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(IRAN) - PROFILE OF ASYLUM CLAIMS AND COUNTRY CONDITIONS
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I. INTRODUCTION

Country conditions profiles are produced by the Department of State's Office of Asylum Affairs for use by the Executive Office of Immigration Review and the Immigration and Naturalization Service in assessing asylum claims.¹ They are written by State Department officers with expertise in the relevant area and are circulated for comment within the Department, including to overseas missions, and to other agencies if appropriate. Adjudicators may also wish to review the applicable chapter of the annual Country Reports on Human Rights Practices and other publicly available material on conditions in this country.

II. OVERVIEW AND RECENT DEVELOPMENTS

Shi'a Muslim clergy have dominated the Government of the Islamic Republic of Iran since Ayatollah Ruhollah Khomeini's Islamic revolution which toppled the Shah in 1979. Ayatollah Ali Khamene'i became the leader of the Islamic revolution after Ayatollah Khomeini's death in 1989, and he functions as the Chief of State and Supreme Leader.

The office of president in the Islamic regime has been held for the last eight years by Ali Akbar Hashemi-Rafsanjani who was first elected to that position in 1989. Iranian presidential and parliamentary elections are tightly controlled and only persons viewed as faithful to the Islamic revolution and who have the approval of Iran's Council of Guardians (6 clerics and 6 lay persons) are permitted to run. Parliamentary elections last took place in the spring of 1996 and resulted in a strengthening of hard-line religious elements in the 270-seat unicameral Islamic Consultative Assembly, or Majlis. More recently, presidential elections were held on May 23, 1997, to decide on a replacement for Hashemi-Rafsanjani. He stepped down in August 1997 because, having served two full 4-year terms in office, he is constitutionally barred from a third term. Only four candidates out of 238 were finally approved by the Council of Guardians to compete in the presidential election.

On election day Mohammed Khatami, a Muslim cleric, won a landslide victory to replace the outgoing President Hashemi-Rafsanjani. According to press reports, Khatami received over 15 million of the approximately 22.7 million votes cast, slightly more than two-thirds of the total. While it is too soon to predict what course the new Iranian president-elect will take, Khatami is viewed by most knowledgeable political observers of Iranian developments as more moderate than Ali Akbar Nateq Nouri.

¹ By regulation, the Department of State may provide information on country conditions to help adjudicators assess the accuracy of asylum applicants' assertions about country conditions and their own experiences; likely treatment were the applicants to return; whether persons similarly situated are known to be persecuted; whether grounds for denial are known to exist; and other information relevant to determining the status of a refugee under the grounds specified in section 101(a)(42) of the Immigration and Nationality Act.

the speaker of Iran's parliament, and the favored candidate of Khamene'i and Iran's arch-conservative religious establishment. The presidential election results of May 1997 are notable as an expression of the Iranian people's desire for change and in sharp contrast to the parliamentary elections in the spring of 1996. On 23 August 1997 the official Iranian news agency (IRNA) reported that Khatami had appointed the first woman to the Cabinet since the 1979 Islamic revolution. She is Massumeh Ebtekar, a former journalist, specialist in immunology and university professor, and has been appointed Vice President in charge of environmental protection.

Iran's mixed economy is largely controlled by the State, which owns the country's vital petroleum and utilities industries as well as the banking system. Despite great efforts on the part of the regime, the economy has not fully recovered from the disruptions of the 1979 revolution and the wastage of the Iran-Iraq war (1980-1988). Iran's general economic performance is weak, and most market reforms introduced since Rafsanjani became president in 1989 have stalled in the face of political opposition. The economy is suffering from stagnant growth, widespread unemployment, and high inflation which was officially estimated at 23 percent in 1996. Some observers estimate unemployment to be 30 percent, although this figure is probably much higher if underemployment is included. The U.S. economic sanctions and the U.S. secondary boycott against Iran have also had a negative impact on Iran's economy by raising procurement costs and deterring some foreign firms from investing in Iran's petroleum sector.

Iran's rapidly growing youth population is straining the government's ability to provide jobs and goods. According to some Iranian experts on economic development, 70 percent of Iran's estimated 65 million population is under age 30 while 55 percent is under age 21. Faced with a dismal employment situation and poor economic prospects, large numbers of young Iranians are making their way abroad to seek a better life. Many Iranians join relatives and friends in the U.S. who make up large Iranian communities in urban centers like Los Angeles, California and the metropolitan Washington, D.C. area. The economic incentives for Iranians to enter or remain in the U.S. illegally, therefore, is very great and often is the primary reason why many Iranians seek political asylum in the U.S.

Meanwhile, the Islamic regime's human rights record continues to be abysmal, with continued reports of extrajudicial killings and summary executions; widespread use of torture and other degrading treatment; disappearances; arbitrary arrest and detention; lack of fair trials; harsh prison conditions; and repression of the freedoms of speech, press, assembly, association and religion. Religious minorities are especially vulnerable to the regime's intolerance and to instances of harassment and attacks from Shi'a extremist elements. The Islamic regime, in addition to infringing on citizens' right to privacy, denies the universality of human rights, conceals its abuses of human rights, and

obstructs the activities of human rights monitors. Women are victims of domestic violence as well as legal and social discrimination, and important worker rights are restricted.

III. CLAIMS AND RELEVANT COUNTRY CONDITIONS

A. POLITICAL OPPOSITION - GENERAL

Open opposition to the Iranian Constitution's principles of Islamic clerical supremacy is not tolerated in today's Iran. Although the constitution permits peaceful assemblies and marches, only those supported by the authorities occur in practice. Most independent organizations have either been banned, co-opted by the regime, or are moribund. The regime follows closely the activities of prominent political opposition figures abroad, attempts to disrupt their activities, and occasionally carries out political assassinations of such leaders. Inside Iran militant political opponents are either executed or given long prison terms, particularly members of the Mojahedin-e Khalq (MEK), whose armed wing is based in neighboring Iraq and is equipped by Iraqi dictator Saddam Hussein.

1. MONARCHIST GROUPINGS

Immediately after the fall of the Shah in January 1979 a large number of Iranian claimants for political asylum in the U.S. were civilian and military officials at the highest levels of the Shah's government (ministers of state, generals, etc.) or prominent persons related by blood or marriage to the deposed royal Pahlavi family. Virtually all such persons faced execution or long-term imprisonment at the hands of the revolutionary Islamic authorities if they were to return to Iran. Many of these former officials and prominent Iranians found refuge in major western European countries like France, Germany, and the United Kingdom as well as in the United States. A number have been instrumental in organizing active political groupings to counter the Islamic regime through demonstrations abroad, criticism of the regime in the mass media, and other efforts in and outside Iran aimed at undermining the regime in Tehran. While these political exiles have tried to unite in their efforts against the Islamic regime, they still remain divided over what political structure they would wish to establish in place of the current regime. The principle division appears to be between Iranian political exiles who favor the restoration of the monarchy in Iran under a reformed constitution and those who seek a republic based on democratic principles.

A. MOVEMENT OF NATIONAL RESISTANCE

The Movement of National Resistance is a Paris-based monarchist group that was established by the late Shahpur Bakhtiari, the last prime minister under the Shah. Shahpur Bakhtiari was assassinated in France on 6 August 1991 by agents of the Islamic regime. This group continues to be active in its efforts to undermine the clerical regime.

B. THE KAVIYANI BANNER (DERAFSH KAVIYANI)

The Kaviyani Banner organization, another Paris-based anti-regime grouping and referred to usually as the Derafsh Kaviyani (Kaviyani Flag), is one of the most active monarchist groups. Two of its most prominent members, Colonel Ataollah Byahmadi and Dr. Cyrus Elahi, also were assassinated by Iranian Government operatives in 1989 and 1990, respectively. In 1992 it changed its name to the Organization for Human Rights and Fundamental Liberties for Iran and is led by Manouchehr Ghandji, a former minister under the Shah. The Derafsh Kaviyani claims to have an extensive network of resistance cells in Iran, but we have no information regarding its effectiveness. The organization's main operation is reported to consist of broadcasts from its radio station, Voice of Derafsh Kaviyani of Iran, whose studios are located in Paris where the organization has its headquarters. Affiliates of the Derafsh Kaviyani include the World Organization of Solidarity with Iranian Women.

A number of Iranian applicants for political asylum submit letters issued by the Derafsh Kaviyani asserting membership in the organization. It is not clear to us, however, that possession of such a letter can be taken as prima facie evidence of an active political role against the regime because we understand that such letters are sometimes forged or acquired through other means by applicants who are not politically active. Care, therefore, needs to be taken in determining the bona fides of such letter holders.

2 PRO-REPUBLIC DEMOCRATIC GROUPS

A. NATIONAL FRONT (JEBHEYE MELLİ)

Another large grouping of claimants facing danger includes prominent and very active Iranian political figures (leaders of established political parties, groups, or movements like the National Front (Jebheye Mellî) now living in exile) who opposed the Shah's government in the 1960's and 1970's, and welcomed the fall of the Shah in 1979. However, they then lost out in the power struggles of the early 1980's and fled overseas. Most of these political figures have long been supporters of the reformist opposition to the Shah which emerged from the liberal, democratic and popular politics of Mohammed Mosaddeq, Iran's Prime Minister in 1951. Mosaddeq governed Iran until the 19 August 1953 coup d'état which returned the Shah to power.

B. LIBERATION MOVEMENT OF IRAN (NEHZAT-E AZADI-YE IRAN)

The reformist opposition to the Shah during the 1960's was led by the secular liberal National Front and the liberal, religiously oriented Liberation Movement of Iran (Nezhat-e Azadi-ye Iran) also known as the Freedom Movement. At that time, the leader of the Freedom Movement was the late Mehdi Bazargan who became the Islamic regime's first prime minister in 1979. While almost all the leaders of the National Front were eventually forced to flee

for their lives shortly after Ayatollah Khomeini's revolution, Bazargan and other moderately religious leaders of the Freedom Movement declared that they did not oppose the Islamic Republic and pledged to abide by the new regime's constitution. As a result, Freedom Movement leaders have remained in Iran and have participated in the politics of the country despite severe controls and restrictions on their activities. The Islamic regime's attitude towards the Freedom Movement demonstrates a mixture of tolerance and repression. For example, while the Freedom Movement was declared illegal in May 1991, its leaders have not been forced into exile.

In recent years few Iranian claimants for political asylum in the U.S. appear to fit the above profile of prominent or politically active people still being monitored by the Islamic authorities and against whom action might be taken. Instead, many Iranian political asylum applicants either have been in the U.S. for many years or have arrived relatively recently with official Iranian travel documents and an appropriate non-immigrant U.S. visa to study, visit relatives, or to seek medical treatment not readily available in Iran. We note that a substantial number of young Iranian male applicants left Iran in the years 1980-1988 apparently to avoid military service during the Iran-Iraq war. In addition, in recent years we have seen an increase in undocumented Iranians entering the U.S. illegally. While some assert that they have engaged in various anti-regime political actions such as the clandestine distribution of opposition leaflets while still living in Iran and/or attendance at several anti-regime meetings and public demonstrations in the U.S., their file very often reveals no formal affiliation with any of the established and active anti-regime political groups in the U.S. and elsewhere abroad. In most cases when a group is listed they are unable to substantiate any claim to a position of prominence or leadership in such anti-regime political groups that might reasonably be expected to attract the attention of the Islamic authorities.

In this connection, Iranian applicants for political asylum often cite their participation in anti-regime demonstrations in the U.S. and note their fears that agents of the Islamic regime photographed these events. Often these demonstrations have taken place some years ago and involved very large numbers of people following the directions of key organizers and leaders. While agents of the Islamic regime no doubt have in the past and still continue to monitor such events, information reaching Tehran about these events is more likely to be centered on the organizers and leaders of these demonstrations.

3. MOJAHEDIN-E KHALQ (MEK) IN IRAN

The Mojahedin organization is one of the most active militant Iranian opposition groupings with a world-wide network of members and supporters. Known or suspected members of this organization

face either execution or long prison terms if caught in Iran. Leaders of the Mojahedin living in exile have been targeted by the regime for assassination and kidnapping. However, when reviewing the file of applicants who make their claim for political asylum on the grounds of their Mojahedin membership or association, consideration should also be given to the following information about the history and activities of the Mojahedin.

During the 1970's, the Mojahedin organization was at the forefront of opposition to the Shah and in this period assassinated several Americans in Iran. The Mojahedin was in full support of the takeover of the US embassy and the holding of our hostages during the 1979-81 hostage crisis in Iran. Their own published statements show that their anti-US position at that time was much more hard-line than that of Iran's leaders. Although the Mojahedin now deny a role in that crisis, they advocated a tough hostage policy in several issues of their own official newspaper "Mojahed," published in Persian in Tehran in 1980-81. The MEK's present leader, Massoud Rajavi, was in command of the group at that time. One commentary in particular (in issue 107, published January 27, 1981 -- just a few days after the hostages' release), scores the Khomeini government for releasing the hostages too soon and for too little gain.

The Mojahedin and the clergy were uneasy allies during the early phase of the Iranian revolution. However, the clergy's drive to consolidate power led to a final break in 1981 and a resulting cycle of increasingly bitter violence. The Iranian regime's treatment of the Mojahedin opposition has been extremely severe, and there are reports of large numbers of executions and torture of members of the organization.

Following its break with the Islamic regime, the Mojahedin waged a guerrilla campaign against government officials and security forces -- including assassinations and car bombings in Iranian urban areas. During the Iran-Iraq war (1980-1988) the organization escalated into what the Mojahedin called full-scale military operations against the Islamic regime from bases in neighboring Iraq where leaders of the Mojahedin had been given refuge and military equipment by Iraqi dictator Saddam Hussein. The Mojahedin continue to maintain a presence in Iraq and claim credit for sabotage and other operations against the Islamic regime.

Aware and concerned about its terrorist image, the Mojahedin organization has been engaging in an extensive public relations campaign around the world to attract support and sympathy, and in recent years it has tried to de-emphasize its former anti-American stand. The organization now claims that its policies and activities of the 1970's were under the control of a cadre which later split from the main Mojahedin body. The record does not support this claim. The Mojahedin's history and its present use of violence in Iran still must be carefully considered by adjudicators with respect to possible grounds for exclusion.

4 FORMER MIDDLE-LEVEL OFFICIALS OF THE SHAH'S GOVERNMENT
AND PRO-SHAH RASTAKHIZ PARTY MEMBERS

A large number of Iranian political asylum claimants assert the fear that if they were to return to Iran they would be imprisoned or possibly executed because they held an official position in the Shah's government before the 1979 Islamic revolution and supported the Iranian monarchy. Often they cite membership in the Rastakhiz Party during the reign of the Shah as evidence of their loyalty to the Pahlavi royal family and as the reason why the Islamic authorities will punish them on their return to their homeland. In making a determination in such cases the following information about former officials of the Shah's government and members of the Rastakhiz Party should be considered.

The Rastakhiz Party was established by the Shah in 1975 to run a one-party state, and membership was viewed as a civic duty. All officials of the government, even those at the middle and lower levels of the bureaucracy, were almost automatically made members of the party because of their government employment status. Iranians, particularly those in the professions or in business, regardless of their political views, usually joined to enhance their professional or business prospects. Apparently recognizing the broad-based, almost non-political nature of the party, the Islamic regime has not in the past nor does it now act against Iranians simply because they or their relatives were members of the Rastakhiz Party.

We are not aware of any pattern of action by the regime today against Iranians simply because at one time they were middle-level or low ranking functionaries of the Shah's bureaucracy. During the initial years of the revolution a significant number of Iranian mid-level and low-level bureaucrats who served the Shah's government, particularly those in the sensitive security and police organizations who were viewed as a threat to the Islamic revolution, were dealt with harshly either through imprisonment or forced retirement. However, many survived the initial political purges and were able to prove their patriotism during the Iran-Iraq war (1980-1988) when the regime called upon their talents and expertise to turn back the Iraqi invasion. Iranians who had been suspect in the early days of the revolution but who chose to serve the new regime during the war now are able to live a relatively quiet life without undue interference from the authorities.

5. MEMBERS OF THE SHAH'S SECURITY ORGANIZATION (SAVAK)

The Islamic regime was especially harsh against high level SAVAK officials following the fall of the Shah. During the first months of the revolution, high level SAVAK officials were either executed or given very long prison sentences. Many SAVAK employees -- especially those known or suspected of having an active role in repressing Muslim clergymen and secular opponents

of the Shah -- were punished severely. At the same time, however, a significant number of highly trained SAVAK employees with expertise in foreign intelligence and security matters were given an opportunity to prove their loyalty to the new regime. Some have become a part of a new security apparatus set up by the Islamic regime to replace the Shah's SAVAK. In general, most low-level SAVAK functionaries who found themselves detained for a short time during the initial stages of the revolution were simply dismissed and left to fend for themselves in the new Iran.

B. CLAIMS BASED ON RELIGION

The Constitution declares that the "official religion of Iran is Islam and the sect followed is Ja'fari Shi'ism." Approximately 90 percent of Iranians are Shi'a Muslims. Aside from slightly over 1 percent who are non-Muslims (Baha'is, Christians, Zoroastrians, and Jews), the rest are Sunni Muslims. The Sunnis are mostly Kurds, Arabs, Turkomans, Baluch, and other ethnic minorities whose political influence is very limited in Iran. The Constitution states that "other Islamic denominations shall enjoy complete respect," but Sunni Muslims can face discrimination and harassment in predominantly Shi'a Iran. However, the mistreatment of Sunnis does not rise to the level which the regime metes out to religious minorities like the Baha'is and Muslim apostates who are perceived to have abandoned Islam for another religion.

According to Iranian government information, there are approximately 117,000 Christians in Iran: 17,000 Assyro-Chaldeans and 100,000 Armenians. According to the UN Special Rapporteur on All Forms of Intolerance, Abdelfattah Amor, who concluded a mission to Iran in February 1996, the religious organizations themselves report higher numbers -- between 200,000 and 250,000, but he noted that they use numbers from before the 1979 Islamic revolution and many Christians have since left Iran.

The Christian, Jewish, and Zoroastrian (the pre-Islamic religion of Iran) populations are concentrated mainly in urban areas. The Constitution recognizes their religions, and they elect representatives to seats reserved for them in the Parliament. They are permitted to practice their religions, to instruct their children, and -- although with a great deal of disruptive interference -- to maintain schools. Nevertheless, life is very difficult for religious minorities in Iran, and there are reports of harassment by Islamist extremists. In addition, university applicants are required to pass an examination in Islamic theology. Although public school students receive instruction on Islam, this requirement limits access of most religious minorities to higher education. Applicants for public sector employment are similarly screened for their adherence to Islam. The law also stipulates penalties for government workers who do not observe "Islam's principles and rules."

With regard to the situation faced by Muslim converts to Christianity or any other religion, the Shi'ite sect of Islam holds that apostasy is a heinous crime punishable by death. Although it is our understanding that a specific prohibition of apostasy does not appear in the Iranian penal code, the Shi'ite sect is the dominant sect in Iran and the Muslim clerics who for all practical purposes govern Iran are all of this sect. Therefore, given the dismal human rights record of the Islamic regime, Muslim converts to any other religion could face very severe punishment, including death, if an apostasy becomes known in Iran.

1. [REDACTED]

In recent years a relatively small grouping of Evangelical Christians in Iran has sought to increase its proselytizing efforts among Muslim Iranians and Iranian Christians of other denominations. In keeping with what they often view as their religious obligation to convert others, both Muslims and non-Muslims, to their faith, Evangelical Christians in Iran have sometimes been at odds with members of long established and more traditional Christian communities, particularly the Armenian Orthodox Church, as well as with the Iranian authorities.

The Islamic authorities in Iran in recent years have become particularly vigilant in curbing what is perceived as increasing proselytizing activities by Evangelical Christians, whose services are conducted in Farsi (Persian). The Islamic authorities have reacted by closing Evangelical Christian churches and arresting converts. As noted above, the traditional Shari'a (Islamic) law enforced in Iran forbids apostasy for Muslims and, therefore, non-Muslims may not proselytize Muslims without putting their lives at risk. After three Evangelical Christian ministers were killed in 1994, Christian Iranians have reportedly felt it necessary to heighten their guard against being accused of proselytization.

Official oppression of evangelical Christians increased in 1996. In early July 1996, a Muslim convert to Christianity, Shahram Sepehri-Fard, was arrested on charges of having "sensitive information." He has been denied visitors since shortly after his arrest, and his condition is unknown. In late September 1996, another Muslim convert to evangelical Christianity, Pastor Mohammed Yuseffi (also known as Ravanbakhsh), was found dead in a public park. He is widely believed to have been murdered by Iranian authorities. Yuseffi had been imprisoned by the Government on several occasions prior to his death. Three members of an opposition movement, Mojahedin-e-Khalq (MEK), Farohnaz Anami, Betoul Vafert Kalateh, and Maryam Shahbazzpoor, are currently in prison for the 1994 murder of Reverend Tatavous Michaelian, an evangelical Protestant pastor. The three women claim that two other Christian pastors murdered in 1994, Reverend Mehdi Dibaj and Reverend Haik Hovsepian Mehr, were also killed by

the MEK. However, many observers believe that it is more likely that the Government is responsible for these deaths.

2. ARMENIAN CHRISTIANS

Protestant associations with an "ethnic component and name (Armenian or Assyrian)", are legally recognized," according to UN Special Rapporteur Amor, while those without an ethnic focus "sometimes face difficulties in obtaining legal recognition of their existence." Protestant representatives have told the UN Special Rapporteur that their activities were "subject to restrictions" and cited the regime's seizure of 20,000 New Testaments which had been translated into Farsi (Persian), the closure of six temples since 1988, and pressure to stop conducting services in Farsi (Persian) and allowing Muslim converts to participate.

In general, the regime is more tolerant of groups such as Armenian Christians because they conduct their services in Armenian and are not viewed as proselytizing Muslims. An estimated 230,000 Armenians make up the bulk of Iran's Christian community with the largest concentration centered in Tehran. Armenians have lived and prospered in Iran for centuries and even in Iran's current Islamic revolutionary atmosphere are able to work in the professions, engage in commerce, publish Armenian language periodicals, and maintain Armenian schools. Armenians are free to travel abroad and many arrive in the U.S. every year to visit relatives in the large Armenian communities located in various U.S. cities, particularly Los Angeles, California. When Iranian Armenians return to their homeland we are aware of no pattern of action by the Islamic authorities against them simply because they have traveled to the U.S.

The Armenian community suffered the desecration of their Tehran church and the loss of a number of their businesses through arson at the beginning of the Islamic revolution in 1979. However, over the last sixteen years the community seems to have been able to reach an accommodation with the regime. For example, Armenian schools which were closed for most of 1984 were subsequently reopened after an informal compromise was reached by the community with the Islamic authorities. In this connection, Armenian Orthodox Christians historically have been very much aware of and sensitive to the Iranian Muslim community's concern about proselytizing by Christians in Iran. Virtually no effort is made, therefore, to encourage Muslim conversion to Christianity. On the issue of proselytizing among Christians, it is our understanding that the relatively large Armenian Orthodox Christian community in Iran resents such efforts by Evangelical Christians. The Islamic authorities apparently have chosen not to interfere in any disputes arising from proselytizing efforts among Christians.

3. JEWS

Estimates on the size of the Jewish community in today's Iran vary from a low of 25,000 to a high of approximately 55,000. This is a substantial reduction from the estimated 100,000 Jews who made Iran their home before the Islamic revolution of February 1979. The overwhelming majority of Jews in Iran are located in Tehran with small numbers resident in a few other major cities. The regime's anti-Israeli policies coupled with the perception among Iran's⁵ radicalized Muslim masses that Iranian Jews support Zionism and the Israeli state creates a threatening atmosphere for Iran's tiny Jewish community. The Jewish community has sought to avoid any support for Israel and the regime's Muslim clerical leaders pay some lip service to a distinction between Jew and Zionist, but in practical terms such distinctions are blurred.

After the fall of the Shah in 1979, Jews were eased out of government positions as well as from some private sector employment. As a result, Iran's Jews are engaged for the most part in small business and commercial pursuits. Jews are permitted to practice their faith, to instruct their children, and to maintain schools. Iranian Jews are permitted to obtain passports and to travel (including to Israel), but they are normally denied the multiple-exit permits given to most Iranians and must make a new application (with another fee) for each planned trip. Permission is not normally granted for all members of a Jewish family to travel outside Iran at the same time. There appears to be little restriction or interference with religious practice or education, but Jews still are generally kept out of posts of responsibility in government and the military. Most Iranian Jews who decided to stay in Iran have studiously avoided contact with Israel since 1979.

4. BAHAI'IS

Unlike the officially recognized religious minorities (Jews, Christians, and Zoroastrians) who technically are protected by Article 13 of the Constitution of the Islamic Republic of Iran because they are viewed as "people of the book" by Islam, Baha'is are denied such recognition. Instead, Baha'is are viewed as heretical Muslims or a "misguided sect" by the authorities and are prohibited from teaching their faith. The Government has stated that it will protect the "social and legal rights" of Iran's estimated 300,000 to 350,000 Baha'is as "normal citizens," but in practice there is widespread persecution and discrimination in many areas of public life. Baha'i marriages are not recognized, Baha'is are forbidden to participate in social welfare organizations, and they are prohibited from practicing their faith or maintaining links with co-religionists abroad. The Government also denies Baha'is access to higher education.

In 1993 the UN Special Representative reported the existence of a government policy directive on the Baha'is. According to the

directive, the Supreme Revolutionary Council reportedly instructed government agencies to block the progress and development of the Baha'i community; expel Baha'i students from universities; cut the Baha'is links with groups outside Iran; restrict the employment of Baha'is; and deny Baha'is "positions of influence," including those in education. While the Government at that time had claimed that the directive was a forgery, it appears to be an accurate reflection of current government practice. In December 1995 the UN General Assembly issued a statement on the human rights situation in Iran expressing its concern over "...the discriminatory treatment of minorities by reason of their religious beliefs, notably the Baha'is, whose existence as a viable religious community in the Islamic Republic of Iran is threatened..."

The persecution of Baha'is persisted in 1996 and early 1997. The Government continued to return some property previously confiscated from individual Baha'is, although the amount returned is a fraction of the total seized. Property belonging to the Baha'i community as a whole, such as places of worship, remains confiscated. Other government restrictions have been eased, so that Baha'is may currently obtain food ration booklets and send their children to public schools. However, the prohibition against the admission of Baha'is to universities appears to be enforced. Thousands of Baha'is dismissed from government jobs in the early 1980's receive no unemployment benefits and have been required to repay the Government for salaries or pensions received from the first day of employment. Those unable to do so face prison sentences. As of June 1997, four Baha'is have been convicted of apostasy and sentenced to death. Two of those sentences have been upheld by Iran's Supreme Court.

Iranians seeking political asylum in the United States because of their Baha'i faith are usually able to submit a valid membership card issued by the Baha'i Spiritual Center in Wilmette, Illinois when asked to do so by INS officials. According to Baha'i officials at the Spiritual Center, the credibility of Iranian applicants in the U.S. is suspect if they claim to be Baha'is but assert that they are unable to furnish such documentation which only the Center is authorized to issue.

C. CLAIMS BASED ON SOCIAL GROUPS

1. WOMEN IN IRAN

The Revolution advocates a role for women in Iran which amounts to a return to a more traditional pattern of life and behavior which existed in Iran before the modernizing policies of the Pahlavi Shahs. The majority of women in Iran are devout Muslims who have been brought up with traditional values including conformity to the centuries-old dress code for women. Nevertheless, there are a number of western-educated and modernized Iranian women who find this demeaning and a violation of their fundamental human right to live their lives as equals

with men. Clearly some Iranian women applicants for political asylum, particularly those who are educated and have lived in the West, have experienced harassment because of their failure to conform to the dress codes.

While women have been subject to Islamic law in Iran for centuries, they have been put under even more pressure by the clerical regime's imposition of an ultra-conservative dress code requiring that their hair and body, except for face and hands, be entirely concealed. Some women who do not conform to this dress code have been subject to arrest and flogging. Although enforcement of these rules has varied considerably since the death of Ayatollah Khomeini in 1989, there was a surge in enforcement during the summer of 1993. Therefore, Iranian women who have been educated abroad and have lived in the west, particularly in the U.S. for many years, are generally appalled by the restrictions and controls applied by Iran's Islamic authorities. Depending on the individual woman's experiences and her personal circumstances, life in today's Iran can be unbearable under such conditions.

In this connection, the Islamic regime also imposes a form of dress code on men as well. Although less stringent than the dress code imposed on women, men in Iran, for example, are discouraged from wearing so-called "westernized" attire, such as neckties.

With regard to claims by non-Muslim Iranian women applicants who assert that because of their religion they have been singled out for punishment for failing to wear proper dress in public, the traditional dress code is a requirement imposed by the authorities on all women in Iran regardless of their religion.

Many Iranian women applicants for political asylum assert that limitations and controls are placed by the regime on their access to education and the professions. Employment and education opportunities are more restricted for women today than they were under the Shah. However, women do have access to higher education and can work as professionals in both the public and private sectors. It is our understanding that women are able to seek training in fields such as dentistry, physiotherapy, audiology, statistics, optometry, radiology, and radiotherapy on a par with Iranian men. In addition, Iranian women are actively employed in the fields of medicine, education, the law, and the sciences. In the 1996 Parliament (Majles) elections ten deputies elected were women including the daughter of the Iranian President, Paezeh Hashemi.

In general, however, women suffer discrimination in the legal code, particularly in family and property matters. It is difficult for many women, particularly those residing outside large cities, to obtain any legal redress. Although women may be educated and employed in the professions, social constraints tend to inhibit their educational and economic opportunities. Illiteracy and the lack of university degrees also affect their

standing. Under legislation passed in 1983, women have the right to divorce, and regulations promulgated in 1984 substantially broadened the grounds on which a woman may seek a divorce. However, a husband is not required to cite a reason for divorcing his wife. A 1986 law on marriage and divorce limits the privileges accorded to men by custom and traditional interpretations of Islamic law; it recognized divorced women's rights to a share of the property acquired during marriage and increased alimony rights.

In 1995 the Government permitted women to attain the rank of judge. However, since the Government does not permit female judges to preside over legal hearings, it is unclear what practical effect this change in law will have.

2. HOMOSEXUALS

Under Sharia, sodomy is punishable by death if both parties are considered to be adults of sound mind and free will. Sodomy must be proven by either four confessions from the accused, the testimony of four righteous men who witnessed the act or through the knowledge of a Sharia judge "derived through customary methods," according to Masoudzafar Samimi Kia's "Law of Hudoud and Qasas (Punishment and Retribution) and Provisions Thereof," published in 1983 by Pars Associates in Tehran. If the accused repents before the witnesses testify, the penalty "will be quashed." Lesbianism, defined under the law as genital contact between women, is punishable by 100 lashes each and by death on the fourth offense.

D. CLAIMS BASED ON ETHNIC/TRIBAL AFFILIATION

1. IRANIAN KURDS

Iranian Kurds are said to number between 1.5 and 4 million people and live in the west of the country, principally in the province of Kurdistan. Iran's Kurds have demanded cultural and local autonomy from the central government since before the Pahlavi dynasty. Following the Shah's departure from Iran in January 1979, politically active Kurds attempted to take advantage of the hiatus that occurred in order to gain concessions before the Islamic revolutionary government could solidify its position. The Kurdish Democratic Party of Iran (KDPI), originally formed as an illegal organization after World War II during the Shah's reign, played a leading role in this effort. The Marxist Komaleh is another Kurdish faction that has opposed the regime in Tehran and its leaders are on Tehran's wanted lists.

The Islamic regime deals harshly with rebellious Iranian Kurdish leaders and their militant supporters. At least four people, including three members of the KDPI, in September 1992 were murdered abroad in circumstances suggesting that they may have been extrajudicially executed. The murders took place in Berlin, Germany just two weeks after Iran's Minister of Intelligence and

Security announced on Tehran television on 30 August 1992 that Iran had been able to deal vital blows against the cadres of groups like the KDPI. On April 10, 1997 a German court in Berlin found that the highest levels of Iran's Islamic government gave orders to carry out the September 1992 gangland-style slaying of the three Kurdish dissidents and their translator in the Mykonos restaurant. The outlawed KDPI reported in 1995 that the Government executed 10 of its members following their arrest for unspecified political activity. At Orumiye prison, 6 Kurds were reportedly shot in September, a seventh Kurd was hung during that month, and the body of an eighth Kurd who had died under torture was released to his family in August.

While Iranian Kurdish applicants for political asylum in the U.S. assert that they fear Iran's Islamic regime because they are Kurds, they often do not fill the above profile of Kurdish political activists, nor do they hold leadership positions in the KDPI which would draw the attention of the Islamic authorities. We are aware of no pattern of action by the regime against Iranians simply because they are Kurds. Indeed, ethnic Kurds can be found in all walks of life in Iran both in the private and public economic sectors as well as in Iran's military and civilian establishments. Thousands of Iraqi Kurds found refuge in Iran following Iraqi dictator Saddam Hussein's efforts in the late 1980's and following the Persian Gulf war in 1991 to further repress and ultimately drive out Iraq's Kurdish population in northern Iraq. Baghdad's continued pressure on Iraqi Kurds, despite involvement of U.S. and other military forces in northern Iraq, has served to dissuade Iraqi Kurds who have found refuge in Iran from returning to Iraq.

2. IRANIAN BALUCHIS

There is intermittent opposition to the Islamic regime in Tehran by Baluchis located in Iran's southeastern province of Baluchistan. Such resistance is organized along tribal lines, and not all Baluchi tribes oppose the regime. Groups such as the Baluch National Movement and the United Baluch Organization are seeking a greater degree of autonomy for the province and there had been reports dating back to 1992 of arrests and public executions in the provincial capital, Zahedan.

3. IRANIAN QASHQA'I AND BAKHTIARI TRIBES

The Qashqa'i and Bakhtiari tribal people of Iran are woven into the very fabric of Iranian life and have always considered Iran their homeland. For many centuries their tribal structure has fared either very well or very poorly depending upon the nature of the governing authority in the capital city. Historically, their differences with the government have stemmed from their insistence on maintaining their tribal way of life and keeping government involvement at a minimum vis-a-vis their tribal land holdings in south central Iran. Despite such differences, tribal leaders have been active members in numerous Iranian parliaments

in the 20th century. The degree of independence from central regulation enjoyed by these tribes in Iran's history, however, has always been dependent upon the strength or weakness of the central authority ruling in Tehran.

The Qashqa'i and Bakhtiari tribes have had a turbulent political history in Iran because tribal leaders over the past several centuries have been active participants in Iranian politics both under Iran's shahs as well as in today's Islamic regime. In keeping with its dismal human rights record, the current Islamic regime has cracked down harshly on all political opponents, including some tribal leaders who were perceived as threats to the Islamic revolution following the fall of the Shah in early 1979. However, while some tribal leaders have suffered severe penalties at the hands of the Iran's current rulers, the Qashqa'i and Bakhtiari tribal population which is Muslim by faith has not been singled out as an entity for action by the Islamic regime.

Appendix

Chronology of Significant Events

(A chronology of significant events was added to our Profiles beginning in 1997. While we attempt to keep these chronologies up to date, the fact that an event is not mentioned does not necessarily mean that it did not occur.)

Date	Event
January 16, 1979	Shah Mohammad Pahlavi departs Iran following months of mass rioting and demonstrations. Before going into exile the Shah appoints Shahpour Bakhtiar Iran's new Prime Minister.
February 1, 1979	Ayatollah Ruhollah Khomeini returns to Iran after many years of exile and takes power on February 11. Prime Minister Bakhtiar flees for his life and takes refuge in France.
April 1, 1979	Khomeini declares Iran to be an Islamic Republic, and a new constitution (prepared by an elected Council of Experts) is later approved by referendum in December 1979.
November 4, 1979	Islamic militants occupy the U.S. Embassy in Tehran and hold 52 Americans hostage until their release on January 20, 1981 in keeping with the Algiers Accords signed by U.S. and Iranian officials under the auspices of the Algerian Government.
July 27, 1980	Shah Mohammad Pahlavi dies of cancer while in exile in Egypt and is given a state funeral in Cairo by the Egyptian Government.
September, 1980	Iraqi military forces invade Iran. The 8-year war between Iran and Iraq ends after a cease-fire worked out by the UN comes into effect on August 20, 1988.
August 1989	Ayatollah Khomeini dies and is buried in a cemetery south of Tehran where a special mausoleum was erected in his honor. Ayatollah Khamene'i becomes Supreme Leader.

January 1996

Trial begins of six former military officers and businessmen charged with spying for Israel and the U.S.

Court sentences Abbas Ma'rufi, the director of the monthly literary magazine "Gardoon," to six-months' imprisonment and 65 lashes for insulting President Rasanjani in a "Gardoon" article.

February 1996

Campaigning begins for 8 March elections to the fifth Majlis (Parliament).

March 1996

Four candidates for the Majlis from the Freedom Movement of Iran party withdraw from the race, citing inability to disseminate their platform through the media.

April 1996

Iranian parliamentary (Majlis) elections held on April 19. Election results announced on April 21.

June 1996

Ali Akbar Nateq Nouri, leader of the conservative Assembly of Combatant Clergy party, is elected Speaker by the Majlis.

July 1996

A court sentences to death Kurosh Nikakhtar for the 1 February 1994 assassination attempt on President Rafsanjani.

August 1996

Iran files lawsuits at the International Court of Justice in The Hague against the U.S. charging that recent U.S. legislation had violated the 19 January 1981 Algiers Accords by providing funds for covert action against Iran and establishing secondary sanctions against foreign (non-U.S.) investment in Iran.

August 1996

In a German trial of five men accused of assassinating Iranian Kurdish leader Sadiq Sharafkandi and three others, anti-regime former Iranian President Bani-Sadr testified on 17 September 1996 that Iranian President Rafsanjani and Iran's Supreme leader Ali Khamene'i had personally ordered the killings.

October 1996

An Iranian patrol boat "Bayandor" collided with the U.S. cruiser "Gettysburg" in the Persian Gulf, apparently by mistake.

November 1996

The government appoints Sadra Azam-Nuri as Mayor of the 7th district of Tehran. She is the first woman to hold such a post under the Islamic Republic.

December 1996

The Iranian news service reports that Sunni leader Mullah Muhammad Rabi'i died of a heart attack in Kermanshah. Opposition reports state that Rabi'i was killed by the government and that several days of anti-government rioting resulted in Kermanshah because of the act.

April 10, 1997

A German court in Berlin finds that the highest levels of Iran's Islamic government gave orders to carry out the gangland-style slaying of three Kurdish dissidents and their translator in the Mykonos restaurant in September 1992.

May 24, 1997

Mohammed Khatami scores a stunning upset victory in Iran's presidential elections which took place on 23 May. Of 22,726,364 votes counted, Khatami received 15,490,659, slightly more than two-thirds of the total, compared with 5,946,885 for Nateq Nouri, the Speaker of the Majlis (Parliament) and the regime's preferred candidate. Khatami took office in August 1997 when the incumbent, Hashemi-Rafsanjani, was obliged by Iran's constitution to step down following two terms in office.

August 1997

Khatami inaugurated officially as Iranian President and appoints a Cabinet including one woman.



