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Human Rights and Democracy Report 2013 - Section XI: Human Rights in Countries of Concern - Iran

The election of Hassan Rouhani as President in June, on the back of promises to bring about social equality and justice for all Iranians, brought a feeling of optimism to the country. Positive acts, such as the release of a number of political prisoners in September, were welcomed by the UK and the international community. However, these initial steps have not led to a substantive change in the overall human rights situation in Iran, and President Rouhani's promises remain to be implemented in any real way. The number of executions increased on the previous year, and the death penalty continued to be enforced for drug traffickers and individuals who had committed their crimes as minors. Minority ethnic groups suffered harassment and discrimination, and the persecution of minority religious groups continued. The government continued to suppress freedom of expression, with arrests of journalists, bloggers and internet workers. November 2013 marked 1,000 days of house arrest or detention for opposition figures Mir-Hossein Mousavi and Mehdi Karrubi.

The UK has remained at the forefront of international efforts to persuade the Iranian government to address its deplorable human rights record. We have continued to raise individual cases of human rights violations in Iran, and to address trends such as the high rate of executions, persecution of religious minorities, and lack of press freedom. In March, the UK lobbied for the renewal of the mandate of the UN Special Rapporteur on human rights in Iran, Dr Ahmed Shaheed. During the presentation of Dr Shaheed's March report to the UN Human Rights Council (UNHRC), the UK raised concerns about torture, the rights of religious and ethnic minorities and women, and condemned reprisals by the Iranian government against individuals interviewed by Dr Shaheed. On 18 December, for the tenth consecutive year, a UN resolution in support of human rights in Iran was passed with 86 votes in favour and 36 votes against. The UK lobbied hard in support of this resolution which, whilst recognising some positive steps taken by the new government, expressed deep concern at the ongoing human rights violations in Iran. The UK also continued to support the EU in imposing EU-wide travel and asset freezes on individuals and entities responsible for serious human rights violations in Iran. On 11 March, nine individuals and one entity (the Cyber Police) were added to the list, bringing the total number designated under EU human rights sanctions to 88.

Iran's reaction to international criticism of its human rights record was once again dismissive. Iran rejected the March report of the UN Special Rapporteur and personally attacked Dr Shaheed. Reactions to the October report were similar, with Iran's Foreign Ministry spokeswoman describing it as politically motivated. Iran continued to refuse Dr Shaheed access to carry out a country visit in Iran.

In line with promises made during his election campaign, President Rouhani released a draft Charter of Citizens' Rights in November. The UK welcomed the initiative; but without changes to the law or the approach taken by the judiciary and security forces, the charter is unlikely to deliver any real change. The rights referred to in the charter are placed "within the framework" of Iran's current laws, which have not provided sufficient human rights protection so far. It also does not specify that the rights apply to all Iranians, regardless of religion or belief. Iran's second Universal Periodic Review (UPR) will take place in October 2014, and Iran is due to submit its report in July. We hope that Iran will take this opportunity to conduct a thorough, open review, and to identify steps to fulfil its human rights obligations. The UK will continue to raise publicly Iran's human rights violations, and help to maintain international support for the promotion of human rights in Iran.

Elections

Iran has a limited democratic process, and the previous presidential elections of 2009 were marred by vote-rigging and the violent and overwhelming suppression of protests. In contrast, the presidential elections of June 2013 passed peacefully, but were still not entirely free. The elections and the political space in which they operated were tightly controlled through candidate vetting and the suppression of opposing views in the run-up to polling day. The eight candidates presented to the electorate were the few that made it through the vetting process carried out by the Guardian Council. Before campaigning commenced, 678 applicants were disqualified. This included all 30 women who had applied. Pre-vetting of this sort denied the Iranian people a truly open field of candidates to choose from.

Despite lively televised debates between the presidential candidates, freedom of speech was suppressed even more than usual in the lead-up to the elections. This began early with the arrest of 24 journalists in January 2013, and warnings against public discussion of the elections and other "sensitive" topics. Media, the internet and text messaging were all severely restricted or censored, although it was reported that these were then partially lifted immediately prior to voting day. A number of international media outlets were prevented from providing coverage from within Iran by being refused entry visas. Reporters who did manage to gain access were kept on a tight leash.

Freedom of expression and assembly

President Rouhani has said that, "In today's world, having access to information and the right of free dialogue and the right to think freely is the right of all people, including the people of Iran". This has yet to lead to significant changes in Iran's approach to freedom of expression and assembly, although there were some small positive developments. These included the re-opening of Iran's House of Cinema, some media publications banned under previous President Mahmoud Ahmedinejad being allowed to resume publishing, and a relaxation of rules banning women from singing solo in front of a mixed audience.

However, in general, freedom of expression and access to information continued to be severely restricted, both in terms of traditional and new media. Although restrictions were especially evident in the lead-up to the presidential elections, they were not confined to that period. Journalists and bloggers were arrested, and a number of news outlets were shut down. Internet speed continued to be manipulated as a censorship tool, and five million websites were blocked by the Iranian authorities. Virtual Private Networks (VPNs), which many Iranians use to bypass government filtering of the internet, were blocked, further restricting access to information. Despite President Rouhani's and Foreign Minister Zarif's use of Facebook and Twitter, these and other social media platforms were routinely filtered and blocked for ordinary users. The report of the UN Special Rapporteur in October highlighted the closure of 67 internet cafes in July alone. The report also pointed out that Iranian laws restricting internet access do not meet international standards, by being ambiguous, wide-ranging, and open to abuse.

Human rights defenders

Hundreds of political prisoners and human rights defenders (HRDs) remain in prison, and there were reports of further arrests during 2013. Seven dervishes involved in running a website that published human rights related stories and Sufi news articles were arrested in July and collectively sentenced to over 65 years in prison. Concerns have also been raised over Iranian blogger and human rights activist Hossein Ronaghi-Maleki, whose health deteriorated rapidly in August, when he embarked on a hunger strike to protest being denied medical treatment for heart and kidney problems.

Nasrin Sotoudeh, a human rights lawyer serving a six-year sentence for "spreading propaganda and conspiring to harm state security" was released on 19 September after three years. Her case had received a great deal of international media attention. She was one of 80 political prisoners released en masse immediately before President Rouhani attended the UN General Assembly in New York.

Access to justice and the rule of law

Access to justice and the rights of defendants continued to be a concern. There were numerous reports in 2013 of appeals processes being neglected and defendants being denied access to representation in court. President Rouhani promised to remove the dominance of police and intelligence forces in everyday life but there has been no indication of institutional changes to the security forces or judiciary to bring this about. There continued to be reports of politically motivated charges, a lack of due process, and regime officials, security and intelligence forces continued to enjoy a high level of impunity.

In July, the investigation into the death in custody in 2012 of blogger Sattar Beheshti was brought to a close by the head of the Iranian Coroner's Office. He concluded that Beheshti's beating and mistreatment while he was in custody was not enough to have brought about his death. No convictions were made in relation to his death. Abolfazl Abedini, an imprisoned activist who had given testimony in Beheshti's case, was transferred to Ahwaz prison with no clear explanation in July 2013, and the doctor who examined Beheshti's body was arrested in December. Beheshti's family also continued to be harassed by the security forces.

In February 2013, welcome changes were introduced that made it illegal for interrogations to be conducted in police detention centres, or for detainees to be held for longer than 24 hours, as a result of Beheshti's case. However, concerns remain over implementation. Iran's Cyber Police, and Abdolsamad Khoramabadi, the head of the Commission to Determine Instances of Criminal Content, were added to the EU human rights sanctions list in March for their involvement in Beheshti's death.

Death penalty

Iran continues to have the highest execution rate per capita in the world. There were at least 400 executions carried out in 2013, an increase on 352 executions in 2012. In August, 35 executions were reported in one week. The true figure is probably far higher, but reports of secret executions and a lack of clarity about official figures make it difficult to give an accurate number.

The death penalty was imposed largely for drug offences, which do not constitute "the most serious of crimes", for which the death penalty is permitted under international law. Iran also continued to unlawfully execute individuals who were under the age of 18 at the time of their crime, and serious concerns remain over the lack of due process. A stark illustration of this was the execution of 16 prisoners in October, in apparent retaliation for the killing of 14 border guards. It is reported that there was no evidence that they were involved and they were executed without due process. There were also accounts of summary executions of Afghan citizens entering Iran illegally.

Ambiguous laws and a lack of clear instruction from judges mean that suspension strangulation, a cruel method of execution that can take up to 20 minutes, remains in regular use. Authorities have also continued to carry out executions in public, often with children watching. Stoning was reinserted into the Iranian Penal Code by the Guardian Council in May following a revision of the code. Although the number of occasions where stoning can be used was reduced, it was not removed completely. The death penalty was also introduced for those convicted of adultery.

Torture

Prison conditions in Iran remained a serious concern. There were reports of torture and other ill treatment, including beatings, sexual violence, deaths in custody and prisoners being subjected to long periods of solitary confinement. There were also numerous reports of medical treatment being denied to prisoners. Nine political prisoners wrote a letter to the Supreme Leader after the death in custody of Afshin Osanlu in June, blaming his fatal heart attack on prison conditions and a lack of medical care. Prisoners resorted to hunger strikes in protest at their treatment, and in one case a Kurdish prisoner in Minab prison sewed his lips shut. After this extreme protest, the prison authorities transferred him to solitary confinement. Sentences of amputation and flogging have also continued to be implemented.

Freedom of religion or belief

Comments made by President Rouhani in support of the rights of religious minorities were welcome, but have not brought any change in Iran's approach over the past year. The Iranian Constitution continues to recognise only three religious faiths other than Islam: Judaism, Christianity and Zoroastrianism. Minority religious groups have continued to be persecuted, and even Sunni Muslims were barred from holding key senior official positions. Human rights violations ranged from harassment and desecration of religious sites, to restrictions on economic and educational freedoms, to arrests and torture.

The systematic persecution of the Baha'i community has continued, with reports of arrests, torture and the restriction of access to education and employment. 14 May marked the five year anniversary of the

imprisonment of seven leaders of the Baha'i faith, who are serving 20-year sentences implemented on baseless charges. The UK called for their release and for Iran to stop the persecution of the Baha'i community and all minority groups on the grounds of their religion or belief.

Christians, although recognised under Iranian law, were also persecuted. Evangelical Christians, Iranian converts to Christianity, and those involved in house churches found themselves particularly singled out for harassment and arrest. Pastor Farshid Fathi Malayeri, who has spent at least 100 days in solitary confinement, started his third year of a six-year prison sentence in May. In July, Mostafa (Mohammadhadi) Bordbar, a Christian convert, was sentenced to ten years of imprisonment for charges of "gathering to conspire through participation at meetings held in home churches". Other Christians serving prison sentences imposed on the basis of their faith in 2013 included Maryam Naghash Zargaran, Pastor Saeed Abedini and Pastor Behnam Irani.

Women's rights

Women in Iran enjoy a high level of participation in education and the UN Special Rapporteur's March report highlighted improved access to primary healthcare. During his election campaign, President Rouhani called for social equality and promised to create a ministry dedicated to women's issues. However, he maintained that any changes would have to be within the red lines of the Iranian regime. He also promised to increase the participation of women in Iranian society, and appointed three female vice-presidents to his cabinet: Elham Aminzadeh for legal affairs; Masoumeh Ebtaker for environmental affairs; and Shahindokht Molaverdi for women and family affairs. The Ministry for Foreign Affairs appointed a woman as its spokesperson for the first time, Marzieh Afkham, and Iran committed to appointing its first female ambassador overseas.

However, women continued to face discrimination under Iran's Penal Code which legitimises disparities between the sexes, and restrictions on education and travel remained in force. Women campaigning for improvements to their legal and socio-economic rights also experienced harassment and arrest.

Minority rights

Persecution of ethnic minorities continued in 2013, in contravention of Article 19 of Iran's own constitution. Ahwazi Arabs, Kurds, Azeris, Baluchis and Afghan migrants were all targeted. In January, Iran's Supreme Court upheld death sentences for five members of the minority Ahwazi Arab community, and there was a surge in executions of Kurdish political prisoners. The UK publicly condemned the sentences as part of an ongoing campaign against ethnic minorities.

Despite constitutional and legal recognition for minority languages, there were indications that these rights were not recognised but rather routinely flouted with apparent state support. Minority-dominated areas continued to be some of Iran's most underdeveloped, and social, political, and economic disadvantages persisted.

LGBT rights

The UN Special Rapporteur's March 2013 report stated that members of the LGBT community in Iran were "denied basic human rights".

Homosexual acts still carry a sentence of corporal punishment and, although the revision of Iran's Penal Code reduced the circumstances under which the death penalty should be applied for sodomy, its application was retained. The Revolutionary Guards announced the arrests of "a network of homosexuals and Satanists" in October when they raided a private party in the city of Kermanshah. Party-goers were verbally abused, beaten and assaulted with pepper spray and electric batons, and at least 17 were taken into custody. They were later released but reported severe mistreatment and mock executions as security forces attempted to extract confessions from them.

Many persons identifying themselves as LGBT were denied educational and employment opportunities and suffered verbal and physical abuse from family members and communities. This sort of abuse mostly goes unreported because of Iran's discriminatory laws against the LGBT community, and the prospect of abuse by security personnel.

Other issues

Afghan migrants

Iran has provided shelter for Afghan citizens for over 30 years, and there are an estimated one million Afghan citizens in Iran who are recognised as refugees by the Iranian government. However, a November Human Rights Watch report highlighted ongoing discrimination and mistreatment of Afghan migrants. Opportunities to

apply for asylum were limited, and summary deportations and detention in unsanitary conditions continued. There were also reports of families forced to separate, and unaccompanied migrant children being subjected to abuse by security forces. Access to education and employment for settled refugees was also curtailed.

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