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2013 Scores

Status: Not Free
Freedom Rating: 6.0
Civil Liberties: 6
Political Rights: 6

Overview

The Iranian government continued to curtail political freedoms and violate civil liberties in 2012, imposing particularly harsh conditions on journalists, civic activists, human rights defenders, women, and minorities. The authorities stepped up restrictions on the internet and suppressed demonstrations related to the worsening economic situation. The UN special rapporteur on Iran was again denied access to the country during the year, and leading opposition figures remained in detention. The tightly controlled March parliamentary elections amounted to a contest between rival factions within the conservative leadership.

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

After Khomeini's death in 1989, the title of supreme leader passed to Ayatollah Ali Khamenei, a compromise candidate who lacked the religious credentials and charisma of his predecessor. The constitution was amended, the office of prime minister was abolished, and Khamenei's power was consolidated, giving him final authority over all matters of foreign and domestic policy.

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

Representing this coalition, former culture minister Mohammad Khatami was elected president in 1997 with nearly 70 percent of the vote. Under his administration, independent newspapers proliferated, and the authorities relaxed the enforcement of restrictions on social interaction between the sexes. Reformists won 80 percent of the seats in the country's first nationwide city council elections in 1999 and took the vast majority of seats in parliamentary elections the following year, with student activists playing a major role in their success.

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

The new government also adopted a more confrontational tone on foreign policy matters, feeding suspicions that its expanding uranium-enrichment activity, ostensibly devoted to generating electricity, was in fact aimed at weapons production. Beginning in 2006, in an effort to compel Iran to halt the uranium enrichment, the UN Security Council imposed multiple rounds of sanctions on the country. However, diplomatic negotiations failed to break the stalemate.

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

Despite crackdowns on human and women's rights activists and restrictions on internet freedom in the months prior to the June 2009 presidential election, supporters of all candidates seemed to enjoy a relatively relaxed and politically vibrant atmosphere. The Guardian Council approved only three candidates – all well-known political personalities with established revolutionary credentials – to compete against Ahmadinejad: Mir Hussein Mousavi, a former prime minister; Mohsen Rezai, a conservative former head of the Islamic Revolutionary Guard Corps (IRGC); and Mehdi Karroubi, a reformist former speaker of parliament and cleric. Mousavi emerged as the main challenger, confronting Ahmadinejad in televised debates.

Polls indicated a close race, but Ahmadinejad was declared the winner soon after the election, credited with over 63 percent of the vote. All three challengers lodged claims of fraud, and protests broke out on a massive scale across the country as voters rejected the official results. The security forces violently cracked down on all public expressions of dissent and tightened government control of both online and traditional media. Protesters continued to mount periodic demonstrations, using mobile-telephone cameras and the internet to document abuses and

communicate with the outside world. Over the course of 2010, however, the government effectively crippled the opposition's ability to mount large-scale demonstrations.

In the wake of the postelection confrontations, basic freedoms deteriorated and political affairs were further securitized. With the reformist opposition pushed to the sidelines, a power struggle between Ahmadinejad and Khamenei spilled into public view in April 2011, when the latter reinstated an intelligence minister who had been fired by the president. A dozen associates of Ahmadinejad and his controversial chief of staff, Esfandiar Rahim-Mashaei, were subsequently accused of constituting a "deviant current" within the country's leadership.

The March 2012 parliamentary elections, from which the reformist opposition was excluded, highlighted the deep divisions among conservative forces. Though there were no claims of systematic election fraud, several sitting lawmakers accused the IRGC of vote rigging. The official results were seen as favoring Khamenei's supporters rather than Ahmadinejad's. Later in March, for the first time in the history of the Islamic Republic, the parliament summoned the president to answer questions on his mismanagement of the economy, cabinet appointments, squandering of state resources, and disobedience of the supreme leader.

In October, Ahmed Shaheed, the UN special rapporteur on human rights in Iran, published a report expressing concern that the government's failure to investigate a wide range of human rights violations was indicative of a "culture of impunity." The regime has not permitted Shaheed to visit the country since his position was created in 2011.

Political Rights and Civil Liberties

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

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

Opposition politicians and party groupings have suffered especially harsh repression since the 2009 presidential election, with many leaders – including former lawmakers and cabinet ministers – facing arrest, prison sentences, and lengthy bans on political activity. Since February 2011, the former presidential candidates and prominent opposition leaders Mir Hussein Mousavi and Mehdi Karroubi, and Mousavi's wife Zahra Rahnavard, have been kept under strict house arrest without trial, incommunicado, and with only limited access to family members.

Corruption is pervasive. The hard-line clerical establishment and the IRGC, to which it has many ties, have grown immensely wealthy through their control of tax-exempt foundations that dominate many sectors of the economy. The administration of President Mahmoud Ahmadinejad has gravely damaged fiscal transparency and accountability through the abolition of independent

financial watchdogs and the murky transfer of profitable state companies to the IRGC and other semigovernmental conglomerates. Iran was ranked 133 out of 176 countries surveyed in Transparency International's 2012 Corruption Perceptions Index.

Freedom of expression is severely limited. The Ministry of Culture, which must approve publication of all books, has ratcheted up pressure on publishers and writers since 2009. In 2010, authorities banned the sale of any books that had received a publishing license prior to 2007. Some 250 "subversive" titles on a range of topics were banned ahead of the 2012 Tehran International Book Fair, and Cheshmeh Publications, one of the largest publishing houses in Iran, had its operating license revoked in June 2012.

The government directly controls all television and radio broadcasting. Satellite dishes are popular, despite being illegal, and there have been increasing reports of dish confiscation and steep fines. The authorities frequently issue ad hoc orders banning media coverage of specific topics and events, including the economic impact of international sanctions, the fate of opposition leaders, and criticism of the country's nuclear policy. Cooperation with Persian-language satellite news channels based abroad is banned. Fariborz Raisdana, a prominent economic analyst, began serving a one-year prison term in May 2012, having originally been arrested in December 2010 after criticizing government economic policies on the Persian service of the British Broadcasting Corporation (BBC). In an unprecedented move, the government has also placed pressure on the family members of journalists living abroad, including BBC Persian employees, who have been harassed, questioned, and detained by the security and intelligence apparatus.

The Press Court has extensive power to prosecute journalists for such vaguely worded offenses as "mutiny against Islam," "insulting legal or real persons who are lawfully respected," and "propaganda against the regime." The use of "suspicious sources" or sources that criticize the government is also forbidden. Numerous periodicals were closed for morality or security offenses in 2012, including the independent newspaper *Maghreb*, which was found in violation of press laws following its publication of a cartoon of Ahmadinejad. Among other editors arrested during the year, Ali Akbar Javanfekr, an Ahmadinejad adviser and head of the state news agency, was jailed for six months in September for publishing content "contrary to Islamic standards." Also that month, a special media court found Reuters bureau chief Parisa Hafezi guilty of "disseminating lies" for a story on women practicing martial arts in Iran and suspended the agencies accreditation. Iran ranks second in the world for the number of jailed journalists, with 45 behind bars as of December 2012, according to the New York-based Committee to Protect Journalists.

Internet penetration has skyrocketed in recent years, and many Iranians used mobile-telephone cameras and social-networking sites to provide some of the only independent coverage of the 2009 postelection crackdown. The authorities have consequently established draconian laws and practices to restrict access to communication tools, persecute dissidents for their online activity, and strengthen the government's vast censorship apparatus. Key international social-media sites like Facebook, Twitter, and YouTube were blocked after the 2009 election, and the number of disabled political sites continued to increase in 2012, hampering the opposition's ability to communicate and organize. The 2010 Computer Crimes Law is freighted with vaguely defined offenses that effectively criminalize legitimate online expression; the law also legalizes government surveillance of the internet. In January 2012, the authorities unveiled new regulations that oblige cybercafé owners to record the personal information and browsing histories of customers. The first phase of a national intranet, aimed at disconnecting the population from the global internet, was launched in September.

Iranian filmmakers are subject to tight restrictions, and many have been arrested or harassed since the 2009 election. In January 2012, the government ordered the closure of the House of Cinema, an independent professional association that supported some 5,000 Iranian filmmakers and artists.

Religious freedom is limited in Iran, whose population is largely Shiite Muslim but includes Sunni Muslim, Baha'i, Christian, Jewish, and Zoroastrian minorities. The Special Court for the Clergy investigates religious figures for alleged crimes and has generally been used to persecute clerics who stray from the official interpretation of Islam or criticize the supreme leader. Ayatollah Seyed Hussain Kazemeini Boroujerdi, a cleric who advocates the separation of religion and politics, is currently serving 11 years in prison for his beliefs. Sunnis enjoy equal rights under the law but face discrimination in practice; there is no Sunni mosque in Tehran, and few Sunnis hold senior government posts. Sufi Muslims have also faced persecution by the authorities. Since the leader of the Sufi order Nematollahi Gonabadi was arrested in 2009 and sentenced to four years in prison, security forces have repeatedly clashed with members of the order in Gonabad and Kavar.

Iranian Baha'is, thought to number between 300,000 and 350,000, are not recognized as a religious minority in the constitution, enjoy virtually no rights under the law, and are banned from practicing their faith. Under Ahmadinejad, concerted efforts to intimidate, imprison, and physically attack Baha'is have been carried out by security forces, paramilitary groups, and ordinary citizens with impunity. Baha'i students are barred from attending university and prevented from obtaining their educational records. In May 2011, 39 Baha'i students and volunteer instructors were arrested in connection with an online university initiative. In January 2012, an appeals court sentenced six of the volunteer educators to between four and five years in prison. At year's end, at least 105 Baha'is were in prison, including seven community leaders who were sentenced in 2010 to 20 years on charges of espionage and "engaging in propaganda against Islam."

The constitution recognizes Zoroastrians, Jews, and Christians as religious minorities, and they are generally allowed to worship without interference, so long as they do not proselytize. Conversion by Muslims to a non-Muslim religion is punishable by death. In 2012, authorities shut down several churches in Tehran, Ahvaz, and Esfahan that provided services in the Persian language, which made them potentially accessible to converts.

The non-Muslim minorities are barred from election to representative bodies (though five parliament seats are allocated to the Armenian Christian, Chaldean Christian, Zoroastrian, and Jewish minorities); cannot hold senior government or military positions; and face restrictions in employment, education, and property ownership.

Academic freedom is limited. Scholars are frequently detained, threatened, and forced to retire for expressing political views. Since 2009, between 50 and 150 university faculty members have been forced to retire or dismissed based on their personal and political opinions. A 2010 government directive barred Iranian scholars and citizens from contact with over 60 European and U.S.-based foundations, think tanks, and educational institutions. Academics are prevented from freely participating in exchanges abroad. In August 2012, the government intimidated dozens of Iran-based scholars into canceling plans to attend a conference of the International Society for Iranian Studies (ISIS) in Istanbul. Students involved in organizing protests face suspension or expulsion in addition to criminal punishments. Since the 2009 presidential election, the IRGC-led Basij militia has increased its presence on campuses, and vocal critics of the regime face increased persecution and prosecution. According to Iran's largest student organization, between 2009 and 2012, 396 students were banned from pursuing their studies because of their political activities. During the same period, 634 were arrested, with 30 of them currently serving long prison terms, for exercising their rights to assembly, association, and free expression.

In 2011, as part of a government effort to bring curriculums into line with "religious and indigenous ideology and principles," the country's top humanities university, Allameh Tabatabai, eliminated 13 branches of social sciences, including political science, history, sociology, philosophy, pedagogy, and journalism. In 2012, new educational barriers for women were introduced, with 36 universities reportedly excluding women from registering in 77 fields of study.

The constitution prohibits public demonstrations that "are detrimental to the fundamental principles of Islam," a vague provision that was frequently invoked to deny permit requests after the 2009 presidential election. Vigilante and paramilitary organizations that are officially or tacitly sanctioned by the government – most notably the Basij and Ansar-i Hezbollah – regularly play a major role in breaking up demonstrations. Peaceful, nonpolitical demonstrations are increasingly met with brutal violence.

The constitution permits the establishment of political parties, professional syndicates, and other civic organizations, provided that they do not violate the principles of "freedom, sovereignty, and national unity" or question the Islamic basis of the republic. Human rights discourse and grassroots activism are integral parts of Iranian society. However, the security services routinely arrest and harass secular activists as part of a wider effort to control nongovernmental organizations (NGOs). In August 2012, security and intelligence forces raided a camp set up to deliver aid to victims of a devastating earthquake in East Azerbaijan Province. Authorities detained 35 volunteer relief workers on charges of "assembly and collusion against national security goals." Although NGO permits are not required by law, the Interior Ministry has been issuing them and shutting down organizations that do not seek or qualify for them. In 2011, the government began reviewing a new bill on the establishment and supervision of NGOs that could unduly restrict and severely impede their activities; the process continued at the end of 2012.

Iranian law does not allow independent labor unions, though workers' councils are represented in the Workers' House, the only legal labor federation. Workers' public protests and May Day gatherings are regularly suppressed by security forces. In 2012, the authorities denied workers the right to hold a May Day rally for a fifth consecutive year.

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

The government practice of pressuring lawyers to abandon the cases of political and social detainees is widespread in Iran. Lawyers who resist such pressure can face harassment, interrogation, and incarceration. Since 2009, at least 42 attorneys have been prosecuted, including prominent human rights lawyers Nasrin Sotoudeh, Mohammad Seyfzadeh, Abdolfattah Soltani, and Mohammad Ali Dadkhah, who have received long prison sentences and been barred from practicing law. In recent years, the government has progressively intervened in the affairs of the Iranian Bar Association, an independent body responsible for issuing licenses to lawyers, overseeing their performance, and legally protecting them. In early 2012 the judiciary submitted a draft bill to the parliament that would replace the association with a state-controlled body composed of lawyers appointed by the judiciary itself; the process continued at the end of 2012.

The country's penal code is based on Sharia (Islamic law) and provides for flogging, amputation, and execution by stoning or hanging for a range of social and political offenses; these punishments are carried out in practice. Iran routinely ranks second only to China in number of executions, with hundreds carried out each year. While many inmates are executed for drug-related offenses, a number of political prisoners convicted of *moharebeh* (enmity against God) also receive death sentences. Iran's overall execution rate has increased significantly under Ahmadinejad. In 2012 the authorities announced 292 executions, but human rights organizations estimate that as many as 230 additional individuals were executed without official acknowledgment. Amendments to Iran's penal code that were approved by the parliament and Guardian Council in 2012 but had not been signed into law by year's end would maintain many of the deeply flawed provisions of the previous code. Although it eliminates stoning, the revised code continues to mandate the death penalty for "crimes" such as drinking alcohol, consensual sexual relations outside of marriage, and

vaguely defined violations of national security laws. One provision equates the age of criminal responsibility with the age of puberty under Sharia – 15 years for boys and nine for girls. Contrary to Iran's obligations under the Convention on the Rights of the Child, the judiciary continues to execute juvenile offenders. More than 100 juveniles reportedly remain on death row.

Although the constitution prohibits arbitrary arrest and detention, such abuses are increasingly employed, and family members of detainees are often not notified for days or weeks. Suspected dissidents are frequently held in unofficial, illegal detention centers. Prison conditions in general are notoriously poor, and there are regular allegations of abuse, rape, torture, and death in custody. In October 2012, at least nine female political prisoners went on hunger strike to protest unannounced inspections, impromptu body searches, and verbal abuse and beatings by female guards. In November 2012, Sattar Beheshti, a 35-year old blogger, died while in police custody. The head of Tehran's cybercrimes unit was subsequently fired after allegations surfaced that Beheshti died while under interrogation.

The constitution and laws call for equal rights for all ethnic groups, but in practice these rights are restricted by the regime. Minority languages are prohibited in schools and government offices. Minority rights activists are consistently threatened and arrested. Ethnic Kurds, Arabs, Baluchis, and Azeris complain of discrimination. Kurdish opposition groups suspected of separatist aspirations, such as the Democratic Party of Iranian Kurdistan (KDPI), are brutally suppressed. At least 28 Kurdish prisoners convicted of national security charges remained on death row at the end of 2012.

Sexual orientation is also a subject of government scrutiny. The penal code criminalizes all sexual relations outside of traditional marriage, and Iran is among the few countries where individuals can be put to death for consensual same-sex conduct.

Women are widely educated; a majority of university students are female. However, women currently hold just 3 percent of the seats in the parliament, and they are routinely excluded from running for higher office. Female judges may not issue final verdicts, and a woman cannot obtain a passport without the permission of her husband or a male relative. Women do not enjoy equal rights under Sharia-based statutes governing divorce, inheritance, and child custody, though some of these inequalities are accompanied by greater familial and financial obligations for men. A woman's testimony in court is given only half the weight of a man's, and the monetary compensation awarded to a female victim's family upon her death is half that owed to the family of a male victim. Women must conform to strict dress codes and are segregated from men in some public places. There has been a crackdown in recent years on women deemed to be dressed immodestly. Women's rights activists, especially members of the One Million Signatures Campaign, continue to face repression.

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