8b]

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

Trial in absentia

- 11.22 A report from the Canadian Immigration and Refugee Board (CIRB), dated 20 June 2006, stated that:

“In accordance with Article 217 of the Criminal Procedure Code, in cases involving crimes of public order (as opposed to religious crimes), if the

accused and/or his representative is absent from the entire proceedings, then the court can issue its sentence in absentia, which of course will be subject to appeal once it is properly served on the accused. There is no restriction as to the type of sentence that may be issued and therefore it includes death sentences issued in absentia. There is no express provision in this respect, but Note 2 of ... Article 217 would only allow the court to proceed in the absence of the accused if the court is of the opinion that there is no basis for the conviction of the accused and arriving at that decision does not require interrogation of the accused. Otherwise, the presence of the accused is necessary for completion of the proceedings and issuance of the final verdict (4 May 2006).” [2ad] (p1)

11.23 The APCI Report 2008 noted that:

“... in absentia verdicts have a separate time frame for appeal, does not state that this period is 10 days within the issuing court per Article 217. 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 are exhausted. For individuals residing overseas (where this is officially registered with the authorities), the time frame is 2 months.” [6a] (p17)

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Bail

11.24 A report from the Canadian Immigration and Refugee Board (CIRB), dated 20 June 2006, stated that:

“There are different methods of obtaining a bail. Bail can be obtained through a surety, through providing security or through a cash deposit. Under Islamic law, for minor offences, the accused can be released on his own bail.

“In the case of surety, the person standing a surety has to appear before the office of the court and sign a formal declaration that he will be personally responsible for delivering the accused to the court whenever the court summons him to do so. In other cases, arrangements will be made through the office of the court with a special fund in the Ministry of Justice to provide a deposit of cash or bank guarantee. In the case of providing as security a title deed or the like, the original document of ownership should be deposited with the office of the court and no transaction can be carried out in respect of the property that has been offered as security.

“[In cases where a] person who has been bailed [through a surety] does not appear on the due date ... the surety will be summoned to deliver the accused, failing which the cash amount required for bail will be seized from his assets. In other cases, the property or the asset that has been pledged to the court will be confiscated.” [2ad] (p1)

Enforcement of judgments

11.25 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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PENAL CODE

11.26 The penal code was passed into law in 1991 and last amended in 1996. (Compass Direct News, 23 September 2008) [117b] It is a parallel system to the Iranian civic code. [77d]

11.27 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:

“It is a big problem that the Penal Code is interpreted very differently depending on the judge presiding. Sharia Law is often used in very strict, traditional and religious parts of the country and less often in Tehran and larger cities. Though, it cannot be ruled out that Sharia judgements may occur even in Tehran. It is always up to the individual judge to decide how to interpret the law. This causes an arbitrary justice system and one can never know how an offence will be punished.” [86b] (p24)

11.28 The same report added that: “A person may never know which set of laws will be applied in his case. A verdict can be based upon Sharia or upon the Penal Code or the Press Code.” (Danish Immigration Service Report 2009) [86b] (p29)

11.29 The Danish Immigration Service Report 2009 continued: “Sharia Law is pervasive in the Penal Code and will always be considered the superior law. While some judges will apply the Penal Code others may choose to apply Sharia Law and this makes the system of justice unpredictable and arbitrary.” [86b] (p10)

11.30 The report also stated:

“It was further explained that Sharia pervades the Penal Code, although it is not present in all parts of the Penal Code. When the Penal Code does not describe a punishment or verdict, the judge shall apply Sharia Law. According to the Iranian Constitution, the judge must issue a judgement. Since Sharia Law has supremacy to any other laws, this is the law that the judge must turn to for guidance and interpretation.” [86b] (p29)

- 11.31 In their report *Human rights abuses against the Baluchi minority* of 17 September 2007, Amnesty International explained aspects of the Penal Code:

“Under Iranian law, people may be sentenced to death for certain hodoud crimes (crimes against God defined by Islamic law) and certain Ta’zir crimes (discretionary crimes that are not defined by Islamic law).

“Under the category of hodoud crimes, capital offences include adultery by married people; incest; rape; fornication for the fourth time by an unmarried person, having been punished for each previous offence; drinking alcohol for the third time, having been punished for each previous offence; ‘sodomy’; same-sex sexual conduct between men without penetration (tafhiz) for the fourth time, having been punished for each previous offence; lesbianism for the fourth time, having been punished for each previous offence; fornication by a non-Muslim man with a Muslim woman; and false accusation of adultery or ‘sodomy’ for a fourth time, having been punished for each previous offence.

“The law of hodoud also provides for the death penalty as one of four possible punishments for those convicted of the vaguely worded offences of ‘enmity with God’ (‘moharebeh’) and ‘corruption on earth’ (‘ifsad fil arz’). These terms are defined in the Penal Code as ‘Any person resorting to arms to cause terror, fear or to breach public security and freedom will be considered as a mohareb and to be mofsed fil-arz (corrupt on earth)’. Further articles clarify that those convicted of armed robbery, highway robbery, membership of or support for an organization that seeks to overthrow the Islamic Republic; and plotting to overthrow the Islamic Republic by procuring arms for this purpose will be regarded as mohareb. References in other articles relating to ta’zir crimes, and other laws, specify other circumstances in which an individual may be considered a mohareb, including espionage and forming a group to harm state security. Corruption on earth is not further defined in the hodoud section of the Penal Code, but a number of other laws provide for the possibility that certain crimes may in some circumstances fall into this category. These include crimes such as economic corruption, embezzlement, repeated drug-smuggling, forgery of banknotes, hoarding and profiteering.

“Judges apparently have a wide degree of discretion in deciding whether a particular crime is so serious that it amounts to one of these categories and therefore can be punished by death rather than a term of imprisonment or other penalties.

“As hodoud crimes are regarded as a crime against God, they are not open to pardon by the Supreme Leader on the recommendation of the Head of the Judiciary in the same way as ta’zir or discretionary punishments are. However, in the case of adultery, ‘sodomy’, same sex sexual conduct without penetration, and lesbianism, if the person has confessed to the crime and repented (publicly sought forgiveness from God), then the judge in the case has the power to seek a pardon from the Supreme Leader or to insist on the implementation of the verdict.” [9b]

- 11.32 The report of the Secretary-General to the United Nations on the situation of human rights in the Islamic Republic of Iran, dated 1 October 2008, observed:

“The Working Group on Arbitrary Detention noted that the Iranian Penal Code retains five categories of crimes to which diverse punishments can be applied: hudud, qisas, diyah, ta’zir and preventive punishments. Hudud constitutes crimes against divine will, the applicable punishments for which include the death penalty, crucifixion, stoning, amputation of the right hand and, for repeat offences, the left foot, flogging, imprisonment and exile. Qisas is retribution in kind, broadly similar to ‘an eye for an eye’.

“Proceedings against the life or physical integrity of the person are subjected to the decision of the victim, who may ask for the guilty party to suffer the same treatment or may accept financial compensation (diyah) in the case of murder or physical injury. Ta’zir constitutes crimes that incur discretionary punishments applied by the State that are not derived from the Islamic sharia law.

“The death penalty is imposed for certain hudud 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 fil arz) as one of four possible punishments. Under the category of ta’zir crimes, the death penalty can be imposed for ‘cursing the Prophet’ (art. 513 of the Penal Code). The death penalty may also be applied to such crimes as drug smuggling or trafficking, murder, espionage and crimes against national security.” [10a]

See also [Death penalty](#)

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Qisas (retribution)

- 11.33 Regarding *qisas*, the Human Rights Watch report *Ending the Juvenile Death Penalty in Iran, Saudi Arabia, Sudan, Pakistan, and Yemen* of 10 September 2008 stated:

“The majority of juvenile executions in Iran are for hadd crimes or for intentional murder. Intentional murder, which includes ‘cases where the murderer intentionally makes an action that is inherently lethal, even if he does not intend to kill the victim’, is considered to be a crime punishable by retribution in kind (qisas-e-nafs) [Iranian Penal Code, arts. 205, 206]. While the judiciary is responsible for carrying out the trial and implementing the sentence in qisas cases, Iranian law treats these cases as private disputes between two civil parties, where the state facilitates the resolution of the dispute. The victim’s survivors retain the right to claim retribution in kind, to pardon the killer, or to accept compensation in exchange for giving up the right to claim retribution.” [8c] (p8)

11.34 The report continued:

“Iran retains the death penalty for a large number of offenses, among them cursing the Prophet, certain drug offenses, murder, and certain hadd crimes, including adultery, incest, rape, fornication, drinking alcohol, ‘sodomy’, same-sex sexual conduct between men without penetration, lesbianism, ‘being at enmity with God’ (mohareb), and ‘corruption on earth’ (mofsed fil arz).” [8c] (p8)

See also [Death penalty](#)

Knowledge of the judge

11.35 An article on Radio Free Europe / Radio Liberty, dated 23 April 2007, states “Laws are often contradictory in Iran and their interpretation remains the preserve of a small number of jurists or religious authorities – in this case Supreme Court judges.” [42ah]

11.36 The International Federation for Human Rights (FIDH) report ‘Iran/Death Penalty: a State Terror Policy’, dated 28 April 2009, stated 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.” [56i] (p39)

11.37 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...” [56i] (p39fn)

11.38 The Global Campaign to Stop Killing and Stoning Women website, accessed 5 June 2009, stated that: “Most stoning sentences are issued not on the basis of testimony or confession but on the judges ‘knowledge’ or ‘intuition’. Article 105 of the Islamic Penal code of Iran allows a judge to rule according to his gut feeling instead of hard evidence. As a result, most of [sic] not all adultery cases are unfairly tried.” [115]

11.39 An example of ‘judge’s knowledge’ is in a case posted on the Iran Focus website, dated 8 February 2008: “The charge of ‘adultery’ was substantiated solely by the judge’s ‘knowledge’, based on the video evidence and statements the sisters had made during their interrogation.” [76d]

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COURT DOCUMENTATION

Summonses

11.40 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)

11.41 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.” [86b] (p43)

- 11.42 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.” [86b] (p43)

- 11.43 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.” [86b] (p43-44)

- 11.44 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.” [86b] (p44)

- 11.45 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 ‘ / xxxx’ (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.”
[86b] (p44)

- 11.46 Both a Danish fact-finding mission (FFM) report of September 2000 and a Belgian mission report of 2002 noted that in the case of court summonses an attempt was always made to deliver a summons to appear before a court to the addressee in person. If the person concerned was not there, however, the summons might be delivered to a family member. If there was nobody present who could accept the summons, it was taken back to the court, where the judge decided whether an attempt should be made to arrest the person concerned. Such a decision depended on the nature of the case. However, a person might not be arrested without a written order from a judge. [86c] (p22); [43] (p17)

Arrest warrants

- 11.47 The Danish FFM report of September 2000 also observed that Public Courts have the power to issue arrest warrants in all types of cases unless the case in question falls under the jurisdiction of the Revolutionary Court. The report noted that the process was as follows: arrest warrant is sent by the Public

Court to the relevant police station, which is responsible for arresting the person concerned. The arrest warrant is shown to the person under arrest but not served. It is subsequently returned to the issuing court. Forms used for issuing arrest warrants are printed at a special government printing house. The form is completed by hand and contains the following information about the person under arrest:

- First name and surname
- Address
- Occupation
- Father's name
- ID-card number [86c] (p23) (however the APCI Report 2008 observed that arrest warrants do not contain details of an ID card) [6a] (p19-20)

11.48 Once it has been completed, the form is stamped and signed by the court. Only one arrestee can be covered by the form. The reason for the issuing of the arrest warrant is not normally stated. (Danish Fact-Finding Mission, September 2000) [86c] (p23)

11.49 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)

11.50 A report from the CIRB, dated 20 June 2006, stated that:

“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.” [2ad] (p1)

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

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Reporting

11.51 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 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.” [86b] (p44-45)

AMPUTATION

11.52 The April 2009 FIDH report 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.” [56i] (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]. [56i] (p12)

11.53 A report from Radio Free Europe/Radio Liberty (RFE/RL), dated 7 January 2008, recorded that:

“Five convicted criminals in southeastern Iran have received the seldom-used form of punishment of amputation. The amputation sentences were carried out in Zahedan, the capital of Iran’s southeastern Sistan-Baluchistan Province. The five men were found guilty of armed robbery, hostage taking, and firing at police, though officially they were convicted of ‘acting against God’ and ‘corruption upon this Earth.’ Amputation as a punishment is legal in Iran, but there have been no reports of it being used for several years.” [42aa]

11.54 The Amnesty International (AI) Report 2008, covering events in 2007, released in May 2008, stated that “At least eight people had their fingers or hand amputated after conviction of theft.” [9a] While AI’s Annual Report 2009 noted that “Sentences of flogging and judicial amputation were imposed and carried out.” [9h]

11.55 On 12 November 2009, Amnesty International expressed concern:

“...at a call reportedly made by Asghar Jafari, head of Iran’s Police Criminal Investigation department, for a greater reliance on Islamic punishments, especially the amputation of the hands of thieves.

“According to the report carried by the Iranian Labour News Agency on 8 November, Asghar Jafari claimed that if such punishments were implemented, crime could be reduced by 90%, though he produced no evidence to support this assertion...The last amputation recorded by the organization in Iran took place in Kermanshah, western Iran in December 2008.” [9q]

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ARREST AND DETENTION – LEGAL RIGHTS

- 12.01 The US State Department *Country Report on Human Rights Practices 2008*, Iran, released on 25 February 2009, (USSD Report 2008) stated that:

“The constitution and penal code require warrants or subpoenas for arrests and state that arrested persons must be informed of charges within 24 hours; however, these safeguards rarely occurred in practice. Detainees often went weeks or months without charges or trial, and authorities held detainees incommunicado, frequently denying them prompt contact with family or timely access to legal representation. In practice there was neither a legal time limit for incommunicado detention nor any 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 bail at prohibitively high levels, even for lesser crimes. Detainees and their families were often compelled 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.” [4a] (Section 1d)

- 12.02 The report of the Secretary-General to the United Nations on the situation of human rights in the Islamic Republic of Iran, dated 1 October 2008, stated:

“The Penal Code and the Code of Penal Procedure provide various procedural guarantees aimed at ensuring due process of law and fair trial rights. For instance, article 190 of the Code of Penal Procedure requires that defence lawyers be given full access to prosecution documents and time to review them. However, some provisions fall short of international human rights standards. For instance, article 33 of the Code of Criminal Procedure allows for a suspect to be detained without charge for one month, which may then be renewed.” [10a] (p4)

- 12.03 Amnesty International stated in its report, *Iran: Women’s rights defenders defy repression*, dated 28 February 2008, that:

“Most of the women’s rights defenders who have been arrested and prosecuted have been charged with vaguely worded security offences. Such charges are used by the authorities effectively to limit the activists’ internationally recognized rights to freedom of expression and association as they seek to protect and promote women’s rights in Iran, in violation of international standards such as the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party.

“In continuing to violate the rights of women’s rights defenders, the Iranian authorities use vaguely worded laws, allow or facilitate excessive force by police and other security forces against demonstrators, and turn a blind eye to their ill-treatment in detention. Human rights defenders are effectively denied the protection of the law and are targeted and penalized for standing up for women’s rights.” [9aah]

See also, [Security forces](#), [Arbitrary arrest and detention](#), Judiciary subsections on [Fair trial](#) and [Court documentation](#) (for information about bail, summonses and arrest warrants) and [Prison conditions](#)

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PRISON CONDITIONS

- 13.01 The US State Department *Country Report on Human Rights Practices 2008*, Iran, released on 25 February 2009, (USSD Report 2008) stated:

“Prison conditions were poor. Many prisoners were held in solitary confinement or denied adequate food or medical care as a way to force confessions. Overcrowding was a significant problem. In September the UK-based International Center for Prison Studies reported that more than 150,000 prisoners occupied facilities constructed to hold a maximum of 65,000 persons. Numerous prisoners complained that authorities intentionally exposed them to extreme cold for prolonged periods.

“Some prison facilities, including Evin Prison, 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.

“Human rights activists and international press reported cases of political prisoners confined in the same wing as violent felons. In December journalist Shahnaz Gholami, imprisoned for ‘jeopardizing national security,’ began a hunger strike to protest being held in a ward with convicted murderers and drug dealers. There were also reports of juvenile offenders detained with adult offenders. Pretrial detainees occasionally were held with convicted prisoners.

“The government did not permit independent monitoring of prison conditions by any outside groups, including the International Committee of the Red Cross (ICRC). In September 2007 the government granted foreign journalists a tour of Evin Prison for the second time in two years. According to Agence France-Presse (AFP), during the visit the director of Tehran prisons, Sohrab Soleimani, denied that there were political prisoners in Evin Prison but told the journalists there were 15 prisoners in Evin on ‘security’ charges.” [4a] (Section 1c)

- 13.02 The USSD Report 2008 added: “Authorities routinely held political prisoners in solitary confinement for extended periods of time and denied them due process and access to legal representation. Political prisoners were also at greater risk of torture and abuse while in detention. The government did not permit access to political prisoners by international humanitarian organizations.” [4a] (Section 1e)

- 13.03 The report of the Secretary-General to the United Nations on the situation of human rights in the Islamic Republic of Iran, dated 1 October 2008, stated that:

“The Working Group on Arbitrary Detention, during its visit from 15 to 27 February 2003, noted the widespread use of solitary confinement and ‘incommunicado’ imprisonment for its own sake, not for traditional disciplinary purposes (E/CN.4/2004/3/Add.2 and Corr.1, para. 54). However, the Iranian authorities informed OHCHR that such imprisonment was allowed only in exceptional cases and was limited to very serious crimes, such as murder and espionage, in accordance with the Code of Penal

Procedures. The duration of solitary confinement has been reduced from one month to 20 days.” [10a] (p8-9)

- 13.04 The Freedom House 2008 report added “Suspected dissidents are often held in unofficial, illegal detention centers run by a security apparatus consisting of the intelligence services, the IRGC, judicial officials, and the police. Allegations of torture are common in such centers and in the notorious Evin prison.” [112c] The report continued: “Political prisoners are held under deplorable conditions ... Prison conditions in general are notoriously poor, and there are regular allegations of abuse and death in custody.” [112c]
- 13.05 The International Federation for Human Rights (FIDH) report *Iran/Death Penalty: a State Terror Policy*, dated 28 April 2009, stated that death in custody remains a very serious cause for concern in Iran. [56i] (p5)
- 13.06 Amnesty International reported on 7 August 2009 that “Typically, people accused of drugs offences or other serious crimes are held for long periods in pre-trial detention, routinely ill-treated, and allowed access to a lawyer only at the point where they go on trial, if at all.” [9j]
- 13.07 A Reuters’ news report of 10 September 2009 stated that many of the people arrested during the opposition protests following the June Presidential election were held in Kahrizak prison in south Tehran. “At least three people died in custody there and widespread anger erupted as reports of abuse in the jail spread. Supreme Leader Ayatollah Ali Khamenei ordered the closure of Kahrizak in July and the semi-official Mehr News Agency this week said a trial of people involved would start in coming days.” [5a] Human Rights Watch reported on the same subject on 21 September 2009:

“The International Campaign for Human Rights in Iran and Human Rights Watch said the government is covering up deaths in detention by forcing families to claim their loved ones died of natural causes. Both organizations have collected accounts from victims’ families that government agents have exerted tremendous pressure on them not to publicize the deaths of their children.” [8g]
- 13.08 The same HRW report also noted that on September 8 2009, “...authorities shut the office of the Association to Defend Prisoners Rights, a nongovernmental organization founded by leading human rights defender Emad Baghi.” [8g]
- 13.09 On 18 November 2009, BBC News reported that, according to Iran’s police chief, a doctor who died at Kahrizak detention centre before it was closed in July, had committed suicide. However, “Opposition groups and some MPs have described his death as ‘suspicious’. Dr Pourandarjani had reportedly given evidence to a parliamentary committee about abuse at the Kahrizak centre. Opposition websites say he had admitted to being forced to say that one detainee had died of meningitis, and to say nothing about what he had seen.” [21k]

See [Latest news](#) for further information on the deaths at Kahrizak detention centre

- 13.10 On 6 November 2009, Human Rights Watch called for Iran’s judiciary to

“...immediately investigate cases of sexual assaults in prison and prosecute those responsible, instead of covering up these crimes. Human Rights Watch has documented three cases of sexual assault in Iranian prisons on persons arrested since the disputed June 12, 2009 presidential election. In the most recent case, the medical examiner's office confirmed that multiple injuries suffered in prison by Ebrahim Mehtari, a young activist, resulted from torture and mistreatment consistent with his allegations of sexual abuse. But Judiciary authorities refused to conduct further investigations and instead told Mehtari and his family that there would be severe consequences if they talked about the abuse he suffered.” [8m]

See also [Latest news](#), [Political affiliation](#) and Security forces, subsections on [Arbitrary arrest and detention](#) and [Torture](#)

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DEATH PENALTY

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

- 14.01 The Foreign Policy Centre report, *From Cradle to Coffin: A Report on Child Executions in Iran*, published on 30 June 2009 stated that “The Islamic Republic of Iran executes more persons, per capita, than any other nation in the world, placing second only to China in the total number of executions.” [49]

- 14.02 The Human Rights Watch report Ending the Juvenile Death Penalty in Iran, Saudi Arabia, Sudan, Pakistan, and Yemen, dated 10 September 2008, stated:

“Iran retains the death penalty for a large number of offenses, among them cursing the Prophet, certain drug offenses, murder, and certain hadd crimes, including adultery, incest, rape, fornication, drinking alcohol, ‘sodomy’, same-sex sexual conduct between men without penetration, lesbianism, ‘being at enmity with God’ (*mohareb*), and ‘corruption on earth’ (*mofsed fil arz*).” [8c] (p8)

- 14.03 A footnote in the above report added:

“The vaguely defined crimes of ‘enmity with God’ and ‘corruption on earth’ include but are not limited to ‘resorting to arms to cause terror, fear or to breach public security and freedom’, armed robbery, highway robbery, membership of or support for an organization, that seeks to overthrow the Islamic Republic; and plotting to overthrow the Islamic Republic by procuring arms for this purpose. Islamic Penal Code, arts. 81, 126 133, 183.” [8c] (p8 fn)

- 14.04 The UN Secretary-General’s report of 23 September 2009 elaborated on the crimes for which the death penalty may be imposed:

“In the Islamic Republic of Iran, the death penalty is imposed for certain hudud 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)

- 14.05 The Hands Off Cain 2009 World Report, published on 5 July 2009, observed that:

“In 2008, Iran continued to apply the death penalty for non-crimes or clearly non-violent crimes, such as ‘sexual relations that are not admitted’, ‘promoting superstitions’, spying... On January 29, 2008, Iran executed a customs contractor for ‘office corruption and other economic crimes,’ the

judiciary said, a rare use of capital punishment for economic crimes in the country.” [119a]

- 14.06 A report from the Canadian Immigration and Refugee Board (CIRB), dated 20 June 2006, stated that: “The competent authority to issue a death sentence is the public court (which now includes revolutionary courts) within whose jurisdiction the offence has occurred. Generally, the decisions of the public courts are final, except in cases where, among others, [the] decisions or convictions [are for] crimes which carry capital punishment.” [2ad] (p1)

- 14.07 The International Federation for Human Rights (FIDH) report *Iran/Death Penalty: a State Terror Policy*, dated 28 April 2009, stated that “In the Islamic Republic of Iran, judges have the power to decide the method of execution, which they usually choose in relation to the offence. The most common method of execution is hanging. Other specific methods of execution include stoning to death, issued in cases of adultery, beheading and throwing from a cliff, which are occasionally issued for rape or sodomy.” [56i] The Hands Off Cain 2009 World Report concurred, noting that, “Hanging is the preferred method with which to apply Sharia law in Iran, but stoning was used in at least two cases in 2008 and one in 2009, while shooting was used in at least one case. There was also a case in which the condemned were sentenced to be thrown off a cliff in a sack.” [119a]

- 14.08 Amnesty International's *Annual Report 2009*, covering events in 2008, released in May 2009, observed that:

“At least 346 people were executed, including at least eight juvenile offenders sentenced for crimes committed when they were under 18. The actual totals were likely to have been higher, as the authorities restricted reporting of executions. Executions were carried out for a wide range of offences, including murder, rape, drug smuggling and corruption. At least 133 juvenile offenders faced execution in contravention of international law. Many Iranian human rights defenders campaigned to end this practice. The authorities sought to justify executions for murder on the grounds that they were qesas (retribution), rather than ‘edam (execution), a distinction not recognized by international human rights law. In January, new legislation prescribed the death penalty or flogging for producing pornographic videos, and a proposal to prescribe the death penalty for ‘apostasy’ was discussed in the parliament, but had not been enacted by the end of 2008.

“In January [2008], the Head of the Judiciary ordered an end to public executions in most cases and in August judicial officials said that executions by stoning had been suspended, although at least 10 people sentenced to die by stoning were still on death row at the end of the year and two men were executed by stoning in December.

“In December, Iran voted against a UN General Assembly resolution calling for a moratorium on executions.” [9h]

- 14.09 The Foreign and Commonwealth Office's *Annual Report on Human Rights 2008*, released 26 March 2009, stated:

“We have repeatedly called on Iran to abolish the use of the death penalty and yet the overall number of executions in Iran remains high...Many of the most basic minimum standards surrounding the use of capital punishment

remain absent in Iran. Executions have been carried out in public, and there have been instances of mass executions: 29 people were hanged in July [2008] and 10 people were executed at Evin prison on 26 November.” [26b]

- 14.10 The US State Department *Country Report on Human Rights Practices 2008*, Iran, released on 25 February 2009, (USSD Report 2008) added: “Public executions continued throughout the year despite the judiciary chief’s January 30 [2008] directive banning them (except in cases he approved).” [4a] (Section 1a)

- 14.11 The FIDH report Human rights situation in the Islamic Republic of Iran, dated 18 March 2009, stated:

“At a time when there is a momentum across the world to end capital punishment, the Islamic Republic of Iran defies international human rights law by the high level of executions under conditions that blatantly violate international human rights standards. Around 350 persons were reportedly executed in 2008 (a steady increase to the number of executions in carried out in 2007 - 317 persons). In 2009, on January 20th and 21st, 22 persons were hanged in Tehran, in Yazd and in Ispahan for murder and drug trafficking. However, these numbers could be higher as the authorities consider as state secret any information on the number of the death sentences and the executions as well as the methods and the conditions of executions.” [56h] (p5)

- 14.12 The USSD Report 2008 stated that:

“According to international press reports, authorities executed approximately 240 individuals during the year following unfair trials (trials conducted in secret or without adhering to basic principles of due process). Exiles and human rights monitors alleged that many persons supposedly executed for criminal offenses, such as narcotics trafficking, were political dissidents. The law criminalized dissent and applied the death penalty to offenses such as apostasy (conversion from Islam), ‘attempts against the security of the state,’ ‘outrage against high-ranking officials,’ and ‘insults against the memory of Imam Khomeini and against the Supreme Leader of the Islamic Republic.’ [4a] (Section 1a)

- 14.13 The Hands Off Cain 2009 World Report, published on 5 July 2009, stated:

“There were an estimated 346 executions in Iran in 2008. In 2007, at least 355 people were put to death, a one-third increase as compared with 2006 when executions numbered at least 215. There are no signs of change in the situation considering that in 2009, as of May 31, there have already been at least 200 executions. The numbers could be higher as the Iranian authorities do not provide official statistics. The cases that are counted arrive from scattered reports by Iranian journalists that evidently don’t report all executions throughout the nation...There are many drug-related executions in Iran, but in the opinion of human rights observers, many of those executed for common crimes, especially drug-related crimes, are actually political executions. In the name of the war on drugs, there were at least 87 executions in 2008. On July 4, 2009, Iran hanged 20 drug traffickers in a prison in the city of Karaj west of Tehran.” [119a]

- 14.14 On 7 August 2009, Amnesty International reported that, during the eight week period from the date of the Presidential election, 12 June 2009 to the date of President Ahmadinajad's inauguration on 5 August, they had recorded an "alarming spike" in the number of executions being carried out by the Iranian authorities, with 115 executions being recorded. The report continued:

"Amnesty is also stressing that the true total number of executions in Iran is almost certainly higher even than the number it has been able to record, which is based on official Iranian, media and other sources. Most of those executed are said to have been convicted of drug-smuggling or related offences. Those executed by hanging are believed to have been men, mostly between 20 and 50 years of age, but include at least two women. Some but not all of the victims' identities are known. In particular, the authorities have not named any of the 24 prisoners executed on 5 August at Rejai Shahr Prison in Karaj, disclosing only that they were executed for drugs-related offences." [9]

- 14.15 On 22 October 2009, the *New York Times* reported that, according to the state news agency, five people had been executed by the Iranian authorities on 21 October, "including a 30-year-old woman who admitted killing her 5-day-old baby." The article stated, "Defense lawyers had argued that the woman was suffering from postpartum depression. Another prisoner scheduled to be executed was granted a one-month stay of execution, the news agency said, suggesting that he may be granted a reprieve. That prisoner, Safar Angooti, was convicted of murder at the age of 17. Another man was executed last week for a crime carried out at the age of 17." [77a]
- 14.16 On 27 October 2009, the UN Special Rapporteur on summary or arbitrary executions gave a press conference: "On Iran, he 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." [10]

See [Death penalty for children](#)

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STONING

- 14.17 The practice of stoning involves throwing stones at the convicted individual, who is buried up to the waist (if he is a man) or up to the chest (if she is a woman), until the individual dies from impact of the blows. (HRW, 6 February 2008) [8ah]
- 14.18 The FIDH report *Iran/Death Penalty: a State Terror Policy*, dated 28 April 2009, (FIDH Report 2009) added:

"In practice, the conditions set out for stoning are very detailed. Article 102 provides that 'men shall be buried in a pit up to vicinity of the waist and women up to the chest in order to be stoned.' Both hands of the condemned are also placed under the earth. And Article 104 determines the size of the stones: 'The stones used for stoning shall not be too large to kill the

condemned by one or two throws and not too small to be called a stone’.”
[56i]

- 14.19 The FIDH Report 2009, stated: “In the draft Penal Code presented by the government to the Majlis, stoning and other corporal punishments are maintained.” [56h] The same report noted that “Although the head of the judiciary, Ayatollah Shahroodi issued a moratorium on execution by stoning in December 2002, at least seven stoning sentences have been enforced since.” [56i] In an article dated 29 October 2009, Amnesty International noted that despite the moratorium on stoning:

“...at least five men and one woman have been stoned to death since 2002. In January 2009, the Spokesperson for the Judiciary, Ali Reza Jamshidi, confirmed that two executions by stoning had been carried out in December 2008 and said that the directive on the moratorium had no legal weight and that judges could therefore ignore it.

“In June 2009, the Legal and Judicial Affairs Committee of Iran's parliament (Majles) recommended the removal of a clause permitting stoning from a new version of the Penal Code currently under discussion in the parliament. The law has yet to be passed by the whole Majles, after which it will be passed to the Council of Guardians for approval. The clause allowing the use of stoning could be reinstated at either stage.” [9m]

- 14.20 On 13 November 2009, Amnesty International reported that a man and a woman who had been sentenced to death by stoning in 2005/6 were released from Esfahan Central prison in Esfahan on 4 October, after their convictions for “adultery while being married” were quashed by the Head of the Judiciary. [9k]

See also [Judiciary](#), [Penal code](#) and [Law on apostasy](#)

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POLITICAL AFFILIATION

FREEDOM OF POLITICAL EXPRESSION

The section should be read in conjunction with Latest news, Recent developments and Freedom of speech and media. Information about human rights violations committed, generally, by government agencies can be found in the section on Security forces.

- 15.01 Jane's *Sentinel Country Risk Assessment*, Iran, Internal affairs, updated 30 April 2009, stated that:

"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.

"It was only after the May 1997 election of Mohammad Khatami as president that a real blossoming of parties took place. Today, the number of officially sanctioned political organisations exceed 100, although not all are genuine political groups." [125g]

- 15.02 The US State Department *Country Report on Human Rights Practices 2008*, released on 25 February 2009, (USSD Report 2008), noted

"The constitution provides citizens the right to change peacefully the president and the parliament through free and fair elections; however, the authority of unelected representatives over the election process severely abridges this right in practice. The Assembly of Experts elects the supreme leader, the recognized head of state, who can be removed only by a vote of the assembly. The assembly was composed of 86 members and was restricted to clerics, who served eight-year terms and were chosen by popular vote from a list approved by the Guardian Council (a 12-member body composed of government-appointed clerics and religious jurists). There was no separation of state and religion, and clerical influence pervaded the government. The supreme leader also approved the candidacy of presidential candidates, with the exception of an incumbent president." [4a] (Section 3)

- 15.03 The same report observed:

"On March 14 [2008], the country held Majles elections, which outside observers regarded as neither free nor fair. The Interior Ministry rejected the candidacy of almost 2,000 applicants... Most of the disqualified candidates were considered reformists. Conservatives won approximately 70 percent of the seats.

"The constitution allows for the formation of political parties, although the Interior Ministry granted licenses only to political parties with ideological and practical adherence to the system of government embodied in the

constitution. There were more than 240 registered political organizations, but most were small entities, often focused around an individual, and did not have nationwide membership. Political parties approved by the Interior Ministry generally operated without restriction or outside interference.

“According to the Guardian Council's interpretation, the constitution barred women and persons of non-Iranian origin or religions other than Shia Islam from becoming president. Women were also barred from serving as supreme leader or as members of the Assembly of Experts, Guardian Council, or Expediency Council (a body responsible for mediating between the Majles and the Guardian Council and serving as a consultative council for the supreme leader). Two of the 10 vice presidents were women. Eight women served in the Majles during the year. Five Majles seats were reserved for the recognized religious minorities. Other ethnic minorities in the Majles included Arabs and Kurds. There were no non-Muslims in the cabinet or on the Supreme Court.” [4a] (Section 3)

Presidential elections of June 2009

- 15.04 The Congressional Research Service paper, *Iran: US Concerns and Policy Responses*, dated 2 July 2009, reporting on the 12 June 2009 presidential elections noted that of the 500 candidates who registered to participate in the elections, only four – President Ahmadinejad, Mir Hossein Musavi (the main ‘reformist’ candidate), Mehdi Karrubi, and Mohsen Reza’i – were permitted to run. The paper stated that the June elections voter-turnout:

“... was unexpectedly 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%” [78b]

- 15.05 Following the announcement of the election results, Mssrs Musavi, Reza’i and Karrubi:

“... asserted outright fraud and called for a new election, citing the premature release of results; the barring of candidate observers at some pollingstations; regime shut-down of internet and text services; and repression of post-election protests... Protests built throughout June 13-19, although far larger in Tehran than in other cities, and regime security forces used varying amounts of force to control them, causing 17 deaths, according to official Iranian statements. However, the protest movement’s hopes of having Khamene’i annul the election were dashed by his major Friday prayer sermon on June 19 in which he refuted allegations of widespread fraud and implicitly threatened a crackdown on any further protests. That crackdown was in evidence against protesters on Saturday, June 20, with state media reporting at least ten killed that day. However, with Musavi calling for continued demonstrations but with exercise of restraint, the protests appeared to wane by June 22. The regime’s attempts to black out

international media and internet access to Iran continued, with mixed success, and it has arrested a reputed 1,000 reformist leaders, although claiming to have released most by now.” [78b]

15.06 On 22 November 2009, BBC News reported that leading reformist, Mohammed Ali Abtahi, a former vice-president under President Khatami from 1997 to 2005, had reportedly been released on bail after being sentenced to six years in jail for “fomenting unrest after June’s disputed elections...Mr Abtahi has been temporarily released on bail of 7bn rials (\$425,000), Iran’s official Irna news agency reported on Sunday. Under Iranian law, people sentenced to more than three months in jail can be released on bail pending appeal... Mr Abtahi had been in custody since he was detained shortly after the 12 June polls.” [21m]

15.07 The same BBC article reported that “Around 80 people have been jailed and five sentenced to death over the unrest that followed President Mahmoud Ahmadinejad’s disputed poll victory...At least 30 protestors have been killed in clashes and thousands arrested since the elections. Some 200 opposition activists remain behind bars. Foreign media, including the BBC, have been restricted in their coverage of Iran since the election protests turned violent.” [21m]

15.08 Cable News Network (CNN) reported on 18 November 2009 that, in addition to the five people sentenced to death for their roles in the post election unrest, a further 81 people had received prison terms ranging between six months and 15 years for their roles. The CNN article continued:

“The five who received death sentences on Tuesday [17 November] were convicted of membership in terrorist groups and carrying out bombings across Iran, the Tehran judiciary said in a statement reported by state media.

“The others were found guilty on various charges, including acting against the national interest, disturbing the peace and destroying public property. The judiciary said the defendants can appeal the verdicts. The government had announced three protest-related death sentences in October [2009].” [60a]

See also [Latest news](#), [Recent developments](#), [Arbitrary arrest and detention](#) and [Freedom of speech and media](#).

Political dissidents outside Iran

15.09 Demonstrations against the 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 following the June presidential election. 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]

15.10 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]

15.11 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].” [91]

See also [Latest news](#), [Recent developments](#), [Arbitrary arrest and detention](#) and [Freedom of speech and media](#).

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Political prisoners

15.12 The USSD Report 2008 observed:

“Exact data regarding the number of citizens imprisoned for their political beliefs were not available; however, human rights activists estimated the

number in the hundreds. Although there were few details, the government arrested, convicted, and executed persons on questionable criminal charges, including drug trafficking, when their actual 'offenses' were political. The government charged members of religious minorities with crimes such as 'confronting the regime' and apostasy, and conducted trials in these cases in the same manner as it would treat threats to national security.

"Authorities occasionally gave political prisoners suspended sentences or released them for short or extended furloughs prior to completion of their sentences, but they could be ordered back to prison at any time. These suspended sentences often were used to silence and intimidate individuals. The government also controlled political activists by holding a file in the courts that could be opened at any time and attempted to intimidate the activists by calling them in repeatedly for questioning. Numerous observers considered [former] Tehran public prosecutor Saeed Mortazavi (see paragraph 15.13 below) the most notorious persecutor of political dissidents and critics.

"Authorities routinely held political prisoners in solitary confinement for extended periods of time and denied them due process and access to legal representation. Political prisoners were also at greater risk of torture and abuse while in detention. The government did not permit access to political prisoners by international humanitarian organizations." [4a] (Section 1e)

- 15.13 On 31 August 2009, Radio Free Europe/Radio Liberty reported that "Iran's judiciary chief has named hard-line Tehran prosecutor Said [Saeed] Mortazavi – the man behind mass trials of post-election detainees – deputy prosecutor general. Officially the move is a promotion for Mortazavi, but legal experts say his power has diminished." Mortazavi's successor as Tehran prosecutor, Abbas Jafari Dolatabadi, was appointed on 29 August 2009. " [42i]

See preceding subsection, plus [Security forces](#) for information about arbitrary arrest and detention, [Recent developments](#), [Latest news](#) and [Freedom of speech and media](#).

FREEDOM OF ASSOCIATION AND ASSEMBLY

- 15.14 Freedom House's report 'Freedom of Association Under Threat – Iran', dated 21 November 2008, stated that:

"Article 27 of the constitution grants the right to peaceful assembly but limits this right to 'public gatherings and marches ... that are not detrimental to the fundamental principles of Islam.' Permits for holding demonstrations are routinely denied to activists, and women's rights advocates claim particular discrimination, reporting an especially cumbersome and erratically enforced process. Open discussions at universities as well as gatherings at concerts and other cultural events are frequently attacked by the Basij or Ansar-i Hezbollah. Protesters, especially students and ethnic minorities demanding human rights, risk public beatings and humiliation as well as routine surveillance, intimidation, prolonged interrogation sessions, torture, and imprisonment, including solitary confinement in cramped, unsafe conditions. Activists accused of organizing protests are often forced to give televised confessions about supposed collusion with foreign enemies." [112e]

15.15 The USSD Report 2008 stated that:

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

“The government continued to prohibit and forcibly disperse peaceful demonstrations during the year. Paramilitary organizations such as the Ansar-e Hizballah also harassed, beat, and intimidated those who demonstrated publicly for reform. They particularly targeted university students.” [4a] (Section 2b)

15.16 A report by the International Campaign for Human Rights in Iran (ICHRI) dated 21 September 2009 stated that violations of the right to freedom of association and assembly had occurred since June 2009:

“Following the disputed 12 June elections, Iranian authorities banned peaceful demonstrations in Iran’s main cities including Tehran, Shiraz, Isfahan, Tabriz, Mashad and Rasht, as well as elsewhere, to protest electoral fraud and to demand human rights. Security and intelligence forces as well as Basiji militias on motorcycles brutally attacked demonstrators, using batons, tear-gas, pepper-spray, water cannon, chains, and live ammunition and plastic bullets, killing an as yet undetermined number of them. The use of force against demonstrators has been excessive, unlawful, and in gross violation of the standards contained in the *United Nations Basic Principles on the Use of Force by Law Enforcement Officers* upheld by the UN General Assembly. Many victims were killed or gravely injured by gunshots or blows to the head, which is to say, intentionally. Security agents have arrested injured demonstrators when they sought medical treatment in hospitals.

“Iran’s Leader, Ayatollah Khamene’i demanded an end to demonstrations and threatened to hold opposition candidates responsible for any problems. Others among Iran’s highest religious and political authorities announced a policy of criminalizing dissent, which can have lethal consequences, given Iran’s excessive use of the death penalty and lack of independent courts. Ayatollah Khatami, an influential hard-line cleric, has demanded that demonstrators be considered ‘enemies of God (Mohareb)’, guilty of crimes under Iran’s Islamic legal code for which they can be executed. Iran’s Leader has also demeaned protesters, terming them ‘rioters’ and has thus legitimated harsh punishment of those who have been detained on the basis of their political views and for exercising their right to freedom of assembly and to peacefully demonstrate their views.” [52a] (p2)

15.17 The ICHRI report also observed that:

“Despite these threats, hundreds of thousands of Iranian citizens peacefully demonstrated on several occasions including 20 June, 9 July, to

commemorate student demonstrations ten years earlier, on 17 July, at Friday Prayers, and on other dates. The gatherings were met with severe violence by the authorities, resulting in hundreds of arrests and injuries and numerous killings. The Mayor of Tehran, Mohammad Bagher Ghalibaf, estimated that three million persons have taken part in demonstrations on 20 June.” [52a] (p3)

- 15.18 A female student, Neda Soltan, “...became a symbol of the opposition after she was shot dead during an anti-government demonstration on June 20.” Footage of her murder spread around the world on the internet. (*The Times*, 16 November 2009) [15a] It is unclear who was responsible for the killing. A Radio Free Europe/Radio Liberty article dated 25 November 2009 stated that, according to the commander of the Basij, she was killed by someone from the US whereas female Basij members were reported as saying that the doctor who tried to save Neda, Arash Hejazi, was her murderer and called for his extradition from Britain. “Hejazi has come under fire from the Iranian government for saying that it was a member of Iran’s Basij that shot her in the chest. He has said that the Basij member was detained by the crowd, who took away his ID card.” [42j]
- 15.19 *The Times* article of 16 November reported that, according to Neda Soltan’s fiancé, Caspian Makan, the Iranian regime “... tried to force him and Ms Soltan’s parents to say that she was killed by the opposition, not by a government militiaman [Basij] on a motorbike as eyewitnesses have claimed.” Mr Makan is currently in hiding. He “... fled from Iran after being released on bail following 65 days in prison.” It was also reported that “On November 4 Ms Soltan’s parents were attacked and detained when they joined a protest in Iran. One source told *The Times* that members of the security forces taunted them, saying that they could meet the same fate as their daughter.” *The Times* also reported that Neda Soltan’s grave had been desecrated by supporters of Iran’s regime. [15a]

See previous subsections, also [Recent developments](#), [Latest news](#) and [Employment rights](#).

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OPPOSITION GROUPS AND POLITICAL ACTIVISTS

- 15.20 The USSD Background Note of September 2009 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.

“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 1999), the People’s Fedayeen, the Kurdish Democratic Party of Iran, the Party for a Free Life in Kurdistan

(added the to the U.S. Government's Foreign Terrorist Organizations list in 2009), and the Baluchi group Jundallah." [4u] (Political conditions)

Mojahedin-e Khalq Organisation (MEK/MKO) or People's Mojahedin Organisation of Iran (PMOI) or Holy Warriors of the People

- 15.21 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. The MKO has been classified as a terrorist organisation by several countries including the United States and the EU. In 2002, EU member states decided to freeze the assets of the MKO. However, this decision was annulled by the European Court of Justice in December 2006. While the MKO is still on the EU's terror list [since removed, see below], the organisation was removed from the UK's list of alleged terrorist groups in June 2008.

"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.

"The MKO has its head quarters in Ashraf Camp in Iraq. Ashraf Camp is a military base situated some 100 kilometres west of the Iranian border and 60 km north of Baghdad. Saddam Hussein gave the camp to the MKO in the 1980s. Following the invasion of Iraq in 2003, the Coalition Forces disarmed the MKO. According to the Iranian organisation for former MKO members, the Nejat Society, approximately 3,400 MKO members still live in Ashraf Camp. Since 2003, these members are considered protected people under the Geneva Convention." [86b] (p16)

- 15.22 A Radio Free Europe / Radio Liberty report dated 26 January 2009 noted:

"... the European Union has decided to remove the Mujahedin-e Khalq Organization (MKO) from its list of terrorist organizations. The decision marks the first time the EU has 'de-listed' an organization from its terrorist index, and could free the MKO, also known as the People's Mujahedin Organization of Iran, to expand its activities in Europe. ... The former U.S. administration reaffirmed its designation of the MKO as a foreign terrorist organization on January 7." [42d]

- 15.23 GlobalSecurity.org, 28 January 2009, noted: "The British government insists that the deproscription of the MKO was 'a judicial and not a political decision' both in the European Union as it was earlier in the UK and that it opposed its removal." [80h]

- 15.24 Jane's Sentinel, dated 23 January 2009, stated that "The group's armed wing is the National Liberation Army (NLA). The MEK is the main body in the political coalition of Iranian opposition groups known as the National Council of Resistance of Iran (NCRI). This organisation claims to be the transitional parliament-in-exile, with 570 members and a head office in Paris, France." [125c] (Non-state Armed Groups)
- 15.25 Jane's added that: "The group was founded in 1965 as a splinter group of the Iran Liberation Movement, although it did not engage in armed struggle until 1971 after five years of deliberation over strategy. The NLA was formed in June 1987." [125c] (Non-state Armed Groups)
- 15.26 The Danish Immigration Service Report 2009 stated that:
- "In 2003, President Khatami announced an amnesty offer to former members of the MKO in Iraq stating that those who repent past acts are welcome back in Iran where they will be judged according to law. According to Khatami, the amnesty did not cover leaders of the MKO.
- "According to the Nejat Society, around 500 to 600 former MKO members have left Ashraf camp and have returned to Iran voluntarily during the period 2004 to 2007. These returnees have not been prosecuted and they have not faced problems with the Iranian authorities or private people upon return, as the Iranian authorities will only prosecute a returnee if a private person brings a complaint." [86b] (p17)
- 15.27 The report continued:
- "According to an international organisation in Turkey, former MKO members who repent and cooperate with the Iranian government may be granted amnesty. High profile members are not granted amnesty though. The organisation is unsure of the kind of assurances MKO returnees are given. The amnesty was announced before President Ahmadinejad's time and he does not recognise it. Furthermore, the amnesty is not stated in any law or regulation and is not written down anywhere... (p17) The organisation believed that, in general, it is safe for former MKO members to return to Iran, even though not all international organisations agree with them on this point. However, the organisation did stress, that a group of people consisting of leaders who have committed serious crimes, were likely to face severe problems with the authorities upon return." [86b] (p19)
- 15.28 The USSD Report 2008 stated that: "The government reportedly held some persons in prison for years under charges of sympathizing with outlawed groups, such as the terrorist organization Mujahedin-e-Khalq (MEK)." [4a] (Section 1e)
- 15.29 On 3 August 2009, Radio Free Europe/Radio Liberty reported that Iraqi forces had taken control of Camp Ashraf, the MKO's base on the Iranian border, resulting in clashes between police and residents:
- "Residents said 13 people died in the clashes, many of them shot dead by police, and many others wounded. Iraq's government said seven died, most of them because they threw themselves under police vehicles. Abdul Nassir al-Mehdawi, governor of Diyala province, which has jurisdiction over Ashraf,

confirmed 36 had been arrested the day after the clashes... Mehdawi said some of the 36 would be released but others would have to face trial." [42n]

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Rastakhiz Party and Monarchists

- 15.30 The Advisory Panel on Country Information (APCI) review of the COI Service's Iran COI Report of Augst 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:

"The support of a return to the Monarchy is divided amongst a variety of groups and organisations...

"Babak Khorramdin Organization (BKO)
 Constitutionalist Movement of Iran - Frontline (Sazeman-e Mashroteh Khahan-e Iran)
 Guardians of Eternal Iran (Negahbanane Iran e Djawid)
 Iranian Monarchist Council of Canada (Shora-e Saltanat Talaban-e Iran dar Kanada, IMCC)
 Iran Paad (Saltanat Taliban, Saltanat Talab)
 National Movement of Iranian Resistance (NAMIR)
 Organization of Kaviyani Banner (Kaviyani Flag, Derafsh-e Kaviani)
 The Imperial Iranian Guards (Rastakhiz of Iran Organization, Sazemane - Rastakhize Iran)
 Shahin

"One of these, 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." [6a] (p24)

- 15.31 The Danish Immigration Service Report 2009 stated that:

"A western embassy (3) stated that Monarchists, be it as movements or individuals, have no influence in Iran and therefore are not at risk of persecution. 'They are simply not considered a threat to the ruling government'. Another western embassy (1) stated that monarchist groups still exist in the universities in Iran. (p20)... while Monarchists are not as active as other political oppositional groups, they still exist as a movement... To the knowledge of the international organisation, the nature of the activities of the Monarchists is usually peaceful. For instance, the Monarchists staged a protest in Iran in July 2008. At 9pm, people in support of the Monarchists were to turn on the high beam of their cars and drive around the city. In another peaceful demonstration, supporters of the Monarchists were to wear a white shirt and go to a certain park. Monarchist groups also distribute leaflets and spread their messages through the internet. They are particularly active outside Iran, for instance in the United States, where they run three TV stations." [86b] (p21)

- 15.32 Following the presidential election on 12 June 2009, it was reported that a death sentence had been imposed on an individual accused of having links with a monarchist group. On 9 October 2009, Amnesty International reported that Mohammad-Reza Ali-Zamani had been sentenced to death in connection with the protests that followed the election. A Tehran Revolutionary Court had passed the sentence after Zamani was

“...convicted of ‘emnity against God for membership of and activities to further the aims of the terrorist grouplet Anjoman-e Padeshahi-e Iran (API)’. The API is an exiled opposition group which advocates the ending of the Islamic Republic and the establishment of an Iranian monarchy. He was also convicted of ‘propaganda against the system’, ‘insulting the holy sanctities’, ‘gathering and colluding with intent to harm national internal security’ as well as of leaving the country illegally to visit Iraq where he was alleged to have met US military officials.” [91]

- 15.33 An *Observer* article dated 11 October 2009 reported that three unidentified people arrested after the post-election protests had been sentenced to death. Zahed Bashiri Rad, a spokesman for the Ministry of Justice revealed only the initials of those sentenced: “‘MZ and AP were convicted for ties with the Kingdom Assembly of Iran’ – an organisation that seeks to bring back the Shah – while NA was convicted for ties with the People’s Mujahideen, an exiled opposition group. It is unclear whether Zamani [see paragraph above] is the ‘MZ’ mentioned by ISNA [Iranian Student’s News Agency].” [55] NA was subsequently identified as Nasser Abdolhosseini. “Abdolhosseini was sentenced to death for belonging to the exiled Mujahedin Khalq Organization, considered a terrorist organization by Iran. But that charge has been fiercely rejected by Abdolhosseini’s brothers Mojtaba and Nader Abdolhosseini, who say Nasser has never been involved in politics.” (Radio Free Europe/Radio Liberty) 17 October 2009) [42g]
- 15.34 The same Radio Free Europe/Radio Liberty article reported that a fourth person, believed to be student Hamed Ruhinejad, faced the death penalty:

“...after being convicted of ‘moharebeh,’ or waging war against God... Ruhinejad has been charged with being member of a little-known monarchist group, the ‘The Assembly of Kingdom.’ Three members of the group were executed several months ago after being convicted over a 2008 bombing in Shiraz. In a letter posted by Iranian news websites, Ruhinejad has said he has no connection with The Assembly of Kingdom, or any other group, and didn’t have anything to do with the June vote and the unrest that followed.” [42g]

SAVAK

- 15.35 Jane’s *Sentinel Country Risk Assessment*, Iran, Security and Foreign Forces, updated 23 January 2009, stated that:

“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. During the 1981-88 Iran-Iraq war, an intense rivalry developed between the agency and the Intelligence Directorate of the Islamic Revolutionary Guards Corps (IRGC). It was decided that the IRGC would continue to maintain its own intelligence directorate. While SAVAK operated largely outside government control, it was decided that the MOIS would operate as part of the mainstream civil service apparatus, as a government ministry." [125e] (Security and Foreign Forces)

See also Ministry of Intelligence and Security (MOIS) and Vezarat-e Ettela'at va Amniat-e Keshvar (VEVAK) aka Ettela'at.

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Kurdish Democratic Party of Iran (KDPI, also DPIK)

- 15.36 The Human Rights Watch (HRW) report *Iran: Freedom of Expression and Association in the Kurdish Ardebil Regions* dated 9 January 2009, stated that:

"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]
- 15.37 Jane's Sentinel, dated 23 January 2009, stated that the party is called the Democratic Party of Iranian Kurdistan (DPIK) and that it was founded in 1945 with Mustafa Hijri elected Secretary General in July 2004. [125c] (Non-state Armed Groups)
- 15.38 The Danish Immigration Service Report 2009 stated that:

"... 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." [86b] (p9)
- 15.39 Freedom House in its *Freedom in the World 2008* report, released July 2008, noted that: "Kurdish opposition groups suspected of separatist aspirations, such as the Democratic Party of Iranian Kurdistan (KDPI), are brutally suppressed." [112c]
- 15.40 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)

See [Ethnic groups, Kurds](#)

Komala

- 15.41 The Human Rights Watch (HRW) report dated 9 January 2009 noted that “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).” [8h] The same HRW report also referred to a second organisation named Komala being formed after the first changed its name to the KDPI:

“After the 1979 revolution, another left-leaning movement, also calling itself Komala, took up arms against the central government in an attempt to gain Kurdish independence. Komala unilaterally laid down its arms in the 1990s. According to Hassan Rahmanpanah, a member of Komala’s central committee, the group did so after realizing that government authorities were using the existence of an armed opposition as an excuse for suppressing the peaceful work of a range of activists.

“The Iranian government has not since alleged any armed activities by Komala members or sympathizers.” [8h]

- 15.42 Jane’s *Sentinel Country Risk Assessment*, Iran, Non-State Armed Groups, updated 23 January 2009, stated that the full name is the Kurdish Communist Party of Iran otherwise known as Komaleh, Komala lidni Kurdistan (Council on Rebirth of Kurdistan) or Komalay Shoreshegeri Zahmatkeshani Kurdistan Iran (the Revolutionary Organisation of the Toilers of Kurdistan). [125c]

- 15.43 Jane’s continued: “Komala should not be confused with Komala Islami Kurdistan (Islamic Society of Kurdistan), an Islamist group based in northern Iraq which was the target of US cruise missile attacks during the Iraq military campaign in 2003.” [125c] (Non-state Armed Groups)

- 15.44 Jane’s also noted that:

“As an independent Marxist group Komala aims to establish a social system based on social justice and equality. It strives to end oppression and to achieve autonomy for Iranian Kurds. While the group aims to secure the right of self-determination it also seeks changes in the existing status quo of Iranian politics at large. These changes include the separation of religion from the state, freedom of speech and assembly, equality of nationalities, an end to bureaucratic interference by the central government, devolution of power and expulsion of government forces from Iranian Kurdistan. The organisation also advocates the linking up of the Kurdish people’s struggle for independence with social justice for the working people of Iran. It raises questions such as the quest for economic improvement, of gender-based

political and social inequalities and of farmers vis-à-vis landowners. Komala's struggle also aims at obtaining the support of mass institutions such as trade unions, youth and women's organisations and the expression of the popular will through local councils. Essentially, Komala officially presses for the unqualified political freedoms and rights of workers... The official spokesperson and first secretary of Komala is Ebrahim Alizadeh. Komala has a central committee composed of 15 elected members and holds meetings every three months to discuss the work of the organisation.” [125c] (Non-state Armed Groups)

- 15.45 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 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 of December 2007 gives further historical information on Kurdish political parties in Iran and may be accessed directly:

http://www.chathamhouse.org.uk/files/10685_bp1207kurds.pdf

Partiya Jiyana Azada Kurdistan (PJAK) - Kurdistan Free Life Party

- 15.46 The Human Rights Watch (HRW) report dated 9 January 2009, stated that:

“Currently PJAK, the Iranian branch of the Turkey-based Kurdistan Workers Party (PKK), an opposition movement fighting for the independence of Kurds in Turkey, is the only group engaged in armed struggle against the Iranian government. Based mostly in Iraqi Kurdistan, PJAK has claimed responsibility for a number of armed operations against Iranian security forces. In response, Iran launched armed incursions into northern Iraq, most recently in August 2007 and June 2008. The KDPI and other Kurdish parties claim that they have no relationship with PJAK.” [8h]

- 15.47 Jane’s Sentinel, dated 23 January 2009, stated that:

“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.” [125c] (Non-state Armed Groups)

- 15.48 Jane’s added that PJAK was founded in 2004 and its leader was Abdul Rahman Hajji Ahmadi. [125c] Freedom House (FH) stated in its 2009 report, covering events in 2008, that: “PJAK conducted a number of guerrilla attacks in 2007, and four members of PJAK were reportedly killed by the Basij near the Iraq-Iran border in October 2008.” [112g] The FH report also reported that “In July 2008, an appeals court upheld the death sentence against Farzad Kamangar for his alleged membership in the Party for Free Life in Kurdistan (PJAK), a separatist group linked to the Kurdistan Workers’ Party (PKK) of Turkey, although the prosecution offered no evidence of this during his five-minute trial.” [112g]

See [Ethnic groups, Kurds](#)

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FREEDOM OF SPEECH AND MEDIA

- 16.01 The US State Department *Country Report on Human Rights Practices 2008*, Iran, released on 25 February 2009, (USSD Report 2008) stated that:

“The constitution provides for freedom of expression and of the press, except when it is deemed ‘detrimental to the fundamental principles of Islam or the rights of the public.’ In practice the government severely restricted freedom of speech and of the press. HRW reported that authorities ‘systematically suppressed freedom of expression and opinion’ during the year. Basic legal safeguards for freedom of expression did not exist, and the independent press was subjected to arbitrary enforcement measures by the government, notably the judiciary. Censorship, particularly self-censorship, limited dissemination of information during the year. Journalists were frequently threatened as a consequence of their work.

“The government continued to crack down on underground music groups (any group that fails to obtain a recording license from the Ministry of Culture and Islamic Guidance). In October, according to human rights activists, security forces arrested a group of rap musicians returning from a trip to Dubai. Eyewitnesses reported seeing them in Evin Prison. Rap music is forbidden in the country; according to the BBC, it is particularly popular among young men due to its political, social, and sexual lyrics.

“In December the Tehran prosecutor general announced the creation of a special office to review Internet and text message-related crimes associated with the June 2009 presidential election.” [4a] (Section 2a)

- 16.02 The Freedom House (FH) report, *Freedom of the Press 2009 - Iran*, covering events in 2008, released 1 May 2009; (FH Press Report 2009) stated that:

“Constitutional provisions for freedom of expression and the press, which include broad exceptions regarding infringements on the tenets of Islam or ‘public rights,’ are not upheld in practice. In addition, numerous laws restrict press freedom, including the 2000 Press Law, which specifically forbids the publication of ideas that are contrary to Islamic principles or detrimental to public rights. The government regularly invokes vaguely worded legislation to criminalize critical opinions. 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 one year in prison’; the code leaves ‘propaganda’ undefined. Under Article 513, offenses deemed to be an ‘insult to religion’ can be punished by death, or prison terms of one to five years for lesser offenses, with ‘insult’ similarly undefined. Other articles provide sentences of up to two years in prison, up to 74 lashes, or a fine 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.” [112h]

- 16.03 The FH report *Freedom on the Net 2009 – Iran*, dated 1 April 2009, stated that:

“Iranian internet users suffer from routine surveillance, harassment, and the threat of imprisonment for their online activities, particularly those who are

more 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. The government and judiciary regularly invoke this and other vaguely worded legislation to criminalize critical opinions. A comprehensive 2006 cybercrimes bill would have made ISPs [internet service providers] criminally liable for content on sites they carried, but it was never passed by the parliament. A different bill, introduced in July 2008, would make some cybercrimes – promoting corruption, prostitution, and apostasy on the internet – punishable by death. It passed its first reading with a vote of 180 to 29, with 10 abstentions, and was still under consideration at year's end.” [112f]

16.04 Open Net Initiative (ONI) reported on 16 June 2009 that the Bill of Cyber Crimes’ Sanctions (Cybercrimes Bill) [introduced in July 2008, see preceding paragraph] was ratified into law in November 2008 and was still under review by the Guardian Council when their report was written in June 2009. Further progress of the bill is unknown at the time of writing. [89a]

16.05 Reporters Without Borders’ (RSF) World Report 2009 - Iran, released 1 May 2009, stated that:

“Censors in Iran have far-reaching discretionary power, due to the ambiguity of the 1979 Constitution and the 1985 press law (amended in April 2002), even though there is no prior censorship for daily newspapers. Article 24 of the Constitution defines free expression thus: ‘All publications are free to express their opinions, except those that conflict with the foundations of Islam and the morality of society. The interpretation and detailed definition of this article are the responsibility of the law.’ However the law gives no definition of ‘religious foundation’ and does not say what is covered by the idea of ‘morality of society’.” [38b]

16.06 Amnesty International reported on 26 June 2009 that:

“Since the announcement on 13 June [2009] that President Ahmadinejad had won the election, the Iranian authorities have imposed severe restrictions on freedom of expression. Access to the internet has been blocked or significantly interrupted. Iranian publications have been banned from publishing information about the unrest. Foreign news journalists have been banned from the streets, and some foreign reporters have been expelled from the country.” [9j]

16.07 The RSF 2009 Press Freedom Index, published on 20 October 2009, noted that press freedom in Iran had deteriorated, placing the country in 172nd place out of the 175 countries rated. The report stated that:

“Journalists have suffered more than ever this year in Mahmoud Ahmadinejad’s Iran. The president’s disputed reelection plunged the country into a major crisis and fostered regime paranoia about journalists and bloggers. Automatic prior censorship, state surveillance of journalists, mistreatment, journalists forced to flee the country, illegal arrests and imprisonment – such is the state of press freedom this year in Iran.” [38c]

PRINT MEDIA

- 16.08 The FH Press Report 2009 noted that: "There are some 20 major print dailies, but following the closure of many reformist publications, those with the widest circulation and influence espouse conservative viewpoints or are directly run by the government, such as the dailies *Jaam-e Jam* and *Kayhan*." [112d] The RSF World Report 2009 stated that:

"Thirty newspapers were banned in 2008, 22 of them on the orders of the Press Authorisation and Surveillance Commission, under the authority of the Ministry of Culture and Islamic Orientation. This Commission is the main tool operated by the government of Mahmoud Ahmadinejad in his crusade against the media. It regularly makes use of Article 33 of the press law that allows an 'immediate ban on publication of a newspaper that replaces a banned newspaper with a similar name, logo and format'." [38b]

- 16.09 The report of the Secretary-General to the United Nations on the situation of human rights in the Islamic Republic of Iran, dated 1 October 2008, stated that:

"The censorship of books has reportedly been tightened, affecting negatively the environment for the publishing industry and writers. The Iranian Government appears to encourage self censorship openly, as the Islamic Culture and Guidance Minister was quoted in the media as saying that if book publishers were to do some self-censorship, they wouldn't have to complain so much." [10a] (p17)

See [Treatment of journalists](#) below

TV/RADIO

- 16.10 The FH Press Report 2009 stated that:

"Owing to limited distribution of print media outside larger 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. The government maintains a direct monopoly on all domestic broadcast media and presents only official political and religious viewpoints on channels run by the Islamic Republic of Iran Broadcasting network. A government-run, English-language satellite station, Press TV, was launched in July 2007. President Mahmoud Ahmadinejad said its mission would be 'to stand by the oppressed of the world,'... Although it is forbidden, an increasing number of people own satellite dishes and access international news sources. Satellite radio stations such as Radio Farda and the Dutch-funded Radio Zamaneh also provide international broadcasts to a large part of the population." [112d]

- 16.11 The RSF World Report 2009 stated that:

"The government still refuses to put an end to its broadcast monopoly and it is still against the law to own a satellite dish. The government not only prevents Iranian journalists from freely covering national news but it also tries to gag foreign media. Culture and Islamic orientation minister, Mohammad Hossein Safar-Harandi, in December 2008 banned the new

BBC Persian-language channel, along with all cooperation by Iranian journalists with foreign media.” [38b]

See also [Latest News](#) for more information on BBC Persian.

INTERNET

- 16.12 The Government “... systematically controls the internet and other digital technologies.” (FH Press Report 2009) [112d] Despite restrictions internet usage has increased rapidly since 2000 with an estimated 48.5 per cent population having access (Internet World Stats, September 2009) [81a] The regime introduced “A draft law that passed on its first reading in July 2008 [which] would apply the death penalty to bloggers and website editors who ‘promote corruption, prostitution or apostasy.’ The law was still awaiting final approval at... [the end of 2008].” (FH Press Report 2009) [112d] As at June 2009 the draft cybercrimes bill was still under review by the Guardian Council [89a] and no further progress on the bill was known at the time of writing.
- 16.13 The Freedom House report *Freedom on the Net 2009 – Iran*, dated 1 April 2009, also commented on internet freedom, stating that:

“... the Iranian regime wields one of the world's most sophisticated apparatuses for controlling the internet and other digital technologies. Internet use in Iran began in 1995 at universities, then spread quickly via internet cafes to an otherwise isolated population with limited access to independent sources of news and entertainment. The government's censorship of the medium did not begin until 2001, but users today operate in an environment that features filtering of content – particularly domestically produced political news and analysis – together with intimidation, detention, and torture of bloggers, online journalists, and cyberactivists. As with restrictions on press freedom that date to the early days of the 1979 revolution, the Islamic Republic couches its restrictions on internet freedom in an opaque and arbitrary conception of Islamic morality outlined by the constitution, the press law, and the penal code.” [112f]
- 16.14 The Freedom on the Net 2009 report added that:

“In May 2006, an office was established at the MCIT in an attempt to centralize state filtering and surveillance efforts, but this effort has not yet fully materialized. Agencies outside the MCIT retain significant de facto power to control the internet, and these entities – including the Supreme Leader's office and the office of Tehran chief prosecutor Saeed Mortazavi – arbitrarily target certain sites, bloggers, and cyberactivists. Mortazavi, who has allegedly played a direct role in the torture of online journalists and activists, announced in December 2008 that he had established a ‘special department for internet crimes’, which will work closely with the intelligence service to block sites and monitor political messages and organizing.” [112f]
- 16.15 The USSD Report 2008 stated that “Security forces monitored the social activities of citizens, entered homes and offices, monitored telephone conversations and Internet communications, and opened mail without court authorization.” [4a] (Section 1f)

- 16.16 On 21 September 2009, the International Campaign for Human Rights in Iran (ICHR) published a report on the human rights situation in Iran since the 12 June election, stating that:

“Websites and phone lines have been blocked on several occasions, preventing the circulation of information on the elections and the post-elections situation in the country. Foreign news broadcasts have been jammed. Private social networking websites have been used to persecute individuals and their associates. The authorities shut down such sites, including *Facebook*, for periods of time.” [52a] (p9)

- 16.17 BBC News reported on 15 November 2009 that:

“Iranian police have set up a special unit to monitor political websites and fight internet crime. The head of the unit, Col Mehrdad Omid, said it would target political ‘insults and the spreading of lies’. Most opposition websites are already banned, especially those linked to the defeated presidential candidates from Iran’s disputed June elections. But activists continue to set up new websites to keep their campaign alive, as they have no access to state media.” [21g]

See [Treatment of journalists](#) and [Treatment of bloggers](#) below

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ACADEMIC FREEDOM

- 16.18 The USSD Report 2008 stated that:

“The government significantly restricted academic freedom. In 2006 President Ahmadi-Nejad called for the removal of secular and liberal professors from universities. Reports indicated dozens of university professors were dismissed, forced to retire, or denied sabbaticals abroad since 2006. To obtain tenure, professors had to refrain from criticism of the authorities.

“Admission to universities was politicized; in addition to standardized exams, all applicants had to pass “character tests” in which officials eliminated applicants critical of the government’s ideology. Members of the Basij were given advantages in the admissions process. Student groups reported that a “star” system inaugurated by the government in 2006 to rank politically active students was still in use. Students deemed “antigovernment” through this system reportedly were banned from university or prevented from registering for upcoming terms.” [4a]

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TREATMENT OF JOURNALISTS

- 16.19 The Freedom House report *Freedom of the Press 2009 – Iran*, dated 1 May 2009, stated that:

“Iran’s judiciary frequently denies accused journalists due process by referring their cases to the Islamic Revolutionary Court, an emergency venue intended for those suspected of seeking to overthrow the regime. The Preventive Restraint Act is used regularly without legal proceedings to temporarily ban publications. In the run-up to the June 2009 presidential election, the Tehran prosecutor general announced in December [2008] that a special office would be created to review internet and SMS-related crimes.” [112d]

16.20 The RSF World Report 2009 stated that:

“At least 60 journalists and bloggers were summoned, questioned and convicted in 2008. Although Emadoldin Baghi, leading light of the defence of prisoners’ rights was freed in October 2008, after a year in jail and Tehran’s Supreme Court in September quashed a death sentence against Adnan Hassanpour, journalists Mohammad Sadegh Kabodvand and Mohammad Hassin Falahieh Zadeh are still being held in extremely harsh conditions and some prisoners do not get the medication they need.” [38b]

16.21 The Committee to Protect Journalists report ‘Attacks on the Press in 2008 – Iran’, released 10 February 2009, stated that:

“More than 30 journalists were investigated or arrested or spent time in prison during the year, according to human rights and press groups. Numerous published reports accused authorities of denying prisoners basic human rights. In many cases, detention locations were unknown, trials were held in secret, and access to defense attorneys was withheld. Though some imprisoned journalists had serious physical ailments, timely medical attention was not routinely made available.” [29a]

16.22 The ICHRI Report dated 21 September 2009 gave details of journalists detained since the June elections and the treatment they received. The report noted that:

“Since the disputed elections, Iran has arrested and detained over 30 journalists and photographers. Numerous journalists from opposition media have been detained including 20 from *Kalemeh Sabz* alone...

“The office of the *Journalists Association* was closed by order of the Tehran prosecutor without any explanation on 5 August, the *Day of Journalists*, while the *Association* was preparing to hold its general assembly. More than 300 journalists wrote a letter on 8 September to Tehran Prosecutor and requested the release of detained journalists and respect for the freedom of the press. Many were immediately summoned and threatened. They were asked to withdraw their signature and cooperate with the Intelligence services to name those who wrote the letter and collected the signatures. About 15 of them were ordered to stay in Tehran and were banned from travelling.

“A number of foreign journalists have been expelled from Iran and prohibited from reporting the events, and in some cases Iranian official media and authorities have accused foreign journalists of inciting unrest, at the behest of the government of the United Kingdom.” [52a] (p8)

16.23 RSF reported on 15 October 2009:

111 The main text of this COI Report contains the most up to date publicly available information as at 8 December 2009. Further brief information on recent events and reports has been provided in the Latest News section to 26 January 2010

"Reporters Without Borders keeps on getting requests for help from terrified Iranian journalists who have been forced to flee their country after receiving summonses from the authorities. With 32 of their colleagues now detained in Iran and with a president and a Supreme Leader bent on suppressing all criticism, around 30 journalists have fled since last June's disputed elections.

"This is the biggest exodus of journalists since the 1979 revolution,' Reporters Without Borders said. Describing news media as 'means used in an attempt to overthrow the state', the regime is ridding itself of undesired witnesses by jailing them or getting them to flee. Photographers, cameramen, bloggers and reporters for newspapers that have been closed down - all are being accused of 'acting against national security'...

"As well as the human tragedy, the exodus of Iranian journalists increases the risk of a complete news blackout in Iran. News and information have become synonymous with repression. One Iranian journalist had to flee because she told the BBC about Neda Aghasoltani, the young woman who in death became a symbol of opposition to the regime. Another journalist, a photographer, fled after one of his photos was used prominently by the international media. A third had to leave after talking about the situation of detainees in his blog." [38d]

- 16.24 The International Federation of Journalists (IFJ) concurred. On 16 October 2009, the IFJ:

"...accused the Iranian authorities of a media witch hunt as journalists flee the country or are in hiding after the closure of several newspapers and the continued shutdown of the Association of Iranian Journalists (AoIJ).

"There is no let-up on the harassment of media in Iran,' said Aidan White, IFJ General Secretary. 'Independent journalists are in flight for their own safety and the independent media sector is under siege.'

"According to reliable reports, up to six newspapers have been closed since controversial presidential elections in June and at least 18 journalists remain in prison. Many more continue to flee the country and others, including the President of the AoIJ, Rajabali Mazrooei, are in hiding and fearing arrest." [54]

- 16.25 On 15 November 2009, RSF reported that:

"Journalists are still being kidnapped or arrested illegally in Iran...At least 100 journalists and cyber-dissidents have been arrested in the past 145 days (since the 12 June presidential election) and 23 three [sic] of them are still being held. More than 50 journalists have left the country and those who have stayed are subject to constant harassment.'

"The press freedom organisation added: 'Meanwhile, verdicts are beginning to be issued in the Stalinist-style show trials and it is no surprise that journalists have been given harsh sentences of five or six years in prison without any possibility of appeal.'" [38a]

- 16.26 RSF reported on 5 December 2009 that arrests were continuing, with 28 journalists and bloggers currently detained: "The latest victims are Tahereh Riahai of the daily Jahan Eghtesad ('Economic World'), arrested on 1 December in Tehran, and Farhad Sharfai, a blogger who defends women's rights, arrested on 2 December in Khorramabad. Journalists in various cities have also been summoned for questioning." [38e]
- 16.27 On 8 December 2009, the Committee to Protect Journalists (CPJ) released a report entitled *CPJ's 2009 prison census: Freelance journalists under fire*, which stated that:

"Most of those [journalists] imprisoned in Iran, the world's second-worst jailer, were swept up in the government's post-election crackdown on dissent and the news media. Of those, about half are online journalists. They include Fariba Pajoo, a freelance reporter for online, newspaper, and radio outlets. Radio France Internationale reported that she was charged with 'propagating against the regime' and pressured to make a false confession.

"Not long ago, Iran boasted a vigorous and vital press community,' CPJ's Simon added. 'When the government cracked down on print media, journalists migrated online and fueled the rise of the Farsi blogosphere. Today, many of Iran's best journalists are in jail or in exile, and the public debate has been squelched alongside the pro-democracy movement.'" [29b]

The [RSF](#) and the [Committee to Protect Journalists](#) websites publish frequent updates on the current situation of journalists arrested and sentenced since the June presidential elections.

For further information about the treatment of journalists see also [Recent Developments](#) and [Latest news](#).

Treatment of bloggers

- 16.28 Figures for the number of bloggers range from 30,000 to 100,000. "One study says that Persian blogosphere is dominated by four main blocs: secular and reformist; conservative and religious; Persian literature enthusiasts; and mixed networks. Many of the bloggers and commentators are believed to be young, male and living in Iran." (BBC Monitoring, 5 December 2009) [85a]
- 16.29 The Freedom on the Net 2009 report stated that:
- "Self-censorship is extensive, particularly on political matters, and many bloggers and journalists write under pseudonyms. It is important to note that while the Iranian blogosphere and Iranian news sites do push the bounds of what is acceptable to the regime, the most socially and politically progressive sites are managed and staffed by Iranians living abroad. Since the short-lived era of relative press freedom under President Mohammad Khatami, many online intellectuals and activists have left the country. Iran's best-known bloggers – such as Omid Memarian, Roozbeh Mirebrahimi, and Shahram Rafizadeh – are now writing from foreign cities and have been sentenced to prison in absentia." [112f]

16.30 The Freedom on the Net 2009 report added that:

“Since 2004 the authorities have been cracking down on online activism through various forms of judicial and extrajudicial harassment. An increasing number of bloggers have been intimidated, arrested, tortured, kept in solitary confinement, and denied medical care, while others have been formally tried and convicted. According to Reporters Without Borders, the authorities arrested or questioned 17 bloggers during 2008, seven more than in 2007. Article 514 of the criminal code makes insulting the Supreme Leader punishable by six months to two years in prison, and Article 500 sets a penalty of three months to one year in prison for the distribution of propaganda against the state. Bloggers are typically charged with these offenses, and many practice self-censorship to avoid punishment.” [112f]

See also [Treatment of journalists](#) above. For recent information about the treatment of bloggers see [Recent Developments](#), [Latest news](#) and the websites of [RSF](#) and the [Committee to Protect Journalists](#)

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HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

- 17.01 The Freedom House report 'Freedom of Association Under Threat – Iran', dated 21 November 2008, stated that:

"Registration and legal requirements for NGOs are restrictive, inconsistently enforced, and poorly coordinated among government ministries. In 2003, the Ministry of the Interior and a group of leading NGOs drafted a law designed to ameliorate government regulation and support civic organizations, but the parliament rejected the legislation. Instead, a cabinet decree was issued in 2005 to increase government surveillance of NGO activity. While the decree does streamline registration, it also subjects NGOs – the majority of which are community-based social service organizations – to more government monitoring and prohibits participation in political activity.

"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. Severe infringements on freedom of expression prevent civic groups from openly criticizing state policies and holding government officials accountable. For example, watchdog efforts regarding conditions in prisons or the systematic persecution of the Baha'i religious minority are rare and draw heavy penalties. 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. Baghi remains imprisoned on charges of working against national security." [112e]

- 17.02 Reporters Without Borders' (RSF) World Report 2009 - Iran, released 1 May 2009, stated that:

"... the regime also targets human rights defenders. Iranian police on 21 December 2008 closed the offices of the Circle for the Defenders of Human Rights, headed by lawyer and Nobel Peace Prize winner Shirin Ebadi, on the grounds that the organisation did not have interior ministry permission to 'carry out its activities'. The organisation, which was founded by Ebadi in 2002, provides free legal aid to Iran's journalists and human rights activists. Her legal chambers were searched on 29 December." [38b]

- 17.03 An article in Radio Free Europe, dated 30 June 2009, noted that "Hundreds of human rights activists, intellectuals, civil society leaders, opposition political activists, students, and journalists have been arbitrarily detained in Iran since the disputed June 12 presidential election. An unknown but substantial number have also been killed and injured." [42y]

For more information about events following the presidential elections held on 12 June 2009 see [Government suppression of women's rights organisations](#), [Freedom of political expression](#) and [Freedom of association and assembly](#), [Arbitrary arrest and detention](#), [Recent Developments](#) and [Latest news](#)

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CORRUPTION

- 18.01 In its 2009 Corruption Perceptions Index (CPI), released on 17 November 2009, Transparency International ranked Iran 168th in the world corruption rankings out of 180 countries (down from 141st in 2008 [62a]), giving it a CPI score of 1.8. (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). [62b])
- 18.02 Freedom House's *Freedom in the World 2009* report noted: "Corruption is pervasive. The hard-line clerical establishment has grown immensely wealthy through its control of tax-exempt foundations that monopolize many sectors of the economy, such as cement and sugar production." [112g]
- 18.03 A report from the CIRB dated 3 April 2006 commented as follows:
- "Bribery and punishment of border officials
- "Based on consultations with UNHCR's office in Tehran, a UNHCR official provided the following information in 31 March 2006 correspondence:
- "It may happen in practice that individuals who have fraudulent travel documents, or outstanding financial, military or legal obligations, or who are sought or under suspicion by the government for political reasons resort to pay[ing] bribes to the Iranian border officials to pass through the control system unharmed. The higher the risk, the more they pay.
- "In particular, the UNHCR official noted that bribery was more common in the south-eastern provinces of Sistan and Baluchistan (31 Mar. 2006).
- "This information was partially corroborated in a June 2001 report of the 7th European Country of Origin Information Seminar, which claimed that 'corruption certainly exists' in Iran and that bribery of airport officials to facilitate exit may be possible 'in individuals [sic] cases' (UNHCR/ACCORD 11–12 June 2001, 107). On the other hand, the same report stated that departure procedures are still such that it would be highly improbable that anyone with a forged passport in which name and number do not tally would be able to leave the country. Security officials at the airport possess lists of suspected or wanted persons and it is not unusual that passengers wishing to leave are prevented from leaving and told to refer to the security department. In general, the security checks at Tehran airport are still very strict and it is doubtful that anyone with a security record and convictions in Iran for political offences would be able to leave the country legally by air (ibid.).
- "Regarding punishment for corruption, the UNHCR official stated that 'border and airport officers who are caught red-handed at the time of taking bribes shall be subject to punishments that become more serious depending on the amount of the bribe' (31 Mar. 2006). For example, individuals found guilty of taking bribes of more than rials 1,000,000 (CAN\$128.18 [XE.com 3 Apr. 2006]) can be sentenced [to] 5 to 10 years in prison, fined an amount commensurate to the bribe received, be permanently banned from working for the government, and be subjected to 74 lashes (UNHCR 31 Mar. 2006).

“The International Narcotics Control Strategy Report 2006 reported, without providing details, that ‘punishment of corruption can be harsh’ (Mar. 2006).

“International and domestic sources have reported on the incidence of generalized corruption in Iran (TI 18 Oct. 2005; *ibid.* 7 Oct. 2003; INCSR 2006 Mar. 2006; *Iran Daily* 13 Apr. 2005). Transparency International’s Corruption Perceptions Index (CPI) score shows a slight increase in the perception of corruption in Iran from 2003 to 2005: Iran’s CPI was 3.0 (out of 10.0, which is the score representing the least corruption) and its overall country ranking was 78 (out of 133 countries) in 2003 (TI 7 Oct. 2003), whereas a CPI score of 2.9 and a country ranking of 88 (out of 158 countries) was recorded in 2005 (*ibid.* 18 Oct. 2005).

“The US Department of State’s International Narcotics Control Strategy Report 2006 noted that corruption in relation to drug trafficking is reportedly more serious than previously thought and that such corruption likely exists among lower to mid-level law enforcement authorities (Mar. 2006, Sec. III). The report also mentioned that cases of corruption were heard by the courts and received media attention, and that the government supports such ‘high-profile effort[s]’ to deter corruption (INCSR Mar. 2006, Sec. III).

“In April 2005, *Iran Daily* reported that economic corruption, specifically illegal smuggling of goods, had increased ‘in recent years,’ and outlined the government’s efforts to contain the problem, which include the drafting of legislative measures (13 Apr. 2005).” [2z] (p6)

- 18.04 The US State Department Country Report on Human Rights Practices 2008, Iran, released 25 February 2009 (USSD Report 2008) noted, in its introduction, that official corruption and a lack of government transparency existed; while, in section 1d, the report noted that corruption and impunity were problems amongst the security forces. [4a] “The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and official corruption remained a serious problem in all three branches of government, including the ‘bonyads’ (tax-exempt foundations designed for charitable activity that control consortia of substantial companies).” [4a] (Section 3)

See [Security forces](#) and [Forged and fraudulently obtained official documents](#)

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FREEDOM OF RELIGION

OVERVIEW

- 19.01 The Freedom House, *Freedom in the World 2009* report on Iran, published on 16 July 2009, reported that

“Religious freedom is limited in Iran, which is largely Shiite Muslim but includes Sunni Muslim, Baha’i, Christian, Jewish, and Zoroastrian minorities. Shiite clerics who dissent from the ruling establishment are frequently harassed. The Special Court of the Clergy investigates religious figures for alleged crimes and has generally been used to persecute clerics who stray from the official interpretation of Islam. Ayatollah Seyd Hussain Kazemeini Boroujerdi, a cleric who believes in separation of religion and politics, is currently serving 11 years in prison for his beliefs and has been unable to obtain treatment for his multiple ailments. Another reformist cleric, Hadi Qabel, was defrocked by the Special Court and sentenced to 40 months in jail beginning in April 2008 for his involvement with a reformist political party.” [112g]

- 19.02 The 2009 Annual Report of the United States Commission on International Religious Freedom (USCIRF), covering the period May 2008 to April 2009 and released on 1 May 2009, stated 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 inherently discriminates against its citizens on the basis of religion or belief. Over the past few years, the Iranian government’s poor religious freedom record has deteriorated, especially for religious minorities and in particular for Baha’is as well as Sufi Muslims and Evangelical Christians, including intensified physical attacks, harassment, detention, arrests, and imprisonment. In September 2008, the Iranian parliament took further steps toward passing a revised penal code that would codify serious punishments, including the death penalty, on converts from Islam. Heightened anti-Semitism and repeated Holocaust denial threats and activities by senior government officials have increased fear among Iran’s Jewish community. Since the 1979 Iranian Revolution, significant numbers from religious minority communities have fled Iran for fear of persecution. Dissident Muslims also continue to be subject to abuse.” [88b]

- 19.03 The US State Department International Religious Freedom Report 2009, Iran, released on 26 October 2009, (USSD IRF Report 2009) covering the period 1 July 2008 to 30 June 2009, stated that:

“During the reporting period, respect for religious freedom in the country continued to deteriorate. Government rhetoric and actions created a threatening atmosphere for nearly all non-Shi’a religious groups, most notably for Baha’is, as well as Sufi Muslims, evangelical Christians, and members of the Jewish community. Reports of government imprisonment, harassment, intimidation, and discrimination based on religious beliefs continued during the reporting period. Baha’i religious groups reported arbitrary arrest and prolonged detention, expulsions from universities, and

confiscation of property. Government-controlled broadcast and print media intensified negative campaigns against religious minorities, particularly the Baha'is, during the reporting period. All non-Shi'a religious minorities suffered varying degrees of officially sanctioned discrimination, particularly in the areas of employment, education, and housing.

"Although the Constitution gives Christians, Jews, and Zoroastrians the status of 'protected' religious minorities, in practice non-Shi'a Muslims faced substantial societal discrimination, and government actions continued to support elements of society who created a threatening atmosphere for some religious minorities." [4b]

19.04 The USSD IRF Report 2009 also stated that:

"The Constitution states that Islam is the official state religion, and the doctrine followed is that of Ja'afari (Twelver) Shi'ism. The Constitution provides that 'other Islamic denominations are to be accorded full respect,' while the country's pre-Islamic religious groups – Zoroastrians, Christians, and Jews – are recognized as 'protected' religious minorities. However, Article 4 of the Constitution states that all laws and regulations must be based on Islamic criteria. In practice, the Government severely restricted freedom of religion." [4b]

19.05 The same report further stated:

"Members of religious minorities, excluding Sunni Muslims, are prevented from serving in the judiciary and security services and from becoming public school principals. Applicants for public sector employment are screened for their adherence to and knowledge of Islam, although members of religious minorities could serve in lower ranks of government employment, with the exception of Baha'is. However, government workers who do not observe Islam's principles and rules are subject to penalties." [4e] (Section II)

19.06 The US State Department Country Report on Human Rights Practices 2008, released on 25 February 2009 (USSD Report 2008), stated that:

"All religious minorities suffered varying degrees of officially sanctioned discrimination, particularly in employment, education, and housing. In 2006 the UNSR for adequate housing visited the country and reported that rural land, particularly that belonging to minorities including Baha'is, was expropriated for government use, and owners were not fairly compensated. Inheritance laws favored Muslims over non-Muslims. With the exception of Baha'is, the government allowed recognized religious minorities to conduct religious education of their adherents, although it restricted this right considerably in some cases. The law required all Muslim students to take Islamic studies courses." [4a] (Section 2c) "

19.07 The Landinfo report, Christians and converts in Iran, dated 10 June 2009 (Landinfo Report 2009) noted that:

"After Mahmoud Ahmadinejad was elected president in 2005, the situation for everyone who can be suspected of being in opposition to the regime has deteriorated. Human rights advocates (lawyers, women's rights activists and journalists), students, Kurdish activists, intellectuals, the organised political opposition and trade union leaders have all felt the stricter limits of the

authorities' tolerance, among other things in the form of harassment, arrests, political trials and harsh sentences. Religious minorities have also experienced a general worsening of the political climate. This has affected adherents of Baha'i in particular, while Jews have increasingly been on the receiving end of the president's verbal tirades and threatening rhetoric (US Department of State 2008)". [33a] (p12)

19.08 The Landinfo Report 2009 also observed that:

"Iranian religious tradition differentiates between offences committed in the public domain and that which takes place within the confines of privacy. Offences that are in violation of Islam and that are committed in the public domain must be punished, while what takes place in the private sphere, and is thereby concealed, is tolerated to a greater extent. This can include, for example, drinking of alcohol, prohibited sexual relations, use of illegal films, books, music and religious practice. Irrespective of their ethnic and religious background, very many Iranians in practice live two lives, one in the public domain and another in private. As long as the private sphere remains private and Islamic rules and values are not visibly challenged or violated, the Iranian authorities will not normally intervene in citizens' private sphere.

"All non-Muslim minorities generally maintain a low profile in public as regards religious affiliation. As long as they follow the rules, minorities can practise their religion without being in the authorities' spotlight because this constitutes lawful and socially acceptable behaviour." [33a] (p10-11)

See [Recent developments](#) and [Latest news](#)

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Religious demography

19.09 The USSD IRF Report 2009, released on 26 October 2009, stated that:

"The country has an area of 631,000 square miles and a population of 70 million. The population is 98 percent Muslim--89 percent is Shi'a and 9 percent Sunni (mostly Turkmen and Arabs, Baluchs, and Kurds living in the southwest, southeast, and northwest respectively). There are no official statistics available on the size of the Sufi Muslim population; however, some reports estimate between two and five million persons practice Sufism in the country. Non-Muslims are estimated to account for 2 percent of the population.

"Recent unofficial estimates from religious organizations claim that Baha'is, Jews, Christians, Sabean-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 vary from 20,000 to 25,000.

"According to U.N. figures, 300,000 Christians live in the country, the majority of whom are ethnic Armenians. Unofficial estimates for the Assyrian Christian population range between 10,000 and 20,000. There are also Protestant denominations, including evangelical religious 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. Sabean-Mandaeans number 5,000 to 10,000 persons. The Government regards the Sabean-Mandaeans as Christians, and they are included among the three recognized religious minorities; however, Sabean-Mandaeans do not consider themselves Christians. The Government estimates there are 30,000 to 35,000 Zoroastrians, a primarily ethnic Persian minority; however, Zoroastrian groups claim to have 60,000 adherents. There are indications that members of all religious minorities are emigrating at a high rate, although it is unclear if the reasons for emigration are religious or related to overall poor economic conditions.” [4b] (Section I)

LEGAL FRAMEWORK

- 19.10 The UN Secretary-General’s *Report on the situation of human rights in Iran*, dated 23 September 2009, noted that:

“The Iranian Constitution explicitly declares Islam to be the State Religion but contains two important provisions concerning religious minorities. Article 13 states that Zoroastrian, Jewish and Christian Iranians are the only recognized religious minorities who are free to perform their religious rites and ceremonies, within the limits of the law, and to act according to their own canon in matters of personal affairs and religious education. 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

- 19.11 The 2009 Annual Report of the USCIRF 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. Members of these groups are subject to legal and other forms of discrimination, particularly in education, government jobs and services, and the armed services. 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.” [88b]

- 19.12 The USSD IRF Report 2009 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 5 of a total 290 seats in the Majles are reserved for religious minorities. Three of these seats are reserved for members of Christian religious groups, including two seats for Armenian Christians and one for Assyrian Christians. There is also one seat to represent Jews and one to represent 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. Members of religious minorities are allowed to vote; however, no member of a religious minority, including Sunni Muslims, is eligible to be president...

"The Ministry of Islamic Culture and Guidance (Ershad) and the Ministry of Intelligence and Security (MOIS) monitored religious activity closely. Members of recognized religious minorities were not required to register with the Government; however, their communal, religious, and cultural events and organizations, including schools, were monitored closely. Registration of Baha'is was a police function during the reporting period. The Government also required evangelical Christian groups to compile and submit membership lists for their congregations." [4b] (Section II)

APOSTASY (CONVERSION FROM ISLAM)

- 19.13 The Landinfo report, Christians and converts in Iran, dated 10 June 2009 (Landinfo Report 2009) observed that

"Conversion in a Muslim context is related to the question of apostasy – the renunciation of Islam. Seen from a historical perspective and in a theoretical framework, according to traditional Islamic law, the world is divided into Dar-al-Islam, territory under Muslim rule, and Dar-al-Harb, territory at war with Muslims. Consequently, conversion is primarily renunciation of Muslim unity and, in Muslim history, it has been compared with high treason or associated with political rebellion or opposition. This thinking also explains why Christian evangelical work aimed at Muslims is either prohibited or subject to strong restrictions in the vast majority of Muslim countries." [33a] (p8)

- 19.14 The same report stated, in relation to Iranian law, that:

"Apostasy is not regulated directly in the current Iranian penal code. Apostasy is considered in relation to traditional Islamic law and legal interpretations from religious authorities. The interpretations have legal authority as law. The chief characteristic of Shi'a law is the authority and competence it assigns to the Imams, i.e. the successors of and stand-ins for the founder Ali, who was the Prophet Muhammad's cousin and son-in-law." [33a] (p9)

- 19.15 The Advisory Panel on Country Information (APCI) review of the COI Service's Iran COI Report of Augst 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)

Law on apostasy

19.16 The 2009 Annual Report of the USCIRF stated that:

“In early 2008, the Iranian parliament began considering a new law that would impose serious punishments, including the death penalty, on converts from Islam. In September 2008, a committee in the Majlis approved advancing the amended language on apostasy, which could be passed by the full Majlis in the near future. Although the Iranian government has in the past applied the death penalty for apostasy under Islamic law, it has not been explicitly codified. If the proposed law is passed, it would further endanger the lives of all converts from Islam, particularly members of the Baha’i faith, who are already considered apostates, even if they are fourth- or fifth-generation Baha’i adherents.” [88b]

19.17 The Landinfo Report 2009 stated that “In the draft of the new Iranian penal code, a new provision is proposed that expressly prohibits renunciation of Islam. The draft bill has been under consideration for several years, and was adopted by parliament in October 2008. The draft has not yet been adopted by the Council of Guardians, which is necessary for a new penal code to enter into force.” [33a] (p9)

19.18 Regarding the draft bill, the FIDH report Iran/Death Penalty: a State Terror Policy, dated 28 April 2009, stated that:

“Apostasy, heresy & witchcraft: Articles 225-1 through 225-14 of the bill discuss these topics. An apostate is any Moslem who denies Islam and converts to infidelity. There are two types of apostates. An innate apostate is a person born to Moslem parents and therefore a Moslem. A parental apostate is a person born to non-Moslem parents, who converts to Islam after maturity and later denies Islam. The punishment is death in both cases, though the latter shall be given three days to repent, in which case he shall escape death. The related provisions enforce ‘positive’ discrimination for female apostates, who shall be given life imprisonment in both cases.

“This provision has for the first time introduced the crime of apostasy in the penal code. The applicable laws do not contain any provisions on apostasy. Nevertheless, this exclusion did not prevent the execution of a large number of members of opposition groups on charges of apostasy or atheism in both 1981 and 1988.” [56i]

19.19 The FIDH report added: “The draft bill’s definitions of an apostate as well as the pertaining punishments have been taken from that book [Ayatollah Khomeini’s book, *Tahrir ul-Vassileh*], as have many other definitions and punishments.” [56i]

19.20 A *Daily Telegraph* article dated 11 October 2008 stated that the Iranian parliament had voted in favour of the draft Penal Code bill which would codify the death penalty for male apostates and life imprisonment for female apostates. The article also noted that the draft bill contradicted Article 23 of Iran’s own constitution, “...which states that no one may be molested simply

for his beliefs.” It was reported that the new law is not yet in force because it requires another vote in parliament, and then the signature of the Ayatollah. [134a]

19.21 On 26 June 2009 Christian Solidarity Worldwide reported that:

“A decision has been made by the Iranian Government’s Parliamentary Committee to remove articles stipulating the death penalty for apostasy from the Islamic Penal Code Bill.

“Ali Shahrokhi of the Legal and Judicial Committee of the Parliament reportedly told the Iranian state news agency (IRNA) of this pronouncement according to a BBC Persian news service report on 23 June. Mr Shahrokhi also stated that stoning was not ‘in the interest of the regime’. He told IRNA that ‘Islam has set a strict set of conditions for the implementation of punishments such as stoning, that they can rarely be proven. Hence the legal and judicial commission members concluded that some of these laws are unnecessary to mention.’...

“The bill’s initial approval has been strongly condemned by the international community. The Islamic Penal Code bill will now be sent to the Iranian Parliament for a final vote before its review by the Guardian Council.” [116c]

19.22 At the time of writing of the COI Report the Islamic Penal Code bill had not passed into law.

See also [Penal Code](#)

Prosecution of apostates

19.23 The USSD Report 2008 noted that “Apostasy was punishable by death according to Shari’a law. There were no reported instances of the death penalty being applied for apostasy during the year.” [4a] (Section 2c) On the prosecution of apostates the Landinfo Report 2009 noted:

“In practice, it is very rare for anyone to be convicted of apostasy. The last time this happened was in 1990, when a priest was executed for apostasy, evangelisation and US espionage (*Telegraph* 2008). However, three priests (two of them converts) were kidnapped and killed by unknown perpetrators in 1994 (Landinfo 2006). In 2004, a pastor who had converted to Christianity in 1980 was arrested in connection with a Christian conference. The pastor, a colonel in the army, was tried for apostasy but acquitted (Norwegian Mission to the East, 2005). However, he was convicted of violating military law because he had kept his Christian faith hidden from his superiors. Pursuant to the law, only Muslims can become officers in the Iranian armed forces. The man was sentenced to three years imprisonment and his pension rights were revoked. In 2005, another pastor was stabbed with a knife on the street by unknown perpetrators. The pastor died from his injuries.” [33a] (p12)

19.24 However the government’s attitude to apostasy may be changing (see also Overview above for information about the Government’s hardening stance towards perceived opposition groups). The APCI Report 2008 stated 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) While the USSD 2008 Report noted that: “Proselytizing of Muslims by non-Muslims was illegal. The authorities have been increasingly vigilant in recent years in curbing proselytizing activities by evangelical Christians.” [4a] (Section 2c)

- 19.25 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.” [56i]

- 19.26 However, the above cases could be considered to be based on heresy charges as the FIDH report observed that:

“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. While Christianity, Judaism and the Zoroastrianism are recognised under the Constitution, this provision seems to be directed at followers of the Baha’i minority, who have suffered ongoing persecution since the 1979 revolution.” [56i]

- 19.27 The CSW July 2008 Iran Profile states that verdicts stipulating the death penalty for apostasy are rarely, if ever, carried out but that 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]

See also [Christians](#) and [Baha’is](#) below

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SUNNI MUSLIMS

- 19.28 The 2009 Annual Report of the USCIRF stated that:

“Muslim minorities continue to face repression. Some Iranian Sunni leaders have reported widespread abuses and restrictions on their religious practice, including detentions and torture of Sunni clerics, as well as bans on Sunni teachings in public schools and Sunni religious literature, even in predominantly Sunni areas. Sufi and Sunni Muslim leaders are regularly intimidated and harassed by intelligence and security services and report widespread official discrimination. The Sunni community still has not been

able to build a mosque in Tehran. Also, there have been allegations that the Iranian government discriminates against the Sunni community in government employment, particularly leadership positions in the executive and judicial branches.” [88b]

- 19.29 Sunnis are an officially recognised minority, the largest in Iran. Their historical-religious characteristics separate them from other followers of non-Shi’a religions. The Sunni minority is concentrated in specific geographic areas (the northwestern and southeastern provinces) and has different ethnic origins (Kurdish, Baluchi, etc.) compared to the Shi’a majority. The Sunni Kurds and the Sunni Baluchis are concurrently victimised by two forms of discrimination, ethnic and religious. (Freedom House, 27 March 2008) [112b]

- 19.30 The Freedom House, *Freedom in the World 2009* report on Iran, covering events in 2008, 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 late December 2008, a suicide bomber drove into the headquarters of security forces in Saravan, killing 4 people and wounding 12 others. The Sunni militant group Jundallah allegedly claimed responsibility for the attack, and Iranian authorities accuse the U.S. and Britain of supporting the group.” [112g]

- 19.31 The USSD IRF Report 2009 stated that:

“Many Sunnis claimed that the Government discriminated against them. However, it is 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 Sunni mosque in Tehran, despite the presence of more than one million adherents there, as a prominent example. Sunni leaders reported bans on Sunni religious literature and teachings in public schools, even in predominantly Sunni areas. Human rights organizations reported that the Government demolished several Sunni mosques during the reporting period. Sunnis also noted the underrepresentation of Sunnis in government-appointed positions in the provinces where they form a majority, such as Kurdistan and Khuzestan Provinces, as well as their inability to obtain senior governmental positions.

“Sunni Majles representatives asserted that government discrimination led to the lack of Sunni presence in the executive and judicial branches, especially in higher-ranking positions in embassies, universities, and other institutions, as well as anti-Sunni propaganda in the mass media, including books and other publications.” [4b] (Section II)

- 19.32 The Human Rights Watch 2009 report, released 15 January 2009, stated:

“On September 30, Molavi Abdolhamid, one of the most prominent Sunni clerics in Iran, said that if the government failed to address the problems of the Sunni community, including discrimination, its members would be unlikely to participate in the presidential election in 2009. The 2008 execution of two Sunni clerics in Zahedan, the assassination of two Sunni clerics in Kurdistan, the destruction of the Abu-Hanifeh Sunni religious school near Zahedan, and the arrest of 11 Sunni clerics who protested

against this assault, coupled with systematic efforts to remove Sunni citizens from governmental positions, the army, and the police force, are among the major criticisms Abdolhamid leveled against the government.” [8f]

See also [Kurds](#)

CHRISTIANS

19.33 The 2009 Annual Report of the USCIRF stated that:

“Christians in Iran, in particular Evangelical and other Protestants, continue to be subject to harassment, arrests, close surveillance, and imprisonment; many are reported to have fled the country in recent years. Iranian President Mahmoud Ahmadinejad reportedly has called for an end to the development of Christianity in Iran. Over the past few years, there have been several incidents of Iranian authorities raiding church services, detaining worshippers and church leaders, and harassing and threatening church members. According to advocacy and human rights organizations, dozens of house church leaders were arrested and interrogated in the past year for engaging in religious activities in their homes. One group reported that approximately 73 Christians were arrested in 2008 on account of their religion, although most were released after short-term detentions. It is a common practice, particularly in cases involving offenses based on religious belief, for Iranian authorities to release prisoners but to leave the charges against them or their convictions in place in order to be able to threaten them with reimprisonment at any future time.” [88b]

19.34 The Christian Solidarity Worldwide (CSW) July 2008 Iran Profile stated that Armenian, Assyrian and Chaldean Christians enjoy official recognition as ethnic and religious minorities but suffer limitations and discrimination in terms of access to education, government and army positions. [116a] CSW also reported in its undated profile of Iran, accessed 15 June 2009:

“Churches and Christian training centers are routinely monitored and there has been widespread closure of these institutions by the Ministry of Islamic Guidance (MIG), forcing many churches to go underground. The Armenian and Assyrian churches have been allowed to stay open because their services are conducted in the Armenian/Assyrian languages and because they have agreed to the government’s demands forbidding Muslims and Muslim converts from attending the church services and refraining from evangelism.” [116b]

19.35 The USSD IRF Report 2009 stated that:

“Christians, particularly evangelicals, continued to be subject to harassment and close surveillance. During the reporting period, the Government vigilantly 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. Members of evangelical congregations were required to carry membership cards, photocopies of which must 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.”
[4b] (Section II)

19.36 The same report included details of four reported incidents against the Christian community during the period 1 July 2008 to 30 June 2009. [4b] Further details may be found in Section II of the [USSD IRF 2009 report](#).

19.37 The Landinfo Report 2009 stated that:

“Problems with the authorities primarily arise in relation to outgoing and evangelical activity aimed at Muslims. All Christians (whether born Christians or converts) who evangelise in relation to Muslims and, for example, hand out Christian literature risk problems in the workplace and in the local community. If the matter is reported, the person in question risks being tried on serious charges... According to church leaders, it is only rarely that ordinary members have experienced problems obtaining a job, gaining admission to university or obtaining a passport. Experience shows that it is primarily the leadership of the evangelical churches that are in the authorities’ spotlight and that the tolerance of the authorities ends with instances of open evangelising and – in some case – the ordination of priests. There are examples of converts who have enjoyed untroubled lives for many years only to experience problems with the authorities once they have been ordained as priests. In the 1990s, several cases of this kind were resolved by means of a discreet agreement between the churches involved and certain Western embassies that granted visas. The Iranian authorities did nothing to prevent this and allowed those involved to leave Iran lawfully with their families.

“Striking a balance between the desire to evangelise and the authorities’ demands is difficult for leaders of the ‘convert churches’. They have doubtlessly experienced considerable problems at times because they have refused to accept that Iran is an Islamic Republic where Christian evangelisation is prohibited and where changing religion is only permitted if one converts to Islam. This has given rise to difficulties in relation to other churches who discourage or dislike evangelisation and who fear that it may have consequences for other Christians. But the biggest problem has undoubtedly been that the Iranian authorities have at times subjected the churches’ leadership to strong and prolonged pressure in order to get them to close their church doors to Muslims, to not establish ‘home churches’ and end evangelisation.

“Experience shows that the authorities have used Islamic law as a threat. Recalcitrant church leaders have been confronted with the fact that the authorities can prosecute them if they so wish. Church leaders have been threatened with the police not being able to protect them from ‘extreme Islamic groups’ if they fail to comply with the authorities’ demands. Arrests of church leaders for short periods, threats during interrogation, raids, seizures of internal documents and warnings have all taken place on occasion. The last major campaign by the Iranian authorities against church leaders in Tehran was in 2004. Since then, the churches in Tehran have maintained a low profile and behaved more in accordance with the authorities’ demands. Church leaders have also stated on several occasions that the authorities monitor all activity and know the identity of all members and others with looser ties to the churches.” [33a] (p11-12)

Converts to Christianity

- 19.38 The Christian Solidarity Worldwide (CSW) July 2008 Religious Freedom Profile for Iran stated:

“Muslim converts to Christianity are still the most vulnerable among the Christian community in Iran. However, the death penalty is not applied and there are vibrant house and public churches that are mostly formed by converts. Even though converts are able to continue their faith and meet with others, converts who are in leadership positions and lead Christian ministries face serious risk of detention, intimidation, imprisonment and extra-judicial physical harm.” [116a]

- 19.39 An Amnesty International public statement dated 31 May 2008 observed:

“Although Christianity is a recognized religion in Iran, evangelical Christians, some of whom have converted from Islam, often face harassment by the authorities. Converts from Islam risk arrest, attack or the death penalty. Conversion from Islam (apostasy) is forbidden under Islamic law, which requires apostates to be put to death if they refuse to go back to Islam. There is no specific provision in the Iranian Penal Code for apostasy, but judges are required to use their knowledge of Islamic law to rule on cases where no specific legislation exists in the Penal Code.” [9x]

See section on the [Law on apostasy](#) above for details of developments regarding proposed amendments to the penal code.

- 19.40 The CSW July 2008 Religious Freedom Profile for Iran noted that:

“The persecution of Muslim converts to Christianity has re-escalated since 2005. The Iranian police continue to detain apostates for brief periods and pressurise them to recant their Christian faith and to 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]

- 19.41 The Landinfo Report 2009 noted that: “In practice, Iranian Muslims who convert to Christianity largely live in the same way as those who are born to Christian parents. However, it is a precondition for avoiding problems that converts behave discreetly, allow religious practice to take place within the confines of the religious community and otherwise treat their faith as a private matter, which most of them do.” [33a] (p11)

- 19.42 The USSD IRF Report 2009 included details of six reported incidents against Christian converts during the period 1 July 2008 to 30 June 2009. [4b] Further details of these may be found in Section II of the [USSD IRF 2009 report](#)

See also [Apostasy \(conversion from Islam\)](#)

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JEWS

19.43 The 2009 Annual Report of the USCIRF stated that:

“Official policies promoting anti-Semitism are on the rise in Iran, though members of the Jewish community have usually been targeted on the basis of ‘ties to Israel’ whether real or perceived. President Ahmadinejad and other top political and clerical leaders have made public remarks in the past year denying the event of the Holocaust and calling for the elimination of the state of Israel. In 2008, there was a rise in officially sanctioned anti-Semitic propaganda, involving official statements, media outlets, publications, and books; anti-Semitic editorial cartoons depicting demonic and stereotypical images of Jews, along with Jewish symbols, were also published in the past year.” [88b]

19.44 The USSD IRF Report 2009 stated that:

“While the Government recognizes Judaism as an official religious minority, the Jewish community experienced official discrimination. The Government continued to sanction anti-Semitic propaganda involving 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 support Zionism and the state of Israel, continued to create a hostile atmosphere for Jews. The rhetorical attacks also further blurred the line between Zionism, Judaism, and Israel and contributed to increased concerns about the future security of the Jewish community.

“President Mahmoud Ahmadinejad continued a virulent anti-Semitic campaign. During the reporting period, the President publicly stated in news conferences that the Zionists infiltrated the world and must be stopped and destroyed, together with Israel.

“President Ahmadinejad continued to regularly question the existence and the scope of the Holocaust, which created a more hostile environment for the Jewish community. At a January 2009 speech at Sharif University in Tehran, the President alleged that the ‘Holocaust discourse’ was created to expand ‘Zionist command over centers of power, wealth, and the world media.’

“The Government promoted and condoned anti-Semitism in state media; however, with some exceptions, there was little government restriction of, or interference with, Jewish religious practice. The Government reportedly allowed Hebrew instruction but limited the distribution of Hebrew texts, particularly nonreligious texts, making it difficult to teach the language. Moreover, the Government required that in conformity with the schedule of other schools, Jewish schools must remain open on Saturdays, which violates Jewish law.

“Jewish citizens were free to travel out of the country but were subject to the general restriction against travel by the country's citizens to Israel. This restriction, however, was not enforced.” [4b] (Section II)

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ZOROASTRIANS

- 19.45 The BBC News website, accessed on 30 November 2009, 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." [21o]
- 19.46 *Time* magazine reported on 9 December 2008 that:
- "According to Parva Namiranian, a Zoroastrian medical student at Tehran University, the community in Iran preserves its identity by learning the Persian poetry of the Shah Nameh and holding religious classes and celebrations. She says Zoroastrians are accepted in Iran because they 'represent a proud history' and all Iranians, regardless of religion, enjoy celebrating the Zoroastrian New Year, Nowruz, because it's an excuse to buy clothes and eat sweets. Mehraban Firouzgary, the head priest in the Zoroastrian temple in Tehran, agrees that most Iranians regard the Zoroastrian minority favorably, but he worries about the community's survival. 'Zoroastrians have lived in Iran for over 3,000 years,' he says, 'but there are so few left today.'" [14a]
- 19.47 Regarding converts to Zoroastrianism, the same article added:
- "Despite their shrinking population, Zoroastrians remain fiercely divided over whether to recognize interfaith families, let alone accept non-generational Zoroastrians. Tens of thousands fled Persia during the Islamic incursions in the 10th Century and were granted refuge in India under the condition they did not marry outside their faith or proselytize to the Hindu majority. Ramiyar P. Karanjia, principal of a Zoroastrian religious school in Mumbai, India, insists, 'Conversion is not part of our religion.' Yet, in India, home to the majority of Zoroastrians, the community is declining by about 10% every decennial census, according to a report released by UNESCO. Today, Zoroastrians remain a tight-knit and self-secluded community that strongly encourages marriage within the faith." [14a]
- 19.48 The CSW July 2008 Iran Profile notes that Zoroastrians have difficulties in accessing employment in the public sector. [116a]

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SABEAN MANDAEANS

- 19.49 The USSD IRF Report 2009 stated that "Sabeen-Mandaeans number 5,000 to 10,000. The Government regards Sabeen-Mandaeans as Christians, and they are included among the three recognized religious minorities; however, Sabeen-Mandaeans do not consider themselves Christians." [4e] (Section I)
- 19.50 The USSD IRF Report 2009 stated that "The Sabeen-Mandaean religious community reportedly faced harassment and repression by authorities similar to that faced by other religious minorities. The Government often denied members of the Sabeen-Mandaean community access to higher education." [4b] (Section II) The 2009 Annual Report of the USCIRF stated that harassment and repression by authorities generally had intensified over

the past few years. "There were reports that members of the Sabeen Mandaean community experienced societal discrimination and pressure to convert to Islam..." [88b] (p48)

BAHA'IS

- 19.51 The FIDH report Iran/Death Penalty: a State Terror Policy dated 28 April 2009, noted that:

"The Baha'i faith is regarded as the most dangerous form of apostasy by IRI [Islamic Republic of Iran] authorities, one reason being that it originated in Iran in the nineteenth century. More importantly, however, is its contention that its founder was a messenger of God. Islam recognises that there have been divine religions before it such as Judaism and Christianity, but it holds Prophet Mohammad as the ultimate prophet of God and Islam as the ultimate divine religion. Others, such as Baha'ism, are man-made religions and thus tantamount to apostasy. As noted previously, both Ayatollah Khomeini's book, Tahrir ul-Vassileh, and the Constitution lay the ground for the persecution of the Bahai's as apostates." [56i]

- 19.52 The 2009 Annual Report of the USCIRF stated that:

"The Baha'i community has long been subject to particularly severe religious freedom violations in Iran. Baha'is, who number approximately 300,000, are viewed as 'heretics' by Iranian authorities, and may face repression on the grounds of apostasy. Since 1979, Iranian government authorities have executed more than 200 Baha'i leaders in Iran, and more than 10,000 have been dismissed from government and university jobs. Baha'is may not establish places of worship, schools, or any independent religious associations in Iran. In addition, Baha'is are barred from the military and denied government jobs and pensions as well as the right to inherit property, and their marriages and divorces are also not recognized. Baha'i cemeteries, holy places, and community properties are often seized or desecrated and many important religious sites have been destroyed." [88b]

- 19.53 The 2009 Annual Report of the USCIRF further noted that:

"In recent years, Baha'is in Iran have faced increasingly harsh treatment, including increasing numbers of arrests and detentions and violent attacks on private homes and personal property. Baha'i property has been confiscated or destroyed and dozens of Baha'is have been harassed, interrogated, detained, imprisoned, or physically attacked. In February 2009, a Baha'i cemetery in Semnan was desecrated, and in January, another Baha'i cemetery was destroyed in Ghaemshahr. Baha'i cemeteries also have been destroyed in Yazd and outside of Najafabad. In the past several years, a series of articles in the government-controlled newspaper Kayhan, whose managing editor is appointed by Supreme Leader Ayatollah Khamenei, have vilified and demonized the Baha'i faith and its community in Iran. Iranian authorities also have gone to great lengths to collect information on all members of the Baha'i community in Iran and to monitor their activities. In the past, waves of repression against Baha'is began with government orders to collect such information, and the latest 2006 directives have created a renewed sense of insecurity and heightened fear among Baha'i adherents.

“Nearly 200 Baha’is have been arbitrarily arrested since early 2005 and, at present, more than 30 Baha’is remain in prison on account of their religion or belief. Dozens are awaiting trial while others have been sentenced to prison terms ranging from 90 days to several years. All of those convicted are in the process of appealing the verdicts. Charges typically ranged from ‘causing anxiety in the minds of the public and of officials’ to ‘spreading propaganda against the regime.’ In March and May 2008, seven Baha’i leaders – Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm – were arrested and taken to the notorious Evin prison in Tehran. All are members of an informal Baha’i national coordinating group, known to the Iranian government, which was established to help meet the educational and social needs of the Baha’i community after the Iranian government banned all formal Baha’i activity in 1983. In February 2009, they were charged with espionage, ‘insulting religious sanctities,’ and ‘propaganda against the Islamic Republic’ - charges that could result in the death penalty. They have not had access to their legal counsel, Shirin Ebadi, the 2003 Nobel Laureate. Although statements by Iranian officials have suggested that a trial was imminent, no trial has yet taken place and a date is not known. In March and April 2009, several Baha’is were arrested in Yazd, Semnan, Sari, and Shiraz, some of whom remain in detention. In January, four Baha’is were arrested in Ghaemshahr after their homes were raided by Ministry of Intelligence officials. Also in January, at least six Baha’is were arrested in Tehran on charges of ‘insulting religious sanctities,’ including a woman who worked at a human rights organization connected with Ebadi; five were released in March, including one who worked for Ebadi’s center, which was closed by authorities in December 2008. In December 2008, at least eight Baha’is were arrested on Kish Island, including two persons visiting from Canada; their status is unknown.” [88b]

19.54 The USSD IRF Report 2009 stated that:

“Adherents of religious groups not recognized by the Constitution, such as the Baha’is, do not have freedom to practice their beliefs. The Government prohibits Baha’is from teaching and practicing their faith. Baha’is are barred from all leadership positions in the Government and military.

“The Government considers Baha’is to be apostates and defines the Baha’i Faith as a political ‘sect.’ The Ministry of Justice states that Baha’is are permitted to enroll in schools only if they do not identify themselves as such, and that Baha’is preferably should be enrolled in schools with a strong and imposing religious ideology. There were reports that Baha’i children in public schools faced attempts to convert them to Islam.

“After a brief policy change in 2007 allowing Baha’i students to enroll in universities, the Government reverted to its previous practice of requiring Baha’i students to identify themselves as a religion other than Baha’i in order to register for the entrance examination. This action precluded Baha’i enrollment in state-run universities, since a tenet of the Baha’i Faith is not to deny one’s faith. The Ministry of Justice states that Baha’is must be excluded or expelled from universities, either in the admission process or during the course of their studies, if their religious affiliation becomes known. University applicants are required to pass an examination in Islamic, Christian, or Jewish theology, but there was no test for the Baha’i theology.

"Baha'is are banned from the social pension system. In addition, Baha'is are regularly denied compensation for injury or criminal victimization and the right to inherit property. Baha'i marriages and divorces are not officially recognized, although the Government allows a civil attestation of marriage to serve as a marriage certificate.

"The Government allows recognized religious minorities to establish community centers and certain self-financed cultural, social, athletic, or charitable associations. However, the Government prohibited the Baha'i community from official assembly and from maintaining administrative institutions by closing any such institutions." [4b] (Section II)

19.55 The USSD IRF Report 2009 further stated:

"Broad restrictions on Baha'is severely undermined their ability to freely practice their faith and function as a community. Baha'i groups reported that the Government often denied applications for new or renewed business and trade licenses to Baha'is. The Government repeatedly pressured Baha'is to accept relief from mistreatment in exchange for recanting their religious beliefs. The Government prevented many Baha'is from leaving the country.

"Baha'is could not teach or practice their religious beliefs or maintain links with coreligionists abroad. Baha'is were often officially charged with 'espionage on behalf of Zionism,' in part due to the fact that the Baha'i world headquarters is located in Israel. These charges were more acute when Baha'is were caught communicating with or sending monetary contributions to the Baha'i headquarters.

"During the reporting period [1 July 2008 to 30 June 2009], Baha'is continued to face an increasing number of public attacks, including a series of negative and defamatory articles in Kayhan, a government-affiliated newspaper whose managing editor was appointed by Supreme Leader Ayatollah Khamene'i. The national daily newspaper Etemad and several provincial newspapers also published defamatory articles against Baha'is. The articles often accused Baha'i and Sunni Salafist groups of working together to undermine national security and to commit espionage on behalf of foreign governments. State-run media reported that on May 19, 2009 Majles member Hojjatoleslam Mohammad-Ebrahim Nekounam told a session of Parliament that Baha'ism was established to 'infiltrate Iran' and 'create divisions' among Muslims and that members of the Baha'i community throughout the country were working toward those goals. In February 2009 the semiofficial Fars News Agency reported that the Prosecutor General sent a letter to the Minister of Intelligence warning that Baha'is had 'extensive and established ties with the Zionist regime and their members try to collect information, carry out infiltration activities, and destroy people's belief in Islam.' During the reporting period, articles in the state-run media alleged that Baha'ism encourages its followers to commit incest with close family members...

"There were reports that the Government compiled a list of Baha'is and their trades and employment using information from the Association of Chambers of Commerce and related organizations, which are nominally independent bodies that are nonetheless heavily influenced by the Government." [4b] (Section II)

19.56 The USSD IRF Report 2009 continued:

“According to the National Spiritual Assembly of the Baha'is of the United States and other leading human rights organizations, more than 200 Baha'is have been killed since 1979, and 15 have disappeared and are presumed dead.

“Baha'i groups outside the country reported that government authorities increased their harassment and intimidation of the members of the Baha'i community during the reporting period [1 July 2008 to 30 June 2009].

“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 re-arrest at any time. Most were released only after paying large fines or posting high bails. For some, bail was in the form of deeds of property; others gained their release in exchange for personal guarantees or work licenses.

“At the end of June 2009, at least 20 to 30 Baha'is remained in detention because of their religious beliefs. The Government never formally charged many of the others but released them only after they posted bail.” [4b] (Section II)

The USSD IRF Report 2009 included reported incidents of arrests and detentions of Baha'is. [4b]

19.57 The USSD IRF Report 2009 stated that:

“The property rights of Baha'is were generally disregarded, and they suffered frequent government harassment and persecution. The Government raided Baha'i homes and businesses and confiscated large numbers of private and commercial properties, as well as religious materials, belonging to Baha'is. The Government reportedly seized numerous Baha'i homes and handed them over to an agency of Supreme Leader Khamene'i. The Government also seized private homes in which Baha'i youth classes were held, despite the owners' having proper ownership documents. The Baha'i community reported that the Government's seizure of Baha'i personal property and its denial of Baha'i access to education and employment was eroding the economic base of the community and threatening its survival. ” [4b] (Section II)

19.58 The USSD IRF Report 2009 stated that “Government officials reportedly offered Baha'is relief from mistreatment in exchange for recanting their religious affiliation, and if incarcerated, recanting their religious affiliation as a precondition for releasing them.” [4b] (Section II)

19.59 The USSD IRF Report 2009 stated that:

“Baha'is faced government-sanctioned discrimination in the workplace. Baha'i graveyards in Abadeh and other cities were desecrated, and the Government did not seek to identify or punish the perpetrators. Baha'i groups outside the country reported vandalism of Baha'i cemeteries, the

desecration of a body exhumed from a Baha'i grave in Abadeh, and attacks against a Baha'i cemetery in Najafabad. On October 23, 2008, individuals using a bulldozer desecrated a Baha'i cemetery in Darzikola.

"The car of Soheil Naeimi, a Baha'i, was burned in Rafsanjan in Kerman Province on July 25, 2008, after his family and ten other Baha'i families received threatening letters from a group calling itself the 'Anti-Baha'ism Movement of the Youth of Rafsanjan.' On July 18, 2008, a Baha'i family's home was burned to the ground in Kerman, according to the representative of the Baha'i International Community to the U.N. A building owned by a Baha'i couple was burned down in Tangriz in Fars Province on June 10, 2008. The family reportedly filed a formal criminal complaint, but authorities declined to pursue the case.

"There were reported problems for Baha'is in different trades around the country. Baha'is experienced an escalation of personal harassment, including receiving threatening notes, compact discs, text messages, and tracts. There were reported cases of Baha'i children being harassed in school and subjected to Islamic indoctrination. Baha'i girls were especially targeted by students and educators, with the intention of creating tension between parents and children.

"There was serious concern from several religious and human rights groups about the resurgence of the once banned Hojjiatiyeh Society, a secretive religious-economic group that was founded in 1953 to rid the country of the Baha'i Faith in order to hasten the return of the 12th Imam (the Mahdi). Although not a government organization, it was believed that many members of the administration were Hojjiatiyeh members and used their offices to advance the society's goals. However, it was unknown what role, if any, the group played in the arrests of numerous Baha'is during the reporting period. Many Baha'i human rights groups and news agencies described the goals of the Hojjiatiyeh Society as the eradication of the Baha'is, not just the Baha'i Faith. The group's anti-Baha'i orientation reportedly widened to encompass anti-Sunni and anti-Sufi activities as well." [4b] (Section III)

- 19.60 The Human Rights Watch World Report 2009, released 15 January 2009, recorded that "The government continues to deny Iran's Baha'i community permission to worship publicly or pursue religious activities." [8f]
- 19.61 The Minority Rights Group International 2009 Report, published on 16 July 2009, observed that the situation for Baha'is may be deteriorating "...as they face state-sponsored persecution, personal threats, restrictions on employment, expulsion from university and high school, and continued defamation in the media. In 2008 the government arrested more than a dozen leading Baha'is." [46c]
- 19.62 The April 2009 report published by the International Campaign for Human Rights in Iran concurred, stating that "Baha'is have come under increasing attack in recent months, with a number of them being arrested." [52b] (p5)
- 19.63 The UN Secretary-General's report dated 23 September 2009 stated:

"Reports continued to be received about members of the Baha'i community being subjected to arbitrary detention, confiscation of property and denial of

employment, Government benefits and access to higher education. A number of communications have been sent by various Special Rapporteurs and the independent expert on minority issues to the Government regarding the treatment of the Baha'i community. The United Nations High Commissioner for Human Rights wrote on numerous occasions to express concern and seek clarification about the status of seven members of the Baha'i faith who had been detained for more than a year...The seven have yet to be produced before a court and have been denied access to their lawyer. The High Commissioner and the Secretary-General remain concerned that the detention of those individuals may breach the obligations of the Islamic Republic of Iran under the International Covenant on Civil and Political Rights, in particular freedom of religion and belief and freedom of expression and association." [10g] (p13-14)

See [Apostasy \(conversion from Islam\)](#) above

SUFIS

- 19.64 A news article by Radio Free Europe/Radio Liberty dated 26 February 2009 stated that:

"The origins of Sufism are traced back to the beginnings of Islam and Sufis believe Prophet Muhammad was the first Sufi master. The Sufi tradition focuses on the inner and spiritual teachings of Islam that are included in the so-called Mecca verses of the Koran...Analysts say the current tensions between the Shiite Nematollahi Gonabadi Sufi order and the Iranian establishment is seen a result of the historical differences.

"The Nematollahi order is Iran's largest Sufi order, with reportedly over 2 million members across the country, including in major cities such as Tehran and Isfahan. Its members have come under increasing state pressure over the past four years; three of their houses of worship have been demolished. Officials accused the Sufis of not having building permits and of narcotics possession -- charges the Sufis reject. Dervishes [Sufis] say they're being targeted because of what they describe as the growing popularity of Sufism and also because they're considered a potential challenge to the power of Iran's clerical establishment. Some conservative clerics have called the Sufis a danger to Islam." [42s]

- 19.65 The 2009 Annual Report of the USCIRF stated that: "During the past year, arrests and harassment of Sufis increased significantly." [88b] The Freedom House, *Freedom in the World Report 2009* stated that "Sufi Muslims have ... faced persecution by the Iranian authorities." [112g]

- 19.66 The 2009 Annual Report of the USCIRF added that: "During the past year, there were numerous reports of Shi'a clerics and prayer leaders, particularly in Qom, denouncing Sufism and the activities of Sufi Muslims in the country in both sermons and public statements. In addition, there were reports that the government is considering banning Sufism outright." [88b]

- 19.67 The USSD IRF Report 2009 stated that:

"Sufis within the country, Sufi organizations outside the country, as well as numerous human rights organizations, remained extremely concerned about growing government repression of Sufi communities and religious practices,

including increased harassment and intimidation of prominent Sufi leaders by the intelligence and security services. Government restrictions on Sufi groups and houses of worship (husseiniya) became more pronounced in recent reporting periods. There were numerous reports of Shi'a clerics and prayer leaders denouncing Sufism and the activities of Sufis in the country in both sermons and public statements.” [4b] (Section II)

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ETHNIC GROUPS

OVERVIEW

- 20.01 The International Federation for Human Rights (FIDH) report *Iran/Death Penalty: a State Terror Policy*, dated 28 April 2009, stated that:

“There are a number of ethnic groups in Iran. Speakers of Persian and its various dialects are the largest ethnic group, forming about 50 per cent of the population by some accounts. Next to them, the most populous ethnic group is the Azerbaijani Turks (over 25% of the population), Kurds (7-10%), Arabs (2%), Baluchis (2%) and the Turkmens (more than 1%).

“The Constitution stipulates that Persian, or Farsi as it is called in Iran, is the official language. It also allows the use of ethnic and local languages in the media and the teaching of their literature in schools alongside the Persian language (Article 15). The reality, however, is that various ethnic groups have consistently complained of the violations of their rights. 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.” [56i]

- 20.02 The Minority Rights Group (MRG) International report, *Peoples Under Threat 2009*, published on 16 July 2009 rated Arabs, Azeris, Baha'is, Baluchis, Kurds and Turkomans in Iran among those groups around the world “...most at risk of genocide, mass killing or other systematic violent repression.” The ranking is based on a basket of 10 indicators, including those for “democracy or good governance... conflict... group division or elite factionalization... prior genocides and politicides... and the country credit risk classification.” Iran is ranked 14th out of the 20 ranked countries (1st place being the country where minorities are most at risk), [46b] down from 12th place in the MRG 2008 report [46a].

See also [Exit and Return](#) for details of possible discrimination faced by ethnic minorities wishing to leave Iran.

KURDS

- 20.03 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 Kurdish population is one of the largest ethnic minority groups in Iran. The number of Kurds in the country varies considerably according to the available sources. The estimate ranges from five to twelve million people out of a total Iranian population of an estimated 70.5 million. The vast majority of the Kurds in Iran live in the mountainous region of Western Iran from the Turkish and Iraqi borders in the west to Lake Urumieh in the north east. The area covers approximately 95,000 square kilometres.

“The only province that is governmentally recognised as Kurdish is the province of Kurdistan. However, the area that is often called Iranian Kurdistan extends from Kurdistan province in the central area to Western Azerbaijan province in the north and Kermanshah province in the southern area.

“The area of Iranian Kurdistan consists of mountains, plains, villages and large urban centres. The Kurdish population are mainly situated in and around the big cities of Kermanshah, Sanandaj and Mahabad.

“The economic environment in Iranian Kurdistan varies. Kurds living in the Zagros mountain range mainly rely on pastoral farming and herding in a modified tribal economic set-up. The Kurds of the plains often live in villages and rely on agriculture and, to a smaller extent, on pastoral farming. The main crops of this region are tobacco, barley, rice and wheat. Kurds living in urban settings are mainly occupied as teachers, traders and shopkeepers. Of course some Kurds may also be working in other sectors; however, Kurds will not be working in high levels of government.” [86b]

- 20.04 The Amnesty International report *Iran: Human rights abuses against the Kurdish minority*, dated July 2008, added that:

“... They live mainly in the provinces of West Azerbaijan, Kordestan, Kermanshah and Ilam in the west and south-west of the country, although many have moved to the big cities such as Tehran. Sanandaj is the administrative centre of Kordestan. There is also a community of Kurds in North Khorasan province in northeastern Iran.

“The Kurdish language is divided into two main dialects: Sorani and Kurmanji. Smaller communities of Gorani and other Kurdish-dialect speakers are present in Iran. Most Kurds are Sunni Muslims, although a minority are Shi’a. Some are Yazidi, a religion with pre-Islamic roots, while others are Baha’i, Ahl-e Haq and followers of the Qaderi and Naqshbandi schools of Sufism.” [9e]

- 20.05 Sorani Kurdish is spoken by Iraqi Kurds living south of the Greater Zab, and by the Iranian Kurds living in Kordestan Province. Sorani Kurdish is typically written in a modified Arabic script; such modern literature as exists in Kurdish is usually in Sorani, because there has been more opportunity to publish in Iraq than in other countries in recent times. (Centre for Applied Linguistics, 18 February 2004) [23a]

- 20.06 The FIDH report *Iran/Death Penalty: a State Terror Policy*, dated 28 April 2009 (FIDH Report 2009) stated that “The nationalist movement has been strong in the Kurdish provinces of Iran for many years. Some Kurdish groups have been fighting the central government in Iran since 1979 and the demand for regional autonomy is strong; they have thus suffered the highest number of casualties in comparison with other ethnic groups.” [56i]

- 20.07 The FIDH Report 2009, added that:

“While a number of Kurdish opposition leaders lost their lives in the course of extrajudicial executions abroad, cultural activists and journalists are also

subjected to harsh repression. Many have been condemned to prison sentences, and some of them have been condemned to death.

“Adnan Hassanpoor, a journalist and Kurdish cultural activist, was arrested in January 2007. His friend and cousin, Abdolwahed (Hiwa) Butimar, an environmentalist, was arrested in December 2006. They were both sentenced to death in June 2007 on charge of fighting God (moharebeh) after spending several months incommunicado. Since then, their death sentences have been upheld twice. However, the death sentence on Hassanpoor was repealed in late September 2008. The death sentence on Butimar remains in place.

“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.

“A list of 68 Kurdish political prisoners detained in various prisons, published in September 2008 by Kurdish groups, that did not include Butimar and Kamanger, indicated that at least four of them were facing the death sentence, while information about sentences of some others was not available.” [56i]

- 20.08 The Human Rights Watch World Report 2009, released 15 January 2009, stated that: “In the northwestern provinces of Azerbaijan and Kurdistan, the government restricts cultural and political activities by the Azerbaijani and Kurdish populations, including the operation of NGOs that focus on social issues.” [8f]

- 20.09 The Amnesty International report *Iran: Human rights abuses against the Kurdish minority*, dated July 2008, stated that:

“A key moment for Kurdish activists in recent times was in July 2005, when Iranian security officials shot dead Kurdish opposition leader Shawan Qaderi and two other men in Mahabad. The security forces tied Shawan Qaderi’s body to a jeep and dragged the corpse through the streets. This sparked violent protests that shattered years of relative peace in Kordestan. The protests also marked the start of a new wave of state repression against Kurds in which those who spoke up for Kurdish rights were targeted.” [9e]

- 20.10 Amnesty International in their 2009 Annual Report, released in May 2009, covering events in 2008, (AI Report 2009) stated that:

“Members of the armed group, Party for a Free Life in Kurdistan, known by its Kurdish acronym PJAK, continued to attack Iranian forces. Many Kurds who were detained faced charges of membership or support of PJAK or other groups. Some, like teacher Farzad Kamangar, who denied the charge and was tortured, were sentenced to death following unfair trials.

“Proponents of greater recognition of the Kurdish language and cultural and other rights were arrested and imprisoned after unfair trials.

“The authorities failed to take adequate steps to address the longstanding problem of protecting women from violence within the family, despite a continuing high incidence of cases in which women set themselves alight, often fatally, apparently because they were subject to such violence.

“More than 50 prisoners went on hunger strike between August and October to protest against the use of the death penalty on Kurdish political prisoners and to demand respect for the civil rights of Kurdish prisoners.” [9h]

See also [Opposition groups and political activists](#) and [Freedom of religion](#)

ARABS

20.11 The FIDH Report 2009, stated that:

“The Arab minority, the majority of whose members live in the southwestern province of Khuzestan, like other ethnic minorities, has been denied its cultural rights and has faced repression both before and after the revolution. A few months after the 1979 revolution, there were clashes in Khuzestan that were suppressed by the government and scores of Arabs were sent to the gallows.

“In April 2005, unrests in Khuzestan led to the death of many Arabs including some in alleged extrajudicial executions. The turbulence occurred following the surfacing of a letter allegedly written by Mr. Abtahi, an advisor to then President Khatami. The letter, dated 1999, the authenticity of which Mr Abtahi strongly denied, proposed the reduction of the Arab population in Khuzestan by transferring them to other parts of Iran. Subsequently, several bombs exploded in Ahvaz, the provincial capital of Khuzestan, as well as in Tehran, killing a number of people.

“Seven men were shown on TV on 1 March 2006 and said to be convicted for involvement in the bombings. Two of them were hanged the day after. At least 11 other men were also said to be sentenced to death. In 2006, 36 Arabs had been sentenced to death or lengthy prison terms; five were executed after unfair trials, two of them in public. In 2007, at least eight were executed and 17 others were facing the death sentence after unfair trials.” [56i]

20.12 The US State Department Country Report on Human Rights Practices 2008, Iran, released on 25 February 2009, (USSD Report 2008) stated that:

“Foreign representatives of the Ahvazi Arabs of Khuzestan claimed their community of 2 to 4 million in the southwest section of the country suffered from oppression and discrimination, including the lack of freedom to study and speak Arabic. Ahvazi and human rights groups alleged torture and mistreatment of Ahvazi Arab activists, including detention of the spouses and young children of activists.” [4a] (Section 5)

20.13 The AI Report 2009 noted: “Members of the Ahwazi Arab community continued to protest against perceived discrimination, notably in relation to access to resources.” [9h]

20.14 On 9 November 2009, the Iranian Minorities Human Rights Organisation (IMHRO) reported that at least 64 Arab workers at a factory in Ahwaz [Ahvaz] had been arrested following their peaceful protest in Naderi, one of the main streets in Ahwaz. Other workers at the protest who were not arrested were told not to return to work at the factory. They were protesting about the long delay in receiving their pay and benefits which non-Arab

workers received on time. According to a witness, minutes after the protest started, anti-riot police surrounded, attacked and arrested the men. It was reported that some were severely injured. The IMHRO stated that the Iranian government systematically suppresses Ahwazi Arabs and they are banned from education and speaking their own language. They are banned from working in the oil and gas industries and can only get low level jobs in factories, where they are discriminated against, given the most difficult jobs and experience long delays in receiving payment. Some receive no payment after working for years. Furthermore:

“If they protest they [are] mark [sic] as tools in [the] hand[s] of foreigners and charged with connection with illegal political parties. There are no worker unions who could defend workers right and any attempt for gathering is suppressed harshly by government. After arrest they would add them to black list and then they never find any other jobs. Some end up in long term prison. [The] Government also add their family members to [a] black list to be banned from university and higher education.” [109c]

BALUCHIS

20.15 The FIDH Report 2009 stated that:

“The Baluchis who are said to number more than 1.4 million live mostly in the Sistan-Baluchistan province in the southeast, bordering Pakistan and Afghanistan. Since the early 2000s, an armed Baluchi group, People’s Resistance Movement of Iran, known as the Jondollah has been fighting the Iranian government stating its aim as achieving a more democratic system and full rights of the Sunnis in Iran. The response of the Iranian government has been very harsh.

“The authorities appointed the former prosecutor of the Special Court for Clergy and former deputy prosecutor-general, Hojatoleslam Nekoonam, to head the Justice Department in Sistan and Baluchistan in 2006. Since then the number of death sentences and executions have risen drastically in the region. A large number of Baluchis have been arrested, tried and some of them executed within a few days of the trials. Most have been accused of drug trafficking and armed banditry, murder and kidnapping. It is not clear as to how many of them were involved in the opposition against the government.

“In June 2006, six people were executed for fighting God and corruption on earth.

“Said Qanbarzahi was hanged on 27 May 2007. He had been sentenced to death in March 2007 when he was 17 years old, together with six other men. They were believed to have been detained for their families’ ties to perpetrators of a bus bombing in February 2007 that killed 14 revolutionary guards.

“Yaqub Mehrnahad, head of the of the Voice of Justice Young People’s Society, a registered NGO, was arrested with some other members of the Society in Zahedan in May 2007. He was also representative of the daily Mardomsalary in the province. He spent over a year in detention during which he was sentenced to death and his sentence was upheld. He was finally executed on 4 August 2008. Mehrnahad had been accused of

cooperation with the Jondollah. He had never taken up arms and was reportedly not given access to lawyers during his detention.

“Amnesty International recorded at least five executions of Baluchis in 2005; at least 32 and possibly more than 50 in 2006; up to 50 from January-August 2007.

“In March 2007, Member of Parliament for Zahedan, Shahriyari said in an interview that 700 people had had their death sentences confirmed by the Supreme Court and were waiting to be executed in the Sistan-Baluchistan province.

“A website keeping track of executions of Baluch people has recorded 176 judicial and extrajudicial executions from December 2006 –through March 2009.” [56i]

20.16 The AI Report 2009 stated:

“In Baluchi areas, the People’s Resistance Movement of Iran (PRMI), an armed group also known as Jondallah, sporadically clashed with government forces. In June the group took 15 or 16 Iranian border guards prisoner. One was released but the PRMI killed the rest by October. The authorities took harsh measures against suspected PRMI members and supporters.” [9h]

20.17 The USSD Report 2008 stated that:

“Local and international human rights groups alleged serious economic, legal, and cultural discrimination against the Baluch minority during the year. The government did not investigate allegations that authorities in Sistan va Baluchistan executed at least 50 detainees in 2007. Baluch journalists and human rights activists, including Yaghoob Mirnehad, faced arbitrary arrest, physical abuse, and unfair trials, often ending in execution.” [4a] (Section 5)

20.18 The Iranian Minorities’ Human Rights Organisation (IMHRO) reported on 27 August 2009 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]

AZERIS

20.19 The USSD Report 2008 stated that:

“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. However, Azeris complained of

ethnic and linguistic discrimination by the government, including banning the Azeri language in schools, harassing Azeri activists or organizers, and changing Azeri geographic names. Azeri groups also claimed there were a number of Azeri political prisoners jailed for advocating cultural and language rights for Iranian Azeris. The government charged several of them with 'revolting against the Islamic state'." [4a] (Section 5)

- 20.20 In the AI Report 2009 it was noted that: "Activists continued to call for the Azerbaijani Turkic language to be used in schools and government services in the areas where Azerbaijani Iranians mainly live. Dozens of activists were arrested in February [2008] in connection with demonstrations on International Mother Language Day." [9h]
- 20.21 A Radio Free Europe / Radio Liberty (RFE/RL) article, dated 26 July 2008, reported that Vedud Asadi, well-known for promoting the cultural and language rights of Iran's Azeri minority, was arrested without charge two weeks after his wedding. The report added: "The ethnic-Azeri minority makes up 25-33 percent of Iran's population. While the Iranian Constitution provides language and cultural rights for the country's minorities, the regime has banned the teaching of the Azeri language in schools, and harassed and jailed activists like Asadi." [42m] On 24 August 2008 it was reported that Vedud Asadi had been released on bail after being illegally detained for 34 days in Rasht, an Azerbaijani city by the Khazar Sea. [47] (Baybak.com)

QASHQAIS

- 20.22 The Qashqai website, accessed on 1 December 2009, 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 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]

- 20.23 The Advisory Panel on Country Information (APCI) review of the COI Service's Iran COI Report of Augst 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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LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

OVERVIEW

With regard to lesbians and bisexual women, the section should be read in conjunction with the section on Women for information about their position generally in Iranian society.

- 21.01 The US State Department Country Report on Human Rights Practices 2008, Iran, released on 25 February 2009, (USSD Report 2008) stated that:

“The Special Protection Division, a volunteer unit of the judiciary, monitored and reported moral crimes. The law prohibited and punished homosexuality; sodomy between consenting adults was a capital crime. According to HRW, the last known death sentences for homosexual conduct were handed down in 2005, although there were allegations of executions related to homosexual conduct in 2006 and 2007. The punishment of a non-Muslim homosexual was harsher if the homosexual's partner was Muslim. On September 29 [2008], President Ahmadi-Nejad called homosexuality an ‘unlikable and foreign act’ that ‘shakes the foundations of society’.” [4a] (Section 5)

- 21.02 The Foreign and Commonwealth Office's *Annual Report on Human Rights 2008 — Iran*, published on 26 March 2009 stated that the death penalty remained on the statute books for “consenting same-sex relations”. [26b]

- 21.03 The report by International Lesbian and Gay Association (ILGA) titled ‘State-Sponsored Homophobia’, dated May 2009, (ILGA Report 2009) observed that same-sex relations for men and women were illegal. [104] (p22)

- 21.04 The FCO stated in a letter dated 20 April 2008:

“We have concerns about the treatment of homosexuals in Iran. Homosexual activities are illegal and can carry the death penalty. We are not aware of any individual that has been executed in Iran in recent years solely on the grounds of homosexuality. We are aware of concerns that homosexuals have been charged with crimes such as rape and kidnap and then executed. Although homosexuality is illegal in Iran and homosexuals do experience discrimination, we do not believe that homosexuals are systematically persecuted.” [26i]

- 21.05 The same source also stated, however:

“It is worth noting that it can be difficult to obtain information on human rights concerns and specific cases in Iran, especially on an issue as sensitive as homosexuality. Our Embassy can only make a limited judgement of the situation based upon publicly available information such as official public statements and media reporting and informal contacts with the gay community in Tehran. This by no means provides us with a full picture of the overall treatment of homosexuals in Iran, and as a result our assessment is necessarily limited.” [26i]

- 21.06 The ACCORD 7th European Country of Origin Information Seminar in Berlin, 11-12 June 2001 reported that:

“... jurisprudence, burden of proof notwithstanding, certainly has used accusations of homosexuality. Furthermore, it does happen that homosexuality is mentioned as one of the accusations amongst other offences held against the defendant. For instance, accusations of homosexuality have been used in unfair trials, such as the case of a Sunni leader in Shiraz in 1996/97, who was clearly prosecuted for politically [sic] reasons. There have also been other political cases, although not in the recent past.” [3c] (p105)

- 21.07 Expert opinion consulted by the Canadian IRB in 1998 stated that: “Theoretically, homosexual behaviour is sharply condemned by Islam, but in practice it is present, and has been in the past, for the most part tolerantly treated and frequently occurring in countries where Islam predominates... In practice it is only public transgression of Islamic morals that is condemned and therefore Islamic law stresses the role of eye-witnesses to an offence.” [2j] The same source stated that the police were not empowered nor did they actively pursue homosexual activity of any kind that was performed behind the ‘veil of decency’ of closed doors. (Canadian Immigration and Refugee Board, 1 February 1998) [2j]

- 21.08 CIRB sources dated 1 February 1998 indicated that there were held to be many differing levels of homosexual activity within Iranian society. In rural areas, even ‘lavat’ sexual activity could be considered socially to be compensatory sexual behaviour for heterosexual sexual intercourse, and the practitioners held not to be homosexuals. The key offensive practice was sodomy, or more particularly to be sodomised, as an unnatural inversion of God’s creation, and some experts held that ‘homosexuals’ are understood in Iran to be willing passive partners. [2j]

- 21.09 A Canadian IRB Report of 1999 stated that lesbian cases rarely came before the courts, as the case usually failed the test of proof of four righteous witnesses. Sources held that lesbian behaviour in public was impossible to distinguish from accepted social contact between women in Iran. [2o] The source concluded:

“Of female same-sex behaviour musahaqa almost nothing is known. Islamic law considers it sex outside marriage and therefore as adultery, with all the consequences already described. Yet because no penetration takes place, punishment is theoretically limited to one hundred lashes. In practice lesbian behaviour is regarded as relatively unimportant, because it usually takes place discreetly.” [2o]

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LEGAL RIGHTS

- 21.10 The ILGA Report 2009 listed articles from the Iranian Penal Code of 1991 that pertain to same-sex physical acts, how they are defined and proven, and the corresponding penalties:

“Part 2: Punishment for Sodomy

“Chapter 1: Definition of Sodomy

“Article 108: Sodomy is sexual intercourse with a male.

Article 109: In case of sodomy both the active and the passive persons will be condemned to its punishment.

Article 110: Punishment for sodomy is killing; the Sharia judge decides on how to carry out the killing.

Article 111: Sodomy involves killing if both the active and passive persons are mature, of sound mind and have free will.

Article 112: If a mature man of sound mind commits sexual intercourse with an immature person, the doer will be killed and the passive one will be subject to Ta'azir of 74 lashes if not under duress.

Article 113: If an immature person commits sexual intercourse with another immature person, both of them will be subject to Ta'azir of 74 lashes unless one of them was under duress.

“Chapter 2: Ways of proving sodomy in court

“Article 114: By confessing four lashes to having committed sodomy, punishment is established against the one making the confession.

Article 115: A confession made less than four lashes (to having committed sodomy) does not involve punishment of ‘Had’ but the confessor will be subject to Ta'azir (lesser punishments).

Article 116: A confession is valid only if the confessor is mature, of sound mind, has will and intention.

Article 117: Sodomy is proved by the testimony of four righteous men who might have observed it.

Article 118: If less than four righteous men testify, sodomy is not proved and the witnesses shall be condemned to punishment for Qazf (malicious accusation).

Article 119: Testimony of women alone or together with a man does not prove sodomy.

Article 120: The Sharia judge may act according to his own knowledge which is derived through customary methods.

Article 121: Punishment for Tafhiz (the rubbing of the thighs or buttocks) and the like committed by two men without entry, shall be hundred lashes for each of them.

Article 122: If Tafhiz and the like are repeated three lashes without entry and punishment is enforced after each time, the punishment for the fourth time would be death.

Article 123: If two men not related by blood stand naked under one cover without any necessity, both of them will be subject to Ta'azir of up to 99 lashes.

Article 124: If someone kisses another with lust, he will be subject to Ta'azir of 60 lashes.

Article 125: If the one committing Tafhiz and the like or a homosexual man, repents before the giving of testimony by the witnesses, his punishment will be quashed; if he repents after the giving of testimony, the punishment will not be quashed.

Article 126: If sodomy or Tafhiz is proved by confession and thereafter he repents the Sharia judge may request the leader (Valie Amr) to pardon him.

“Part 3: Lesbianism

- “Article 127: Mosaheqeh (lesbianism) is homosexuality of women by genitals.
- Article 128: The ways of proving lesbianism in court are the same by which the homosexuality (of men) is proved.
- Article 129: Punishment for lesbianism is hundred (100) lashes for each party.
- Article 130: Punishment for lesbianism will be established vis-a-vis someone who is mature, of sound mind, has free will and intention. Note: In the punishment for lesbianism there will be no distinction between the doer and the subject as well as a Muslim or non-Muslim.
- Article 131: If the act of lesbianism is repeated three lashes and punishment is enforced each time, death sentence will be issued the fourth time.
- Article 132: If a lesbian repents before the giving of testimony by the witnesses, the punishment will be quashed; if she does so after the giving of testimony, the punishment will not be quashed.
- Article 133: If the act of lesbianism is proved by the confession of the doer and she repents accordingly, the Sharia judge may request the leader (Valie Amr) to pardon her.
- Article 134: If two women not related by consanguinity stand naked under one cover without necessity, they will be punished to less than hundred (100) lashes (Ta’azir). In case of its repetition as well as the repetition of punishment, hundred (100) lashes will be hit the third time.” [104] (p22)

- 21.11 Other sources, including the United Nations High Commissioner for Refugees (UNHCR) / Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) Berlin COI Information Seminar Report 2001 [3c] (p105) and the NGO Mission for the Establishment of Human Rights in Iran (MEHR) [66a] also referred to the sections of the Islamic Penal Code as noted above as legislating on same-sex relations, albeit with slightly differing translations. The MEHR version noted that the Penal Code is divided into five books (most of the legislation affecting LGBT persons is in Book Two, *Haads* – punishments specified by Shari’a); the first four books were ratified in 1991, the fifth (the *Ta’azirat*, i.e. punishments not specified under Shari’a) in 1996. [66a]

See also [Penal code](#) above.

- 21.12 The Amnesty International report, *Sexual Minorities and the Law: A World Survey*, updated July 2006 reported, with regard to transgender persons, “Gender reassignment (‘sex change’) [is] legal or openly performed without prosecution. It is illegal to change [a] birth certificate or marry after gender reassignment.” [9aam] A BBC news article dated 25 February 2008, however, noted that it was possible to change an individual’s sex on their birth certificate after gender-realignment treatment. [21r]

See subsection [Transgender and Transsexuals](#) below.

- 21.13 The Berlin European COI Information Seminar Report 2001 stated that:

“The burden of proof is quite high and it would be difficult to prove homosexual liaisons or intercourse. According to some reports in local papers there have been instances of execution of homosexuals. It is not confirmed whether the homosexual act alone led to execution or whether the person was accused on other charges too. However, the fact that, irrespective of the standard/burden of proof, the sentence for homosexuality

is death is a very important element in any assessment. It would be inappropriate to water down the existence of the death sentence with arguments of a high burden of proof, relative tolerance or the fact that there is no systematic effort to prosecute homosexuals. The subjective element is essential.” [3c] (p105-106)

- 21.14 The Danish Immigration Service report from their 2005 fact-finding mission stated that:

“Under the penal code, homosexuality between men is a serious crime and, if there is the necessary evidence or confessions, it can incur the death penalty. According to [Article] 114, the necessary proof is confessions to the judge or the testimony of four men. [Article] 120 also prescribes ‘...That the judge can make a decision in accordance with his own knowledge that is based on general knowledge and judgement.’ ...

“Two female defence lawyers with many years’ experience of court cases in Teheran reported that if the judge had detailed knowledge of the homosexuality, this knowledge could be sufficient testimony to pass judgement. ...

“UNHCR in Ankara reported that the judge’s knowledge of the circumstances of the case in cases of homosexuality could be sufficient evidence.” [86a] (p10)

- 21.15 Information from the Canadian Immigration and Refugee Board (CIRB), dated 1 February 1998, stated that, technically, same-sex behaviour is sharply condemned by Islam, and the Islamic Sharia law adopted by Iran. Sodomy is punishable by death if both parties are considered to be adults of sound mind and free will. [2j] A Human Rights Watch article dated 28 March 2008 reporting on the arrest of 30 men at a party observed:

“Iranian law provides punishments up to death for penetrative same-sex sexual activity between men on the first conviction, and punishes non-penetrative activity with up to 100 lashes. Homosexual conduct between women is punishable with death on the fourth conviction. Iran’s Penal Code requires four reiterated confessions, or the testimony of four ‘righteous men’ as eyewitnesses, to prove lavat, or sodomy. However, judges are permitted to accept circumstantial evidence or inference.” [8a]

See also [Knowledge of the judge](#).

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ENFORCEMENT OF THE LAW

- 21.16 In a letter dated 15 April 2008, FCO stated that:

“We are not aware of any individual who has been executed in Iran in recent years solely on the grounds of homosexuality. A recent press release from Human Rights Watch (dated 28 March [2008]) suggested that the last documented death sentences for consensual homosexual conduct in Iran were handed down in March 2005, but that it was not known whether they were carried out. We have not been able to confirm these cases. We are

aware of concerns that homosexuals may have been charged with crimes such as rape and kidnap and then executed, but again cannot confirm that this has happened.

“Although Iran does not publish official execution figures, the impression from our Embassy is that the authorities are usually prepared to announce or confirm executions that have taken place, even for cases that are likely to attract international criticism. However, it is possible that this may have happened and gone unreported, especially in provincial areas.” [26f]

- 21.17 The Human Rights Watch report, ‘Private Homes Raided for Immorality’, dated 28 March 2008, stated that:

“The last documented death sentences for consensual homosexual conduct in Iran were handed down in March 2005. It is not known whether they were carried out. In extensive interviews with men and women inside and outside Iran, Human Rights Watch has documented widespread patterns of arbitrary arrest and torture based on sexual orientation and gender identity.

“Western sources have suggested that charges of consensual homosexual conduct are converted to charges of rape in the Iranian judicial system, but Human Rights Watch has found no evidence of this.” [8a]

- 21.18 An HRW article, dated 8 March 2006, stated: “‘Men and women suspected of homosexual conduct in Iran face the threat of execution’, said Scott Long, director of Human Rights Watch’s Lesbian, Gay, Bisexual, and Transgender Rights Program. ‘We have documented brutal floggings imposed by courts as punishment, and torture and ill-treatment, including sexual abuse, in police custody.’...” [8ad]

- 21.19 The report continued:

“On March 15, 2005, the daily newspaper Etemaad reported that the Tehran Criminal Court sentenced two men to death following the discovery of a video showing them engaged in homosexual acts. According to the paper, one of the men confessed that he had shot the video as a precaution in case his partner withdrew the financial support he had been providing in return for sex. In response to the man’s confession, his partner was summoned to the authorities and both men were sentenced to death. As the death penalty was pronounced against both men, it appears to have been based on their sexual activity.

“These abuses have created an atmosphere of terror for lesbians, gays, bisexuals and transgender people throughout Iran.” [8t]

- 21.20 On 22 November 2005, Human Rights Watch reported:

“Iran’s execution of two men last week for homosexual conduct highlights a pattern of persecution of gay men that stands in stark violation of the rights to life and privacy... On Sunday, November 13, the semi-official Tehran daily Kayhan reported that the Iranian government publicly hung two men, Mokhtar N. (24 years old) and Ali A. (25 years old), in the Shahid Bahonar Square of the northern town of Gorgan.

“The government reportedly executed the two men for the crime of ‘lavat.’ Iran’s Shari’a-based penal code defines lavat as penetrative and non-penetrative sexual acts between men. Iranian law punishes all penetrative sexual acts between adult men with the death penalty. Non-penetrative sexual acts between men are punished with lashes until the fourth offense, when they are punished with death... ‘The Iranian government’s persecution of gay men flouts international human rights standards.’

“In addition to the two executions... there have been other cases of persecution and execution of gay men in Iran in recent years.” [8t]

- 21.21 An article from RFE/RL dated 1 September 2005 reported on the question of an anti-homosexual campaign:

“According to Islamic law, homosexuality is a capital crime. The execution of two Iranian males in July [2005] and current allegations that two more Iranian men are on death row because they are gay has led to allegations of an anti-homosexual campaign in Iran. But homosexuality is just part of the laundry list of charges leveled against people caught up in the Iranian justice system, and in a country with such a reprehensible human rights record, the actual charges rarely have a connection with reality... Several recent cases have garnered a great deal of attention in this regard, but they appear to be overshadowed by concern over the execution of minors. The freshest allegations are that a homosexual was executed in the city of Arak in mid-August and that two more men there are awaiting execution on similar charges.” [42f] (p1)

- 21.22 The article continued, reporting on the case of two males who were hanged:

“In July 2005, two males – one of them reportedly a minor – were hanged after being found guilty of raping a 13-year-old boy. However, exile sources claimed that the execution of the two, Mahmud Asgari and Ayaz Marhoni, related to their engagement in homosexual activities. Human Rights Watch, in a 27 July letter to judiciary chief Ayatollah Mahmud Hashemi-Shahrudi, expressed concern with the execution of juvenile offenders, but did not refer to any other aspect of the case.” [42f] (p1)

- 21.23 An IRIN News article dated 25 July 2005 also reported on the same case, which led to:

“... public hangings of Mahmoud Asgari, 16, and Ayaz Marhoni, 18, on 19 July in Mashad, provincial capital of Iran’s northeastern Khorasan province, on charges of homosexuality.

“Asgari had been accused of raping a 13-year-old boy, though Outrage [a London-based Lesbian, Gay, Bisexual and Transsexual advocacy group] said [they] believed those allegations were trumped up to undermine public sympathy for the two youths, both of whom maintained they were unaware homosexual acts were punishable by death... ‘The judiciary has trampled its own laws,’ Asgari’s lawyer, Rohollah Razez Zadeh, was quoted as saying, explaining that Iranian courts were supposed to commute death sentences handed [down] to children to five years in jail, but the country’s Supreme Court allowed the hangings to proceed. ... Prior to the boys’ executions, the teenagers were held in prison for 14 months and severely beaten with 228 lashes. The length of their detention suggests that they committed the so-

called offences more than a year earlier, when they were possibly around the age of 16. Citing Iranian human rights campaigners, Outrage claims over 4,000 lesbians and gay men have been executed since the Iranian revolution of 1979.” [75d]

- 21.24 The USSD report for 2005 also confirmed the executions:

“In July two teenage boys, one 16 and one 18 years of age, were publicly executed; they were charged with raping a 13-year-old boy. A number of groups outside the country alleged the two were executed for homosexuality; however, because of the lack of transparency in the court system, there was no concrete information. In November domestic conservative press reported that two men in their twenties were hanged in public for lavat (defined as sexual acts between men). The article also said they had a criminal past, including kidnapping and rape. It was not possible to judge whether these men were executed for homosexuality or other crimes.” [4q]

- 21.25 An article on Radio Free Europe/Radio Liberty (RFE/RL) titled, ‘Persian Gay and Lesbian Activist Urges Tolerance’, dated 17 May 2007 reports:

“Under Islamic laws as applied in Iran, homosexuality is punishable by death. But in recent years, there have been only a few reported cases of individuals being officially charged with homosexuality.

“Yet Parsi [Arsham Parsi, Secretary-General of the Toronto-based Iranian Queer Organisation] says the spectre of the harsh sentences casts a shadow on the life of homosexuals.... in the case of homosexuals, even if nothing happens, they always face fear. Many believe that the punishments for homosexuals are only on the books and they are not being applied. But we don’t accept this - we think homosexuals are being sentenced, but perhaps [these cases] don’t get reported.” [42ae]

- 21.26 A letter from HRW to Minister Verdonk, the Dutch Minister of Alien Affairs and Integration, Ministry of Justice, titled ‘No Deportations of LGBT Iranians to Torture’ and dated 5 October 2006 stated:

“Trials on morals charges in Iran are held in camera, and international outrage over the frequency of executions (Iran has the highest rate of executions per capita in the world) has led the government to exercise tight controls over press reporting of the death penalty. For these reasons, confirming the frequency of executions for lavat [sexual acts between men] is effectively impossible.” [8ae]

- 21.27 A number of sources, including the BBC in an article titled, ‘Gay Iranian deportation reviewed’ dated 13 March 2008 and some gay rights groups, have reported that more than 4,000 gay men and lesbians have been executed in the country since the Ayatollahs seized power in 1979. However, no original source for this information has been identified. [21aa]

- 21.28 Regarding the claim that 4,000 Iranian homosexuals have been executed since 1979, the April 2008 FCO letter stated:

“It is believed that vast numbers of people (possibly tens of thousands) were executed in the 1980s for a range of political and moral ‘crimes’ often with

little or no respect for due process of law. This is likely to have included executions for controversial offences such as homosexuality and apostasy. We are not able to put a figure on how many individuals might have been executed specifically for homosexuality, but documentary evidence and our Embassy's discussions with human rights campaigners and members of the Iranian gay community suggest that such executions would have been carried out in the first 10-15 years after the 1979 revolution. We are not aware of executions solely on the grounds of homosexuality in recent years." [26f]

21.29 On this issue, the USSD report for 2005 commented:

"According to the Paris-based International Federation of Human Rights, the justice system did not actively investigate charges of homosexuality. ... there had been no recent reports of homosexuals executed. However, the group acknowledged it was possible that a case against a homosexual could be pursued. Conversely, the London-based homosexual rights group OutRage! claimed over four thousand homosexuals had been executed in the country since the Islamic revolution in 1979." [4q] (p24)

21.30 Additionally, part of an entry on the San Francisco Bay Times website, published on 12 October 2006, titled 'Sweden to Deport Gay Iranian' stated:

"The claim that 4,000 Iranian homosexuals have been executed since the revolution is put forth by the Iranian exile gay group Homan. Documentation for the claim is lacking, but Peter Tatchell of the British gay group OutRage!, which says its extensive research confirms that Iran executes gays, explained: 'Homan [based the figure] on Iranian media reports of LGBT executions and personal reports from people who had gay friends executed or arrested at private parties who were never seen again and presumed executed.'

"They told me of cases where 20 or 30 or more people were arrested in a single raid and who subsequently disappeared forever. This was mostly in the early 1980s and again in the late 1980s. Tens of thousands of people were executed in the early 1980s alone for all kinds of reasons - mostly students and leftists. So the idea of 4,000 LGBTs executed does not seem wildly off the mark." [108]

21.31 A number of sources have reported on the execution of Makwan Mouloudzadeh in December 2007. The HRW article, 'The issue is torture', dated 31 March 2008 stated that:

"In November 2007 in Kermanshah, Makwan Mouloudzadeh, 20, faced the death penalty on false charges of raping several boys seven years before. His accusers retracted their claims. No evidence suggested he had committed any crime under Iranian law.

"However, European activists wildly seized on him as another 'gay' victim. They organised a mass petition to Ahmadinejad for mercy for 'the young Iranian gay'. Their pleas sent an inadvertent message: Makwan was innocent of one capital crime, but Europe believed him guilty of another. On December 5, Makwan Mouloudzadeh, probably neither gay nor a rapist, went to the gallows." [8ac]

- 21.32 The FCO letter of April 2008 included the following comments regarding the significance of the Makwan Moloudzadeh case in terms of the general risk to homosexuals:

“Makwan Moloudzadeh was convicted of the rape of eleven individuals, threatening behaviour and blackmail. His flawed trial does raise questions about due process of law in Iran and the use of the death penalty for crimes committed before the age of eighteen, but we do not think his case tells us anything new about the risks for those involved in consensual same-sex relations.” [26I]

- 21.33 In an article dated 6 December 2007 entitled, ‘Execution of child offender Makwan Moloudzadeh is a Mockery of Justice’, Amnesty International reported that:

“In sentencing Makwan Moloudzadeh to death, the judge relied on his ‘knowledge’ that Makwan Moloudzadeh could be tried as an adult and that the alleged offence had been committed, as is allowed by Iranian law.

“According to Article 120 of the Penal Code, in cases of anal sex between men, the judge ‘can make his judgement according to his knowledge which is obtained through conventional methods’.” [9aae]

- 21.34 An article on Radio Free Europe/Radio Liberty, ‘Child Offenders Face ‘Imminent Execution’ on Death Row’, dated 15 January 2008, reported:

“... according to recent Iranian press reports, two men convicted of homosexual rape in Fars, southern Iran, were sentenced to death by putting them in a sack and throwing it off the top of a cliff.

“According to Iran’s form of Islamic Shari’a law, homosexuality is punishable by death and the judge can choose from five methods including throwing off a height and demolishing a wall on the offender, a method whose use has not been reported in the past 30 years.” [42x]

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TREATMENT BY, AND ATTITUDE OF, STATE AUTHORITIES

- 21.35 The USSD Report 2008 stated that: “The Special Protection Division, a volunteer unit of the judiciary, monitored and reported moral crimes.” [4a] (Section 5) On the subject of the Social Protection Division, Special Units and vigilantes involved in moral policing, raids and undercover activity targeting gays, the FCO stated in their letter of April 2008:

“We do not have any further specific information on the activities of these groups. Our Embassy spoke to contacts in the gay community in Tehran – some were afraid of random homophobic attacks but there was not a sense that these were carried out by representatives of state entities or the result of official state-led policies to beat, persecute or entrap gay people.

“A recent press release from Human Rights Watch (28 March) alleged that on 28-29 February, police in Esfahan raided a party at a private home and arrested 30 or more men. The men were reportedly referred to a forensic

medical examiner to look for evidence that they had engaged in homosexual conduct. We have not been able to confirm this, and it appears to be local police activity. The EU is planning to raise this and ask the Iranian authorities for more information in the course of the next human rights demarche.” [26f]

21.36 On 22 November 2005, Human Rights Watch reported that:

“In September 2003, police arrested a group of men at a private gathering in one of their homes in Shiraz and held them in detention for several days. According to Amir, one of the men arrested, police tortured the men to obtain confessions. The judiciary charged five of the defendants with ‘participation in a corrupt gathering’, and fined them.

“In June 2004, undercover police agents in Shiraz arranged meetings with men through Internet chatrooms and then arrested them. Police held Amir, a 21-year-old, in detention for a week, during which time they repeatedly tortured him. The judicial authorities in Shiraz sentenced him to 175 lashes, 100 of which were administered immediately. Following his arrest, security officials subjected Amir to regular surveillance and periodic arrests. From July 2005 until he fled the country later in the year, police threatened Amir with imminent execution.” [8t]

21.37 Human Rights Watch, in their letter to Minister Verdonk, the Dutch Minister of Alien Affairs and Integration, Ministry of Justice, titled ‘Netherlands: Threat to Return Gay and Lesbian Iranians’ dated 8 March 2006, stated:

“... in late 2004, the national judiciary began establishing, under its own supervision, a new group to police moral crimes called the Setad-e Hefazat-e Ejtema’i or Social Protection Division. This organization - drawing, like many parallel groups, on unemployed ex-military draftees to fill its ranks - aims to control ‘the social ills of each neighborhood and region’ as well as ‘deviant individuals’ (according to its Articles of Association which were leaked to the Iranian press). In July 2005 a senior judicial official in Qom told reporters that 210 units of the Social Protection division employing 1,970 formally accredited volunteers had been set up throughout that city. These divisions would report serious moral offenses to the ‘disciplinary forces of the judiciary’ for further action to be taken. (ISNA News Agency, 10 Tir 1384/1 July 2005).” [8ag]

21.38 An 18 July 2007 news release from the International Gay and Lesbian Human Rights Commission (IGLHRC) reported that:

“In May 2007, the Iranian Queer Organization (IRQO) was the first to report that the police forces in the city of Esfahan had raided a birthday party and arrested more than 80 people. The police apparently suspected that the attendees were gay and were possibly engaged in sodomy, though no proof of either has been established. Later, police unconditionally released most of those arrested, but required substantial bail for 17 of the arrestees. A judge told the families of those set free on bail that they would be tried on sodomy charges. Based on IRQO’s reports and IGLHRC’s investigation, some of the detainees were severely tortured while in custody. In the last two years, IGLHRC has worked with IRQO to find refuge for a number of gay Iranians forced to leave their country and who have applied for refugee

status, many of whom faced arbitrary arrests, police brutality and even lashings for being gay.” [99a]

- 21.39 An article from Human Rights Watch, ‘Private Homes Raided for Immorality’, dated 28 March 2008, reported that sources in Iran have told HRW that since the arrests of May 2007, police have intensified surveillance, harassment and abuse against people connected to the arrested men or otherwise suspected of homosexual conduct. The article continues to state that the police raided another private gathering in Esfahan in December 2007 and arrested sixteen people, subjecting them to forensic examinations and releasing them four days later. The article further reports that a third private home was raided by Esfahan police on 28-29 February 2008 and over thirty men attending a party were arrested. The article states that they were jailed for almost four weeks without access to lawyers and without charge and were reportedly referred to a medical examiner to look for evidence of homosexual conduct. [8a]

- 21.40 The RFE/RL article, ‘Is There An Anti-Homosexual Campaign?’ dated 1 September 2005, stated that:

“Official Iranian sources occasionally express hostility to homosexual practices. A state radio commentary on 7 March 2005 criticized gay marriages in Western countries. Ayatollah Ebrahim Amini said in his Friday-prayer sermon in Qom that gay and lesbian marriages reflect a weakness of Western culture, state television reported on 13 July 2002. Ayatollah Ali Meshkini in his Friday-prayer sermon in Qom criticized the German Green Party for being pro-homosexual, state television reported on 29 April 2000.

“It is clear that officially and in practice, there is discrimination against homosexuals in Iran. However, systematic repression of homosexuals does not seem to be an issue. The most recent cases of capital punishment for homosexuality are connected with rapes, but the official terminology, Iran’s system of retribution as a form of Islamic punishment (qesas), and the country’s terrible human-rights record make it very difficult to determine the true nature of a so-called crime.” [42f] (p2)

- 21.41 The UK Lesbian and Gay Immigration Group Annual Report for 2007 quoted the view of the Iranian President “‘In Iran, we don’t have homosexuals like in your country. We do not have this phenomenon. I do not know who has told you that we have it.’ President Ahmadinejad, at Columbia University USA on 24th September, 2007, responding to a question regarding the treatment of homosexuals in Iran.” [105]

- 21.42 On 13 November 2007, the *Times* reported the views of Mohsen Yahyavi (deputy chairman of the energy committee of Iran’s parliament, or Majles), as:

“He ‘explained that according to Islam gays and lesbianism were not permitted’, the record states. ‘He said that if homosexual activity is in private there is no problem, but those in overt activity should be executed [he initially said tortured but changed it to executed]. He argued that homosexuality is against human nature and that humans are here to reproduce. Homosexuals do not reproduce.’” [15c]

21.43 The USSD report for 2007 stated: “On August 6 [2007], the general prosecutor ordered to close the last major reformist daily Shargh. The ban placed on Shargh in September 2006 was lifted on May 14, but the paper was operational for less than three months before being closed again. The government reportedly closed the newspaper in response to a published interview with a writer accused of being a homosexual activist.” [4t] (Section 2a)

21.44 A 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 [Transgender and Transexuals](#) below

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SOCIETAL TREATMENT AND ATTITUDES

21.45 An article on Radio Free Europe/Radio Liberty titled ‘Persian Gay and Lesbian Activist Urges Tolerance’, dated 17 May 2007, reported that:

“Sexual issues are considered taboo in Iran, and there is widespread misinformation about homosexuality. Many Iranians consider it a disease or sickness. For some, homosexuality among men is synonymous with pedophilia.

“As a result, gays and lesbians in Iran cannot be open about their sexual orientation. Many suppress their feelings. There are also reports of sex-change operations or hormone therapy to escape persecution. Some also face arranged or forced marriages insisted on by their families.

“Parsi [Arsham Parsi, secretary-general of Toronto-based Iranian Queer Organisation] claims a lack of knowledge and homophobic culture that rules Iranian society puts enormous pressure on homosexuals.” [42ae]

21.46 The USSD report for 2005 confirmed that there were known meeting places for homosexuals. [4q] (p24) However, in an article in the *New Internationalist*

titled 'Sexual exiles', dated March 1992, an Iranian interviewee claimed that parks are raided regularly by civilian-clothed police or 'guardists'. [107]

- 21.47 The ACCORD report of 2001 continued: "A different sexual orientation may, however, create problems. Still, homosexuality is practised every day, and as long as this happens behind closed doors within your own four walls, and as long as people do not intend to proselytize 'transvestitism' or homosexuality, they will most likely remain unharmed." [3c]
- 21.48 Another letter from HRW to Minister Verdonk titled 'No Deportations of LGBT Iranians to Torture' dated 5 October 2006 stated: "Societal as well as official scrutiny of 'deviant' behavior is widespread in Iran, with neighbors and even family members enlisted to support the state's moral policing." [8ae]

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TRANSGENDER AND TRANSSEXUALS

- 21.49 An article in the *Guardian* dated 27 July 2005 reported that in contrast to almost everywhere else in the Muslim world, sex change operations are legal in Iran for anyone who can afford the minimum £2,000 cost and satisfy interviewers that they meet necessary psychological criteria. As a result, women who endured agonising childhood and adolescent experiences as boys, and – albeit in fewer numbers – young men who reached sexual maturity as girls, are easy to find in Tehran. Iran has even become a magnet for patients from eastern European and Arab countries seeking to change their genders. [16f] (p1)

- 21.50 Another *Guardian* article dated 25 September 2007 reported that:

"When Mahmoud Ahmadinejad, Iran's ever-combative president, provoked his latest controversy in New York this week by asserting that there were no homosexuals in his country, he may have been indulging in sophistry or just plain wishful thinking. While Mr Ahmadinejad may want to believe that his ideal of an Islamic society is exclusively non-gay, it is undermined by the paradox that transsexuality and sex changes are tolerated and encouraged under Iran's theocratic system.

"Iran has between 15,000 and 20,000 transsexuals, according to official statistics, although unofficial estimates put the figure at up to 150,000. Iran carries out more gender change operations than any other country in the world besides Thailand.

"Sex changes have been legal since the late Ayatollah Ruhollah Khomeini, spiritual leader of the 1979 Islamic revolution passed a fatwa authorising them nearly 25 years ago. While homosexuality is considered a sin, transsexuality is categorised as an illness subject to cure.

"The government seeks to keep its approval quiet in line with its strait-laced stance on sexuality, but state support has actually increased since Mr Ahmadinejad took office in 2005. His government has begun providing grants of £2,250 for operations and further funding for hormone therapy. It is

also proposing loans of up to £2,750 to allow those undergoing surgery to start their own businesses.” [16h]

- 21.51 An article on the BBC website titled ‘Iran’s ‘diagnosed transsexuals’, dated 25 February 2008, reported:

“Sex changes have been legal in Iran since Ayatollah Khomeini, the spiritual leader of the 1979 Islamic revolution, passed a fatwa - a religious edict - authorising them for ‘diagnosed transsexuals’ 25 years ago.

“Today, Iran carries out more sex change operations than any other nation in the world except for Thailand.

“The government even provides up to half the cost for those needing financial assistance and a sex change is recognised on your birth certificate.

“‘Islam has a cure for people suffering from this problem. If they want to change their gender, the path is open,’ says Hojatol Islam Muhammad Mehdi Kariminia, the religious cleric responsible for gender reassignment.

“He says an operation is no more a sin than ‘changing wheat to flour to bread’.

“Yet homosexuality is still punishable by death.

“‘The discussion is fundamentally separate from a discussion regarding homosexuals. Absolutely not related. Homosexuals are doing something unnatural and against religion,’ says Kariminia. ‘It is clearly stated in our Islamic law that such behaviour is not allowed because it disrupts the social order.’” [21r]

- 21.52 The article continued:

“Like many young people in Iran, Anoosh [a 21 year old transsexual] struggled to reconcile his sexual identity with the wishes of family, community and culture. He says he was continuously harassed and threatened with arrest by Iran’s morality police before he had his sex change...

“Documentary film maker Tanaz Eshaghian spent weeks filming Anoosh, Ali and other transsexuals in Iran. She thinks that part of what is driving many of the boys to operate is the desire to avoid shame.

“‘If you are a male with female tendencies, they don’t see that as something natural or genetic. They see it as someone who is consciously acting dirty.’

“Being diagnosed as a transsexual makes it a medical condition, not a moral one.

“Once a doctor has made a diagnosis - and an operation is in the pipeline - the transsexual can get official permission from his local government official to cross-dress in public.” [21r]

- 21.53 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:

“Once a transgender individual has undergone gender reassignment, that person legally becomes the proper gender- male, in the case of transgender men, and female, in the case of transgender women. 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. After the operation, all legal documents, including birth certificates and passports, are changed accordingly.” [6a] (p54)

21.54 A *Guardian* news article dated 11 September 2009 reported that:

“Iran is set to allow what is believed to be its first transsexual marriage after the would-be bride asked a court to override her father's opposition to the match. The woman, named only as Shaghayegh, told Tehran's family court that she wanted to wed her best friend from school, who had recently undergone a sex-change operation to become a man, but was unable to obtain her father's blessing, as legally required. Now her father has agreed to permit the union on condition that the male partner, Ardashir, who was previously a woman called Negar, undergoes a medical examination intended to prove it would be a proper male-female relationship.

“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]

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DISABILITY

- 22.01 The US State Department *Country Report on Human Rights Practices 2008*, Iran, released on 25 February 2009, (USSD Report 2008) stated that:

“Discrimination against persons with disabilities was prohibited by law. The law also provided for state-funded vocational education for persons with disabilities, but according to domestic news reports, vocational centers were confined to urban areas and unable to meet the needs of the entire population of persons with disabilities. Building accessibility for persons with disabilities remained a widespread problem.” [4a] (Section 5)

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WOMEN

OVERVIEW

For information about girls see section on [Children](#)

- 23.01 The 2009 Social Institutions and Gender Index (SIGI), a composite measure of gender equality based on the Organisation for Economic Co-operation and Development's (OECD's) Gender, Institutions and Development Database, ranked Iran 95th of the 102 non-OECD countries assessed. The SIGI Country Profile on Iran, accessed on 31 December 2009, stated that: "Iran is a theocratic republic; as such, the situation of women is very much affected by Islam and Sharia law. The Constitution supports equal rights to a large degree, but its enforcement is generally poor and discriminatory provisions still remain." [39a]
- 23.02 The report of the Secretary-General to the United Nations on the situation of human rights in the Islamic Republic of Iran, dated 1 October 2008 stated that:
- "Gender disparities remain among geographical regions in the country. The Islamic Republic of Iran is reported to have made important achievements in women's education and health since 1990 ... For instance, the female-to-male literacy ratio in the 15-to-24 age group has increased from 87.9 per cent to 98.6 per cent. The girls' primary, secondary and tertiary education enrolment ratio has markedly increased, from 79.2 per cent to 94.3 per cent, with female students constituting 64 per cent of all college students. Access to health care, including reproductive health care, has become nearly universal. As noted previously, maternal and infant mortality rates have also declined sharply." [10a] (p12)
- 23.03 The report of the Secretary-General to the United Nations, dated 23 September 2009, noted that Iran has not ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). [10g] (p12)
- 23.04 The Amnesty International Annual Report 2009, covering events in 2008, released in May 2009, stated:
- "Women faced continuing discrimination in law and in practice, and those campaigning for women's rights were targeted for state repression. Parliament debated legislation that, if implemented, would limit women's access to university education of their choice by imposing new residency restrictions. Controversial articles relating to marriage in draft legislation were dropped under pressure from women's rights campaigners. The authorities closed the journal *Zanan* (Women), blocked women's rights websites and disrupted peaceful gatherings of women's rights activists, such as members of the Campaign for Equality which demands an end to legal discrimination against women.
- "In February the UN Special Rapporteur on violence against women, its causes and consequences reported that the government had not responded to a single communication made in 2007. In November [2008] the Rapporteur criticized Iran for its repression of women's rights defenders.

“Dozens of women’s rights campaigners were detained, interrogated and some tried for their peaceful activities, including up to 10 who were sentenced by lower courts to prison terms and, in at least two cases, flogging.” [9h]

- 23.05 The Center for Iranian Studies, in a September 2007 overview of Ahmadinejad’s gender policy observed that:

“Ever since his election as president of the Islamic Republic of Iran in 2005, Mahmud Ahmadinejad’s attention-grabbing statements have aroused public wrath not merely internationally, but in Iran as well. Some of his most controversial domestic declarations have been related to the country’s gender policies.

“Overall, Ahmadinejad has tried to demonstrate open-mindedness towards women’s affairs. During his presidential campaign he even pledged not to initiate crackdowns on women’s dress. Yet Ahmadinejad’s promises pale in the face of the authorities’ current seasonal crackdowns on women’s dress, the mixing of men and women in public and women’s rights activists.” [94a]

- 23.06 The Human Rights Annual Report 2008, issued by the United Kingdom Foreign and Commonwealth Office (FCO) in April 2009, stated that: “Women continue to face widespread discrimination in law and practice, despite President Ahmadinejad’s claims that Iranian women are the ‘freest in the world’. Gender inequality is widespread and sustained by Iranian law. ... Judicial officials often discriminate between the sexes, and sentences of stoning to death for adultery are disproportionately handed down to women.” [26b]

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LEGAL RIGHTS

- 23.07 The US State Department Report on Human Rights Practices 2008, released on 25 February 2009, (USSD Report 2008) stated that:

“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, in particular sections dealing with family and property law, discriminate against women. Shortly after the 1979 revolution, the government repealed the 1967 Family Protection Law that provided women with increased rights in the home and workplace and replaced it with a legal system based largely on Shari’a practices.” [4a] (Section 5)

- 23.08 The USSD Report 2008 also noted that “Women sometimes received disproportionate punishment for crimes such as adultery, including death sentences.” [4a] (Section 5) For example, “A man could escape punishment for killing a wife caught in the act of adultery if he was certain she was a consenting partner; the same rule does not apply for women whose husbands committed adultery.” [4a] (Section 5)

- 23.09 The Women's Forum against Fundamentalism in Iran's website includes a list of "official laws against women in Iran", compiled in 2005. It cites Article 18 of the passport law as stating that married women require their husband's permission to apply for a passport. [59] 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]
- 23.10 Amnesty International's report *IRAN: Women's rights defenders defy repression*, dated 28 February 2008, stated that:
- "Women in Iran face widespread discrimination under the law. They are excluded from key areas of the state – they cannot, for example, be judges or stand for the presidency. They do not have equal rights with men in marriage, divorce, child custody and inheritance. Criminal harm suffered by a woman is less severely punished than the same harm suffered by a man. Evidence given by women in court is worth half that given by a man. Although the legal age for marriage is 13, fathers can apply for permission to arrange that their daughters are married at a younger age – and to men much older than their daughters. Men are allowed to practice polygamy, women are not. Men have an incontestable right in law to divorce their spouse. Women do not." [9aah]
- 23.11 A later Amnesty International article dated 29 October 2009 elaborated, stating that women:
- "...are not treated equally before the law and courts, in clear violation of international fair trial standards. The age of criminal responsibility for women is lower than that for men and a woman's testimony is worth only half that of a man. They 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]
- 23.12 The USSD Report 2008 stated that:
- "Traditional interpretations of Islamic law recognized a divorced woman's right to part of shared property and to alimony. The law provides divorced women preference in custody for children up to seven years of age; however, divorced women who remarry are forced to give the child's father custody. After the child reaches seven years of age, the father is entitled to custody (except in cases in which the father was proven unfit to care for the child). The court determined custody in disputed cases." [4a] (Section 5)
- 23.13 On 1 September 2008, the Women's Learning Partnership stated that "Iran's current [Civil Code \[pdf\]](#) is highly discriminatory, restricting women's custody rights and ability to divorce, lowering the minimum age of marriage for females, requiring the husband's permission for the wife to work outside of the home, and legalizing temporary marriages. The new proposed Family Protection Bill marks further regression." [137a]
- 23.14 On 2 September 2008, Radio Free Europe/Radio Liberty reported that Iran's parliament had indefinitely delayed voting on the "Family Support Bill" which

had been returned to the assembly's legal committee for "more work". Susan Tahmasebi, an activist involved in the One Million Signatures campaign to improve women's human rights in Iran, was reported as saying that:

"...she and other activists had lobbied against the measure, which they said would allow a man in the Islamic Republic to take a second wife without the agreement of his first wife. The bill also covered other family issues. But she cautioned that the bill, put forward last year by the government of conservative President Mahmud Ahmadinejad, had not been withdrawn and may be sent back to the legislature... Under Iran's Islamic law, men can have up to four wives, but polygamy is not widely practiced and is seen by many Iranians as unacceptable... Tahmasebi said activists also objected to other aspects of the proposal, including imposing taxation on money [dowry] the husband agrees in a marriage contract to pay his wife upon her request [Mehriyeh]" [42h]

See also [Mehriyeh](#) below

- 23.15 A *Guardian* news article dated 17 June 2009, observed that, despite the current "authoritarian backlash" in the country, there had been, over the past year:

"...a series of small but significant victories: Iranian MPs have declined to enact laws that would have further facilitated men's ability to indulge in polygamy; new measures are presently under discussion to enhance women's inheritance rights; and reforms are also being put forward to end the insulting, discriminatory rule in compensation cases, where a family of a dead woman will be awarded literally half of the compensation paid for a man's death." [16c]

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POLITICAL RIGHTS

- 23.16 The USSD Report 2008 observed that: "Women cannot serve as president or as certain types of judges. Women may be consultant and research judges without the power to impose sentences." [4a] (Section 5)
- 23.17 Associated Press reported on 4 September 2008 that: "There are numerous women in parliament and other political offices, though they are barred from the presidency and the more powerful, clerical post of supreme leader." [135a] However, women's representatives in Parliament constitute only 4.1 per cent, and women's participation in governance and decision-making positions remains limited. (UN, 1 October 2008) [10a] (p13) Although Iranian women currently hold seats in parliament they do not enjoy the same political rights as men. (Freedom House report 2008) [112c]
- 23.18 It was noted in the Center for Iranian Studies (CIS) report of September 2007 that:
- "In September 2005, soon after he came into office, Ahmadinejad nominated Nasrin Soltankhah, a member of Tehran's City Council, as his advisor for women's affairs and a non-ministerial member of his cabinet. Soltankhah

was also named the new director of the Center for Women and Family Affairs. Difficulties in approving his nominees by the parliament (Majlis) and demands by women organizations have also encouraged Ahmadinejad to appoint another woman as a non-ministerial cabinet member. Fatemeh Javadi was nominated as vice president to head the Department of Environment.

“Upon these nominations Ahmadinejad has stated that ‘Iranian women symbolize freedom and chastity’ and that they are able to effect political, social and cultural decision-making. Yet he neglected to mention that women are consistently overlooked for ministerial posts and they are still not eligible for the presidency. Ahmadinejad also neglected to mention that in the elections to the seventh Majlis in 2004, women did not manage to increase their numbers. Merely eleven women legislators were elected to the current parliament (comprised of 290 representatives), in comparison with 13 women MPs in the previous body.” [94a]

- 23.19 On 3 September 2009, BBC News reported that Iranian MPs had approved the nomination of the first woman minister in 30 years. Marzieh Vahid Dastjerdi will be health minister. Two other female nominees, Fatemeh Ajorlou for welfare and social security minister and Susan Keshavarz for education minister were rejected. [21a] Marzieh Vahid Dastjerdi, a gynaecologist regarded as a conservative, described her appointment as “an important step for women”. (Keesing’s News Digest for September 2009) [12a] A *Guardian* article dated 6 October 2009 noted that although the present parliament was “monopolised by hardliners”, it included 13 women [out of 290 members]. [16d]

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SOCIAL AND ECONOMIC RIGHTS

- 23.20 The USSD Report 2008 stated that “The government enforced gender segregation in most public spaces, including medical care, and prohibited women from mixing openly with unmarried men or men not related to them. Women must ride in a reserved section on public buses and enter public buildings, universities, and airports through separate entrances.” [4a] (Section 5)

- 23.21 The USSD Report 2008 continued:

“The penal code provides that if a woman appears in public without the appropriate Islamic covering (hijab), she can be sentenced to lashings and/or fined. However, absent a clear legal definition of appropriate hijab or the punishment, women were at the mercy of the disciplinary forces or the judge. Pictures of uncovered or immodestly dressed women in the press or in films were often digitally altered.

“The government intensified its campaign against members of the ‘One Million Signatures’ campaign, which activists launched in 2006 to promote women’s rights and demand changes to discriminatory laws. In a report released October 20, UN secretary-general Ban Ki-Moon noted ‘an increasing crackdown in the past year on the women’s rights movement.’” [4a] (Section 5)

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Marriage

23.22 The USSD Report 2008 stated:

“Although a male can marry at age 15 without parental consent, the law states that a virgin female needs the consent of her father or grandfather to wed, or the court's permission, even if she is older than 18. The country's Islamic law permits a man to have as many as four wives and an unlimited number of *sigheh*, based on a Shia custom in which a woman may become the wife of a Muslim male after a simple religious ceremony and a civil contract outlining the union's conditions. Such wives were not granted rights associated with traditional marriage. The government does not recognize marriages between Muslim women and non-Muslim men or Baha'i marriages.” [4a] (Section 5)

See [‘Sigheh’ or temporary marriage](#) below

23.23 A BBC News article dated 10 June 2008 reported that being married is a job requirement in some areas despite economic difficulties leading many people to postpone marriage. [21f]

See also [Legal Rights](#) above

‘Sigheh’ or temporary marriage

23.24 An article in the *Guardian* dated 4 June 2007 stated: “The custom of *sigheh*, which allows couples to establish unions lasting from a few minutes to 99 years, is permitted under Shia Islam but has been likened in Iran to prostitution ... *Sigheh* children are classed as legitimate.” [16j]

23.25 An Inter Press News Agency article dated 26 June 2007 explained temporary marriage in the following terms:

“Under temporary marriages, practiced largely by Shiites and banned by most Sunni sects, there are no limits as to the number of temporary wives a man can take. Unlike in Sunni communities, having multiple permanent wives is quite rare among Iranian Shiites. A temporary marriage does not have to have witnesses or be registered anywhere, although it is always possible to register a marriage with a notary.

“Just an agreement between the parties involved and a few sentences uttered in Arabic, or even in one's own language, are enough for the temporary marriage to be done. The husband has the exclusive right to terminate the marriage at any point he wishes, even before the term is over and without the wife's consent.

“Widely practised in Iran by married and more rarely by single men, temporary marriages are largely looked down upon by traditional Iranian society, even among the very religious. In nearly all cases, women who enter into temporary marriages are divorcees or widows. Virgin women need

have permission from their father or paternal grandfather to enter into such a marriage, and temporary marriages involving young unmarried women are quite uncommon except among the extremely needy.

“Unlike the usual marriage, a temporary marriage does not create any financial obligations for the man, who is only obliged to pay an agreed amount of money as dowry to the woman at the time of marriage, upon being asked during the marriage or at the time of its termination.” [100a]

- 23.26 On 28 January 2005 it was reported by the UNHCR Ankara Country of Origin Information team in its ‘Chronology of Events in Iran’, revised March 2005, that the UN Committee on the Rights of the Child, “...expressed deep concern over the fact that the age of majority in Iran is 15 for boys and 9 for girls, which implies that [children] are not protected by the Convention above these ages. This could also result in ‘forced, early and temporary marriages,’ the committee said.” [3k]

- 23.27 The USSD Report 2008 stated:

“The country's Islamic law permits a man to have as many as four wives and an unlimited number of sigheh [temporary relationships], based on a Shia custom in which a woman may become the wife of a Muslim male after a simple religious ceremony and a civil contract outlining the union's conditions. Such wives were not granted rights associated with traditional marriage.” [4a] (Section 5)

- 23.28 The USSD Report 2008 also stated:

“Prostitution is illegal, but it took place under the legal cover of ‘sigheh,’ or temporary marriage. International press reports described prostitution as a widespread problem. The problem appeared aggravated by difficult economic conditions and rising numbers of drug users and runaway children. In March authorities arrested Tehran police chief Reza Zarei after he was discovered in a brothel during a police raid.” [4a] (Section 5)

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Mehriyeh

- 23.29 A response to an information request, dated 28 October 2004, by the Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) listed the variations of mehriyeh as Mahr / Mehr / Mehryeh / Mahrieh and Mahriyeh. [133a]
- 23.30 The same source stated that mehriyeh is similar to a dowry except that a husband pays it to his wife. The money belongs to the wife who can claim it at any time during the marriage and the husband has to pay or go to prison. (ACCORD, 28 October 2004) [133a]
- 23.31 The article, ‘A Wedding, Tehrani Style’ by B. Bagheri, reported that:
- “One of the most important details to be agreed upon is to set a ‘mehriyeh’. This is the amount of monetary compensation that the future husband will have to pay his wife in the unfortunate case of a divorce. Mehriyeh has

proven to be a fairly effective insurance policy for the women in a society where there are limited options after a divorce. The process of setting the mehriyeh amount is sometimes the subject of much controversy and business-like negotiations, occasionally causing one side (or both) to call the whole thing off! For many aristocratic and modern Iranian families, a high mehriyeh is a status symbol, while many religious and orthodox families, as well as the intellectual types, express their confidence and faith in the future strength of the new marriage by setting the mehriyeh to be a very small token amount or simply a copy of the holy book of Ghoraan (The Moslem holy book of Qoran) and a couple of pieces of Iranian crystal sugar rocks! The sugar is to symbolise the sweetness and joy that is intended and sought from the marriage.” [51]

- 23.32 An article dated 2 October 2009 by a Professor of Sociology and Women’s Studies at Purdue University, published on Payvand’s Iran News website stated that anecdotal evidence indicated that “...the practice of mahr/mehrieh, whereby the groom promises an amount of money to his bride, has been growing rather than declining in Iran.” The article suggested that women’s limited employment opportunities and being unable to rely on a steady income may partially explain this trend. [53a]

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Adultery

- 23.33 Book 2 of the Islamic Penal Code 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] There have been several reports of execution for adultery in recent years. (Freedom House report 2008) [112c]

- 23.34 On 29 October 2009, Amnesty International reported that:

“The majority of those sentenced to death by stoning are women, who suffer disproportionately from such punishment. One reason is that they are not treated equally before the law and courts, in clear violation of international fair trial standards. The age of criminal responsibility for women is lower than that for men and a woman’s testimony is worth only half that of a man. They 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, said Amnesty.” [9m]

- 23.35 The USSD Report 2008 noted that:

“A man could escape punishment for killing a wife caught in the act of adultery if he was certain she was a consenting partner; the same rule does not apply for women whose husbands committed adultery. Women sometimes received disproportionate punishment for crimes such as adultery, including death sentences. The law provides that a victim of stoning is allowed to go free if he or she escapes; however, it is much

harder for women to escape, as they are buried to their necks, whereas men are buried to their waists.” [4a] (Section 5)

Divorce

23.36 The Canadian Immigration and Refugee Board (CIRB) report, ‘Women in the Islamic Republic of Iran’ (June 1994), stated that divorce applies to permanent marriage only (see subsection on ‘Sigheh’ or temporary marriage above for informations about temporary unions). A husband wishing to divorce is required to obtain court permission to register the divorce if his wife does not agree to it, but registration can only be delayed by the court, not prevented. A husband is not required to cite a reason for divorcing his wife. The conditions under which a woman may divorce depend on the year that she married, and the legislation that was in effect at the time of her marriage. [2d] In December 2002 BBC News reported that the Guardian Council had approved a bill giving women the right to ask for divorce on 12 specific grounds e.g. addiction, imprisonment and emotional difficulties – although this does not constitute full equal rights. [21x] Divorced women, particularly in rural areas, may find themselves socially isolated and may face financial difficulty. (EU Council, 2 February 1998) [19a] (p19)

23.37 The USSD Report 2008 stated: “Women have the right to divorce only if the husband signs a contract granting that right; cannot provide for his family; or is a drug addict, insane, or impotent. A husband was not required to cite a reason for divorcing his wife.” [4a] (Section 5)

23.38 UNHCR expanded on the legal provisions relating to the legal distinctions between cancellation of marriage and divorce in permanent marriages in their ‘Comments on the Iran Country Report of April 2005’ of August 2005 as follows:

“The Civil Code of the Islamic Republic of Iran makes a distinction between the cancellation of marriage and divorce concerning the dissolution of a permanent marriage (Article 1120). A permanent marriage may be cancelled by either one of the couple if the other one is proved to be ‘mad’ (Article 1121). A woman is entitled to cancel a marriage on the basis of the following ‘defects’ in a man: castration, impotency (provided that marriage is not consummated), and amputation of the male sexual organ to the extent his ‘marital duty’ cannot be performed (Article 1122).

“A man is entitled to cancel a marriage on the basis of the following defects: protrusion of the womb, black leprosy, leprosy, connection of vaginal and anal passages, being crippled and being blind in both eyes (Article 1123). However, such defects, except in cases specified below, should exist at the time of marriage and the other party should be ignorant of them to be able to revoke such ‘defects’ as a ground for canceling the marriage. If one of the parties is cognizant of the ‘defects’ in the other party before the celebration of the marriage, he or she loses his or her right to cancel marriage on the basis of such ‘defects’ (Article 1124-1126). A woman is entitled to cancel her marriage on the grounds of ‘madness’ or impotency even if such conditions occur in her husband after the marriage (Article 1126). Cancellation of a marriage does not necessarily follow the procedures stipulated for a divorce (Article 1132)...(p4) A specific regulation is made for the cases where the husband contracts a venereal disease after conducting the marriage, in

which case the wife is entitled to refuse sexual intercourse with him while maintaining her right to maintenance costs (nafaqa) (Article 1127).

“According to the Iranian Civil Code, divorcing his wife is an exclusive right of the husband: ‘A man can divorce his wife whenever he wishes to do so’ (Article 1133).

“If the husband refuses to pay, or is unable to pay, the costs of maintenance of his wife, and if it is not possible to enforce payment of such costs by court order, the wife can seek a divorce. In such a case, the judge will compel the husband to divorce her (Article 1129).

“A wife can also seek divorce ‘when it is proved to the Court that the continuation of the marriage causes difficult and undesirable conditions.’ In such cases, the judge can compel the husband to divorce his wife. If this proves difficult, the judge may divorce the couple by court order (Article 1131).” [3h] (p5)

23.39 The USSD Report 2007 stated that: “A widely used model marriage contract limited privileges accorded to men by custom, and traditional interpretations of Islamic law recognized a divorced woman’s right to a share in the property that couples acquire during their marriage and to increased alimony.” [4t] (Section 5)

23.40 In the Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living in its Mission to the Islamic Republic of Iran (19–31 July 2005), dated 21 March 2006, it was noted:

“In [the] case of divorce, the couple’s property is divided equally between the partners only if the man files for divorce under no specific justification apart from his own will. If he presents any legal justification for divorce, the wife loses her right to her share of the assets. If a woman leaves the family house, even in [a] case of domestic violence, this may be considered abandonment of the home and can be used against her if the husband decides to file for divorce.” [10ac] (p21)

23.41 The report of the Special Rapporteur on violence against women dated 27 January 2006 stated that:

“Child custody laws also 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)

23.42 The USSD Report 2008 stated:

“Traditional interpretations of Islamic law recognized a divorced woman's right to part of shared property and to alimony. The law provides divorced women preference in custody for children up to seven years of age; however, divorced women who remarry are forced to give the child's father custody. After the child reaches seven years of age, the father is entitled to custody (except in cases in which the father was proven unfit to care for the child). The court determined custody in disputed cases.” [4a] (Section 5)

23.43 UNHCR expanded on the legal provisions relating to custody of children in their ‘Comments on the Iran Country Report of April 2005’ of August 2005 as follows:

“According to Iranian Civil Code, custody of children belongs to the father. In the case of the dissolution of marriage or the death of the father, ‘the mother shall have a preferential right to the custody of her child in the first two years of the child's life, after which the father shall have the custody unless the child is a girl in which case she will remain under the mother's custody until she reaches the age of 7’ (Article 1169).

“An amendment to the legislation in November 2003 increased mothers' custody rights, including granting the mothers to keep the custody of their sons until the age of 7 (IRNA, Iranian mothers win better child custody rights, 29 November 2003). The mother loses [sic] custody over her children when she becomes ‘insane’ or when she marries another man (Article 1170).

“While the mother may lose [sic] custody of her children if she cannot prove she is financially able to support her children (Asylum Aid, Refugee Women and Domestic Violence: Country Studies – Iran, March 2002, p24-25). According to a report by Asylum Aid on domestic violence in Iran,

“The possibility of a woman keeping her children with her therefore depends on not only on her financial position, but also on her husband's agreement to forgo his right to custody. In a case of domestic violence, this kind of voluntary concession is likely to be hard to obtain (Asylum Aid, March 2002, p25).” [3h] (p5)

23.44 The report goes on to highlight 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)

23.45 On 19 May 2009 the *Tehran Times* reported that:

“A new research conducted by Shahid Beheshti University showed that 80% of petitions for divorce were filed by women in the first five years of marriage. Head of the research group, Majid Abhari blamed women's power of attorney in divorce as the main reason behind such a great rate of

petitions filed by women. According to the research, unemployment, poverty, addiction, and consequently lack of mutual understanding are the biggest cause of discords in marriage...According to figures of state Birth Registration Organization, there were a number of 110,510 divorces recorded in 1387 (March 2008-March 2009).

"Men aged between 25 and 29 and women 20 to 24 accounts for the highest rate of divorce, the figure showed. There was a rise of 11% in the country's divorce rate, compared with the last year." [50]

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Dress code

23.46 A CIRB report dated 10 January 2008 observed:

"Women in Iran are required by Iranian penal law to maintain 'Islamic dress in public' (US 14 Sept. 2007; Denmark Apr. 2005, 12) and therefore must cover their hair and neck completely and wear clothing that does not reveal the shape of the body (ibid; Reuters 18 Apr. 2006). Men cannot wear shorts and women cannot reveal their hair or ankles (RFE/RL 19 Apr. 2006). Sources describe violations of the dress code to include wearing colourful scarves or tight coats, men sporting 'Western' hairstyles (RFE/RL 2 May 2007), women wearing loose-fitting scarves or shortened trousers which expose skin (The Guardian 20 Apr. 2006; BBC 21 Apr. 2006) and women wearing makeup (US 6 Mar. 2007, Sec. 1.c)." [2ag]

23.47 The same source stated:

"According to a report of the Danish Immigration Service, the legal basis for Iranian clothing rules is found in the penal code which 'stipulates that women that show themselves in public places without Islamic clothing should be sentenced to from ten days to two months imprisonment or a fine' (Denmark Apr. 2005, 12). Other sources note that people who violate the dress code may have to sign 'statements pledging not to violate the dress code' (RFE/RL 2 May 2007) or may receive ... lashes (Reuters 18 Apr. 2006) [and/or] fines (Reuters 18 Apr. 2006)" [2ag]

23.48 And further noted:

"While the Danish Immigration Service states that the Director for the consular office in the Iranian foreign ministry 'reported that the clothing rules were no longer rigorously enforced', a number of other sources describe the enforcement of rules regarding Islamic appearance since April 2006 as being 'harsher' than in previous years. Some sources indicate that a crackdown in advance of summer weather is common but in slight contrast, recent reports indicate that the crackdown has continued into winter months. Reports indicate that police in Tehran are targeting 'winter fashions deemed immodest' and that authorities have 'launched a winter crackdown' enforcing the dress code." [2ag]

23.49 The CIRB information request, dated 10 January 2008, continued:

“Enforcement includes punishing taxi agencies and drivers who transport ‘women dressed ‘inappropriately’” (The *Guardian* 20 Apr. 2006), stores which sell certain kinds of clothing (RFE/RL 2 May 2007) and hairdressers who offer ‘western hair cuts’, who tattoo eyebrows and pluck men’s eyebrows (The *Guardian* 25 Aug. 2007; Reuters 20 May 2007).

“According to two sources, new police officers have been assigned to enforce the dress code (RFE/RL 19 Apr. 2006; BBC 21 Apr. 2006). HRW reports that the Basij militia [a government volunteer paramilitary force] are involved in enforcing the “morality” campaign’ (17 May 2007). The *Guardian* reports that Amaken-e Omoomi ‘a police body for regulating businesses’ is responsible for closing down barbers and hairdressers (25 Aug. 2007).” [2ag]

23.50 According to a BBC News report of 12 November 2007, Iranian newspapers have printed a list of moral vices that the police are targeting, including wearing make-up and hats instead of headscarves. The police say they will also suppress ‘decadent’ films, drugs and alcohol. This year has seen one of the most ferocious crackdowns on un-Islamic behaviour and improper Islamic dress by the authorities for at least a decade. [21z]

23.51 The USSD Report 2008 stated that:

“The penal code provides that if a woman appears in public without the appropriate Islamic covering (hijab), she can be sentenced to lashings and/or fined. However, absent a clear legal definition of appropriate hijab or the punishment, women were at the mercy of the disciplinary forces or the judge. Pictures of uncovered or immodestly dressed women in the press or in films were often digitally altered.” [4a] (Section 5)

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Women in the workplace

23.52 Women in Iran require their husband’s permission to work. (The *Guardian*, 6 October 2009) [16d] Women workers are subject to difficulties in the work place particularly as a result of entrenched cultural attitudes. (BBC News, 2 August 2003) [21t]

23.53 In the Center for Iranian Studies (CIS) report of September 2007 it is noted that:

“... women comprise only 14 percent of the government’s work force and those who occupy top positions are usually keen supporters of the regime and occasionally related to the ruling elite ... While Iranian women are among the most highly educated in the Middle East, their unemployment rate is particularly high - 13 percent across the board and over 22 percent among women”. [94a]

23.54 However, a *Guardian* article, dated 2 January 2008, noted that:

“Katajun Amirpur, Islamic expert at the University of Cologne, points out that Iran is still a society ‘in which girls can be married at the age of nine, where women can be punished for having pre-marital sex, where they cannot

become judges or presidents, they are banned from football stadiums, and where the wearing of the chador is obligatory.'

"At the same time, a third of the work force is female, two-thirds of students are women, there are female MPs, doctors, mayors, policewomen, taxi drivers. Karate is the most popular female sport, and 97% of women can read and write. The reality is that women are exceptionally self-confident members of Iranian society'." [16i]

- 23.55 An article on Payvand's Iran News website dated 2 October 2009 stated that 30 years after the 1979 revolution in Iran "... women constitute only 15% of the formal sector paid labor force (that is, those entitled to paid holidays, maternity leave, pension, and other provisions of labor law). According to the results of the 1385/2006 Iranian census, only 3.5 million Iranian women are salaried workers, compared with 23.5 million men." The census also showed that women constituted less than 20% of the work force. Furthermore:

"Some 33% of Iran's female labor force is in professional jobs, concentrated in education, healthcare, and social services, hardly a seismic shift from the pre-revolutionary period in terms of gender roles. Slightly over half of all teachers in Iran are women, but the proportion of female university teaching staff is, at 20%, less than that of Algeria (41%), Tunisia (40%), Turkey (38%), and Bahrain (36%). Iranian census data reveal no evidence of a shift to the FIRE [finance, insurance and real estate jobs] sector, and less than 4% of employed women are found in senior or executive or managerial positions." [53a]

Education

- 23.56 The USSD Report 2008 noted that:

"Women had access to primary and advanced education. Reportedly 65 percent of university students were women; however, government officials admitted the use of quotas to limit women's university admissions in certain fields, such as medicine and engineering. In addition, social and legal constraints limited their professional opportunities. Women were represented in many fields of the work force, including the legislature, municipal councils, police, and firefighters. According to a World Economic Forum report, the unemployment rate for women was 17 percent, compared with 10 percent for men. Women cannot serve as president or as certain types of judges. Women may be consultant and research judges without the power to impose sentences." [4a] (Section 5)

- 23.57 A *Guardian* article of 6 October 2009, written by the Nobel Peace Prize winner, Shirin Ebadi, observed that "Iran today is a country where women are more educated than their male compatriots; more than 60% of university students are female, as are many university professors." The article noted, however, that despite achievements such as this, there were discriminatory regulations against women. [16d]

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VIOLENCE AGAINST WOMEN

- 23.58 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)

- 23.59 UNHCR reported in their ‘Comments on the Iran Country Report of April 2005’ of August 2005 that the:

“UN Special Rapporteur on violence against women, Yakin Erturk, urged Tehran to adopt a national action plan to promote and protect human rights which would emphasise the elimination of violence against women. Although they had seen some advances, Iranian women still face violence in and outside the home and are blocked from defending their rights by discriminatory laws and an unfair justice system, Erturk said. ‘Discriminatory laws and malfunction in the administration of justice result in impunity for perpetrators and perpetuate discrimination and violence against women,’ she said. Erturk issued her criticism in a preliminary report for the world body’s Human Rights Commission – which holds its annual six-week session in Geneva in March and April – following a government-approved visit to the country.

“She said she was ‘troubled by the widespread practice of arrest for political opinion, including of female human rights defenders, and for ‘moral offences’,” and by the failure of the judicial system to enforce safeguards ensuring fair trials. Erturk had also seen an emerging civil society with active female lawyers, journalists and academics ‘engaged in working to promote human rights and prevent violence against women.’ But she said: ‘In the family, women face psychological, sexual and physical violence’ which existing laws did little to protect against, while divorce and custody of children were difficult for abused wives to obtain. In the wider community, victims of rape face numerous obstacles in accessing justice, she said. Women risk punishment for adultery if they fail to prove rape, and can face death for killing a rapist in self-defense (Reuters, U.N. expert criticises Iran on women’s rights, executions, 8 February 2005).” [3h] (p3-4)

- 23.60 The Special Rapporteur on Violence against Women, its causes and consequences, in his report of the Mission to Iran dated 27 January 2006 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)

- 23.61 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.” [66a] This is reiterated by the USSD Report 2008 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 5)

- 23.62 The USSD Report 2008 further stated that:

“Rape is illegal and subject to strict penalties, but it remained a problem. Spousal rape is not illegal.

“Spousal abuse and violence against women occurred. According to a study published during the year using 2005 data, 27 percent of women reported being physically abused during the survey year. Abuse in the family was considered a private matter and seldom discussed publicly, although there were some efforts to change this attitude. Domestic violence was not specifically prohibited by law, but some nongovernmental shelters and hotlines existed to assist victims...There was a lack of reliable data on the prevalence of sexual harassment in the country; however, media reports indicated unwanted physical contact and verbal harassment occurred. There are laws addressing sexual harassment in the context of physical contact between men and women. In June, thousands of university students in Zanzan protested an alleged episode of sexual harassment of a student by a university official.” [4a] (Section 2c)

- 23.63 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

- 23.64 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)

- 23.65 UNHCR commented in their ‘Comments on the Iran Country Report of April 2005’ of August 2005 that “‘Honour crimes’ are known to be occurring in Iran. It happens among Arab, Kurdish and Azeri minorities more than Farsi ethnicity...There are no reports of suggesting availability of state protection to woman risking ‘honour killings’.” [3h] (p4)

23. 66 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

“The Special Rapporteur found that some of the cases of self-immolation in the city are 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)

- 23.67 The USSD Report 2008 stated that: “According to a police official quoted in a domestic newspaper during the year, 50 honor killings were reported during a seven-month period, although official statistics were not available. The punishment for perpetrators was often a short prison sentence.” [4a] (Section 5)

23.68 The Amnesty International report on human rights abuses against the Kurdish minority of July 2008 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]

23.69 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)

23.70 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 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)

Government suppression of women's rights organisations

- 23.71 An Amnesty International report dated 28 February 2008 stated:
- “In April 2007, Minister of Intelligence Gholam Hossein Eje'i publicly accused the women's rights movement of being part of an enemy conspiracy to bring about a 'soft subversion' of the Islamic Republic – a charge that women's rights defenders roundly reject. Since that time, women's rights groups and other NGOs that receive assistance from international donors, such as the Dutch organization Hivos, have been closed down and their directors and workers have been questioned by the Iranian security authorities about their work and financial affairs.” [9aah]
- 23.72 The Human Rights Watch 2008 World Report stated that: “The government ... closed the offices of Rahi Institution, a nongovernmental organization providing legal and social aid to women victims of violence.” [8ai]
- 23.73 An article on the UN News Centre dated 27 November 2008 reported that: “Defenders of the rights of women are facing a progressively difficult situation, including harassment and intimidation in the course of their non-violent activities, the two UN Special Rapporteurs said in a joint statement. 'Peaceful demonstrators have been arrested, detained and persecuted with prison sentences having been imposed on many of them.’” [10e]
- 23.74 Radio Free Europe / Radio Liberty (RFE/RL) reported on 3 September 2008 that “Dozens of activists have been detained over the last two years and several have received mostly suspended prison terms.” RFE/RL also reported that most of the women's rights activists detained since the One Million Signatures campaign started in 2006 had been freed within days. [42c]
- 23.75 Human Rights Watch, in an article dated 28 October 2008, said that “... the Judiciary has prosecuted more than 100 women's rights activists over the past three years and continues to detain, intimidate, and prohibit from traveling a number of other women's rights activists, particularly those involved in the One Million Signatures Campaign for Equality.” [8d]
- 23.76 The USSD Report 2008 noted that “The government intensified its campaign against members of the 'One Million Signatures' campaign, which activists launched in 2006 to promote women's rights and demand changes to discriminatory laws.” [4a] (Section 5)
- 23.77 In an article dated 19 September 2008, the International Federation for Human Rights stated:
- “On September 2, 2008, the Tehran Revolutionary Tribunal sentenced Ms. Parvin Ardalan, Ms. Nahid Keshavarz, Ms. Jelveh Javaheri, arrested on December 1, 2007 and since detained at Evin Prison and Ms. Maryam Hosseinkhah, arrested on November 18, 2007 and since detained at Evin Prison, to six months' imprisonment for 'publishing information against the State', for having written articles for two online newspapers that defend women's rights in Iran: Zanestan and Tanir Bary Barbary. They have been released on bail after having appealed their sentences.” [56a]

- 23.78 The Foreign and Commonwealth Office's (FCO) Human Rights Report for 2008 stated that

"We are concerned by growing repression against women's rights defenders, who are peacefully campaigning to redress gender-based discrimination in Iran. Negin Sheykholeslami, a Kurdish woman campaigning for women's rights, was recently released on bail having been detained since October and denied access to medical care. Dozens of women connected to the Campaign for Equality (which aims to collect a million signatures in Iran and calls for an end to legalised discrimination against women) face harassment and arrest for 'actions against national security' and 'propaganda against the system'. At the end of 2008, several campaign activists remained in detention without charge or trial. A student, Esha Momeni, was recently released on bail having been charged with national security offences for documenting the campaign's activities for her thesis." [26b] (p143)

- 23.79 The Human Rights Watch (HRW) 2009 report on Iran, covering events in 2008, stated that:

"The government escalated its crackdown on women's rights activists in 2008, subjecting dozens of women to arbitrary detention, travel bans, and harassment. Eight women's rights activists were arrested in June as they were commemorating a 2006 meeting on women's rights that was broken up by police. In October an Iranian-American student researching women's rights in Iran, Esha Momeni, was arrested and held for some three weeks in Tehran's Evin prison. Security agents seized her computer and footage of interviews she had conducted with women's rights activists." [8f] (p462)

- 23.80 The HRW report also noted that:

"In September [2008] an appeals court in Tehran upheld prison and lashing sentences against two women's rights activists, Massoumeh Zia and Marzieh Mortazi Langrudi, for taking part in a 2006 demonstration demanding equal rights. Four women were also sentenced earlier in the year to six months in jail each for writing articles for feminist websites. In January 2008 the authorities released Maryam Hosseinkhah and Jelveh Javaheri from Evin prison, where they were serving sentences for 'disturbing public opinion' and 'publishing lies.' Two other activists, Ronak Safazadeh and Hana Abdi, remain in detention in Sanandaj on charges of 'endangering national security.' Prior to their arrest they were active members of the Azarmehr Association of the Women of Kurdistan, a group that organizes capacity-building workshops for women in Iranian Kurdistan." [8f] (p462)

- 23.81 The Human Rights Watch 2009 report on Iran stated that, in October 2008 "One Million Signatures" campaign leader, Sussan Tahmasebi, was prevented from boarding a plane by security agents who also confiscated her passport. She was not charged with any crime. [8f] (p462) Sussan Tahmasebi's travel ban was lifted in February 2009. (International Campaign for Human Rights in Iran, 10 April 2009) [52b] (p10)

- 23.82 A *Guardian* article dated 6 October 2009 stated that the One Million Signatures Campaign:

“... is a peaceful protest which, unfortunately, the Iranian government has refused to tolerate. More than 50 campaigners have been prosecuted and some deprived of basic social rights, such as being able to travel freely or leave the country. The most severe sentence has been handed down to Aliyeh Eghdam Doust, who is serving a three-year prison term. She is one of the activists arrested in the June 2006 protest in support of women's rights in Haft-e-Tir Square in Tehran.” [16d]

23.83 The HRW 2009 report noted that:

“The Judiciary has also prosecuted women involved in peaceful activities on behalf of the campaign for ‘disturbing public opinion,’ ‘propaganda against the order’ and ‘publishing lies via the publication of false news.’ In September [2008] an appeals court in Tehran upheld prison and lashing sentences against two women’s rights activists, Massoumeh Zia and Marzieh Mortazi Langrudi, for taking part in a 2006 demonstration demanding equal rights. Four women were also sentenced earlier in the year to six months in jail each for writing articles for feminist websites.” [8f] (p462)

23.84 The UN Secretary-General’s *Report on the situation of human rights in Iran*, dated 23 September 2009, stated that:

“On 27 November 2008, the Special Rapporteurs on the situation of human rights defenders and on violence against women issued a joint statement expressing deep concern regarding the ongoing crackdown on women’s rights defenders in the Islamic Republic of Iran, noting that peaceful demonstrators had been arrested, detained and persecuted, with prison sentences having been imposed on many of them. They noted that the Government continued to harass and intimidate women’s rights activists involved in the ‘one million signatures’ campaign and to prevent them from travelling.” [10g] (p13)

23.85 The *Report on the Status of Women Human Rights Defenders* published on 10 April 2009 by the International Campaign for Human Rights in Iran (ICHR), detailed pressures faced by women human rights defenders since June 2008. The report stated that:

“Women’s rights activists advocating for legal reforms and the protection of women’s rights have been increasingly targeted. Since our last report [5 May 2008], the most prominent human rights defender, Shirin Ebadi, has come under fire; a prison sentence of a woman’s rights activist has been implemented for the first time in the history of the Islamic Republic of Iran; and other women’s rights activists have been targeted, harassed, arrested, summoned, tried and barred from travel.” [52b] (p1)

The ICHR report gives more detailed information on the treatment received by individual women human rights activists.

23.86 On 5 November 2009, Amnesty International reported that “In recent days, at least 10 members of the Campaign for Equality – a grassroots women’s rights initiative - have been summoned to appear before a branch of the Revolutionary Court in connection with their peaceful activities on behalf of women’s rights in Iran. Some have been banned from travel abroad.” [9p]

- 23.87 The [Women's Learning Partnership for rights, development and peace](#) is an international, non-governmental organization (NGO) in Special Consultative Status with the Economic and Social Council of the United Nations. Their website provides information on the treatment of women activists from March 2007 to the present.

See also [Freedom of speech and media](#) and [Human rights institutions, organisations and activists](#). For more recent information see [Latest news](#).

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HEALTH AND WELFARE

Abortion

- 23.88 A CIRB report of February 2001 stated that the position of whether it is legal to perform abortions is unclear in law, and many doctors are reluctant to proceed. This is irrespective of a fatwa by Ayatollah Ali Khamenei that abortion may be undertaken in cases of medical necessity, such as when thalassemia has been detected. Illegal abortion clinics have been prosecuted in recent years. [2e]

- 23.89 A BBC report of 12 April 2005 noted that "Under the existing law, the illegal abortionist and the mother in question can be sentenced to between three and ten years in jail." [21q]

- 23.90 On 30 September 2008, the Pew Forum on Religion and Public Life reported that:

"Abortion has been illegal in Iran since the 1979 Islamic Revolution. Although there are no explicit exceptions to this prohibition, Iranian law generally allows acts that are performed to save the life of a person; thus, it is commonly understood that abortion is illegal except when necessary to save the mother's life. In 2005, the Iranian parliament passed a measure allowing abortions within the first four months of pregnancy in cases of fetal impairment that would result in economic burden; the measure was ultimately blocked by the Iranian Guardian Council." [63]

- 23.91 A report in Iran Focus News dated 9 May 2005 stated that "According to local press reports, at least 80,000 illegal abortions are carried out in Iran each year but some believe the actual figure could be far higher." [76c]

See also [Medical issues](#)

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CHILDREN

OVERVIEW

- 24.01 The Library of Congress website, updated on 2 May 2009 though information prepared in August 2007, noted:

“The Islamic Republic of Iran (Iran) is a party to Convention on the Rights of the Child. Iran adhered to the Convention in September 1991, and ratified it on July 13, 1994. Iran, however, has made the following reservation ‘If the text of the Convention is or becomes incompatible with the domestic laws and Islamic standards at any time or in any case, the Government of the Islamic Republic shall not abide by it.’ Iran has so far (according to the available sources in the Law Library of Congress) not passed legislation calling for the implementation of the Convention.” [7b]

- 24.02 Iran has also ratified “... the ILO 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).” (UN Secretary-General’s Report, 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)

- 24.03 Iran has 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 but it has not signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. (United Nations Treaty Collection, accessed 2 December 2009) [10ah]

The [UNICEF](#) website includes general information on the situation of children in Iran.

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Basic legal information

- 24.04 The UN Secretary-General’s report dated 1 October 2008 observed that:

“The age for criminal responsibility under Iranian law is set at 14 years and 7 months for boys and 8 years and 9 months for girls, which is not only discriminatory but also low by international standards. Accordingly, children who commit serious crimes can be processed as adults under the Penal Code ... Furthermore, there is a possibility of death sentence under *qisas* (retribution in kind) for juvenile offenders, unless *diyah* is agreed or the offender is forgiven by the victim’s family. The sharia jurisprudence

considers *qisas* a private right of the family of the victim that cannot be overruled by the decision of a judge or any other authority. In this connection, Iranian officials exclude the State's responsibility for *qisas* cases." [10a] (p11)

- 24.05 The UN Report, 'Situation of Human Rights in the Islamic Republic of Iran', E/CN.4/2002/42, dated 16 January 2002, stated:

"The Special Representative would note that there reportedly remain on the books two invidious provisions concerning children and the criminal law. One sets the age of penal responsibility at the age of puberty, 9 [lunar] years for girls and 15 [lunar] years for boys, which means that young people can face adult punishments. The second is that an adult who kills a minor is subject to the death penalty unless the accused is the father or grandfather of the victim, in which case the accused is subject only to the payment of *diyah*. The Special Representative trusts that the promised new Juvenile Justice Act will amend both of these provisions. [Solar years are longer than lunar years by 11 days so the UK equivalent of these ages would be less than the Iranian ages of criminal responsibility [132]]" [10p] (p21)

- 24.06 The UN 38th session CRC report of March 2005 stated that:

"The Committee reiterates its deep concern that the age of majority is set at pre-defined ages of puberty for boys at 15 and for girls at 9, because it implies that boys from 15 to 18 years and girls from 9 to 18 years are not covered by the provisions and principles of the Convention. 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)

- 24.07 The USSD 2008 stated that: "The law requires court approval for the marriage of girls younger than 13 and boys younger than 15; however, it was reportedly not unusual in rural areas for parents to have their children marry before they become teenagers, often for economic reasons." [4a] (Section 5)

- 24.08 Freedom House's report, *Countries at the Crossroads 2007*, Iran, stated that "Suffrage is universal in Iran, unlimited by gender or ethnicity. The minimum voting age rose to 18 in January 2007 after remaining at only 15 for many years". [112a]

- 24.09 The CIA World Factbook, updated on 11 November 2009, states that military service age and obligation is 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 is 18 months and women are exempt from military service. [111]

See also [Military service](#).

LEGAL RIGHTS

- 24.10 The US Library of Congress website, updated on 2 May 2009 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.” [7b]

24.11 The USSD Report 2008 further stated:

“The labor code prohibits all forms of forced or compulsory labor, including by children; however, there were reports that such practices occurred. ... The law prohibits employment of minors younger than 15 years and places restrictions on the employment of minors younger than 18; however, the government did not adequately enforce laws pertaining to child labor, and child labor was a serious problem. The law permits children to work in agriculture, domestic service, and some small businesses, but prohibits employment of minors in hard labor or night work. There was no information regarding enforcement of these regulations.

“According to government sources, 3 million children were prevented from obtaining education because their families forced them to work. Unofficial sources claimed the figure was closer to 5 million. In 2007 Tehran reportedly opened several shelters for street children. There were reportedly significant numbers of children--particularly Afghan but also Iranian--working as street vendors in major urban areas. Many Afghan children were unable to attend school because they lacked birth certificates or identification cards, which the government reportedly refused to issue in an effort to curb illegal immigration.” [4a] (Section 6)

24.12 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.” [136a]

JUDICIAL AND PENAL RIGHTS

24.13 The UN Report, ‘Situation of Human Rights in the Islamic Republic of Iran’, E/CN.4/2002/42, dated 16 January 2002, observed:

“There continue to be positive developments in the area of juvenile justice. The Special Representative is informed that a committee was established in February 2001 to draft a new juvenile justice legislation. Over the past two years, all juvenile judges have been given training on the Convention on the Rights of the Child and on the relevant international instruments on juvenile justice. Social workers from the National Prisons Organization have participated in such courses. There are now examples of alternative sentences being issued by juvenile judges in some provinces.” [10p]

24.14 However the UN 38th session 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)

24.15 The UN 38th session 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)

24.16 The same report went on to say:

“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... (Para 45) 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)

24.17 The UN 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 mentioned in paragraph 8 above. However, it deplores the information referred to in paragraph 29 above 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)

24.18 The USSD Report 2007 stated:

“Only a few cities had a youth prison, and minors were sometimes held with adult violent offenders. According to UN Integrated Regional Information Networks (IRIN) there were 300 boys and 40 girls at the Tehran youth prison, with the average age of 14, but some were as young as age six. Children whose parents could not afford court fees were reportedly imprisoned for petty offenses including shoplifting, wearing make-up, or mixing with the opposite sex.” [4t] (Section 5)

24.19 A 2007 article on the United Nations website stated that “Currently, there are also 23 juvenile correction centers to keep people under the age of 18 separate from other prisoners.” [10d]

24.20 The UN 38th session 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)

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Death penalty for children

24.21 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 worldwide the number of child executions was increasing. Moreover, “Most of these child executions occur in the Islamic Republic of Iran, which for over a decade has had the highest levels of such executions in the world.” [49] (p13) The FCO’s Human Rights Report 2008 stated that: “Despite international condemnation, Iran continues the practice of juvenile executions...” [26b]

24.22 The FPC’s June 2009 report recorded that:

“This last decade has witnessed efforts by Iranians to take the interpretation of the law in a new direction, one that points to the abolition of juvenile execution. An example is the draft Juvenile Crimes Investigation Act already approved by Parliament. If accepted by the Islamic Council of Guardians, this limited bill will prevent certain *hodoud* and *ta’zir* crimes but will not put an end to *qesas* [*qisas*] crimes, which currently account for 90% of juvenile executions in Iran. Another significant effort is an increase in workshops, training and coordination of the nationwide judiciary, so that decisions by the central authorities are implemented throughout the country.” [49] (p56)

See also [Penal Code](#)

24.23 The Human Rights Watch 2009 report on Iran stated that “Iranian law allows death sentences for persons who have reached puberty, defined in law as age 9 for girls and 15 for boys.” [8f]

- 24.24 Reports of how many juvenile offenders had been executed in 2008 varied. The *Hands Off Cain 2009 World Report* stated that “In 2008, at least 13 juvenile offenders were put to death in Iran, the only country reported as having carried out the death penalty for those condemned of crimes committed before their eighteenth birthday.” [119a] The Foreign and Commonwealth Office’s (FCO) Human Rights Report 2008 stated that “At least seven juvenile offenders were executed in 2008, one of whom was under the age of 18 at the time of execution.” [26b]
- 24.25 The report of the Secretary-General to the United Nations on the situation of human rights in the Islamic Republic of Iran, dated 23 September 2009, stated that his earlier report [of 1 October 2008] had highlighted the execution of juveniles in Iran “as a specific area of concern”. His September 2009 report stated that “The Islamic Republic of Iran continues to carry out such executions despite efforts by the judiciary to curb the practice. The imposition of the death penalty on individuals who commit crimes while under the age of 18 is a breach of both the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, to which the Islamic Republic of Iran is a party.” [10g] (p11)
- 24.26 The Amnesty International (AI) Annual Report 2009, released in May 2009, covering events in 2008, stated at least eight people were executed having been sentenced for crimes committed when they were under 18. AI also reported that around 133 juvenile offenders faced execution in contravention of international law. [9h] The UN Secretary-General’s report of 23 September 2009 noted that, according to AI, three juvenile offenders had reportedly been executed in 2009. Moreover, “Amnesty International also reported that from 1990 to 2009 the Islamic Republic of Iran had executed 41 juveniles, which had accounted for more than half of all worldwide reported child executions recorded in the same period and made the Islamic Republic of Iran the nation with the highest number of juvenile executions.” [10g] (p11)
- 24.27 The FPC’s June 2009 report stated that: “In the last five years alone there have been 33 child executions in Iran and as of June 2009, at least 160 juveniles wait on death row for a wide range of ‘offences’ including homosexuality, sex outside of marriage, apostasy, and involvement in school or street fights that result in a murder.” [49] (p13)
- 24.28 Defence for Children International’s (DCI) April 2009 Juvenile Justice Newsletter noted that Iran was one of four states known to have executed juvenile offenders since 2006, “with Iran being the state that executed the greatest number.” The DCI report continued:
- “Despite a brief glimmer of hope at the end of 2008, Iran is not in the process of banning the death penalty for juvenile offenders. Capital punishment remains the sentence for a large number of offences. According to article 49 of the Islamic Penal Code, children are not considered criminally responsible for offences. However, in violation of international standards, the same article defines a child as someone who has not yet reached the age of puberty, defined as 15 lunar years for a boy and 9 lunar years for a girl as interpreted from the Sharia. There had been some previous attempts to change the law but the Parliament had never succeeded until now. In October 2008, an Iranian official declared that his country would abolish the death penalty for persons under 18 before retracting his statement two days later saying that it would not concern

juvenile offenders found guilty of murder. Finally, in February 2009 a new law project was submitted to Parliament, though only time will tell if it will eventually result in Iran's abolishment of the practice." [17] (p3-4)

- 24.29 On 1 May 2009, AI reported that Delara Darabi had been executed by hanging at Rasht Central prison, following a conviction for murdering a relative in 2003 when she was 17:

"Amnesty does not consider her trial to have been fair. The courts refused to consider new evidence that her lawyer said would have proved she could not have committed the murder... The execution of Delara Darabi brings to at least 140 the number of executions in Iran so far this year. She is the second woman known to have been executed this year and the second child offender. Since 1990 Iran has executed at least 42 child offenders, eight of them in 2008 and one on 21 January 2009. These executions went ahead in total disregard of international law, which unequivocally bans the execution of those convicted of crimes committed when under the age of 18." [90]

See [Death penalty](#)

VIOLENCE AGAINST CHILDREN

- 24.30 The Iran Human Rights Voice (IHRV) in an article dated 24 September 2008 stated that:

"Many non-governmental organizations supporting children's rights believe child abuse cases have increased at an alarming rate within the recent years. Experts see increasing poverty and a crisis in the family foundation as the main causes of the increasing trend. According to statistics published by the child protection organization Protecting the Rights of Children, in 1386 (2007), compared to previous year, child abuse increased by 3.5 percent. The statistics have been prepared by the society and are not a true reflection of the actual data on the overall condition of society. According to Saeed Madani, an expert on social issues, "in a study that was done in 1380 (2001) in Tehran, 31 percent of students in middle school had been molested sexually in some shape or form". Similar studies in other cities have shown a larger percentage of various forms of abuses. Nevertheless, people active in this area believe that the collection of reports on all forms of child abuse is overshadowed by cultural and traditional barriers." [11a]

For information about child labour see [Employment rights](#)

Trafficking

- 24.31 The USSD's Trafficking in Persons report of 16 June 2009 reported that:

"Iranian and Afghan children living in Iran are trafficked internally for the purpose of forced marriage, commercial sexual exploitation, and involuntary servitude as beggars or laborers to pay debts, provide income, or support drug addiction of their families. Iranian women and girls are also trafficked to Pakistan, Turkey, Qatar, Kuwait, the United Arab Emirates, Iraq, France, Germany, and the United Kingdom for commercial sexual exploitation. There are reports of women and girls being sold for marriage to men in Pakistan for the purpose of sexual servitude." [4v]

- 24.32 The USSD Report 2008 stated that: "Female citizens were trafficked internally for the purpose of forced prostitution. Citizen children were trafficked internally, and Afghan children were trafficked to the country for the purpose of forced commercial sexual exploitation and involuntary servitude as beggars and laborers." [4a] (section 6)

See [Trafficking](#)

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CHILDCARE AND PROTECTION

- 24.33 The USSD Report 2008 stated:

"There was little information available to reflect how the government dealt with child abuse, including child labor. Abuse was largely regarded as a private family matter, and there was no evidence of progress as a result of 2005 UN Children's Fund actions to prevent child abuse in the country. According to the UN's Integrated Regional Information Network, child sexual abuse was rarely reported...There were reportedly significant numbers of children, particularly Afghan but also Iranian, working as street vendors in Tehran and other cities and not attending school." [4a] (Section 5)

- 24.34 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)

- 24.35 Iran's initial report (CRC/C/41/Add.5, July 1998) was considered by the United Nations Committee on the Rights of the Child at its May/June 2000 session. It stated that it

"... should be noted that separation from parents against the will of children rarely takes place in the Islamic Republic of Iran due to cultural and religious attachments. Children have a special attachment to their parents and this attachment is not severed under normal circumstances, except in rare cases such as those involving abuse of the child by parents (for example), narcotics trafficking, immoral activities, or neglect by parents of their children. In such cases parentless children are placed in the institutions managed by the Welfare Organisation, NGOs and charitable bodies. The Judiciary of the Islamic Republic of Iran plans to establish institutions for the care of parentless children." [10v]

24.36 The same source observed:

“According to Islamic principles, if a child for whatever reason cannot remain with his or her parents, he or she is given to one of the relatives, and in (a) case (where) there is no paternal relative, there are private places where children can be placed:

“a Nursery. This is a place where parentless children from infancy to five years of age are placed and cared for on a 24-hour basis. In the 10 nurseries operating in provincial centres there are more than 465 infants and children;

“b Day and Night Protection Services Complex. This is a place within the Urban Protection Services Complexes where children above the age of five are cared for, on the basis of separation by gender and 24-hour service, until the time they reach the legal age of maturity and are qualified to be released. The ceiling for the number of children that can be accepted in these units is nine. There are 38 such units nationwide which protect about 500 children;

“c Independent Day and Night Centre. This is an independent institution for children from 12 years to legal age that operates under the direct supervision of the Welfare Organisation for the purpose of providing for the physical, emotional and social needs of children. The ceiling for the number of children in these 24-hour units is 30. The total number of such independent units nationwide is 19 and they cover 561 children.”
[10v]

24.37 Some families in Iran volunteer to raise and care for three to five children under the protection of the Welfare Organisation like other members of their own family. This method of foster parenting is mostly for girls up to 13 years of age who are without parents and relatives. About ten to 14 children without guardians accepted by the Welfare Organisation are placed with a committed family and can acquire their personality development within a family environment. By 1998, five houses for 51 girls had been established. (United Nations Committee on the Rights of the Child at its May/June 2000 session) [10v]

24.38 In its response of 2 June 2000 to the Iranian Government's report the Committee noted that whilst the State party's report (CRC/C/41/Add.5) was prepared according to the Committee's guidelines for reporting, the Committee regretted that the report was essentially legalistic and did not provide a self-critical evaluation of the prevailing situation of the exercise of children's rights in the country. Moreover, the Committee noted that “the rights of the child were seen through a paternalistic lens; the child was not seen as an active subject of human rights. There were significant gaps in information relating to general measures of implementation, general principles, particularly non-discrimination and the best interests of the child, civil rights and freedoms and special protection measures.” [10w] (p1)

24.39 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. 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. The Committee welcomes the policy of the State party to reunite children with their families, whenever possible, and notes the State party's assurances that these children are assembled in centres for further assistance and not arrested with police methods." [10ag] (Para 64)

- 24.40 The UN thirty-eighth session CRC Report of March 2005 stated that: "The Committee is concerned at reports that drug abuse is on the increase, that the age of addiction has decreased, that there is a lack of statistical data in this regard and that a programme initiated in 1997 does not seem to be effective." [10ag] (Para 66)

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EDUCATION

- 24.41 The CIA World Factbook, updated on 11 November 2009, stated that in 2002, an estimated 77% of the total population were literate (83.5% of men and 70.4% of women). [111]

- 24.42 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](#).

- 24.43 The British Council's undated report on education in Iran, accessed on 24 June 2008, stated:

"Primary education in Iran is compulsory under the Iranian constitution. As a general rule, primary, secondary and higher education is free, although private schools and universities do exist and are permitted to charge tuition fees. According to government figures, over 95% of Iranian children currently receive primary and secondary education. All schools are single-sex. There are over 113,000 schools throughout Iran, teaching over 18 million children. It is estimated that there are almost 1 million teachers within the education system.

"More than 50% of the country's 66m population is under the age of 25, which creates huge demand within the education system. In particular, admissions to post-secondary courses are highly competitive and university places are won through the National Entrance Examination (Konkur). There are currently well over 1 million students pursuing courses in Iranian universities, over half of these at private universities. Iran has 52 state universities and 28 medical universities, as well as a significant number of government research institutes. There are 25 private universities, including the Islamic Azad University, which has branches all over the country.

"The academic year runs for 10 months (200 active days) from September to June. There are three terms: September-December, January-March and April-June." [113]

- 24.44 The same report continued:

"School education in Iran is divided into the following cycles. There are qualifying examinations to pass from one educational cycle to the next and national exams are conducted at the end of each grade of the secondary cycle. Special provision is made within the educational system for gifted and special needs children, as well as for minority groups, refugees [sic] and for non-formal education.

- | | |
|----------------------|-------------------------------------|
| 1) Pre-school | (1 year cycle, children aged 5) |
| 2) Primary | (5 year cycle, children aged 6-10) |
| 3) Middle (Guidance) | (3 year cycle, children aged 11-13) |
| 4) Secondary | (3 year cycle, students aged 14-17) |
| 5) Pre-university | (1 year cycle, students aged 18) |

"Pre-school education: This is non-compulsory and children proceed automatically to primary education at the age of 6.

"Primary education: Children begin primary education aged 6 and are given a broad-ranging general education. There is a national exam at the end of the 5 years, which students have to pass to enter into the Guidance cycle.

"Middle/Guidance cycle: This three-year phase also provides students with general education, and encourages them to think about the options for secondary education. Students must sit a regional exam at the end of the Guidance cycle in order to proceed to secondary education level.

"Secondary education: Secondary education is divided into two branches: 'theoretical' studies and technical & vocational studies. The academic or

‘theoretical’ branch comprises four subject areas: literature & culture, socio-economic studies, maths & physics, experimental sciences. The technical branch is more vocational in structure and is divided into the following three sectors: technical, business & vocational, agriculture. National exams are conducted at the end of each academic year during this secondary cycle. Students complete a number of units during their three years of secondary education, and must obtain 96 units within this time in order to be awarded the High School diploma (Diplom-e Mottevasseteh).

“Pre-University education: Students wishing to enter Higher Education must take a one-year pre-university course, at the end of which they may obtain a ‘Pre-University Certificate’. This certificate then qualifies students to sit for the highly competitive National Entrance Exam (Konkur), success in which is imperative in order to gain a place at university.” [113]

- 24.45 Europa, accessed on 3 November 2009, noted that “Primary education is officially compulsory, and is provided free of charge for five years between six and ten years of age, although this has not been fully implemented in rural areas. 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. [1e] (Education) The British Council noted that there are discrepancies between the standard of education provided in urban and rural areas, as well between the different regions of the country. [113] The USSD report for 2008 found that although primary schooling up to age 11 is free and compulsory, media and other sources reported lower enrollment rates for girls than boys in rural areas. [4a] (Section 5) To ease the shortage of teachers in rural areas, the Ministry of Education established specific Rural Teacher Training Centres, as well as conscripting teachers to be sent to non-urban areas. (British Council, accessed June 2008) [113] All education is taught in Farsi/Persian with only the occasional and minimal use of minority languages. (UN, 16 January 2002) [10p] (p16)
- 24.46 Europa Worldonline, accessed on 3 November 2009, reported that “According to UNESCO estimates, in 2005/06 primary enrolment included 93.6% of children in the relevant age-group, while in 2004/05 enrolment at secondary schools included 77.3% of the appropriate age-group.” [1e] (Education)
- 24.47 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]
- 24.48 Europa Worldonline, accessed on 3 November 2009, stated that “There are more than 50 universities, including at least 16 in Tehran. According to official sources, there were some 1,191,048 students enrolled at Iran’s public colleges and universities in 2005/06, in addition to the 1,197,521 students enrolled at the Islamic Azad University.” [1e] (Education)
- 24.49 The USSD Report 2008 stated that:
- “The government significantly restricted academic freedom... Admission to universities was politicized; in addition to standardized exams, all applicants had to pass ‘character tests’ in which officials eliminated applicants critical of

the government's ideology. Members of the Basij were given advantages in the admissions process. Student groups reported that a 'star' system inaugurated by the government in 2006 to rank politically active students was still in use. Students deemed 'antigovernment' through this system reportedly were banned from university or prevented from registering for upcoming terms." [4a] (Section 2a)

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HEALTH ISSUES

24.50 The USSD Report 2007 noted that children had the right to some form of health care which was generally regarded as affordable and comprehensive with competent physicians. [4t] (Section 5)

24.51 The World Health Organisation's Report, *World Health Statistics 2009*, recorded that the under five mortality rate was 33 per 1000 live births. The number of live births attended by skilled health personnel had risen to 97% during the period 2000 to 2008. 97% of 1 year old children were immunised against measles in 2007. [28a]

24.52 An undated article on the UNICEF website, accessed on 8 December 2009 stated that:

"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." [10j]

See also [Medical Issues](#)

DOCUMENTATION

24.53 A comprehensive 2005 UNICEF report, *Birth Registration in Iran*, stated that:

"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:

http://www.unicef.org/iran/IRN_resources_BR_eng-word.pdf

- 24.54 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.” [136a]

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TRAFFICKING

- 25.01 The US State Department's *Trafficking in Persons* report (USSD TiP 2009), covering the period April 2008 to March 2009, dated 16 June 2009 stated that:

"A 2004 law prohibits trafficking in persons by means of the 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. Reports indicate, however, that the law has not been enforced. The Constitution or Labor Code or 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 crimes and is not commensurate with prescribed penalties for grave crimes, such as rape." [4v] (p162)

- 25.02 The US State Department *Report on Human Rights Practices 2008* (USSD 2008), Iran, published on 25 February 2009, stated that, although the law prohibits human trafficking:

"... according to foreign observers, the country was a source, transit, and destination point for trafficking. Women and girls were trafficked from the country to Pakistan, Turkey, Europe, and the Gulf states for sexual exploitation and involuntary servitude. Boys from Bangladesh, Pakistan, and Afghanistan were trafficked through the country to Gulf States. Afghan women and girls were trafficked to the country for sexual exploitation and forced marriages. Internal trafficking for sexual exploitation and forced labor also occurred. In some cases, authorities tried and convicted persons involved in trafficking." [4a] (Section 5)

- 25.03 The USSD's TiP 2009 report noted that:

"The Government of Iran does not fully comply with the minimum standards for the elimination of trafficking, and is not making significant efforts to do so. Lack of access to Iran by U.S. Government officials impedes the collection of information on the country's human trafficking problem and the government's efforts to curb it. The government did not share information on its anti-trafficking efforts with the international community during the reporting period. For example, Iran was not among the 155 countries covered by the UN's Global Report on Trafficking in Persons, published in February 2009. Publicly available information from NGOs, the press, international organizations, and other governments nonetheless support two fundamental conclusions. First, trafficking within, to, and from Iran is extensive; and second, the authorities' response is not sufficient to penalize offenders, protect victims, and eliminate trafficking. Indeed, some aspects of Iranian law and policy hinder efforts to combat trafficking. These include punishment of victims and legal obstacles to punishing offenders." [4v] (p161)

- 25.04 The same report also noted that:

"No reliable information was available on human trafficking investigations, prosecutions, convictions or punishments during the past year [2008]. Iranian press reports over the year quoted a law enforcement official as stating that 7,172 people were arrested for "trafficking" from January to July 2008, although it was not clear whether this group included human

smugglers, those sponsoring prostitution, victims of trafficking, or a mix of these...

“The government reportedly punishes victims for unlawful acts committed as a direct result of being trafficked, for example, adultery and prostitution. There were reports that the government arrested, prosecuted, and punished several trafficking victims on charges of prostitution or adultery. It is unknown how many victims may have been subjected to punishment during the reporting period for such acts committed as a result of being trafficked.”
[4v] (p161-162)

See also [Children](#) and [Women](#)

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MEDICAL ISSUES

OVERVIEW

- 26.01 Information from the UK Foreign and Commonwealth Office (FCO) dated January 2002 advised that there are two types of hospitals in Iran, private and governmental. To receive treatment in the governmental hospitals, one must belong to the social security scheme whereby the employer pays the subscriptions for the employee, which then entitles them to subsidised medical treatment and medication. In Tehran and 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]
- 26.02 The World Bank Country Brief of September 2006 stated that:
- “Health outcomes in Iran have improved greatly over the past twenty years and now generally exceed regional averages. Key to this success has been the Government of Iran’s strong commitment to and effective delivery of primary health care. Iran’s ‘Master Health Plan’, adopted in the 1980s for the period of 1983–2000 accorded priority to basic curative and preventive services as opposed to sophisticated hospital based tertiary care, and focused strictly on the population groups at highest risk, particularly in deprived areas. Moreover, as a result of the prioritization and effective delivery of quality primary health care, health outcomes in rural areas are almost equal to those in urban areas, with outcomes in terms of infant and maternal mortality nearly identical between urban and rural areas.” [36b] (p1)
- 26.03 The World Health Organisation’s April 2006 Country Brief 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]
- 26.04 An article in *Iran Focus* dated 8 May 2007 reported that a 1998 parliament bill mandating segregation of the sexes in the provision of medical care was shelved partly due to insufficient numbers of qualified staff from each sex:
- “The strongest protest came from male gynaecologists who said segregation would put them out of business.

“Since the Islamic revolution, Iranian male medical students have been barred from specialising in Obstetrics and Gynaecology, meaning the only men practicing in these branches earned their qualifications abroad or before 1979.” [76e]

- 26.05 An International Organisation for Migration (IOM) Country Brief on Iran updated on 30 November 2009 stated that:

“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 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.” [48] (p3)

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DRUGS

- 26.06 The World Health Organisation reported that in 2002 most medications were available locally under various generic and company labels. [28b] 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] Generic inhibitors for HIV/AIDS are also produced. (BBC News, 13 February 2003) [21y] According to the FCO in January 2002, those medicines not available, which are approved by the US Food and Drug Administration, can be ordered through the Red Crescent Society 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 material for the majority of medicines is imported from overseas and then the medicine produced and packaged locally. This is again subsidised by the Government. There is also a black market for certain types of foreign medications and the cost of such medications is quite high in comparison to those readily available at pharmacies. [26a]

- 26.07 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.” [48] (p5)

Drug addiction

- 26.08 The 2002 report by the Centre for Harm Reduction and Burnet Institute in Australia, *Revisiting ‘The Hidden Epidemic’ A Situation Assessment of Drug Use in Asia in the Context of HIV/AIDS*, reported that:

“Drug addiction is considered a crime but the authorities are ready to consider drug use as a medical problem. Drug users who are undergoing treatment are not meant to be persecuted, nor are the specialists offering treatment. The costs of diagnoses, treatment, medicines and rehabilitation are to be paid by the addicts according to the approved tariffs but the government will finance the costs for those unable to pay (DCHQ1997). It is up to the judge to distinguish whether the person is an addict or a trafficker; a positive test to opium shows the person was an addict while possession was interpreted as being a trafficker (Razzaghi et al. 1999).’ [34] (p104)

- 26.09 A Beckley Foundation report dated July 2005 observed that:

“A tough anti-drugs campaign was launched in Iran following the revolution that established the Islamic Republic in 1979. Individuals caught in possession of drugs received fines, imprisonment and corporal punishment. The death penalty was prescribed for serious drug offences. Despite these measures, drug use and drug trafficking have continued to increase, and Iran has become the principal transit country for drugs from Afghanistan... The costs of Iran’s drug problem include: high levels of dependency and addiction; strains on the capacity of the criminal justice system; increases in drug related deaths; and high rates of HIV/AIDS infection among injecting drug users. There is growing recognition in Iran of the limits of enforcement, and the importance of the medical and social dimensions of drug misuse. This has resulted in improvements in drug treatment and expansion of harm reduction services.” [87a] (p1)

- 26.10 An article dated 19 November 2008 by the United Nations Office on Drugs and Crime (UNODC) stated that “For the last decade, drug users who enter treatment programmes voluntarily have been exempt from prosecution.” [10k]
- 26.11 On 20 May 2009, a United Nations Office on Drugs and Crime (UNODC) news article stated that “Iran suffers from one of the highest rates of drug dependence in the world, particularly opiates (heroin, opium, and morphine).” UNODC’s Executive Director, Antonio Maria Costa said that

“Iran has a major drugs problem, but it is taking the right steps to deal with it...” [10m]

- 26.12 The United Nations AIDS (UNAIDS) and World Health Organisation (WHO) 2009 AIDS epidemic update, released on 24 November 2009, stated that, according to the Iranian National Centre for Addiction Studies of 2008, “There are estimated to be between 70 000 and 300 000 injecting drug users in the Islamic Republic of Iran...” [10i] (p35) The UNODC, however, estimated that “Approximately 1.2 million of Iran’s 70 million inhabitants are drug dependant.” [10k] UNODC also stated that it was a Government priority to provide treatment to assist those dependent on drugs to recover from their addiction:

“To tackle the drug abuse situation, the Government established Drug Control Headquarters (DCHQ) in the late 1980s. Made up by senior officials who report directly to the President of Iran, DCHQ monitors the drug problem nationwide, sets policy, and plans and coordinates action on all drug control issues ... Last year, Iran provided treatment for hundreds of thousands of drug addicts through various treatment and harm reduction programmes.” [10k]

- 26.13 The UNAIDS/WHO 2009 report noted that Iran has “... invested in drug substitution programmes, overdose prevention and needle and syringe programmes.” [10i] (p44)

HIV/AIDS – ANTI-RETROVIRAL TREATMENT

- 26.14 The UN AIDS/WHO/UNICEF Epidemiological Fact Sheet on HIV and AIDS in Iran, updated in October 2008, noted that approximately 86,000 adults were living with HIV, of whom approximately 24,000 were women. [28c]

- 26.15 The UNAIDS 2008 Global report stated that “The Islamic Republic of Iran is home to a serious drug-related epidemic, with HIV prevalence of between 15% and 23% documented among male injecting drug users who make use of drop-in or drug-treatment services in Tehran...” [10ai]

- 26.16 A UNAIDS news article dated 13 May 2008 noted that “The major factor which is fuelling the epidemic in Iran is the use of contaminated injecting equipment among injecting drug users, as well as sexual transmission of the disease. Therefore, the work of the Joint UN Team on AIDS is primarily focused on the issue of injecting drug use...” [10n]

- 26.17 UNAIDS also reported that:

“This work has been successful and the Iranian government has one of the most progressive harm reduction policies on record in a developing country. There are more than 20,000 drug users on the government methadone maintenance programme, which began three years ago. Important legal reforms have facilitated the success of this programme: although drug use is a crime, people who are having treatment for drug use are not considered criminals. ‘Even needle and syringe programmes can be considered treatment, which is a very big achievement and an important step to de-stigmatise and make services available to people who inject drugs,’ says Setayesh [UNAIDS Country Coordinator]. Based on the most recent

available studies, more than 90 percent of drug users have used clean needles for their last injection in Tehran.

“Two years ago the drug treatment programme was extended to prisons where the United Nations Office on Drugs and Crime (UNODC) is the main partner. ‘A lot has been done but there is room for improvement,’ says Setayesh. ‘Prison systems are trying to introduce needle exchange and condoms, but it is a challenge to encourage the prisoners to use them. This requires reform to expand services in prisons.’

“Nonetheless, Iran is moving from having a concentrated HIV epidemic among injecting drug users to a more generalized situation, mainly affecting partners and wives of people who inject drugs and people formerly in prison. Although the response among these particular key populations has been remarkable and progressive, other groups who engage in risky behaviour such as sex workers and men who have sex with men are not sufficiently addressed in the country's response. Homosexuality is a sensitive issue in Iran and providing services for men who have sex with men presents many challenges for UNAIDS, which is the leading UN programme in this area.” [10n]

26.18 The USSD Report 2007 stated that:

“Transmission [of HIV] was primarily through shared needles by drug users, and a study showed shared injection inside prison to be a particular risk factor. There was a free anonymous testing clinic in Tehran, and government-sponsored low-cost or free methadone treatment for heroin addicts, including in prisons. The government also started distributing clean needles in some prisons. The government supported programs for AIDS awareness and did not interfere with private HIV-related NGOs. Contraceptives, including free condoms, were available at health centers as well as in pharmacies. Nevertheless, persons infected with HIV reportedly faced discrimination in schools and workplaces.” [4t] (Section 5)

26.19 The USSD report for 2008 reiterated that “Persons with HIV/AIDS reportedly faced discrimination in schools and workplaces. The government supported programs for HIV/AIDS awareness and generally did not interfere with private HIV/AIDS-related NGOs.” [4a] (Section 5)

26.20 The UNAIDS/WHO 2009 report noted that “In the Islamic Republic of Iran, injecting drug use accounts for more than two thirds (67.5%) of reported HIV cases (Iranian National Center for Addiction Studies, 2008).” [10i] (p44)

26.21 A UNODC press release dated 20 March 2009 announced the launching of

“...two projects to provide HIV/AIDS prevention and care services to Afghan refugees and female drug users in Iran.

“The goal of the first project is to support national efforts to provide comprehensive HIV prevention and care services to Afghan refugees in Iran who are drug users... This group has been identified as being high-risk, yet has thus far not fully benefited from Iran's large-scale comprehensive HIV prevention, treatment, care and support services to injecting drug users - including opioid substitution treatment.

“The second project targets another vulnerable group; Iranian women who are either drug dependent and/or affected by HIV. The aim of the project is to increase access to quality services tailored to the specific needs of these women, including in prison settings. This will complement the significant resources that the Government of Iran already devotes to prevention and treatment of HIV as well as drug demand reduction measures.” [100]

MENTAL HEALTH

26.22 A report in the *Psychiatric Times* in January 2002, stated that a village based primary care system serves over 60 regions of the country, with village centres linked to surrounding hospitals and medical schools. The national health programme supports training in mental health care. The Government has also established four regional centres for the prevention of mental disorders. [27]

26.23 The WHO Mental Health Atlas of 2005 stated that a mental health policy was formulated in 1986 along with the national mental health programme which was evaluated in 1995 and 1997 with changes made based on suggestions. In 1995, it was evaluated jointly by the WHO and the Teheran Psychiatric Institute. Other related programmes are Integration of Substance Abuse Prevention within the Primary Health Care and a Harm Reduction Programme. Mental health is a part of primary health care system. [28e]

26.24 The WHO report continued:

“The country spends 3% of the total health budget on mental health. The primary sources of mental health financing in descending order are tax based, out of pocket expenditure by the patient or family, social insurance and private insurances. ... The country has disability benefits for persons with mental disorders. Since 2001, the disabled mentally ill patients are entitled to a stipend of about \$30 per month if they do not receive other free services. Already, about 10 000 disabled patients are receiving disability benefits and the number is increasing. Institutional care is free of charge for the disabled mentally ill.” [28e]

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FREEDOM OF MOVEMENT

- 27.01 The US State Department *Country Report on Human Rights Practices 2008*, Iran, released on 25 February 2009, (USSD Report 2008) stated:

“The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation; however, the government placed some restrictions on these rights. ... The government required exit permits for foreign travel for all citizens. Some citizens, particularly those whose skills were in short supply and who were educated at government expense, had to post bond to obtain an exit permit. The government restricted the foreign travel of some religious leaders and individual members of religious minorities and scientists in sensitive fields, and it targeted journalists, academics, and activists for travel bans and passport confiscation.... A woman must obtain the permission of her husband, father, or other male relative to obtain a passport. A married woman must receive written permission from their husbands before leaving the country.” [4a] (Section 2d)

- 27.02 A Danish report of a fact-finding mission to Iran in September 2000 observed that:

“The delegation met Mohammad Ali Mirkhani, Head of the Passport and Visa Department of the Iranian Ministry of Foreign Affairs. The conditions for issuing Iranian passports were also discussed with the Iranian police force’s passport division (Law Enforcement Forces – LEF) at its head office in Tehran. According to Mohammad Ali Mirkhani, the Iranian police force (LEF) is the authority responsible for issuing passports. According to the LEF, the department has 9 passport issuing offices in Tehran and a further 49 offices in other cities in Iran. According to Mr. Mirkhani, any Iranian citizen above the age of 18 is entitled to an Iranian passport, but possession of such a passport does not mean that the holder is permitted to leave Iran. If it is established at the time a passport is issued that the passport applicant has matters to settle with the Iranian authorities, the person concerned will be informed accordingly. At the same time, the applicant will be requested to contact the relevant authority in order to solve the problem. Only once this has been done can the applicant be issued with a passport.

“An application form has to be completed when applying for a passport. The details provided on the form must be identical to those which appear on the applicant’s Iranian identity card, which must be presented in conjunction with the application. In addition, Iranian men must present a military logbook certifying that they have completed military service. Any Iranian citizen applying for a passport must come in person to the LEF, both to submit the application form and to collect the passport when it is ready. A passport can be issued within 48 hours of the application form being submitted. Iranian passports are valid for five years. They can be extended for a further five years. There are no periods of validity other than five years.” [86c] (p6)

- 27.03 A report from the Canadian Immigration and Refugee Board (CIRB) dated 1997 stated that women must have written, notarised permission from their father, husband or legal guardian, except in certain circumstances e.g. widows. No one under 18 is issued a passport, except under special circumstances where the minor is travelling without a parent or guardian. [2c] (p20)

- 27.04 UNHCR stated in their 'Comments on the Iran Country Report of April 2005' of 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)

- 27.05 According to the UNHCR European Country of Origin Information Seminar, Final Report, Berlin June 2001:

"Exit formalities have considerably relaxed since the initial years after the revolution. While previously it was very difficult to obtain a passport, in recent years it has become much easier. However, departure procedures are still such that it would be highly improbable that anyone with a forged passport in which name and number do not tally would be able to leave the country. Security officials at the airport possess lists of suspected or wanted persons and it is not unusual that passengers wishing to leave are prevented from leaving and told to refer to the security department. In general, the security checks at Tehran airport are still very strict and it is doubtful that anyone with a security record and convictions in Iran for political offences would be able to leave the country legally by air. Yet, although the degree is hard to assess, corruption certainly exists and in individual cases people may be able to bribe their way out of the airport. ... However, leaving the country across the border to Pakistan, but also to Turkey and Azerbaijan, is fairly easy and happens all the time." [3c] (p107)

- 27.06 A CIRB information request dated 3 April 2006 noted that counterfeit Iranian passports can be purchased easily on the black market with prices fluctuating according to quality, but authorities are generally adept at identifying these documents via a 'double check' mechanism in the law enforcement database which tracks passport issuance. [2x]

- 27.07 According to the CIRB and UNHCR, in May 1997 and June 2001 respectively, people seeking to leave Iran illegally do so most commonly overland through Turkey, Pakistan or Azerbaijan. [2c] (p21) [3c] The penalties for violating or attempting to violate exit regulations, such as leaving on an illegal or falsified document, range from one month to three years' imprisonment and/or a fine. [2c] (p24) The actual penalty is dependent on the individual circumstances. (FCO, 20 August 2001) [26e]

- 27.08 According to the USSD report for 2007: "Citizens returning from abroad occasionally were subjected to searches and extensive questioning by government authorities for evidence of anti-government activities abroad. Recorded and printed material, personal correspondence, and photographs were subject to confiscation." [4t] (Section 2d)

- 27.09 According to the European COI Seminar Berlin Report 2001, on the basis of the information Amnesty International received, usually a person who returns will be asked why s/he was abroad. If the answer is along the lines of 'I just tried to find a job', they will most likely be allowed to go home to their families. Generally speaking, it does depend on what kind of documentation exists on the returnee and what the actual practice of the country is, in which the concerned individual applied for asylum. [3c]
- 27.10 According to the European COI Seminar Berlin Report 2001, upon return, in recent years the practice has become more liberal with regard to possession and confiscation of items purchased abroad, such as CDs from Dubai and other western products. It mostly depends on what the authorities are looking for. If they assume that a person has returned from a country like the USA, this person certainly will be questioned and undergo stringent checks, but will normally not be detained for a longer period of time. [3c]
- 27.11 It was reported by the BBC Monitoring Service on 2 September 2002 that in September 2002 the deputy foreign minister announced that Iranians who have obtained the citizenship of foreign countries with Iran's prior agreement can, once again, become Iranian citizens and further that the question of illegal exit had been resolved. [21v]
- 27.12 According to the FCO, in the case of returned asylum seekers it has been reported by observers that they had seen no evidence that failed claimants, persons who had illegally exited Iran, or deportees faced any significant problem upon return to Iran (although cases that gain a high profile may face difficulties). [26f] According to the CIRB in a July 1999 report:
- "Several times in the recent past, senior government officials have declared that all Iranians living abroad are welcome to return home without fear of reprisal. ... and the Foreign Ministry's Consular Department has confirmed that applying for asylum abroad is not an offence in Iran." [2t]
- 27.13 In contrast to this opinion, it was also stated in the same source that:
- "The only exception to this, he [a representative of the Centre for Arab and Iranian Studies (CAIS) in London, United Kingdom, who is an editor with al-Moujez an Iran, a political scientist by training, and a member of the Association of Iranian Writers in Exile] stated, might be persons who are extremely critical and/or advocate the overthrow of the government through the use of force; he named the Mujahedin-e-Khalq Organization as an example. The representative stated that family members of these persons could face difficulties leaving the country, but added that the son of Massoud Rajavi, the leader of the Mujahedin, lives in Iran and goes to university there. And alsothat relatives of high profile refugee claimants outside Iran could face some difficulties." [2t]
- 27.14 The Advisory Panel on Country Information (APCI) review of the COI Service's Iran COI Report of Augst 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 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)

See also [Exit and Return](#).

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EXILES / DISSIDENTS OUTSIDE IRAN

- 27.15 According to Jane's Sentinel, *Iran: External Affairs*, updated on 30 April 2009:

“The Khomeini era (1979-89) was characterised by anti-Western revolutionary rhetoric and the war with Iraq, during which European relations with Iran took a ‘transatlantic solidarity pattern’ and an overall atmosphere of ‘cold peace’, with the Europeans having been sympathetic to the plight of the US with its Tehran embassy hostage crisis of the early 1980s. The EU was also dismayed at what had become a covert Iranian policy of terror and assassinations of Iranian exiles and dissidents in Europe by what would later be largely proven to be direct orders or tacit approval of the top echelon of Iran's political leadership, namely Ayatollah Ruhollah Khamenei and then President Ali Akbar Hashemi-Rafsanjani. Ayatollah Ali Khomeini's 1989 fatwa of a death sentence on the British author of *The Satanic Verses*, Salman Rushdie, ultimately led to the breaking off of diplomatic relations with the UK. Although most of the tens of political murders in Europe on the part of Iran occurred during the 1980s, several high profile assassinations did take place in the 1990s.” [125a]

See [Latest News](#) and [Political affiliation](#) for recent information on Iranian protesters abroad

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FOREIGN REFUGEES

- 28.01 The US State Department *Country Report on Human Rights Practices 2008*, Iran, released on 25 February 2009, (USSD Report 2008) stated:

“The law provides means for granting asylum or refugee status to qualified applicants in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government had a system for providing protection to refugees. The government did not always provide protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened...

“Since 2007 authorities maintained approximately 19 ‘No Go Areas’ in the country for Afghan refugees, according to UNHCR. Refugees were required to register and relocate in areas the government approved; those who did not were considered unregistered and remained subject to deportation. Afghan and Iraqi refugees faced a lack of job opportunities, and the government at times failed to grant them residence or work permits, effectively preventing them from obtaining health insurance coverage.” [4a] (Section 2d)

- 28.02 The United States Committee for Refugees and Immigrants *World Refugee Survey* on Iran 2009 (USCRI 2009), released on 17 June 2009, stated that in 2008:

“Iran recognized more than a million refugees and asylum seekers, including some 936,000 Afghans and nearly 58,100 Iraqis. There were also more than one million unregistered Afghans in the country...Most Afghans lived in villages and urban areas, but about 27,000 stayed in the six refugee settlements administered by the Bureau for Aliens and Foreign Immigration Affairs (BAFIA)...Most Iraqi refugees lived in urban areas, but around 5,000 stayed in 12 refugee settlements. UNHCR helped some 2,400 Iraqis repatriate although new Iraqi refugees continued to arrive.” [35a]

- 28.03 The USCRI 2009 also reported that:

“Iran deported over 406,000 Afghans in 2008 and over 720,000 over the past two years. Although both the Government and UNHCR characterized the deportees as illegally present economic migrants, in the Chamany Babrak reception camps in Kabul, most could produce refugee documentation. Iranian soldiers also reportedly evicted entire refugee settlements without checking for status. Authorities deported many without warning, separating them from their families, with little time to collect belongings and wages. Others claimed that authorities beat, detained, or required them work unpaid for days before deportation.

“Authorities postponed negotiations to renew the Tripartite agreement, declared Sistan and Balouchistan provinces to be off limits to all foreigners, regardless of status.

“BAFIA re-registered over the internet the Afghan refugees it recognized and issued them six-month, renewable residence permits if they paid registration fees and local taxes. Authorities compelled refugee men under 60 to apply and pay for temporary work permits but for women this was optional.” [35a]

28.04 The USCRI 2009 survey further 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]

28.05 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." [110] (p49)

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CITIZENSHIP AND NATIONALITY

- 29.01 The US Office of Personnel Management (USOPM) 2001 report *Citizenship Laws of the World* stated that citizenship is based upon the Iranian Civil Code which stipulates that “In general, birth within the territory of Iran does not automatically confer citizenship.” Some instances where birth within Iran does confer citizenship is when a child is born to unknown parents; children born to non-citizens, one of whom was born within Iran; or a child born to a non-citizen, if after reaching the age of 18 the young person continues to live within Iran for at least one year. A child born to an Iranian father regardless of the country of birth is Iranian by descent. [32] 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] “According to the country’s civil code, citizenship was derived from birth in the country or from the male parent. Citizenship could be acquired upon the fulfillment of the following criteria: persons were at least age 18, lived in the country for more than five years, were not military service escapees, and had not been convicted of a major crime in the country of origin or country of residence.” (USSD, 2007) [4t] (Section 2d)
- 29.02 The USOPM 2001 report stated that:
- “Iranian citizenship may be acquired upon fulfilment 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.” Dual citizenship is not recognised. [32]
- 29.03 An interview with an Iranian lawyer, Shahram Mohammadzadeh, published in the *Etemaad Daily Newspaper* on 26 June 2002 reported him as saying:
- “According to Article 2 of Iran’s Civil Code, anyone born to an Iranian father, no matter if born in Iran or abroad is considered an Iranian citizen. No reference has, however, been made to the mother’s citizenship. Meanwhile, this is pointed out in Paragraph 6 of Article 976, according to which, once a woman of foreign citizenship gets married to an Iranian man, she will automatically be considered an Iranian citizen. Therefore, it won’t make much difference in Iran whether the mother is an Iranian or a foreigner. In either case the father’s citizenship serves as a decisive factor in the rule of descent blood.” [68]
- 29.04 The 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)

ID CARDS

- 29.05 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." [86b] (paragraph 8.1)

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FORGED AND FRAUDULENTLY OBTAINED DOCUMENTS

30.01 A CIRB report of 3 April 2006 provided the following:

“Fraudulent or counterfeit passports

“Based on consultations with UNHCR personnel in Tehran, a UNHCR official stated that, while counterfeit Iranian passports can be purchased rather easily on the black market with prices fluctuating ‘according to the quality of the counterfeit work,’ authorities are generally adept at identifying these documents via a ‘double check’ mechanism in the law enforcement database which tracks passport issuance (UN 31 Mar. 2006). Under Article 15(1) of the 1988 amended Passport Act, individuals found guilty of making fraudulent or counterfeit passports face 18 months in prison (ibid.). However, the UNHCR official also added that the ‘Islamic Penal Code prescribes other punishments for those who are involved in forgery activities’ (ibid.). For example, under Article 525(2) of the Islamic Penal Code, anyone caught using a ‘fake stamp’ in a passport can be ‘subject to one to ten years of imprisonment’ (ibid.). [2x] (p2)

30.02 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 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.” [86b] (paragraph 7.5.2)

See also [Exit and return procedures](#) and [Corruption](#).

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EXIT AND RETURN

This section should be read in conjunction with [Freedom of movement](#)

- 31.01 A Canadian Immigration and Refugee Board report of 3 April 2006 provided the following:

“Passport features and procedures

“In a 2 February 2006 telephone interview, an official at the Embassy for Iran in Ottawa provided the following information about Iranian passports. Depending upon the volume of demand, it takes approximately one month to obtain a passport after the application has been made. Passports are valid for five years. In order to obtain a passport, it is important for the applicant to have a birth certificate. The applicant must apply for and pick up their passport in person... (p1) The Iranian police force, the Law Enforcement Forces (LEF), is the passport issuing authority in Iran and has nine passport offices in Tehran as well as forty-nine others in cities across the country (ibid.). To apply for a passport, individuals over the age of 18 years old must appear in person at the LEF passport office, complete and submit an application form and present the required identification documentation (ibid.). While obtaining a passport was more complicated for certain individuals, namely those who had ‘matters to settle with the Iranian authorities’ or married women who must first obtain permission from their husbands in order to apply for a passport, the 2000 report stated that individuals of religious and ethnic minorities did not face any difficulties in obtaining a passport (ibid.)....” [2x] (p2)

- 31.02 Another report from the CIRB, dated 3 April 2006, reported the following:

“Difference between exit permit and exit stamp

“In a 1 March 2006 telephone interview, an official at the Embassy for Iran in Ottawa provided the following information about the difference between exit permits and exit stamps. Iranians who wish to travel abroad must apply for an exit permit. After verification of the applicant’s background, an exit permit is stamped in the applicant’s passport indicating that the applicant is permitted to leave the country. However, the entry/exit stamp, which indicates the date of entry into and exit from Iran, is different from the exit permit stamp. This entry/exit stamp is similar to what is used in other countries to indicate the date of departure or return of a passport holder.

“Corroborating information could not be found among the sources consulted by the Research Directorate.

“Exit permits

“According to the March 2006 Travel Information Manual (TIM) published by the International Air Transport Association (IATA), exit permits are required for:

“1. non-nationals of Iran whose entry visa – issued abroad – is not provided with a combined entry/exit permit. They must obtain an exit permit from the

Foreigners Service of the Ministry of Interior. Foreigners must have registered within 48 hours after entry [into] Iran.

“2. nationals of Iran, who must obtain a passport endorsed with an exit permit from the police department. There are 3 types of exit permits: a) Green exit stamp: valid as long as passport validity; b) Blue exit stamp: valid for the period mentioned; c) Red exit stamp: valid for one exit only (TIM Mar. 2006, 228).

“Similarly, the August 2005 United States (US) Department of State Consular Information Sheet for Iran noted that ‘[a]ll Iranian nationals, including American-Iranian nationals, should have an exit permit stamped in their passports. The stamp is affixed to page 11 or 13 of the Iranian passport when it is issued and remains valid until the expiration date of the passport’ (25 Aug. 2005).

“A 2000 Danish Immigration Service report on Iran explained that all Iranian passport holders require ‘exit visa’ stamps to travel abroad (Denmark 1 Oct. 2000, 9-10). The report added that this ‘exit visa’ is stamped on page 10 of an Iranian passport (ibid.).

“In March 2006 correspondence to the Research Directorate, however, an official from the [Office of the] United Nations High Commissioner for Refugees (UNHCR) stated that exit visas were not required for Iranian nationals, but that individuals ‘who work in sensitive fields, such as atomic energy or military industries’ should apply for an exit permit ‘each time they want to leave Iran’ (31 Mar. 2006, Sec. 3). Furthermore, in applying for a passport, married women require their husband’s written consent, which also outlines the frequency of exits from Iran that he allows his wife (UNHCR 31 Mar. 2006).” [2y] (p1)

- 31.03 The Advisory Panel on Country Information (APCI) review of the COI Service’s Iran COI Report of Augst 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)

- 31.04 The CIRB report, dated 3 April 2006, went on to outline:

“Restrictions to certain applicants

“With regard to restrictions applied to certain categories of applicants, Country Reports 2005 claimed that ‘[t]he Government required exit permits for foreign travel for draft-age men and citizens who were politically suspect’ (8 Mar. 2006, Sec. 2.d). Moreover, the same report added that ‘[s]ome citizens, particularly those whose skills were in short supply and who were educated at government expense, must post bonds to obtain exit permits’ (Country Reports 2005 8 Mar. 2006, Sec. 2.d).” [2y] (p2)

31.05 The APCI report stated that:

“... 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)

31.06 The 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)

31.07 In another report dated 3 April 2006, the CIRB reported on:

“Entry and exit procedures

“In 31 March 2006 correspondence to the Research Directorate, a United Nations High Commissioner for Refugees (UNHCR) official provided the following information based on consultations with UNHCR personnel in Tehran:

“Verification of passports and documentation at departure points at land borders and airports is carried out in the last phase of [the] exit procedure. This means that in airports, after the tickets are checked and the luggage is delivered to the airline and before getting into the waiting area for departure, the passports shall be checked by a Disciplinary Forces officer who verifies in [the] NAJA [law enforcement] database whether the passport is fake and whether the person standing in front of the officer is the same person whose name and photo appears on the passport.

“The UNHCR official also mentioned that passport verification is carried out in the same way at land borders (31 Mar. 2006).” [2z] (p1)

31.08 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.” [86b] (paragraph 7.9.1)

- 31.09 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." [86b] (paragraph 7.9.2)

- 31.10 The same report also 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.” [86b] (paragraph 7.9.3)

31.11 In a report dated 7 December 2005, the CIRB reported that:

“Iranian women must obtain permission from their husbands in order to acquire a passport...Two human rights sources noted that the husbands permission to obtain a passport is a legal requirement stipulated under Article 18 of the country’s passport law (ibid; WFAFI 2005). Moreover, according to Country Reports 2004, permission for a woman to obtain a passport could also be provided by ‘their father, or another male relative,’ however, ‘[m]arried women must receive written permission from their husbands before being allowed to leave the country’ (28 Feb. 2005, Sec. 2.d.).” [2aa] (p1)

31.12 The APCI report of 23 September 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)

31.13 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 fathers 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.” [2ab] (p1)

31.14 The APCI report of 23 September 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)

31.15 The CIRB, in a report dated 3 April 2006, commented on:

“Illegal entry and exit

“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 Balouchistan 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).” [2x] (p3)

See also [Corruption](#) and [Forged and fraudulently obtained official documents](#).

- 31.16 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.” [86b] (paragraph 7.1)

- 31.17 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.” [86b] (Paragraph 7.2)

31.18 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.” [86b] (Paragraph 7.3)

31.19 The Danish Immigration Service’s report also commented on illegal exit from Iran:

“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.” [86b] (Paragraph 7.4.)

See also [Political dissidents outside Iran](#) regarding the treatment of those who have criticised the regime whilst abroad.

- 31.20 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.” [86b] (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:

http://www.nyidanmark.dk/NR/rdonlyres/90D772D5-F2DA-45BE-9DBB-87E00CD0EB83/0/iran_report_final.pdf

See also [Forged and fraudulently obtained documents](#) and [Corruption](#)

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EMPLOYMENT RIGHTS

- 32.01 Freedom House's report *Freedom of Association Under Threat – Iran*, dated 21 November 2008, stated that:

"Free trade unions do not exist in Iran, despite the country's membership in the International Labor Organization (ILO) and ratification of ILO Convention 87, which calls for freedom of association and the right to organize. The right to collective bargaining is denied, and workers are not protected by the right to mediation and arbitration. Authorities rarely enforce child-labor laws, and children are forced to work in unsafe conditions. Unions that do exist are closely monitored by the state, including Workers' House, the official state union. Ahmadinejad's administration has increased surveillance of unions and has become involved in their elections. In August 2006, for example, the Ministry of Labor banned polls for the Trade Union of Journalists, though the group had conducted such elections six times previously.

"Strikes and work stoppages – most notably by transport workers, teachers, and factory employees – are common but illegal and typically suppressed. Demonstrations by Workers' House are also controlled, and the group was prohibited from holding a gathering to mark International Labor Day in 2003. The Teachers' Union has organized strikes and rallies protesting low wages for years, and a series of rallies in 2007 resulted in the arrest of the union's secretary general and numerous teachers throughout the country. Mansur Osanlu, head of the Vahed bus drivers' union, spent most of 2006 and 2007 in prison for organizing a bus drivers' strike in December 2005 that resulted in the imprisonment of hundreds of bus drivers, union organizers, and their families." [112e]

- 32.02 The US State Department Country Report on Human Rights Practices 2008, released on 25 February 2009 (USSD Report 2008):

"The law provides workers the right to establish unions; in practice the government did not permit independent unions. A national organization known as Workers' House was the sole authorized national labor organization. It served primarily as a conduit for government control over workers. The leadership of Workers' House coordinated activities with Islamic labor councils in industrial, agricultural, and service organizations comprising more than 35 employees. These councils, which consisted of representatives of workers and a representative of management, also functioned as instruments of government control but nonetheless frequently blocked layoffs and dismissals in support of workers' demands. Restrictions on the ability of workers to associate continued during the year.... The law prohibits public sector strikes, and the government considered unlawful any strike deemed contrary to its economic and labor policies, including strikes in the private sector; however, strikes occurred. According to an October UNGA report, attempts to create a number of workers' associations and conduct labor strikes over wages have been met with arbitrary arrests and violence by security forces." [4a] (Section 6)

- 32.03 The same report noted "Workers did not have the right to organize independently or to negotiate freely collective bargaining agreements. According to the International Trade Union Confederation, labor legislation did not apply in export processing zones." [4a] (Section 6)

32.04 The USSD Report 2008 also stated:

“The labor code prohibits all forms of forced or compulsory labor, including by children; however, there were reports that such practices occurred. Female citizens were trafficked internally for the purpose of forced prostitution. Citizen children were trafficked internally, and Afghan children were trafficked to the country for the purpose of forced commercial sexual exploitation and involuntary servitude as beggars and laborers....The law prohibits employment of minors younger than 15 years and places restrictions on the employment of minors younger than 18; however, the government did not adequately enforce laws pertaining to child labor, and child labor was a serious problem. The law permits children to work in agriculture, domestic service, and some small businesses, but prohibits employment of minors in hard labor or night work. There was no information regarding enforcement of these regulations.

“According to government sources, 3 million children were prevented from obtaining education because their families forced them to work. Unofficial sources claimed the figure was closer to 5 million. In 2007 Tehran reportedly opened several shelters for street children. There were reportedly significant numbers of children--particularly Afghan but also Iranian--working as street vendors in major urban areas. Many Afghan children were unable to attend school because they lacked birth certificates or identification cards, which the government reportedly refused to issue in an effort to curb illegal immigration.” [4a] (Section 6)

32.05 Furthermore:

“The law empowers the Supreme Labor Council to establish annual minimum wage levels for each industrial sector and region. In March President Ahmadi-Nejad increased the minimum wage levels by 20 percent to 2.2 million rials (approximately \$220) per month, which labor groups stated did not provide a decent standard of living for workers and their families. There was no information regarding mechanisms to set wages, and it was not known whether minimum wages were enforced. Afghan workers, especially those working illegally in the country, often were paid less than the minimum wage.

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

“According to the law, a safety council, chaired by the labor minister or his representative, protects workplace safety and health. Labor organizations outside the country have alleged that hazardous work environments were common in the country and resulted in thousands of worker deaths annually. The quality of safety regulation enforcement was unknown, and it was unknown whether workers could remove themselves from hazardous situations without risking the loss of employment.” [4a] (Section 6)

32.06 On 1 May 2009, Amnesty International (AI) recorded that “Independent trade unions are banned in Iran. Under Iranian labour legislation, workers are allowed to form Islamic Labour Councils (ILCs) – which cannot defend the terms and conditions of their members - in companies with more than 50

workers. They are not, however, permitted to set up any other labour organization. "AI also called for the release of two trade unionists currently serving three and five year prison sentences in connection with their trade union activities. Furthermore,

"Amnesty International has also asked the Iranian authorities to review the cases of five leaders of the Haft Tapeh Sugar Cane Company (HTSCC) Trade Union, with a view to overturning their convictions and sentences. In April 2009, the five were sentenced to between four to six months' imprisonment for 'propaganda against the system' in connection with interviews they gave on May Day 2008 to foreign journalists about working conditions at the plant." [9n]

See [Political affiliation](#), [Economy](#) and [Children](#)

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Annex A: Chronology of events

This chronology is not designed to be a precise or comprehensive record of all events that may have occurred but rather is intended to provide a general framework which can inform further investigation as considered necessary.

- 1925** Reza Khan seized power in Persia by military coup. Subsequently elected Shah.
- 1935** Persia renamed Iran.
- 1941** British and Soviet forces occupied Iran; Shah forced to abdicate in favour of his son.
- 1946** Following end of war, occupying forces left.
- 1963** Shah launched 'White Revolution'. Reforms opposed by landlords and conservative clergy.
- 1964** Ayatollah Khomeini deported to Iraq for opposition activities.
- 1965** Prime Minister Mansur assassinated, reportedly by a follower of Khomeini.
- 1977** Anti-government strikes and demonstrations.
- 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:** Shah forced to leave country.
February: Khomeini returned and took power.
April: Iran declared an Islamic republic. Supreme authority given to Walih Faqih appointed by clergy, initially Khomeini.
November: Students seized hostages in US Embassy in Tehran.
- 1980** **February:** Bani-Sadr elected President.
September: Iraq invaded Iran. Strongly resisted by Iran; outbreak of hostilities.
- 1981** **January:** US hostages released.
June: Fighting between MEK supporting Bani-Sadr and Revolutionary Guard Corps led to Bani-Sadr's dismissal and his departure at the end of July 1981, after several weeks of hiding, for France.
July: Muhammad Ali Rajaei voted President. Muhammad Javad Bahonar became Prime Minister.
August: President and Prime Minister killed in bomb attack; MEK blamed.
October: Hojatoleslam Ali Khamenei elected President; Mir Hussein Moussavi appointed Prime Minister.
- 1985** 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.
- 1987** Islamic Republican Party dissolved.
20 July: UN Security Council adopted Resolution 598.

- 1988** Ceasefire declared in Iran/Iraq war.
- 1989** **3 June:** Death of Ayatollah Khomeini. Replaced by Ayatollah Khamenei formerly President Khamenei.
July: Rafsanjani became President. Post of Prime Minister abolished.
- 1993** Rafsanjani re-elected with reduced margin.
- 1994** **February:** Rafsanjani survived assassination by BKO.
- 1997** **May:** Rafsanjani stood down. Seyed Mohammad Khatami won Presidential election by landslide.
June: Closure of the Iranian Embassy in Kabul, followed by a trade embargo with Afghanistan initiated by Iran.
August: Khatami inaugurated.
October: Khatami appointed former Prime Minister Moussavi as his senior adviser.
American vessels were present in the Persian Gulf to calm tension between Iran and Iraq over the September bombings in southern Iraq.
December: The Conference of the Organisation of the Islamic Conference was held in Tehran.
- 1998** **March:** The Iranian gas and oil industry was opened up to foreign investors for the first time.
June: The impeachment of the Interior Minister by the Majlis was followed by his immediate re-appointment by Khatami in a newly created Vice-President Cabinet post.
July: The former mayor of Tehran, Gholamhossein Karbaschi, was found guilty on charges of corruption and embezzlement. He was sentenced to five years imprisonment and other punishments.
The Solidarity Party of Islamic Iran was recognised and registered as a new political party.
An amnesty was issued for 1,041 prisoners sentenced by the revolutionary and public courts.
August: Iranians were permitted to visit Shi'a Muslim shrines in Iraq for the first time in 18 years.
British Airways resumed direct flights to Tehran.
Iranians, including diplomats, were captured by the Taleban in northern Afghanistan.
September: The Government of Iran gave the United Kingdom assurances that it had no intention, nor would it take any action to threaten the life of Salman Rushdie or those associated with his work, nor would it encourage or assist others to do so. They also disassociated themselves from the bounty offered to carry out the fatwa and stated that they did not support it.
October: The deaths of Iranians captured in August by the Taleban led to Iranian troops amassing at the border with Afghanistan. Exchange of mortar and artillery fire resulted.
- 1999** **February:** State and local elections held for the first time since the revolution.
July: A student demonstration for press reform resulted in a police raid on Tehran University dormitory complex. Six days of street riots followed the worst since the revolution.

- 2000** **February:** Khatami and his liberal/reformist supporters win 170 of 290 seats in the Majlis. Conservatives lose control of parliament for the first time since the revolution.
April: New Press Law adopted. Sixteen reformist newspapers banned.
August: Fatwa religious decree issued allowing women to lead religious congregations of female worshippers.
- 2001** **June:** Khatami re-elected for a second term after winning just under 77 per cent of the vote.
August: Khatami sworn in.
- 2002** **January:** US President describes Iraq, Iran and North Korea as an “axis of evil” in his State of the Union address. This is a reference to the proliferation of long-range missiles said to be under development and a perceived threat considered to be as dangerous to the US as terrorism. This statement causes offence across the Iranian political spectrum.
February: Iran rejects the proposed new UK ambassador to Tehran.
September: Russian technicians begin construction of Iran’s first nuclear reactor at Bushehr, despite strong objections from the United States. Iran accepts Britain’s nomination for a new ambassador, ending a diplomatic spat over the previous candidate’s rejection.
UK Foreign Secretary, Jack Straw, is in Iran at the end of a Middle East tour for talks that are expected to focus on the Iraq crisis.
December: Richard Dalton, the new UK ambassador took up his post on 1 December 2002.
Iran and Iraq consider resuming trade.
- 2003** **February:** A military aircraft crashes in the south-east of the country, killing all 302 people on board. It is Iran’s worst air disaster.
March: Local elections in Iran appear to have swung in favour of conservative candidates, in a blow to reformist President Khatami. Iran’s Revolutionary Guards renew the death sentence on British author Salman Rushdie, passed 14 years ago by the late Ayatollah Khomeini. Iranian Foreign Minister Kamal Kharrazi says his country is not taking sides in the war in Iraq.
June: Thousands attend student-led protests in Tehran against the clerical establishment.
August: Diplomatic crisis with UK over arrest of former Iranian ambassador to Argentina, sought by Buenos Aires on warrant alleging complicity in 1994 Jewish centre bombing.
September: UN nuclear watchdog gives Tehran weeks to prove that it is not pursuing atomic weapons programme.
October: Shirin Ebadi becomes Iran’s first Nobel Peace Prize winner. The lawyer and human rights campaigner became Iran’s first female judge in 1975 but was forced to resign after the 1979 revolution.
November: Iran says it is suspending its uranium enrichment programme and will allow tougher UN inspections of its nuclear facilities. International Atomic Energy Agency (IAEA) report says Iran has admitted producing high-grade plutonium for peaceful purposes, but concludes there is no evidence of a nuclear weapons programme.
December: 40,000 people are killed in an earthquake in south-east Iran; the city of Bam is devastated.

- 2004** **February:** Conservatives gain control of parliament in controversial elections. Thousands of reformist candidates were disqualified by the hardline Council of Guardians ahead of the polls.
June: Iran is rebuked by the IAEA for failing to fully cooperate with an inquiry into its nuclear activities.
 Three British naval craft and their crews are impounded after allegedly straying into Iranian waters. The eight servicemen are released four days later.
November: Iran agrees to suspend most of its uranium enrichment as part of a deal with the EU.
- 2005** **February:** Amid tension with Washington over its nuclear programme, Iran forms a common “front” with Syria, another state which is under pressure from the US.
 More than 400 people are killed in an earthquake in the southern province of Kerman.
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: Tehran says it has resumed the conversion of uranium and insists the programme is for peaceful purposes. An IAEA resolution finds Iran in violation of the nuclear Non-Proliferation Treaty.
December: A military aircraft crashes in a Tehran suburb. More than 100 people are killed.
- 2006** **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 says it has resumed uranium enrichment at Natanz.
March: Earthquakes kill scores of people and render thousands homeless in Lorestan province.
April: Iran says it has succeeded in enriching uranium at its Natanz facility.
31 August: A UN Security Council deadline for Iran to halt its work on nuclear fuel passes. The 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-April: Iran detains 15 British sailors and marines who were patrolling the mouth of the Shatt al-Arab waterway that separates Iran and Iraq. A diplomatic stand-off ends with their release two weeks later.
April: President Ahmadinejad says Iran can produce nuclear fuel on an industrial scale.
June: Protests erupt after government imposes petrol rationing amid fears of possible UN sanctions.
July: Iran agrees to allow inspectors to visit the Arak nuclear plant following talks with the IAEA.
August: The former president, Akbar Hashemi Rafsanjani, is elected head of the Assembly of Experts (the body which appoints, supervises and can

dismiss the supreme leader), a position which further solidifies the veteran politician's role within the Iranian establishment, one that is increasingly at odds with the incumbent president.

October: US announces sweeping new sanctions against Iran, the toughest since it first imposed sanctions almost 30 years ago.

December: A new US intelligence report plays down the perceived nuclear threat posed by Iran.

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.

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 organisation.

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.

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: Mr 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 - Iran and five permanent UN Security Council members plus Germany hold talks on Iran's nuclear programme in Geneva.

(BBC News, Timeline: Iran, accessed 22 October 2009) [21p]

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Annex B: Political organisations

Europe World Online, accessed on 17 December 2009, noted:

"In the mid-2000s there were estimated to be more than 100 registered political organizations, some of which are listed below:

"Etela'at-e Abadgaran-e Iran-e Islami (Islamic Iran Developers' Council)
 Hezb-e Etedal va Toseh (Moderation and Development Party)
 Hezb-e Iran-e Sarfaraz (Proud Iran Party)
 Hezb-e Islami-ye Kar (Islamic Labour Party)
 Hezb-e Kargozaran-e Sazandegi (Servants of Construction Party)
 Hezb-e Motalefeh-e Islami (Islamic Coalition Party)
 Jamiyat-e Isargaran-e Inqilab-e Islami (Islamic Revolution Devotees' Society)
 Khaneh-ye Kargar (Workers' House)
 Majma'-e Ruhaniyun-e Mobarez (Militant Clergy Association)

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 Eslaami-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. The source of this information is Europe World Online [1f], unless otherwise stated:

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]

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

Founded 1995; militant, ultra-conservative youth movement; pledges allegiance to the Wali Faqih (supreme religious leader)

Daftar-e Tahkim-e Vahdat (Office for Strengthening Unity)

Tehran. Organisation of Islamist university students who supported Khatami in the presidential election of 1997 and reformist candidates in the Majlis elections of 2000. Spokesman: Ali Nikunesbati.

Etela'f-e Abadgaran-e Iran-e Islami (Islamic Iran Developers' Council)

Founded 2003 to contest that year's municipal elections; influential conservative grouping; includes members of Jame'e-ye Eslaami-e Mohandesin (Islamic Society of Engineers) and former officers of the Revolutionary Guards. Leader: Gholam-Ali Haddad-Adel.

Fedayin-e-Khalq (Organization of the Iranian People's Fedayeen—Majority)

Founded 1971; Marxist; Sec. of Int. Dept: Farrokh Negahdar.

Fraksion-e Hezbollah

Founded 1996 by deputies in the Majlis who had contested the 1996 legislative elections as a loose coalition known as the Society of Combatant Clergy; Leader: Ali Akbar Hossaini.

Free Life Party of 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 govt in Iran, in order to secure the national rights of the Kurdish people. Sec.-Gen: Rahman Haji Ahmadi.

Hezb-e Etedal va Toseh (Moderation and Development Party)

First congress held 2002; moderate, centrist. Sec.-Gen: Muhammad Baqir Nobakht.

Hezb-e Etemad-e Melli (National Confidence Party—NCP)

Tehran. 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.

Hezb-e Hambastegi-ye Iran-e Islami (Islamic Iran Solidarity Party)

Founded 1998; reformist. Sec.-Gen: Ebrahim Asgharzadeh.

Hezb-e Iran-e Sarfaraz (Proud Iran Party)

Reformist; Sec.-Gen: Ruzbeh Meshkin.

Hezb-e Islami-ye Kar (Islamic Labour Party)

Founded 1999 as splinter group of Khaneh-ye Kargar (Workers' House); reformist. Sec.-Gen: Abolqasem Sarhadizadeh.

Hezb-e Kargozaran-e Sazandegi (Servants of Construction Party)

Founded 1996 as Servants of Iran's Construction; authorized as political party in 1998; reformist.

Sec.-Gen: Gholam Hossein Karbaschi.

Hezb-e-Komunist Iran (Communist Party of Iran)

Founded 1979 by dissident members of Tudeh Party; Sec.-Gen. 'Azaryun'.

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.

Sec.-Gen: Muhammad Nabi Habibi.

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.

Iran Paad

Monarchist; "...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." (APCI Report 2008) [6a] (p24)

Jame'e-ye Eslaami-e Mohandesin (Islamic Society of Engineers)

Founded 1988; conservative; members incl. President Mahmoud Ahmadinejad. Sec.-Gen: Muhammad Reza Bahonar.

Jamiyat-e Isargaran-e Inqilab-e Islami (Islamic Revolution Devotees' Society)

Tehran. Hardline conservative; includes former officers of the Revolutionary Guards. Co-Founder: Mahmoud Ahmadinejad

Jebbeh-ye Mosharekat-e Iran-e Islami (Islamic Iran Participation Front)

Founded 1998; reformist, leftist. Sec.-Gen: Mohsen Mirdamadi.

Jundullah (Soldiers of God) aka People's Resistance Movement

Founded in 2002 to defend the Sunni Muslim Baluchi minority in south-east Iran; its leader is Abdolmalek Rigi. 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) [21ag]

Khaneh-ye Kargar (Workers' House)

Reformist, leftist. Sec.-Gen: Alireza Mahjub

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) [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; 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 Sec.-Gen: Mustafa Hijri [Moustapha Hedjri]. (Europe World Online) [1f] **(Political Organisations)** Mustafa Hijri was elected leader in July 2004. (Jane's, 23 January 2009) [125c] **(Non-state Armed Groups)** 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)

Majma'-e Ruhaniyun-e Mobarez (Militant Clergy Association)

Founded 1988 as splinter group of the Jam'-ye Ruhaniyat-e Mobarez-i Tehran (Tehran Militant Clergy Association); reformist.
Sec.-Gen: Hojatoleslam Muhammad Asqar Musavi-Khoeniha.

Marze Por Gohar (Glorious Frontiers Party)

Founded 1998 in Tehran; nationalist party advocating a secular republic in Iran.
Chair. Roozbeh Farahanipour.

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) [86b](p16) Member of the National Council of Resistance; based in Paris 1981–86 and in Iraq since 1986. Leaders: Maryam Rajavi, Massoud Rajavi. (Europe World Online, accessed on 17 December 2009) [1f] **(Political Organisations)**

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 17 December 2009) [1f] **(Political Organisations)**

National Democratic Front

Founded March 1979; Leader Hedayatollah Matine-Daftari (based in Paris, January 1982–)

Nehzat-e Azadi-ye Iran (Liberation Movement of Iran)

Founded 1961; emphasis on basic human rights as defined by Islam.
Sec.-Gen. Dr Ibrahim Yazdi.

Pan-Iranist Party

Calls for a Greater Persia; Gen. Sec. Zahra Gholamipour

Sazeman-e Mujahidin-e Enqelab-e Islami (Organization of the Mujahidin of the Islamic Revolution)

Reformist; Sec.-Gen: Muhammad Salamati.

Sazmane Peykar dar Rahe Azadieh Tabaqe Kargar (Organization Struggling for the Freedom of the Working Class)

Marxist-Leninist

Tudeh Party of Iran (Party of the Masses)

Founded 1941; declared illegal 1949; came into open 1979; banned again April 1983.
First Sec. Central Committee Ali Khavari.

See also [Political system](#) and [Political affiliation](#)

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Annex C: Prominent people: past and present

The listing as compiled is by its nature subjective and general in content and is to a degree informed by current public events and news-orientated reports. It does not purport to provide a comprehensive listing of famous Iranians.

POLITICAL LEADERSHIP

Supreme Religious Leader (Wali Faqih): Ayatollah Sayed Ali Khamenei
Head of State: President: Mahmoud Ahmadinejad (assumed office 6 August 2005; re-elected 12 June 2009).

First Vice-President: Muhammad Reza Rahimi.

Vice-President in charge of Legal and Parliamentary Affairs: (vacant)

Vice-President and Head of the Iranian Atomic Energy Organization: Ali Akbar Salehi.

Vice-President and Head of the Organization for the Protection of the Environment: Fatemeh Javadi.

Vice-President for Strategic Planning and Supervision Affairs: Amir Mansour Borqei.

Vice-President and Head of the National Youth Organization: Mehrdad Bazrpash.

Vice-President and Head of the Martyrs' and Self-Sacrificers' Affairs Foundation: Masoud Zaribafan.

Vice-President and Head of the Cultural Heritage, Handicrafts and Tourism Organization: Hamid Baghaei.

Vice-President for Physical Training and Head of the Physical Education Organization: Muhammad Aliabadi.

Vice-President for Science and Technology: Nasrin Soltankhah.

Vice-President in charge of Executive Affairs: Ali Saidloo.

COUNCIL OF MINISTERS:

Minister of Foreign Affairs: Manouchehr Mottaki.

Minister of Defence and Armed Forces Logistics: Brig.-Gen. Ahmad Vahidi.

Minister of the Interior: Mostafa Muhammad Najjar.

Minister of Intelligence and Security: Heydar Moslehi.

Minister of Petroleum: Masoud Mir-Kazemi.

Minister of Energy: Majid Namjou.

Minister of Education: Hamidreza Hajbabaii.

Minister of Communications and Information Technology: Reza Taqipour.

Minister of Economic Affairs and Finance: Shamseddin Hosseini.

Minister of Commerce: Mahdi Ghazanfari.

Minister of Health and Medical Education: Marzieh Vahid Dastjerdi.

Minister of Co-operatives: Muhammad Abbasi.

Minister of Agricultural Jihad: Sadeq Khalilian.

Minister of Justice: Morteza Bakhtiari.

Minister of Roads and Transport: Hamid Behbahani.

Minister of Welfare and Social Security: Sadeq Mahsouli.

Minister of Industries and Mines: Ali Akbar Mehrabian.

Minister of Science, Research and Technology: Kamran Daneshjou.

Minister of Culture and Islamic Guidance: Sayed Muhammad Hosseini.

Minister of Labour and Social Affairs: Ali Nikzad.

Minister of Housing and Urban Development: Abdolreza Sheikholeslami. (Europa World Online, November 2009) [1g]

Prominent people

AGHAJARI, Hashem

A university professor twice sentenced to death for blasphemy, who was finally released from prison on 31 July 2004 following two years of legal battles and mass demonstrations by students supporting him. (Network for Education and Academic Rights (NEAR), 2009) [67a]

AHMADINEJAD, Mahmoud

President of Iran, assumed office 6 August 2005; re-elected 12 June 2009. (Europa World Online, November 2009) [1g] Former Revolutionary Guard; Mayor of Tehran from 2003 until he became president in 2005. [21ae]

BANI-SADR, Abolhasan

"Iranian economist and politician who in 1980 was elected the first president of the Islamic Republic of Iran. He was dismissed from office in 1981 after being impeached for incompetence." (Encyclopaedia Britannica.com, 2009) [69a]

Batebi Ahmad

Iranian student leader who shot to prominence during the Tehran University uprising of 1999. After being pictured on the front cover of the Economist waving the bloodied clothing of an injured contemporary, the 21-year-old undergraduate was sentenced to death in camera by a Revolutionary Court for sullyng the name of the Islamic Republic. The tariff was subsequently commuted to 15 years in prison. Given temporary release in early 2005 following an outcry from human rights groups, Batebi skipped bail and went on the run. He was reportedly re-arrested on 27 July 2006 and taken to an undisclosed place of detention, believed to be Evin Prison in Tehran.

In 2007, Batebi was released from prison for medical treatment. When ordered to return in March 2008, he escaped to Iraq with the help of Kurdish guides and now has humanitarian parole status in the US. (New York Times, 13 July 2008) [77c]

BAZARGAN, Dr Mehdi

Dr Bazargan was a pro-democracy activist who was imprisoned several times in the 1960s and 70s due to his non-violent opposition to the Shah. Co-founder of the Liberation Movement of Iran in 1961 and the Iranian Human Rights Association in 1977; briefly appointed Provisional Prime Minister by Ayatollah Khomeini when the Shah was forced out of Iran in 1979 "...but he resigned within a year, complaining that radical clerics were undermining his government." Died in early 1995. (Iran Chamber Society, 2009) [58c]

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 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. [77b]

KARRUBI (KAROUBI), Mehdi

Reformist candidate in the June 2009 presidential elections. He polled 0.85% of the vote. (Congressional Research Service, 2 July 2009) [78b]

KHAMENEI, Sayed Ali

"Ayatollah Ali Khamenei is Iran's spiritual leader and highest authority. His veto is final in Iranian political affairs." He was also President from 1981 to 1989 when he succeeded Ayatollah Khomeini as Supreme Leader. "As Supreme Leader, Ayatollah Khamenei has the power to select directly and indirectly members of the Guardian Council. The council is in charge of elections, both the supervision of the polls and the confirming of candidates." (BBC News, 17 June 2009) [21ad]

KHATAMI, Mohammed

President 1997-2005. "He has been a lifelong supporter of the [Islamic] revolution, but he represents the more liberal wing, espousing greater political and intellectual openness and a strengthening of Iran's democratic institutions within the context of the state's Islamist constitution." (Economist Intelligence Unit, 1 October 2008) [24c] He initially said that he would stand as a candidate in the June 2009 presidential election against President Ahmadinejad; however, he reversed this decision and supported another moderate candidate, Mir Hossein Mousavi. (CNN.com, 16 March 2009) [60b]

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) [69b]

LARIJANI, Ali

Former chairman of the Iranian Supreme National Security Council "...which directs the defence and security policy of the country. Following a falling-out with Mr Ahmadinejad over Iran's nuclear negotiation strategy with the West, however, Mr Larijani resigned in October 2007. His focus shifted to challenging the president on wider political and economic policy, as a result of which he stood in the Majlis election in March 2008, winning a seat in the Shia holy city of Qom. Mr Larijani's strong domestic standing and credibility among the conservative establishment enabled him to win the position of Majlis speaker at the beginning of the new session of parliament in May [2008]." (Economist Intelligence Unit, 1 October 2008) [24c]

LARIJANI, Sadeq (Ayatollah)

A member of the Guardian Council, appointed by Ayatollah Khamenei to be the new head of the judiciary in August 2009 to replace Ayatollah Mahmoud Hashemi

Shahrودي. [53b] Sadeq Larijani is the younger brother of Majlis speaker, Ali Larijani. (Payvand News, 16 August 2009) [53b]

MONTAZERI, Hussein Ali

Grand Ayatollah Montazeri was Ayatollah Khomeini's "heir apparent" until he was cast aside by Khomeini, the founder of the Islamic Republic, in 1989 for criticising human rights abuses by the Iranian regime. "Since then, despite official harassment of his aides and a six-year period of house arrest, Grand Ayatollah Montazeri has remained the outspoken conscience of Iran's religious community, an advocate of democratic pluralism and foreign policy moderation... Grand Ayatollah Montazeri was put under house arrest in 1997 after questioning the unaccountable authority exercised by Ayatollah Khamenei... Despite his defiance, Grand Ayatollah Montazeri was released from house arrest, unbowed, in January 2003 to a rapturous welcome by hundreds of supporters. It was believed the authorities were worried that the ageing cleric could become a focus for opposition groups in Iran if he died while under house arrest." In June 2009, he questioned the validity of President Amadinejad's re-election, stating that "...no one in their right mind' could believe the official results of the presidential elections." (*The National*, 21 September 2009) [64]

See also [Latest News](#)

MOUSAVI, Mir Hossein

Prime Minister from 1981 to 1989 when the post was abolished. He and his wife, Zahra Rahnavard, were active in the Islamic Revolution that overthrew the Shah. Both were advisers to President Khatami during his eight years as president (1997-2005). Mousavi stood as a moderate in the 2009 presidential election and was the main challenger to President Ahmadinejad. (BBC News, 16 June 2009) [21ab]

See also [Latest News](#)

QALIBAF, Muhammad Baqer

Replaced Mahmoud Ahmadinejad as Mayor of Tehran in 2005; former Chief of police; he resigned to run in the 2005 presidential elections. (Jane's Sentinel, 30 April 2009) [125d]

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]

RAFSANJANI, Ali Akbar Hashemi

"Mr Rafsanjani was president for eight years from 1987 and ran again in 2005. He lost to Mahmoud Ahmadinejad in the second round. He has been openly critical of the president since then. He is still a powerful figure in Iranian politics as he heads two of the regime's most powerful bodies: the Expediency Council (which adjudicates disputes over legislation) and the Assembly of Experts (which appoints, and can theoretically replace, the Supreme Leader)." (BBC News, 19 June 2009) [21ac]

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) [86b] (p16)

See [Mujahidin-e-Khalq \(Holy Warriors of the People\)](#) above.

RAJAVI, Maryam

Wife of Massoud Rajavi; leader of the MEK with her husband.

See [Mujahidin-e-Khalq \(Holy Warriors of the People\)](#) above.

REZA'I, Mohsen

A conservative candidate in the June 2009 presidential elections. He came third with 1.73% of the vote. (Congressional Research Service, 2 July 2009) [78b]

SHAHRUDI [SHAROUDI], Mahmoud Hashemi (Ayatollah)

Former head of the judiciary until August 2009 when Sadeq Larijani took over the role. [53b]

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*) [15a]

Soltani Abdolfattah

"Abdolfattah Soltani is a well-known Iranian human rights lawyer, and spokesman for the Defenders of Human Rights Center, which was co-founded by the Nobel Peace-Prize-winner Shirin Ebadi. He has twice been incarcerated in Iran for political offences, in 2005 and 2009." Mr. Soltani is one of the lead lawyers representing the imprisoned seven leaders of the Baha'i community of Iran. (Iran Press Watch, 22 October 2009) [65]

YAZDI, Mohammad (Ayatollah)

Former head of the judiciary. (Payvand News, 16 August 2009) [53b] He resigned this post in August 1999 and was replaced by Ayatollah Mahmoud Hashemi Shahrudi. (Global Security.org, 26 April 2005) [70a]

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Annex D: List of abbreviations

AI	Amnesty International
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CPJ	Committee to Protect Journalists
EU	European Union
FCO	Foreign and Commonwealth Office (UK)
FH	Freedom House
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
IAG	Illegal Armed Group
ICG	International Crisis Group
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
IMF	International Monetary Fund
IOM	International Organisation for Migration
MSF	Médecins sans Frontières
NATO	North Atlantic Treaty Organisation
NGO	Non Governmental Organisation
OCHA	Office for the Coordination of Humanitarian Affairs
ODIHR	Office for Democratic Institutions and Human Rights
ODPR	Office for Displaced Persons and Refugees
OECD	Organisation of Economic Cooperation and Development
OHCHR	Office of the High Commissioner for Human Rights
RSF	Reporteurs sans Frontières
STD	Sexually Transmitted Disease
TB	Tuberculosis
TI	Transparency International
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organization

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