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Delegations will find attached a report <sup>1</sup> on the above subject, supplied by the Netherlands delegation.

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<sup>1</sup> Translated into English only.  
The report may be released to the public.

# **Situation in Iran**

*August 2000*

Ministry of Foreign Affairs  
Directorate for Movements of Persons, Migration and Consular Affairs  
Asylum and Migration Division  
The Hague  
070-3484517

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## 1. Introduction

Following on from the official report of 21 December 1999, this report describes recent developments in Iran up to August 2000. It also considers a number of specific areas, where of relevance in appraising asylum applications and assessing whether it is reasonable to repatriate finally rejected asylum seekers. In producing this updated report, use has been made of information from the network of contacts maintained by the Netherlands embassy in Tehran and reports by other countries, UN agencies and non-governmental organisations; articles in the Iranian press have also been drawn on. A list of public sources consulted is given in the bibliography section.

Section 2 outlines recent political developments, with coverage of the parliamentary elections held in February 2000. Section 3 describes the human rights situation in Iran, including the new press legislation and the closing down of reformist newspapers and periodicals, freedom of association and of assembly and freedom of religion. One issue addressed in that last subsection is the controversial trial of thirteen Jews. Section 4 then deals with first host countries and the policy of other Western countries and the UNHCR regarding repatriation of finally rejected Iranian asylum seekers. The report finishes by drawing some conclusions in section 5.

## 2. Country information

### 2.1. Political developments

#### 2.1.1. Introduction

The political situation in Iran continues to be marked by a struggle between the conservative religious establishment, on the one hand, and reformists, on the other. As in the past, recent developments again show an unclear pattern. While the reformists can count on popular support, the conservatives dominate the main power bases, such as the police, the armed forces, the judiciary and state television <sup>1</sup>.

The parliamentary elections in February 2000 brought a resounding victory for the reformists, which in due course resulted in a strong backlash against them. The defeated conservatives are continuing to try and thwart reforms and are creating a climate designed to intimidate reformists.

Attempts by the conservative *Council of Guardians* <sup>2</sup> to alter substantially the composition of parliament, by ordering recounts in a number of constituencies and annulling votes cast in some constituencies to help conservative candidates, in the end had little effect. The new, pro-reform parliament sat for the first time on Saturday 27 May 2000.

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<sup>1</sup> A convenient outline of the distribution of power in Iran can be found on page 4 of the 21 February 2000 issue of NRC Handelsblad.

<sup>2</sup> The Council of Guardians supervises elections and oversees the Islamic correctness of prospective new legislation.

Many people were nevertheless surprised at the strength of the conservative establishment's counteroffensive following its defeat in the parliamentary elections. Freedom of the press, one of the Khatami government's successes, has in recent months been seriously curtailed as a result of the adoption of new, restrictive press legislation by the old parliament, still dominated by conservatives, in April 2000<sup>3</sup>. A large number of reformist journalists and publishers were arrested and at least twenty pro-reform daily and weekly newspapers banned from publishing.

In addition, a number of Iranians attending a conference in Berlin on Iranian politics, which turned out to be controversial, were arrested (see section 2.1.3). Those detained included journalists. They were accused of having intended to undermine the Islamic nature of the Iranian state.

The extremes to which polarisation of Iranian politics is sometimes taken are shown by the failed assassination attempt in mid-March 2000 on Saeed Hajjarian, a reformist local councillor who acts as an adviser to President Khatami and is also the publisher of *Sobh-e Emrouz*. The perpetrators of the assassination attempt have since been traced and convicted.

The long-awaited trial of thirteen Jews from Shiraz and Isfahan, who were arrested in March 1999, began on 13 April 2000 and was completed on 1 July 2000 (see section 3.4.3). Ten of them received prison sentences of from four to thirteen years for spying for Israel. All of the Jews convicted have recently appealed against the judgment<sup>4</sup>.

The judicial process (none of the trial was held in public) and the convictions attracted fierce international protest<sup>5</sup>. That contentious trial also forms part of the pattern of efforts by the conservatives to thwart reforms. The trial and the ensuing convictions proved an embarrassment to reformers and hampered attempts at international rapprochement.

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<sup>3</sup> See section 3.4.1. The adoption of this change in the law had been postponed several times since July 1999.

<sup>4</sup> Kayhan International and AFP, 20 July 2000.

<sup>5</sup> On the European Union's behalf, the French Presidency expressed mixed feelings about the trial and its outcome. The Netherlands Minister for Agriculture, Mr Brinkhorst, who was in Tehran on 1 July 2000, conveyed the Netherlands Government's considerable disquiet at the sentences in his talks there and challenged the Iranian authorities on the subject.

### 2.1.2. Parliamentary elections

Political developments recently have to a large extent been dominated by the parliamentary elections held in February 2000<sup>6</sup>. In November 1999, partly for being the publisher of *Khordad*, a pro-reform newspaper, the prospective leader of the reformist movement, former Vice-President Abdullah Nouri, was given a five-year prison sentence in a controversial trial by the *Special Court for the Clergy (Dadgah-e Vizhe-ye Ruhaniyat)*, which in practice ruled him out as a parliamentary candidate<sup>7</sup>.

Once it was certain that Nouri could not be elected, the former President and current Chairman of the *Expediency Council*<sup>8</sup>, Akbar Hashemi Rafsanjani, entered the race for membership of the new Majlis, as an "independent candidate", with the clear intention of becoming its speaker in due course. He drew support from the conservatives but also, for instance, from the pragmatic, pro-reform *Executives of Construction Party (ECP)*, thus threatening to act as a divisive element within the reformist movement. However, considerable sections of reformist opinion were unwilling to support Rafsanjani, seen by many as standing for old-fashioned ideas, and accordingly put up a leading candidate of their own.

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<sup>6</sup> On recent developments in Iran, see also the paper submitted by the Minister for Foreign Affairs to the lower house of parliament in the Netherlands on 24 May 2000.

<sup>7</sup> Amnesty International Urgent Action (MDE 13/30/99, 2 December 1999). Thousands of students demonstrated against Nouri's detention (IRNA, 14 December 1999).

<sup>8</sup> The Expediency Council mediates and may take decisions if agreement cannot be reached between parliament and the Council of Guardians. It also acts as an advisory body to the Spiritual Leader.

On 29 January 2000 the Islamic Republic News Agency (IRNA) reported that 111 political groupings had been licensed to engage in political activities. Iran has seen little development of political parties of the kind found in Western democracies. It is only since the 1997 presidential elections that like-minded people have begun taking the first steps to establish political parties, usually building on existing cooperation within factions in the Majlis. There is not generally any clear party structure, nor is there any executive. No congresses or public meetings are held. Nor do most parties have any party programme. In the run-up to the elections, the political parties' main job was drawing up lists of preferred election candidates, not actually themselves required to belong to the party in question.

The principal alliances contesting the elections were as follows:

1. *Islamic Iran Participation Front (IIPF)*

A pro-reform party, more technocratic than ideological in nature, set up to support President Khatami. The IIPF put up Mohammad-Reza Khatami, a doctor, publisher of *Mosharekat* and brother of the President, as its leading candidate, while other well-known figures were also put forward by reformists: Ali Reza Nouri, a paediatrician and brother of the detained former Vice-President Abdullah Nouri; Hadi Khamenei, a mullah, publisher and brother of Spiritual Leader Khamenei; Jamileh Kadivar, sister of the currently detained dissident cleric Mohsen Kadivar and also wife of the Minister for Culture and Islamic Guidance, Attaollah Mohajerani<sup>9</sup>.

2. *Militant Clergy League (Majma-e Rowhaniyun-e Mobarez) (MRM)*

A party of moderate clerics, formed as a breakaway from the JRM (see 5). President Khatami and Abdullah Nouri lent visibility to the MRM, which also proved unwilling to support Rafsanjani. Its members include Mehdi Karroubi, who in late May 2000 was elected parliament's new speaker<sup>10</sup> as a compromise candidate. He had in fact already been speaker before, in the 1980s.

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<sup>9</sup> See the official report of 21 December 1999 on Iran, pages 6, 20 and 21. Mohsen Kadivar was released on 17 July 2000 after eighteen months in detention (Iran News and AFP, 17 July 2000).

<sup>10</sup> The office of speaker is one of the most influential political posts in Iran. In the parliamentary elections held four years earlier, Karroubi had remained debarred by the Council of Guardians.



3. *Executives of Construction Party (Hezb-e Kargozaran-e Sazandegi) (ECP)*

A pragmatic, pro-reform party, originally formed as a Rafsanjani-backed breakaway from the JRM (see 5). Prominent members include its Secretary-General, Gholamhussein Karbaschi, ex-mayor of Tehran, the Minister Attaollah Mohajerani and Faesah Hashemi, Rafsanjani's daughter, a member of the old Majlis and former publisher of the now banned women's magazine *Zan*<sup>11</sup>.

4. *Labour Party*

A pro-reform party supporting President Khatami.

5. *Organisation of Militant Clergy (Jame Rowhaniyat-e Mobarez) (JRM)*

A clerics' party and the main conservative party. Figures linked with it include ex-President Rafsanjani, Spiritual Leader Khamenei, the old parliament's speaker, Nateq-Nouri (who did not stand for re-election), and his deputy.

6. *Coalition of Islamic Societies (also known as the Islamic Coalition Association)*

A radical conservative grouping whose members include well-off bazaaris (bazaar traders).

Many smaller groups claiming to be political parties (students, pensioners etc.) also ran and there were some independent candidates standing for a seat in parliament as well, most of them coming from outside Tehran and representing regional interests.

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<sup>11</sup> Having received a two-year prison sentence in a controversial trial (see the official report of 21 December 1999, page 6), Karbaschi was released by the Spiritual Leader at Rafsanjani's instigation in the run-up to the elections. In this way Rafsanjani hoped to win more support from within the reformist camp in standing for the Majlis. The pardon in fact covers only the prison sentence and the fine imposed. Karbaschi remains barred from public office for ten years.

Organisationally, the above political bodies and interest groups fall roughly into two political fronts: the conservative *Harmonious Groups' Front* (centring on the movements described in 5 and 6 above) and the *Second of Khordad Front* (23 May movement), an umbrella body for a total of eighteen reformist groups. The conservative front put up broadly identical lists of candidates, headed by Rafsanjani. As stated earlier, the reformists were unable to do so. The ECP and the Labour Party placed Rafsanjani at the top of their lists, whereas the MRM and the IIPF made it quite clear that they did not support his candidature. They put forward Mohammad-Reza Khatami, the President's brother.

Within the limits imposed by the Iranian system, the elections on 18 February 2000 were free and fair. Over thirty million Iranians, over 70% of the electorate, turned out to vote in the first round, about two thirds of them being aged under thirty. Polling resulted in an overwhelming victory for the reformist side and confirmation, for the third time in succession<sup>12</sup>, that the vast majority of the Iranian population want change<sup>13</sup>. The majority of candidates elected outright in the first round were reformists. Following the first round, the IIPF claimed already to have won an absolute majority in the new Majlis. The ECP, which had supported Rafsanjani's candidature, did not fare well in the elections. The conservatives, who had dominated the old parliament in recent years, could only manage to win in the city of Qom and in Western Lorestan.

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<sup>12</sup> Following the election of Khatami in May 1997 and the local elections in February 1999.

<sup>13</sup> In response to the parliamentary election results, the European Union, in a declaration of 23 February 2000, congratulated the people of Iran on their commitment to the democratic process there. See the answer given on 25 May 2000 by the Netherlands Minister for Foreign Affairs to questions put by Mr Koenders MP (PVDA [Labour]) concerning reform in Iran.

The Council of Guardians, which oversees elections and is entitled to check on candidates' Islamic credentials, barred many reformist candidates from standing, yet not to such an extent as to prevent electors from making a clear choice. Such screening of candidates can definitely be regarded as a blot on the democratic conduct of the elections. Some prominent reformist candidates, including Abdullah Nouri, were barred from standing, as were candidates who in the Council's view did not show sufficient allegiance to the basic principles of the Islamic Republic<sup>14</sup>. The Council of Guardians also considered itself able, after votes had been counted, to reject an elected reformist in favour of a conservative candidate in a not insignificant number of constituencies<sup>15</sup>. Recounts were ordered, too, in a number of constituencies, including Tehran. These developments caused considerable uproar in Iran.

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<sup>14</sup> Of just under seven thousand candidates, including over five hundred women, some seven hundred were rejected. All candidates from the banned, but tolerated, religious nationalist Freedom Movement were barred by the Council of Guardians from standing.

<sup>15</sup> In some cases this caused considerable unrest. To give a few examples: The Council of Guardians annulled the election results in Bandar Abbas, Basht and Gachsaran, sparking off protest demonstrations. In Gachsaran, 150 arrests are reported to have been made (Iran News and AFP, 13 March 2000; Kayhan, 12 March 2000). Khalkhal, near Ardabil, experienced two days of serious disturbances after the Council of Guardians had invalidated the election results from twenty-one polling stations. Forty people were reportedly arrested (AFP, 8 April 2000; Iran News, 9 April 2000). The annulment of a reformist's election victory in Damavand was followed by a protest rally on 7 April 2000 (AFP and IRNA, 8 April 2000). On 14 May 2000 demonstrations were held in the town of Jiroft, following the rejection of the election result there. Demonstrators were attacked by hundreds of Bassiji and Sepah Pasdaran members and plain-clothes police (for the Bassiji and the Sepah Pasdaran, see Annex II to the official report of 21 December 1999 on Iran). Several people were reportedly injured (SMCCDI News Service and Iran Daneshjoo.org News Service, 14 May 2000).

After a number of recounts in Tehran had caused confusion all round and not brought any final result, with the first sitting of the new parliament at the end of May 2000 thus in jeopardy, the Spiritual Leader intervened. Khamenei asked the Council of Guardians to give the election results in Tehran its broad approval <sup>16</sup>, the first four candidates elected for Tehran being Mohammad-Reza Khatami <sup>17</sup>, Jamileh Kadivar <sup>18</sup>, Ali Reza Nouri and Hadi Khamenei <sup>19</sup>.

Although democratically questionable, Khamenei's intervention did ensure a reformist parliament. This move by the Spiritual Leader appears to confirm previous impressions that both the Spiritual Leader and the President realise the vital importance of smooth cooperation between them <sup>20</sup>.

The second round of parliamentary elections, held on 5 May 2000, also brought a reformist victory. The people have spoken abundantly clearly, supporting the President in working for change in Iran. It should be noted, though, that even Iran's "reformists" differ markedly over the direction and pace of reform.

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<sup>16</sup> The Council of Guardians had promised to announce on 18 May 2000 the results of the second round of polling and of the recount for the first round in Tehran, but proved unable to do so. For the second round, only 28 of the 66 seats could be confirmed. On the outcome in Tehran, the Council was unable to make any announcement. Following Khamenei's intervention, candidates were declared elected to 28 of the 30 seats available in Tehran. These were candidates voted for on over 25% of ballot papers. In a run-off poll held in Tehran on 30 June 2000, the remaining two seats were taken by reformist candidates.

<sup>17</sup> Currently released on bail, pending legal proceedings in connection with the recent closing down of his reformist newspaper, Mosharekat.

<sup>18</sup> Currently released on bail, pending criminal proceedings in connection with her presence at a controversial conference in Berlin (see below).

<sup>19</sup> His newspaper has also now been closed down.

<sup>20</sup> See also the official report of 21 December 1999, page 5. At Friday prayers on 12 May 2000, Spiritual Leader Khamenei called for national unity, arguing that two political wings cannot do without one another, just as a bird needs two wings in order to fly.

On Saturday 27 May 2000, 241 of the 290 members of the Majlis took office; just over three quarters of them are expected to support President Khatami's reform policy.

Ex-President Rafsanjani, one of the last candidates elected in Tehran, declined to take up his seat <sup>21</sup>.

### 2.1.3. Reaction to the parliamentary elections

The election result has not brought an end to the current power struggle in Iran. On the contrary, reform is continuing to make uneven progress. The conservatives did not take their electoral defeat lying down and have reacted with a counteroffensive.

#### *Curbs on freedom of the press*

Freedom of the press, expanded under Khatami, has in recent months been significantly curbed as a result of the adoption of new press legislation by the old parliament (see section 3.4.1).

Immediately afterwards, the main progressive papers were closed down.

#### *Berlin conference*

Life has been made difficult for reformists in other ways, too, as can be seen from reactions to a conference in Berlin, attended by a number of prominent Iranians.

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<sup>21</sup> Rafsanjani originally came thirtieth in Tehran, taking the last available seat. A number of recounts were then called for. In May 2000 it was announced that he had come twentieth in Tehran. Following persistent criticism of his election, Rafsanjani resigned his seat before the new parliament sat for the first time. It is still vacant. At the time of writing (August 2000), 280 of the 290 seats have been taken up.

A controversial conference was held in Berlin from 7 to 9 April 2000, arranged by the Heinrich Böll Stiftung [foundation], on the subject of "Iran after the elections". The conference was seized upon by a number of Iranians in exile, including followers of the *Mujaheddin-e Khalq (Mujaheddin Khalq Organisation (MKO))* and communists, out to vent their anger and disrupt it<sup>22</sup>. The foundation did not deal very firmly with the demonstrators and so it became quite easy to place the conference participants from Iran in an awkward position, with the eye of the television cameras on them. Selective pictures of the Berlin conference, taken out of context, were broadcast by Iranian television. The goings-on in Berlin aroused the wrath of sections of Iran's conservative establishment and media, which regarded participation in the conference as detrimental to Iranian society. Invitees from Iran who attended the conference were in many cases arrested for questioning. A number of them have already been imprisoned<sup>23</sup>.

#### *Attitude of students*

Students had latterly, up to the commemoration of the July 1999 disturbances on 8 July 2000, remained fairly quiet. Up until then there had not been any large-scale disturbances directed against the regime.

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<sup>22</sup> On the MKO, see section 3.4.2.2. The opposition based in the West seems in fact to be hostile to the reformers. Iran's conservative establishment seized on the Berlin conference in order roundly to condemn the reformers and take action against them. This appears to suit the purposes of the Berlin disrupters, since the popular reformers leave the opposition in the West marginalised. In addition, the backlash enables the opposition in the West to demonise the regime in Iran.

<sup>23</sup> On three individuals detained following the Berlin conference, see Amnesty International (MDE 13/20/00, 3 May 2000). They are Mehrangiz Kar, a lawyer, Shahla Lahiji, a writer and publisher, and Ali Afshari, a delegate from the student organisation *Daftar-e Takhim-e Vahdat (Office for Strengthening Unity)*. Ms Kar and Ms Lahiji were released on bail on 21 June 2000, as was Mr Afshari four days later. The investigative journalist Akbar Ganji was also arrested following the conference. Another three journalists were held for questioning and then released on bail. Jamileh Kadivar (see above), also present in Berlin, has been released on bail. The well-known reformist cleric Hassan Yusefi Eshkevari was arrested on 5 August 2000 after returning via France. The conference has shown that, after an absence of communication for twenty years, Iranians in exile and Iranians in Iran no longer understand each other. It is also clear that a fairly small group with extremist ideas is monopolising the image of the entire Iranian community in exile.

The relaxed mood of the elections on 18 February 2000 and the overwhelming victory for the reformists initially gave no cause for political discontent.

Reformists and hard-line students did periodically find a reason to demonstrate. However, their sit-ins, rallies and marches were usually just protests about specific new developments or existing grievances<sup>24</sup>. For the traditional *Norouz* (Iranian new year) fortnight from 20 March to 1 April 2000, students remained calm.

The adoption by parliament of the restrictive amended press legislation (see section 3.4.1) stirred up strong feelings of discontent among students. On 24 and 25 April 2000 peaceful demonstrations were held at Tehran university and also at the Press Court building, where copies of the thirteen newspapers and periodicals banned at the time were stuck up on the walls<sup>25</sup>.

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<sup>24</sup> On 4 and 7 January 2000 members of the Hezbollah Students' Union protested to the United Kingdom about an anti-Khomeini article included in a review of the London Times (Kayhan and Iran News, 4 January 2000; AFP, 7 January 2000). At around the same time, female students from the Dr Shariati Teacher Training University held a three-day sit-in in protest at the incompetence of teaching staff and the lack of facilities at the university (Sobh-e Emrouz, 6 January 2000). In the holy city of Qom, dissatisfaction with the running of the Fatimieh Private Medical Sciences University prompted a protest campaign by female students on 18 January 2000 (Tehran Times and Aftab-e Emrouz, 20 January 2000). In early March 2000 a delegation of two hundred female students held a sit-in in Tehran to demand the resignation of the entire governing council of their medical faculty in Qom. They also complained about the lack of a proper teaching hospital in which to gain experience (IRNA, Iran News and Kayhan, 1 March 2000). In February 2000 some five thousand theology students and clerics held sit-ins in anger at the liberties taken by the reformist press. In particular, a caricature of Ayatollah Mesbah-Yazdi depicted as a crocodile in the newspaper Azad really raised the hackles of conservative students in Qom and also in Mashhad and Tabriz. Incessant calls came for the resignation of the reformist Minister for Culture and Islamic Guidance. In Qazvin, 1 200 students protested for five hours at the segregation of male and female students and at the recent sending down of many students from university for no good reason (Asr-e Azadegan, 29 February 2000). Students at the Allameh Tabataaie University in Tehran also organised a protest rally because of the poor state of their dormitories and the lack of services and facilities (Abrar, 1 March 2000).

<sup>25</sup> AFP, 26 April 2000.

On 22 May 2000, to mark the third anniversary of President Khatami's election, a few thousand students held a pro-Khatami demonstration on the university campus in Tehran. They carried pictures of reformist leaders, including the investigative journalist Ganji and former Vice-President Nouri (both in prison), and protested at the closing down of many pro-reform newspapers. The students' main target was ex-President Rafsanjani, who had recently defended the curbs on the press. A day later, thousands of Bassiji members assembled at Tehran university for a counter-demonstration.

The fairly peaceful nature of student activities may be related to the inauguration of the new, reformist parliament, which did not take place until the end of May 2000. Pending its inauguration, there seemed to be a desire not to let certain hardliners seize on protests as a way of sabotaging the inauguration of the new Majlis.

Saturday 8 July 2000 marked the first anniversary of the outbreak of six days of serious student protests in response to the closing down of a reformist newspaper. With the commemoration of that anniversary in prospect, the authorities, including President Khatami, called upon students to ensure that it passed off calmly and peacefully. Although the commemoration began quietly on 7 July 2000 with seminars and poetry readings, a planned peaceful demonstration the next day got completely out of hand. Police intervened when the demonstrators began shouting slogans<sup>26</sup>. Students were arrested and fighting then broke out between Ansar-e Hezbollah and Bassiji members on the one hand, and a far larger group of demonstrators on the other. Hundreds of reformists ended up being arrested. Between ten and twenty injured people are reported to have been taken to hospital. The demonstration in front of Tehran university was attended not just by students but also in fact by many ordinary members of the public.

Demonstrations were likewise held to commemorate the anniversary in Shiraz, Isfahan and Rasht.

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<sup>26</sup> Such as "Release political prisoners", "Up with freedom, up with the press" and "Hashemi [meaning Rafsanjani], you Pinochet, Iran is not going to be like Chile". They went on to shout "Khatami, this is your last warning", a sign of growing impatience with the poor state of the economy and the slow pace of reform. Moreover, both conservative (*Jomhourī Eslami*) and reformist newspapers reported that the demonstrators also included non-student agents provocateurs. According to those sources, that had also been so in the 1999 demonstrations.



There are still hundreds of students in prison in Tehran and Tabriz as a result of the disturbances in July 1999<sup>27</sup>. Although the Spiritual Leader annested tens of thousands of people on 11 February 2000, it is not known whether students from that group were also included<sup>28</sup>. The death penalty was called for in the case of one participant in the student troubles, Akbar Mohammadi. While that demand was upheld by the judge, the penalty was not carried out. In late April 2000, on President Khatami's initiative, Mohammadi was reprieved by Spiritual Leader Khamenei and given a fifteen-year prison sentence<sup>29</sup>.

It should also be pointed out that the three alleged instigators of the student troubles in July 1999, having been arrested on 26 July 1999 and given long prison sentences on 1 March 2000, were acquitted on appeal in mid-July 2000. They belong to the Iran National Party (*Hezb-e Mellat*)<sup>30</sup>. The well-known leader of the Islamic students' union, Tabarzadi, was arrested on 18 June 2000. He frequently levelled fierce criticism at conservative leaders<sup>31</sup>.

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<sup>27</sup> See the official report of 21 December 1999, pages 4, 5, 23 and 24.

<sup>28</sup> AFP and IRNA, 15 March 2000.

<sup>29</sup> BBC World Service, 30 April 2000. The BBC reported that the Spiritual Leader had commuted death sentences imposed on four students to fifteen-year prison sentences.

<sup>30</sup> Iran Daneshjoo.org News Service and AFP, 2 March 2000. The leader of this grouping, Dariush Forouhar, was assassinated along with his wife on 21 November 1998. See also the official report of 21 December 1999, page 7.

<sup>31</sup> Trouw, 19 June 2000.

The legal action taken following the student disturbances is far from satisfactory and does not inspire confidence in the judiciary. Whereas students were convicted shortly after July 1999, the case against the police officer in charge, Brigadier-General Farhad Nazari, and nineteen other police officers dragged on from 29 February until 11 July 2000<sup>32</sup>, when the military court quite unexpectedly acquitted Nazari and seventeen of the nineteen police officers. On the other hand, one policeman received a two-year prison sentence for refusing to obey Nazari's orders at the time<sup>33</sup>. The verdict came as a great shock to the student community and to the people of Iran and is still causing a stir. The students' lawyer, himself recently arrested and only released on bail, is appealing against the acquittal.

Recent developments in Iran confirm the impression referred to earlier that change in Iran is not proceeding evenly, but in fits and starts. Despite his popularity, President Khatami is not in a position to break with a system, even should he wish to, that ultimately places real power in the hands of the Spiritual Leader. Khatami seems primarily to want to work for change within the existing Islamic system.

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<sup>32</sup> On the case against the police officers, see also the official report of 21 December 1999 on Iran, page 5.

<sup>33</sup> "Iranian students stunned by verdict clearing police in dorm attack case" (AFP, 11 July 2000). For details of the hearings, see for instance Resalat, Arya and Iran News, 1 March 2000; IRNA and Iran News, 11 March 2000; AFP, 9 April 2000; Iran News and Tehran Times, 23 April 2000.

Iran has recently further stepped up its foreign relations, including those with countries in the region and with the European Union. Its efforts to break out of its isolation nevertheless constantly come under pressure as a result of the unpredictable course of events dictated by conservatives. Examples include the trial and conviction of the Jews accused of spying (see section 3.4.3) and the promulgation of the restrictive press legislation (see section 3.4.1). A Netherlands delegation headed by the Minister for Foreign Affairs visited Iran on 29 and 30 May 2000<sup>34</sup>, followed a month or so later by the Minister for Agriculture. A visit to Iran by the United Kingdom's Foreign Secretary was recently postponed not once but twice. Following on from his visits to Italy and France in 1999, President Khatami visited Germany from 10 to 12 July 2000.

## 2.2. Social and economic situation

Important basic essentials such as staple foods and petrol are heavily subsidised, as are public housing, health care and education. Real income has nevertheless fallen as a result of inflation (officially standing at 20%), pay restraint, lack of job opportunities and cutbacks in subsidies for a number of basic products. Since President Khatami took office, the average Iranian is reported to have experienced a fall of around 20% in purchasing power<sup>35</sup>.

Unemployment poses the main economic and social problem in Iran. Officially, Iran has around 2,3 million unemployed (13,3% of the labour force), but with hidden unemployment added in the figure comes to around 25%. Unemployment among young people (60% of the population are aged under 25) is even higher than the national average.

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<sup>34</sup> For a report on the trip, see the paper submitted by the Minister for Foreign Affairs to the lower house of parliament on 13 June 2000. The visit to Iran was designed, in the context of the reformists' election victory, to express great concern at recent developments. Also on the agenda were current issues concerning the human rights situation, Iranian defence policy, Tehran's attitude towards terrorism and Iran's position on the Middle East peace process. Mr Van Aartsen described the discussions with his Iranian colleague as involving some hard, tough talking. See also the answers given to parliamentary questions by Mr Koenders MP (ref. DAM 263-00, 25 May 2000) and Ms Karimi MP (ref. DAM 264-00, 25 May 2000) prior to the trip.

<sup>35</sup> According to an official report by the Office of Planning and Budget, quoted in the Mideast Mirror, 19 June 2000, pages 18 to 20.

Partly because there is little in the way of entertainment for young people in Iran, they find it increasingly difficult to put up with their poor prospects. Growing numbers of young people are trying to leave Iran, seeking solace in drugs or resorting to crime. It is not uncommon for the better educated to look for a future outside Iran. The brain drain in progress since the 1979 revolution shows no sign of abating. According to the IMF, one in four Iranian graduates are now working abroad <sup>36</sup>.

Like Afghanistan, parts of Iran are currently suffering from severe drought <sup>37</sup>. On 5 July 2000 water shortages sparked off rioting, with looting, in the town of Abadan in southern Iran. Some five thousand demonstrators came to blows with the Revolutionary Guard, the police and the Bassiji. Ten people are reported to have been killed in the disturbances and over a hundred and fifty arrested.

### 2.3. Conclusions

The power struggle between conservatives and reformists for the future of the Islamic Republic of Iran has continued over the recent past. The reformists' victory in the parliamentary elections held in February 2000 has once again made clear the people's longing for change and greater freedom. Whether the reformist parliament will prove able to live up to Iranians' ambitions is as yet unclear. Calculated reactions to the reform process, such as the curbing of press freedom, the persecution of critical journalists, publishers and other reformists and the conviction of the Jews in Shiraz, have clearly shown that the conservative establishment can still thwart the desire for reform. President Khatami needs to tread extremely carefully.

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<sup>36</sup> Quoted in Business Week, 28 February 2000, page 4.

<sup>37</sup> On the drought in Iran, see for instance OCHA Situation Report No 1: Iran – Drought, 12 May 2000.

### 3. Human rights

#### 3.1. Introduction

The human rights situation has in recent times continued to give cause for concern. Efforts to improve it have made little headway, owing to the continuing struggle between reformists and conservatives. As regards the *rule of law* and the development of *civil society*, the reform process has merely been marking time, so as not to antagonise the conservatives unduly and so that the elections and the inauguration of the new parliament could pass off in a mood of relative calm.

In recent months the human rights situation has been marked by the newly introduced restrictive press legislation, the consequent closing down of over twenty prominent reformist newspapers and periodicals and the controversial trial of the thirteen Jews accused of spying.

In April 2000, as in the past, the human rights situation in Iran was condemned in a resolution by the UN Commission on Human Rights (at its 56th meeting)<sup>38</sup>. The resolution is critical of the human rights situation, but welcomes the Iranian Government's commitment to promote respect for the rule of law, including the elimination of arbitrary arrest and detention, and to reform the legal and penitentiary system.

Groups or individuals seen in Iran as (potentially) posing a threat to a society organised in accordance with Islamic values and precepts, as prescribed in Iran, are in particular danger of suffering human rights violations. More specifically, this means critical, reformist intellectuals (e.g. journalists, publishers, writers, lawyers and students), Baha'is, members of banned opposition movements active in Iran and Christians (including converts to Christianity) engaging in proselytising.

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<sup>38</sup> UN: E/CN.4/RES/2000/28, 18 April 2000.

### 3.2. Conventions

Iran is a party to the UN International Covenant on Civil and Political Rights, the UN International Covenant on Economic, Social and Cultural Rights, the UN Convention on the Elimination of All Forms of Racial Discrimination, the UN Convention on the Rights of the Child and the 1951 Convention relating to the Status of Refugees, including the 1967 Protocol. Iran has signed the Universal Declaration of Human Rights.

### 3.3. Monitoring

The United Nations Special Representative for Iran, Maurice Copithorne, is not allowed access to the country. Amnesty International has made many attempts to visit Iran in order to investigate human rights violations and attend trials. It has not been permitted to visit the country<sup>39</sup>. A local representative of Human Rights Watch appears to have been active in Iran in recent months<sup>40</sup>. She attended press conferences in Shiraz concerning the trial of the thirteen Jews (see section 3.4.3).

Two Iranian human rights organisations, the Islamic Human Rights Commission (IHRC) and the Organisation for the Defence of the Victims of Violence (ODVV), operate in Iran. Their work is described in the official report of 21 December 1999.

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<sup>39</sup> Letter of 19 May 2000 from Amnesty International to the Netherlands Minister for Foreign Affairs, page 4. In 1998 two Amnesty International representatives did form part of a delegation led by Ms Robinson, the High Commissioner for Human Rights. See also the official report of 21 December 1999, page 15.

<sup>40</sup> Country Reports for 1999.

### 3.4. Observance and violations

#### 3.4.1. Freedom of expression

Recent months have been marked by the newly introduced restrictive press legislation and the closing down of over twenty prominent reformist newspapers and periodicals. The new parliament, sitting since the end of May 2000, has given its approval to a bill to amend the new press legislation, enabling its effects eventually to be adjusted. However, the Majlis soon met with its first setback, on 6 August 2000, when Spiritual Leader Khamenei sent a letter deeming it inappropriate for parliament to overturn the press legislation <sup>41</sup>.

##### 3.4.1.1. Printed press: new press legislation

Iran's lively press, one of the Khatami government's major achievements, has of late been largely silenced, which represents a serious setback for the reform process.

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<sup>41</sup> The letter arrived at the Majlis during the parliamentary debate on the adjustment of the press legislation, whereupon its speaker, Karroubi, switched off the microphones just as members were clamouring to catch the speaker's eye. There was some scuffling on the floor of the house and reformists briefly withdrew. The reformers had the speaker read out the Spiritual Leader's letter, a highly unusual procedure. The debate was then closed (NRC Handelsblad, 7 August 2000; Reuters, 6 August 2000). The reformists reportedly now want to try and reach a compromise with their opponents over the press legislation (Reuters, 7 August 2000).

On 18 April 2000 the old parliament passed some amendments to the press legislation, which had been given their first reading back on 7 July 1999. On 5 January 2000 discussion of that restrictive legislation had been postponed for another three months, in the expectation that the matter would not now be dealt with by that parliament. The adoption of the new legislation considerably hampers the operation of the press in various ways. Although the new press legislation has not yet been approved by the Council of Guardians and has been branded unconstitutional by the Minister for Culture and Islamic Guidance, Attaollah Mohajerani <sup>42</sup>, it is nonetheless being implemented by the judiciary. The press legislation seemed certain to be overturned by the new Majlis in early August 2000, until Spiritual Leader Khamenei's intervention put an end to that expectation. At the time of writing (mid-August 2000), it is too early to tell what the upshot of his intervention will be.

#### *Main amendments to the press legislation*

The press legislation, parliamentary debate of which in the summer of 1999 sparked off major student demonstrations, holds journalists personally liable for the articles they publish. In future, the explicit agreement of the police and the judiciary will be required in order for press licences to be issued. The law also stipulates that, once banned from publishing, a newspaper can no longer appear under a new name.

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<sup>42</sup> Iran News, 18 and 19 April 2000.



Shortly after the new legislation was adopted, Spiritual Leader Khamenei lashed out fiercely at the reformist press, and pro-Khamenei, anti-reform demonstrations were held throughout Iran the following day. The new press legislation and Khamenei's utterances gave the judiciary a free hand to ban reformist papers. Almost immediately after the adoption of the press legislation, fourteen progressive newspapers were banned from publishing<sup>43</sup>. A number of journalists and publishers were arrested for allegedly showing disrespect for Islam, while others have lost their jobs as a result of the measures<sup>44</sup>. Even more than before the introduction of the press legislation, journalists and newspaper proprietors are finding themselves under arrest. The twenty main progressive papers have now been banned. In April and May 2000 the reformist side responded calmly to the muzzling of the press, so as not to jeopardise the fruits of electoral victory.

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<sup>43</sup> On 24 April 2000 AFP listed eight newspapers and four periodicals ordered by the judiciary to be closed down "until further notice": Gozaresh-e Rooz, Bamdad-e No, Aftab-e Emrouz, Payam-e Azadi, Fath (a successor to Khordad), Arya, Asr-e Azadegan (a successor to Neshat, Tous and Jamieh), Azad, Payam-e Hajjar, Aban, Arzesh and Iran-e Farda, the last four not being dailies. A few days after their closure, the fourteen newspapers were followed by others, including Sobh-e Emrouz (the newspaper of Hajar and Ganji), Mosharekat (the newspaper of election-winner Reza Khatami) and Ham-Mihan (the former newspaper of ex-mayor Karbaschi of Tehran). Bayan, the successor to Salaam, was banned in mid-June 2000. A string of reformist journalists and publishers now face (press) court charges. A newly issued newspaper, Mellat, according to its publisher a daily paper for the silent majority, was banned just one day after it first appeared (IRNA, Tehran, 22 May 2000; AFP and Iran News, 23 May 2000)

<sup>44</sup> To give a few examples from the last few months: The publisher of the banned Neshat received a five-year prison sentence. A journalist by the name of Safari was sentenced to two and a half years. The investigative journalist Ganji, known for having published revelations about Rafsanjani and attended the Berlin conference, also ended up behind bars. The publisher of Asr-e Azadegan was given a thirty-month prison sentence. See Amnesty International News Release (MDE 13/08/00, 27 April 2000). On 18 July 2000 Emadoddin Baqi, a journalist and member of the editorial board of the closed-down newspaper Fath, was sentenced by the Public Court in Tehran to five and a half years' imprisonment (Iran Daily, 18 July 2000).

### *The new parliament's response to the press legislation*

On 18 June 2000 parliament passed a bill to relax the stringent new press legislation, so that a stop could be put to the closing down of newspapers<sup>45</sup>. In spite of parliament's endeavours, one week later, on 26 June 2000, the reformist paper *Bayan* was banned from publishing<sup>46</sup>. On 26 July and 1, 5 and 8 August 2000 respectively, the weekly *Gounagoun*, the daily *Ruzdara* (Sistan and Baluchistan), the weekly *Tavana* and the daily *Bahar* were then banned<sup>47</sup>. More newspaper closures are expected as a result of Spiritual Leader Khamenei's intervention in the Majlis debate on the press legislation.

In June 1999 an independent writers' union, the IPA, was established, with government consent. Since then there have not been any known cases of risks faced on account of work done for this independent trade union.

#### 3.4.1.2. Television

Radio and television have in the recent past remained firmly in the hands of the conservatives.

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<sup>45</sup> Trouw, 19 June 2000; Le Monde, 20 June 2000, etc. Parliament also called on the head of the judiciary, Ayatollah Hashemi-Shahrudi, to respect the rights of (political) prisoners.

<sup>46</sup> Trouw, 27 June 2000.

<sup>47</sup> Iran News, 26 July 2000; Reuters and Iran Daneshjoo, 1 August 2000; Iran News, 5 and 9 August 2000. Only a few issues of the weekly *Gounagoun* appeared. *Gounagoun* had been started up by various journalists previously working for newspapers now banned. On encroachments upon freedom of expression, see also the letter of 19 May 2000 from Amnesty International to the Netherlands Minister for Foreign Affairs.

### *Satellite television*

Although possession and reception of satellite television are prohibited by law, it is common knowledge that many people, especially the better off in Tehran, do watch satellite broadcasts. In mid-June 2000 ex-President Rafsanjani made a notable plea for reception of satellite television to be allowed in Iran<sup>48</sup>.

#### **3.4.2. Freedom of association and of assembly**

Article 27 of the constitution safeguards freedom of association and of assembly. However, the limited latitude for political activities by opposition movements, as mentioned in previous official reports, still applies.

##### **3.4.2.1. Semi-legal political movements**

The tolerated opposition *Freedom Movement* makes repeated public pronouncements, but plays no significant role in national politics. Another opposition party tolerated is the *Iran Nation Party*, a splinter group. A number of its members received long prison sentences in early March 2000 for their part in the student disturbances in July 1999, but were acquitted on appeal in mid-July 2000 (see section 2.1).

##### **3.4.2.2. Illegal political movements**

It can once again be confirmed that, as a result of severe repression in the early years of the Islamic revolution, the (secular) opposition has been practically silenced. There is no observable activity by opposition movements such as *Tudeh*, *Iran Paad*, *Komala*, *Fedayeen* and *Darafash Kaviani* in Iran. Some members of such groups are serving lengthy prison sentences in Iran, although this cannot be confirmed in the case of monarchists. There are no known recent cases of conviction of members (or supporters) of illegal political groups, apart from the *Mujaheddin-e Khalq (Mujaheddin Khalq Organisation (MKO))* and the *Kurdish Democratic Party of Iran (KDPi)*.

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<sup>48</sup> "We must enjoy all communication like satellite, make use of its advantages and not be trapped by its disadvantages", IRNA, 17 June 2000.

Members of banned organisations working against the state face a greater risk of prosecution.

### *MKO*

The MKO is regarded by the Iranian authorities as a terrorist organisation, and tough action is taken against it. MKO followers are consistently alluded to by the Iranian authorities using the very negative term *monafeqin* (hypocrites<sup>49</sup>). The MKO seems to have virtually no following in Iran. Its stance on Iraq's side in the Iran-Iraq war has severely discredited the organisation. Even now, the MKO still maintains its military structure in Iraq, with the Iraqi authorities' knowledge and support. The MKO sees no chance of taking advantage of recent democratic developments in Iran, being itself an anti-democratic organisation. Led by Massoud Rajavi, the party imposes iron discipline on its members and runs the organisation on a centralised basis. Rajavi is also head of the National Council of Resistance (NCR), an MKO-dominated umbrella body for the resistance. Seven years ago Rajavi's third wife, Maryam Rajavi, was proclaimed by the leader as "President elect" of the Democratic Islamic Republic of Iran.

The MKO appears to have been increasing its operations in Iran of late. The military campaign seems to have been stepped up in an effort to destabilise Iran's ponderous two-steps-forward, one-step-back reform process. The MKO realises that the reformists' popularity, as confirmed by the recent election results, seriously threatens to remove the justification for its existence.

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<sup>49</sup> Monafeqin being a term from the early Islamic period for "hypocrites", i.e. those who pretended to be followers of Islam but were not (Netherlands Royal Tropical Institute: country documentation on Iran, page 28).

While there is certainly no question of any large-scale resistance, the MKO has recently once again laid claim to various bomb or other attacks in Iran<sup>50</sup>. In February 2000 the MKO fired mortar shells in the vicinity of the presidential palace in Tehran. A number of shells landed in the grounds of the Expediency Council building<sup>51</sup>. The European Union strongly condemned those terrorist acts in Tehran<sup>52</sup>. There are also reports of attacks in Qom and Tabriz and on border posts. On 15 July 2000 the MKO carried out a mortar attack on the Ministry of Information in Tehran<sup>53</sup>. If reports are to be believed, the attacks are not very accurate and often cause casualties. An attempt to assassinate the former Minister for Foreign Affairs, Velayati, in early June 2000 was foiled<sup>54</sup>. There are frequent reports in the Iranian press of MKO infiltrators being intercepted at the border with Iraq. MKO members conducting operations in Iran from bases in Iraq usually carry cyanide capsules so as to be able to commit suicide if caught.

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- <sup>50</sup> See for instance AFP, 11 December 1999; IRNA, 26 and 28 December 1999; Iranian television, 9 and 10 January 2000; IRNA, 22 June 2000; on 15 May 2000 Trouw carried a story about an MKO rocket attack on the Iranian border city of Kermanshah. On 23 April 2000 AFP reported a border clash between the Revolutionary Guard and the MKO, in which four MKO members were said to have been killed. In late May 2000 the MKO once again claimed to have carried out a mortar attack on official buildings (IRNA, 22 June 2000).
- <sup>51</sup> Reuters, 7 February 2000; Tehran Abrar, 8 February 2000.
- <sup>52</sup> Declaration by the Presidency on behalf of the European Union on the recent terrorist attacks in Tehran, 15 February 2000.
- <sup>53</sup> AFP, 16 July 2000. The MKO thereupon issued a statement claiming that the attack was "in support of the students' struggle". Even pro-reform demonstrations are seized upon by the MKO as a way of legitimising its own operations and generating support among the Iranian population. In this, however, it has failed.
- <sup>54</sup> Saeed Barzin: Proxy warriors, in Middle East International, 16 June 2000, page 17.

The MKO is guilty of terrorist acts in Iran. It shows no compunction about also causing "civilian casualties" in mortar attacks on, for instance, Sepah Pasdaran compounds, where there are relatives living as well. In the 1980s, moreover, the MKO was very actively involved in the Iraqi regime's Anfal operations against Iraq's Kurdish population, in which an estimated 180 000 Iraqi Kurds were murdered. The MKO took part in raids, massacres and other operations conducted by Iraq's Ba'ath regime. Whether an individual MKO member has taken part in terrorist acts, which are usually carried out via the MKO's *National Liberation Army (Artesh-e Azadibakhsh-e Melli-ye Iran)*, is in practice often hard to establish. Senior MKO members can, of course, be held responsible for the organisation's terrorist acts. In a number of cases, in determining whether an MKO member counts as a refugee for the purposes of the Refugee Convention, the UNHCR has invoked Article 1.F as an impediment.

Iranian reprisals against MKO bases in Iraq appear to have been stepped up<sup>55</sup>.

#### *MKO in Iraq*

The MKO has its most active following in Central Iraq. Iraqi support for the MKO (and Iranian support for the Iraqi opposition) appears to be the main stumbling block to any improvement in bilateral relations between Baghdad and Tehran.

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<sup>55</sup> Ibid. Iran supports the Iraqi opposition in Iran. That opposition, such as Al-Da'wa al-Islamiyya and the Supreme Council for the Islamic Revolution in Iraq (SCIRI), carries out attacks on the MKO in Iraq. On 27 January 2000 the Tehran Voice of the Islamic Republic of Iran carried a report: "Iraqi opposition kills five members of Baghdad-based MKO". On 11 April 2000 AFP reported a rocket attack on two MKO bases in southern Iraq the previous day.

The MKO has various military camps and offices in Baghdad and elsewhere in Iraq. Their location in Baghdad is an open secret. The MKO headquarters is situated near Sadoun Street in Baghdad, where it has reportedly been for over fifteen years. The MKO has established its own prison in Ashraf camp <sup>56</sup>. Two new camps are said to have been opened recently, one of them in Samarra, a locality about 40 km from the Iraqi capital, Baghdad <sup>57</sup>.

There are reportedly no MKO bases at present in autonomous Northern Iraq.

The MKO uses white (military) vehicles with special number plates. Such vehicles can often be seen on the road from Amman (in Jordan) to Baghdad. MKO members living in Europe or elsewhere outside Iraq frequently travel to and from Iraq, via Amman, to follow courses or receive military training there.

There are no recent figures available on the number of MKO members living in Iraq at present. In the mid-1990s there were an estimated forty thousand MKO members living there.

#### *MKO in Afghanistan*

There are signs of the Taliban sheltering MKO members, so that the MKO can carry out operations against Iran from Afghanistan.

#### *MKO in Syria*

In view of the good relations still existing between Syria and Iran, MKO members naturally prefer not to seek refuge in Syria.

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<sup>56</sup> NRC Handelsblad's Saturday supplement, 3 July 1999; Elsevier, 7 October 1995.

<sup>57</sup> At a press conference given by a spokesman for the US State Department on 24 March 2000, a satellite photograph, said to be of a new headquarters built for the MKO by Iraq, was shown. According to the spokesman, the building is designed to serve as a base for MKO operations against targets in Iran and elsewhere. See also the answer given on 26 April 2000 by the Netherlands Minister for Foreign Affairs to questions by Mr Marijnissen MP (SP [socialist]).

### *MKO in Turkey*

In August 1999 Turkey and Iran signed a *Memorandum of Understanding* concerning the security situation in the area around their common border. The two countries agreed to work together in combating terrorism. That agreement serves in particular to control the activities of the PKK in Iran and the MKO in Turkey. In practice, however, the Turkish authorities already allowed the MKO little scope to operate.

### *MKO elsewhere*

Under its 1996 Anti-Terrorism Act, the United States of America published a list of thirty terrorist organisations, including the MKO, in 1997. Since October 1999 the National Council of Resistance (NCR) has also been listed, as a front for the MKO. Among other implications, this makes financial assistance to such organisations a criminal offence in the USA. In France, measures have been taken against the distribution of MKO publications. In the United Kingdom, Maryam Rajavi, the "President elect" and former Secretary-General of the MKO, was recently declared *persona non grata*.

The MKO frequently seizes on visits to the West by Iranian dignitaries in order to make its voice heard. On such occasions, officials are sometimes physically molested<sup>58</sup>. In the West, most MKO members engage in political lobbying (communicating and demonstrating) and in fund-raising.

### *KDPi*

Over the last two and a half years, the KDPi has not engaged in any significant military or other activities. It merely conducts small-scale operations in Iran from the autonomous Kurdish area in Northern Iraq. Since the murder of some KDPi leaders, the organisation's activities have declined.

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<sup>58</sup> To give but a few examples, the Berlin conference referred to earlier, a World Economic Forum gathering in Switzerland in late January 2000 and the heckling of Ms Hashemi (a member of parliament at the time) when she was to give a speech at the opening of the Islamic Institute in Leiden in October 1998.



Like Komala, the KDPi has taken shelter in the PUK region in Northern Iraq<sup>59</sup>. KDPi peshmergas (fighters) are housed in a heavily guarded fort near Koysandjak (Koja). Others are living in Sulaymania, where a liaison office has been established. In addition, the party is reported to have a few small camps. KDPi membership is said to number around three thousand civilians and five or six hundred peshmergas. The KDPi runs its own radio station (*Voice of KDPi*) and publishes a newspaper (*Kurdistan*). It also has an office in Baghdad, where medical treatment of KDPi members is coordinated.

The Iranian intelligence service, Ettela'at, is active in Northern Iraq, where Iran from time to time carries out operations against the Iranian opposition. A number of KDPi and Komala fighters have in the past been killed there, presumably in operations by Iranian infiltrators. There have not, however, been any observable large-scale Iranian operations in Northern Iraq in recent years<sup>60</sup>.

#### *Civil society developments*

The official report of 21 December 1999 dealt at length with developments in civil society, e.g. the work of NGOs, the IHRC and the ODVV. Such developments have not been very spectacular since then. A convenient survey of NGOs operating in Iran was published in January 2000<sup>61</sup>.

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<sup>59</sup> Komala's peshmerga strength is put at two or three hundred fighters. Komala's military operations are extremely limited, serving primarily for its own protection in Northern Iraq. Komala has one camp in Northern Iraq, near Zarguz (Zergwez), south of Sulaymania, where its leaders live. Komala does not engage in any military operations in Iran. On the PUK, see the various official reports on Northern Iraq issued in recent years. The PUK is unable to provide full protection within its region for the Iranian opposition.

<sup>60</sup> Since mid-1996, when the KDPi headquarters in Koysandjak was attacked from three sides at once, there have been no further mass attacks on the KDPi.

<sup>61</sup> Iranian NGOs: Situation Analysis, prepared by M. Baquer Namazi, Tehran, January 2000. The survey is divided up as follows: the environment, population and health, women and development, children and young people, and science and technology. Namazi has also produced: *Civil Society Action for Good Association Law: The case of Iran*. Cairo, March 2000. The International Consortium for Refugees in Iran publishes a *Bulletin on NGOs' Activities*.

### 3.4.3. Freedom of religion

The vast majority of Iran's population are Shia Muslims<sup>62</sup>. Sunnis are found principally among ethnic minorities such as Kurds, Baluchis, Turkmen and Arabs. Almost 99% of the 62 million Iranians follow Islam.

Article 12 of the constitution emphasises the full respect and freedom accorded by Shiism to Sunni schools of Islam. Article 13 lists Zoroastrianism, Judaism and Christianity as the only recognised religious minorities.

The policy pursued by the authorities is aimed at strict observance of Islamic values and precepts. Recognised religious minorities are entitled to have their own publications and able to profess their own faith. In addition, in some cases, such minorities are entitled to follow their own laws and practices. Religious minorities have a permanent place set aside for them in parliament. A representative of their own is elected from among their number.

There is no persecution of recognised religious minorities, although they do suffer a number of discriminatory restrictions in comparison with the Muslim population<sup>63</sup>. Reformist politicians have not recently in public come out very strongly in favour of a more tolerant attitude towards religious minorities such as Christians, Jews and Baha'is. Zoroastrians, on the other hand, are regarded in a positive light at certain times, such as around the Iranian new year, on account of their age-old rites and traditions.

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<sup>62</sup> Shias: 91%; Sunnis: 7,8%; Christians: 0,7%; Jews: 0,3%; Zoroastrians and Baha'is: 0,1% (Netherlands Royal Tropical Institute: country documentation, second updated edition, Amsterdam, 1998).

<sup>63</sup> For instance, in awards of damages for pain and suffering, in access to higher education and in public employment. See also the official report of 21 December 1999 on Iran, page 31. An improvement was recently made in the Iranian legal system with regard to religious minorities, whose members now no longer need to state their confession when applying for a marriage licence (UN Resolution of 18 April 2000: E/CN.4/RES/2000/28).

### 3.4.3.1. Jews

The trial of thirteen Jews from Shiraz and Isfahan and a number of Muslims, all accused of espionage, has recently attracted a great deal of attention <sup>64</sup>.

After a number of hearings in camera in April and May 2000, the judge of the Revolutionary Court in Shiraz reached a verdict on 1 July 2000. Ten of the Jews were convicted and given prison sentences of from four to thirteen years for membership of an illegal network and collaboration with Israel <sup>65</sup>. The other three, already released on bail in February 2000, were acquitted. Two Muslims received two-year prison sentences for aiding and abetting the offences <sup>66</sup>. Contrary to reports in the Iranian press suggesting otherwise, no corporal punishment or fines were imposed. The Revolutionary Court's judgments are open to appeal. All the convicted Jews have accordingly since lodged appeals within the time allowed. The appeals are to be heard by three judges specially made available for the purpose.

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<sup>64</sup> Ten of the thirteen Jews have been held since March 1999. Three more, including a seventeen-year-old boy, have been released on bail since February 2000. The first ten were originally charged with spying for Israel, which could have incurred the death penalty. The other three were charged with much less serious offences. Both bilaterally and via the EU, the Netherlands has repeatedly expressed to the Iranian authorities its serious concern over the fate of the thirteen Jews. See also the answers given on 11 April 2000 by the Netherlands Minister for Foreign Affairs to questions by Mr Wilders MP (VVD [liberal]), Mr Koenders (PVDA [labour]), Mr Hoekema (D66 [democrat]) and Mr Verhagen (CDA [Christian democrat]) and page 2 of the report of 13 June 2000 on that Minister's trip to Iran in late May 2000.

<sup>65</sup> The leading defendant was sentenced to four years for membership of an illegal network and nine years for collaboration with the Israeli Government. The Netherlands Minister for Agriculture, Mr Brinkhorst, who arrived in Tehran for an official visit on 1 July 2000, the day of the judgment, immediately conveyed to his Iranian hosts his shock at the verdicts, which caused a stir worldwide. See also the relevant paper submitted by the Netherlands Minister for Foreign Affairs to the lower house of parliament on 18 July 2000.

<sup>66</sup> According to the Iranian authorities, charges were brought against eight Muslims, no further details of whom are available. Again according to the Iranian authorities, the eight were questioned, as a result of which two of them were detained, the others being released on bail. The two Muslims were reportedly convicted of "being an accessory to spying for Israel". Another two Muslims are said to have been acquitted. Doubts have been voiced in various quarters as to whether the convicted Muslims really exist.

A number of the principal defendants had "confessed" to spying for Israel. Those "confessions" (varying in degree) were partly televised and ranged from receiving training in Israel or supplying classified documents in return for payment to information-gathering for Israel in Iran. A number of defendants withdrew their confessions a few days before the court judgment.

The sentences handed down seem to stem from a compromise between reformers and conservatives. Although not light, the sentences could have been far heavier. In a trial involving spying for Israel, death sentences would be quite within the bounds of possibility, especially after televised public confessions.

In accordance with generally accepted standards, the trial cannot be said to have been fair, for the following reasons:

- despite previous official Iranian assurances that the trial would be held in public, with international observers allowed to attend, this was not the case. The entire proceedings took place in camera <sup>67</sup>. The European Union expressed to the Iranian authorities its disappointment at that state of affairs and pressed for a fair public trial;
- the defendants were for a long while held incommunicado. The thirteen were detained between January and March 1999 without any arrest warrant and subsequently held without charge <sup>68</sup>. Not until their trial began in April 2000, over a year after their arrest, did they first see a legal adviser. All the defendants, apart from the three released on bail, were represented by legal counsel. The leading defendant, who declined the services of counsel, was represented by a court-appointed lawyer;

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<sup>67</sup> The press and representatives of the international community were spoken to outside the courtroom. A notable figure appearing there was an Iranian representative of Human Rights Watch, who caused considerable astonishment among the Iranian press by her presence. Throughout the hearings, the Netherlands had its own representative present at the court building in Shiraz.

<sup>68</sup> Letter of 19 May 2000 from Amnesty International to the Netherlands Minister for Foreign Affairs. Amnesty points out that the Iranian Government is failing to honour its commitments under international conventions ratified by it, including the International Covenant on Civil and Political Rights.

- the public confessions were drawn up without the knowledge or assistance of defence counsel;
- the evidence produced was very flimsy;
- as usual in such cases in Iran, the same individual acted as examining magistrate, public prosecutor and sentencing judge <sup>69</sup>.

The position of the Jewish community has latterly been affected by this controversial espionage trial. The trial and convictions have undermined the Jewish community's sense of security. Jews are reported to have been threatened and Jewish property attacked after the Jewish defendants were shown on television, making their confessions <sup>70</sup>. A number of Jews are apparently now planning to leave the country in which they and their forebears have lived for thousands of years.

#### 3.4.3.2. Christians

Iran's Christian community consists mostly of Armenian and Assyrian Christians, who constitute groups integrated into Iranian society. There has been no significant change in the position of Christian minorities of late. It should be pointed out, though, that many Christians with any choice in the matter opt for a future in the West.

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<sup>69</sup> On the administration of justice in Iran, see the official report of 28 October 1998.  
<sup>70</sup> NRC Handelsblad, 3 July 2000.

### *Conversion*

No proselytising is engaged in within the traditional Armenian and Assyrian communities. It is mainly the Protestant churches that accept converts. With the exception of the *Assemblies of God*, however, they take a very reticent line on admitting new members to their faith. Intimidation of Christians believed to engage in proselytising is continuing.

Apostasy, or abandonment of Islam, is punishable by death, under *sharia* law. Although apostasy (*Mortad*) is not mentioned as a criminal offence in any of the five parts of the Iranian penal code, it is generally regarded as a serious offence on a par with high treason or endangering national security.

In practice, Muslim converts to Christianity may face obstacles (such as not being admitted to university or not being issued a passport). Even Muslim converts, however, in reality appear able to practise their new faith up to a point <sup>71</sup>. On the other hand, those who actively display their new faith in public, in particular by proselytising, can expect to face severe repression, even if their conversion goes back decades.

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<sup>71</sup> This means, for instance, that weekly church attendance is a possibility.

### 3.4.3.3. Baha'is

The position of Baha'is in Iran remains just as worrying<sup>72</sup>. Unlike Christianity, Judaism and Zoroastrianism, the Baha'i faith is not constitutionally recognised in Iran. Its adherents are regarded as "apostates", challenging Islamic fundamentalist beliefs and threatening the stability of Islamic Iran. In January 2000, according to the Baha'i community, there were eleven Baha'is in jail on account of their religious beliefs. Two of them had reportedly been sentenced to death, with another two having had their death sentences commuted to life imprisonment<sup>73</sup>. In February 2000 a further two death sentences were upheld and a third may have been imposed<sup>74</sup>. The last instance of a death sentence being carried out on a member of the Baha'i faith was in 1998<sup>75</sup>. Enforced conversion of Baha'is to Islam reportedly occurs.

There are said to be some 300 000 adherents of the Baha'i faith living in Iran, most of them of Persian origin, although there are also Baha'is of Azeri origin, among others.

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<sup>72</sup> For previous information on Baha'is, see the official reports of 21 December 1999, 9 December 1998 and 5 March 1998. See also the report by UN Special Representative Maurice Copithorne (E/CN.4.2000/35), page 10.

<sup>73</sup> "Current Situation of the Baha'is in Iran, January 2000", enclosed with a letter of 21 January 2000 from the Baha'i National Religious Council in the Netherlands to the Ministry of Foreign Affairs. Three Baha'is arrested in the autumn of 1998 for their involvement with the Baha'i Institute of Higher Education have also been released, after in 1999 receiving prison sentences of ten years in two cases and seven years in the other one.

<sup>74</sup> On 14 February 2000 the Council wrote to the Ministry of Foreign Affairs, informing it that death sentences on two members of the Baha'i community in Iran had been upheld. The Supreme Court had overturned earlier death sentences and referred the cases back. The third person on whom a death sentence was reportedly imposed in the recent past has just been released. The Council informed the Ministry of Foreign Affairs on 25 May 2000 that Mr Khulúsi, who had been arrested in Mashhad on 9 June 1999 and subsequently sentenced to death, had now been released. No further details of his release or of the position regarding the death sentence are as yet known.

<sup>75</sup> See the official report of 9 December 1999. The man concerned, Mr Ruhullah Rawhani, was executed on 21 July 1998.

#### 3.4.3.4. Sunnis

Sunnis are able to profess their faith in freedom, although they may face some discrimination in relation to Shias. Most Sunnis live in areas near the country's borders, where tension may arise between Shias and Sunnis.

#### 3.4.4. Freedom of movement

People are as a rule allowed to travel to any part of Iran and change their place of residence, without requiring official approval.

In addition to the many options available from Tehran airport, it is also possible to fly to the Gulf States with Iran Air from the Iranian cities of Ahwaz, Bandar Abbas, Shiraz and Isfahan. Checks at Tehran airport are known to be strict. The same registration system is applied at other airports.

The departure procedure at international airports and external land borders, as described in the official reports of 5 June 1997 and 5 March 1998, remains especially thorough. In view of the strict checks, it is virtually impossible for people wanted by the Iranian authorities to leave the country by that route under their own name on a lawfully obtained passport, with or without the aid of bribery. In practice, prison sentences are not incurred for leaving to country illegally, although fines may be imposed.

Use is reportedly made of the sea route to leave southern Iran illegally for Dubai.

Along the extensive land border with Turkey, both the Iranian and the Turkish border control authorities are known to have difficulty in properly guarding the border. Corruption at Iran's land borders is said to be on the increase. A clear rise can be seen in illegal immigration from Iran into Turkey. In addition to Iranians, illegal migrants often come from Iraq and Afghanistan, as well as Pakistan and Bangladesh. The number of Iranians is in fact low in proportion to the total influx, since Iranians do not require a visa to enter Turkey. Many cross the border on a valid passport, which in practice means that going to Turkey can be said to be very popular.



On the Turkish side, patrols roam the mountains in search of terrorists, smugglers and illegal migrants.

Every year, thousands of Iranians living abroad return to Iran for varying lengths of time. In the vast majority of cases, such voluntary return does not give rise to any problem.

#### 3.4.5. Judicial process

The Iranian government claims to be seeking to establish the rule of law. Government representatives have stated that people charged with offences should receive an open and fair trial in accordance with the rule of law<sup>76</sup>. In practice, the judiciary forms an important power base of the conservative religious establishment. In response to the parliamentary election results, the Head of the Judiciary, Mahmoud Hashemi Shahroudi, expressed the hope that the new parliamentary majority would support him in reorganising the judicial system.

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<sup>76</sup> UN: E/CN.4/2000/35, page 11. We know of no reports of punishment being meted out without a person having been convicted by a court. On the measures planned by the Khatami government regarding the rule of law and improvement of the prison system, see the official report of 21 December 1999, pages 35 to 37.

Amnesty International has long been concerned at the pattern of arbitrary detention, protracted holding of prisoners incommunicado and unfair trials before "special courts". Cases coming before those courts, such as the Revolutionary Courts, the Press Court and the Special Court for the Clergy, have fallen far short of meeting international requirements for a fair trial<sup>77</sup>. Hundreds of people were arrested and held without charge or trial after the student demonstrations in July 1999 against restriction of free speech. Most of them were released within two months, but several hundred were still being held at the end of 1999. Four of the arrested student leaders were reprieved by the Spiritual Leader and had their death sentences commuted to fifteen-year prison sentences.

The trial of the thirteen Jews also failed to live up to international standards for a fair trial (see section 3.4.3).

*Investigation into the mysterious killings in late 1998 and early 1999*

Legal proceedings are expected to open shortly in connection with a string of murders of writers and intellectuals in late 1998 and early 1999. It is common knowledge that members of the Iranian security service are rumoured to have been involved in those killings<sup>78</sup>.

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<sup>77</sup> Letter of 19 May 2000 from Amnesty International to the Netherlands Minister for Foreign Affairs. See also the official report of 28 October 1998 on the administration of justice in Iran. There have been no significant developments lately regarding the treatment of prisoners in Iran. On this, see the official report of 21 December 1999. A large number of prisoners have, however, been released. On 11 February 2000, to commemorate the twenty-first anniversary of the Islamic revolution, an amnesty was granted to male prisoners aged over sixty and female prisoners aged over fifty, as well as anyone suffering from an incurable illness. The amnesty further included those who were aged under eighteen at the time of their offence (Kayhan, 13 February 2000). Prisoners were also pardoned to mark Ramadan (AFP, 7 January 2000). On Iran's overcrowded prisons, see UN: E/CN.4/2000/35, pages 13 and 14.

<sup>78</sup> See the official report of 21 December 1999, pages 7, 35 and 36.

The attempt in mid-March 2000 on the life of the reformist politician Saeed Hajjarian is generally believed to be related to that investigation. Hajjarian made no bones about linking the killings with Iranian intelligence service methods. He narrowly survived the attack and had to spend a long time in hospital. Conservative forces are assumed to have been behind his attempted murder. The perpetrators have been arrested and convicted, the principal being imprisoned for fifteen years and his accomplice for ten years. While the general public associate the attempted murder with the string of killings, conservatives attempt to portray the attack as an isolated incident.

Hajjarian served as deputy to the Minister for Information in the 1980s. Like many others, he changed from a radical revolutionary into a reformist politician. Hajjarian was editor of the pro-reform newspaper *Sobh-e Emrouz*<sup>79</sup>, one of many such forced to close down in late April 2000. His combination of knowledge of the intelligence service and media access made him a dangerous adversary for the conservatives. *Sobh-e Emrouz* very often published articles by the investigative journalist Akbar Ganji, who has since been arrested<sup>80</sup>, concerning the background to the string of mysterious killings of writers and intellectuals in late 1998 and early 1999.

#### 3.4.5.1. Ill-treatment and torture

Gross human rights violations may occur, particularly during the initial period of detention<sup>81</sup>. The Iranian penal code makes provision for the imposition of corporal punishment, mainly in the form of flogging and amputation.

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<sup>79</sup> He is also a local councillor in Tehran, a prominent confidant of the President and a member of the executive of the party led by Khatami's brother, which convincingly won the parliamentary elections.

<sup>80</sup> Amnesty International EXTRA (43/00, MDE 13/07/00, 25 April 2000).

<sup>81</sup> See Amnesty International, Annual Report for 2000.

In 1999 Amnesty International recorded 26 cases of flogging and 16 cases of amputation, although it states that the true number may have been considerably higher<sup>82</sup>. Several defendants facing trial before revolutionary courts reported having been tortured in detention, prior to trial or release<sup>83</sup>.

#### 3.4.6. Capital punishment

The death penalty has over the recent period continued to be imposed and carried out, with regular reports of this appearing in the Iranian press. Amnesty International recorded 165 executions for 1999, but states that the true number may well have been considerably higher<sup>84</sup>. Most executions have in recent years been carried out for drug-related offences. The death penalty can also be imposed for sexual violence, murder<sup>85</sup>, armed robbery, large-scale fraud, mutilation and espionage.

Adultery, meaning a sexual relationship between a married person and someone other than that person's lawful spouse, is a criminal offence under the Iranian penal code, carrying the death penalty for the married offender. The offence can be declared proved in three ways: by confession four times, on the evidence of four men (or three men and two women)<sup>86</sup> or on the basis of the judge's own intuition. There is no recent information available to show that the death penalty has actually been carried out for adultery. In the event of an untrue accusation, the person making the false charge is punishable and may be sentenced to eighty lashes for *Qazf* (false accusation).

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<sup>82</sup> Letter of 19 May 2000 from Amnesty International to the Netherlands Minister for Foreign Affairs, page 2. Amnesty International Annual Report for 2000.

<sup>83</sup> Letter of 19 May 2000 from Amnesty International, page 3. Amnesty International Annual Report.

<sup>84</sup> Letter of 19 May 2000 from Amnesty International, page 2. Amnesty International Annual Report.

<sup>85</sup> See Amnesty International Urgent Action (MDE 13/32/99, 23 December 1999, and MDE 13/01/00, 4 January 2000). The person concerned had been sentenced to hanging for murder, but the victim's father agreed at the eleventh hour to show clemency. Such a role for the victim's family is provided for under Iranian legislation.

<sup>86</sup> See Articles 91 and 92, on "*Means of proving fornication in court*", of the Law of Hodoud and Qasas (Punishment and Retribution).

The death penalty may be incurred by a non-Muslim man having a sexual relationship with a Muslim woman. The above rules of evidence for adultery are also applicable in this instance. A German businessman, Mr Hofer, charged with this and sentenced to death, was released on 20 January 2000 upon payment of USD 6 700. He thereupon returned to Germany<sup>87</sup>.

The death penalty is carried out in various ways: execution, hanging and even an occasional stoning. It is frequently carried out in public.

### **3.5. Position of specific groups**

#### **3.5.1. Women**

Although the position of women has changed for the better in some respects over the last few years, there has been no substantial improvement in legislation discriminating against women<sup>88</sup>. The official report of 21 December 1999 dealt extensively with the position of women. There have not been any significant developments in the situation since then.

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<sup>87</sup> The case was reported in all Iranian newspapers as well as foreign media. See also the official reports of 9 December 1998 and 21 December 1999, page 41. Although the case officially concerned a relationship between a non-Muslim and a Muslim, it is not impossible that the affair was orchestrated by conservative forces, in particular, in order to strain relations with the West.

<sup>88</sup> The paper on "The Legal Status of Iranian Women" by Mehrangiz Kar, a lawyer, gives a clear picture of the present position of Iranian women. It was prepared for presentation at the Dialogue and Action between the People of Iran and America (DAPIA) meeting in Cyprus in autumn 1999. Ms Kar was one of the participants at the Berlin conference which caused such controversy in Iran (see section 2.1.3). The UN Special Representative, Maurice Copithorne, states on page 9 of his report (E/CN.4/2000/35) that "it is clear that the obstacles to the realisation of women's rights are both legal and cultural, and that on both fronts there is a great deal to be done".

### 3.5.2. Minors<sup>89</sup>

Family ties in Iran can be described as strong, with high priority attached to looking after a child. It is not easy to comment on reception facilities in general terms<sup>90</sup>.

### 3.5.3. Homosexuals and transsexuals

Under the Iranian penal code, homosexual practices carry the death penalty. In practice, homosexual behaviour is increasingly commonly tolerated. We have received no recent reports of any cases of persecution or conviction for homosexuality. A charge of homosexual conduct is occasionally thrown in as well, as a pretext, along with a wide range of criminal offences, such as drug offences and trafficking in women, termed "corruption on earth".

Sex-change operations are both permitted and in practice carried out in Iran<sup>91</sup>.

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<sup>89</sup> On the position of minors, see the official report of 21 December 1999, pages 46 and 47.

<sup>90</sup> No requests have up to now been received to look into reception facilities in individual cases for unaccompanied minors from Iran seeking asylum. By making individual investigations, it would be possible to see whether there are any bodies or individuals prepared to provide a home or act as guardian.

<sup>91</sup> For more detailed information on homosexuality and transsexuality, see the official report of 5 March 1998, pages 24 and 25, and the official report of 9 December 1998, page 18.

#### 3.5.4. Ethnic minorities

Iran is a multicultural society in which Persians, Azeris, Turkmen, Arabs, Baluchis, Armenians and a range of other ethnic groups live alongside one another. Ethnic groups are not constitutionally accorded any special status. Iran's only official language is Farsi. Other languages are discriminated against in education and the media. Newspapers, television and radio programmes and cultural centres can, however, make limited use of languages other than Farsi, and do so in practice. The treatment of ethnic minorities, who in fact make up around half of the population, can generally be said to compare favourably in Iran with the situation of minorities in other countries in the region. Movements aimed at more far-reaching autonomy are regarded as threatening the territorial integrity of the state and therefore repressed.

##### *Kurds*

Most Iranian Kurds, of whom there are around four million, live in the provinces of Kurdistan and Kermanshah and in the south-west of the province of West Azerbaijan. Kurdish is taught at Sanandaj university. There is no active Kurdish opposition in Iran. The KDPi carries out sporadic operations from the autonomous Kurdish area in Northern Iraq.

##### *Azeris*

The Turkic-speaking Azeris are well-integrated into society<sup>92</sup>. They make up some 30% of the population and live chiefly in the provinces of West Azerbaijan, East Azerbaijan and Ardabil.

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<sup>92</sup> Azeris from Azerbaijan speak the same Turkic language as Iranian Azeris and are also Shia Muslims.

Dr Mahmoud Chehregani, who is of Azeri origin, is known as a champion of greater autonomy for Azeris in education, language and culture. A professor at Tabriz university, he was arrested on 16 December 1999 when about to register as a candidate for the parliamentary elections<sup>93</sup>. Demonstrations in protest at his arrest were held in Tabriz and Ardabil on 11 January 2000 and 14 February 2000 respectively. On 18 February 2000 Dr Chehregani was reportedly sentenced by the revolutionary court in Tabriz to six months' imprisonment and a fine of 17 million toman (about USD 20 000)<sup>94</sup>. In May 2000 Dr Chehregani apparently began a hunger strike. He is a diabetic and has heart problems. His state of health is said to be critical. Prison doctors have reportedly urged that he be released<sup>95</sup>.

### *Arabs*

Most Iranian Arabs, of whom there are an estimated one million, live in the south-west of Iran and along the Persian Gulf coast.

### *Baluchis*

Together with the Arabs, Baluchis living along the border with Pakistan are among the poorest members of the population. The province of Baluchistan is known to be an important transit area for drug smuggling from Pakistan or Afghanistan to Western Europe and elsewhere<sup>96</sup>. Iranian security forces are therefore particularly thick on the ground in the region. The Iranian press regularly reports armed clashes between drug gangs and Iranian officers, with casualties on both sides.

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<sup>93</sup> Iran News, 19 December 1999.

<sup>94</sup> Baku Turan, 19 February 2000. In Baku (Azerbaijan), the National Liberation Movement of Southern Azerbaijan is said to have begun a campaign for the professor's release. According to unconfirmed reports, in April 2000 Iranian security forces arrested some of Chehregani's followers at a rally held in his support. Amnesty International Urgent Action (132/00, 24 May 2000).

<sup>95</sup> Ibid. (132/00).

<sup>96</sup> Iran, which no longer itself produces drugs, is a transit country for them. Afghanistan poses the greatest problem for Iran in combating drug trafficking.



### 3.5.5. Members of the armed forces

Legislation on military conscription is to be found in the National Service Law of 21 October 1984. Women are excluded from national service. Iran has no alternative form of national service<sup>97</sup>.

On 2 March 1999, acting on behalf of the Spiritual Leader, the commander in chief of the armed forces announced an amnesty for conscripts guilty of draft evasion or desertion between 1992 and 17 February 1997<sup>98</sup>. This represented an extension of an earlier amnesty scheme going back to 1992, referred to in the official report of 5 June 1997. On 16 March 2000 Iranian state radio's second programme announced that Spiritual Leader Khamenei had proclaimed an amnesty for draft evaders and deserters who report to the authorities. This in effect extends the amnesty scheme of 2 March 1999 (and its buying-out terms) until 21 May 2000. Those who left the country and thus avoided national service are offered a chance of exemption. Many people have in fact (without any particular difficulty) made use of the option of buying their way out of national service. Deserters, too, in many cases buy out the (remaining) time to be served. Those living abroad who do not wish to buy their way out are able to obtain permission to visit Iran for up to three months, which has to be sought from an Iranian embassy or consulate.

### 3.5.6. Family responsibility (holding of relatives)

During the period immediately following the revolution, relatives of wanted persons were sometimes arrested so as to bring pressure to bear on such persons to give themselves up. This is no longer practised in Iran nowadays, although there is a possibility that relatives of people living abroad may be questioned.

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<sup>97</sup> See also the official report of 21 December 1999, pages 48 and 49.

<sup>98</sup> Ettela'at, 2 March 1999. See the official report of 21 December 1999, pages 48 and 49.

### **3.6. Conclusions**

The human rights situation in Iran continues to give cause for concern. Recent months have been marked by the newly introduced restrictive press legislation, the subsequent closing down of over twenty reformist newspapers and periodicals and the controversial trial of thirteen Jews accused of spying. Groups or individuals seen in Iran as (potentially) posing a threat to a society organised in accordance with Islamic values and precepts, as prescribed in Iran, are in particular danger of suffering human rights violations. More specifically, this means critical, reformist intellectuals (including journalists, writers, publishers, lawyers and students), Baha'is, Christians (or converts to Christianity) engaging in proselytising and members of banned organisations active in Iran.

## **4. Refugees and displaced persons**

### **4.1. Internal resettlement alternative**

Iran's central authorities are in practice in control of the entire country. There is thus no internal resettlement alternative for those who have reason to fear human rights violations at the hands of the central authorities.

### **4.2. First host country**

#### *Turkey*

Information on registration, admission procedure and expulsion is given in the official report of 21 December 1999<sup>99</sup>.

### **4.3. Western countries' policy**

Countries in a similar position to the Netherlands send finally rejected Iranian asylum seekers back to Iran. There has not been any change in that repatriation policy of late. The Netherlands also returns finally rejected Iranian asylum seekers to Iran. Applying for asylum abroad is not regarded by the Iranian authorities as a political act, nor is it in itself a criminal offence.

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<sup>99</sup> On Iraq and Afghanistan as well, see pages 50 to 52 of that report.

#### 4.4. UNHCR policy

The UNHCR also has no objection to enforced repatriation of finally rejected Iranian asylum seekers, following a thorough asylum procedure. On the UNHCR's role in repatriation of Afghan refugees from Iran to Afghanistan, see the official report of 9 May 2000 on Afghanistan.

#### 5. Conclusions

The power struggle between conservatives and reformists for the future of the Islamic Republic of Iran is fully engaged.

The reformists' victory in the parliamentary elections held in February 2000 has once again made clear the people's longing for change and greater freedom.

The human rights situation in Iran continues to give cause for concern. Calculated reactions by conservatives to the reform process, such as the curbing of press freedom, the persecution of critical journalists, publishers and other reformists and the conviction of the Jews in Shiraz, have clearly shown that the conservative establishment is still able to thwart the desire for reform.

President Khatami has to move extremely carefully and must make allowance for conservative religious forces.

Groups or individuals seen in Iran as (potentially) posing a threat to a society organised in accordance with Islamic values and precepts, as prescribed in Iran, are in particular danger of suffering human rights violations. More specifically, this means critical, reformist intellectuals (including journalists, writers, publishers, lawyers and students), Baha'is, members of banned organisations active in Iran and Christians (including converts to Christianity) engaging in proselytising.

Countries in a similar position to the Netherlands send finally rejected asylum seekers back to Iran. The UNHCR takes the view that repatriation of finally rejected Iranian asylum seekers is possible, provided a thorough asylum procedure has been completed.

## 6. Bibliography

The following public sources are among the material drawn on in producing this official report:

Amnesty International, Open brief over de mensenrechtensituatie in Iran [open letter concerning the human rights situation in Iran] to the Netherlands Minister for Foreign Affairs, 19 May 2000.

Amnesty International, Annual Report for 2000.

Economist Intelligence Unit, Country Report on Iran.

Human Rights Watch, "As Fragile as a Crystal Glass": Press Freedom in Iran, October 1999, Vol. 11, No 1 (E).

Human Rights Watch, World Report for 1999.

Iranian NGOs: Situation Analysis, prepared by M. Baquer Namazi, January 2000.

*Koninklijk Instituut voor de Tropen* [Netherlands Royal Tropical Institute]: Iran Landenreeks [country documentation on Iran], second updated edition, Amsterdam, 1998; text: Leyla Hamidi.

Netherlands Minister for Foreign Affairs, Brief aan de voorzitter van de vaste commissie voor Buitenlandse Zaken van de Tweede Kamer der Staten-Generaal [paper submitted to the chairman of the standing foreign affairs committee of the lower house of parliament], 24 May 2000.

UN, Maurice Copithorne, Special Representative of the Commission on Human Rights, Situation of human rights in the Islamic Republic of Iran (E/CN.4/2000/35), 18 January 2000.

UN, Economic and Social Council, Situation of human rights in the Islamic Republic of Iran (E/CN.4/RES/2000/28), 18 April 2000, as adopted by the 56th meeting of the Commission on Human Rights.

US Department of State, Country Reports on Human Rights Practices for 1999, February 2000.

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