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Human Rights and Democracy: The 2012 Foreign & Commonwealth Office Report - Iran

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The human rights situation in Iran remained extremely poor in 2012. The government heavily suppressed freedom of speech, using intimidation and arbitrary arrest as tools of oppression and control. Senior opposition leaders remained under house arrest after almost two years of detention. Some minority groups described systematic repression of their communities and targeted intimidation of those speaking out against human rights violations. Several prominent human rights defenders remained in prison – some alleging torture and others suffering serious health issues for which they were denied adequate medical treatment. The death penalty was again widely applied, particularly for drugs offences, and in many cases in contravention of international law. The majority of the recommendations in the UN Human Rights Council Universal Periodic Review for Iran in 2010 remained unimplemented.

The UK played a prominent role in increasing international pressure on the Iranian regime to improve its record. We supported the successful renewal in March of Dr Ahmed Shaheed's mandate as United Nations Special Rapporteur on Human Rights in Iran. In March, we supported further additions to the EU human rights sanctions list of Iranians responsible for grave human rights violations, which now includes 77 individuals. The measures also introduced a prohibition on the sale and export to Iran of equipment that could be used for internal repression or Internet censorship. We helped to raise the profile of several serious human rights abuse cases, patterns of discrimination and instances of state intimidation.

The UK also co-sponsored the UN annual resolution on human rights in Iran. Following a strong lobbying campaign with Canada, which tabled the resolution, we were pleased that it passed with an overwhelming majority of countries in favour (83 to 31).

This scrutiny was not well received in Iran, which dismissed the criticism as Western "double standards", accusing the US, UK and Canada of human rights violations themselves. It also accused the UN Special Rapporteur of being anti-Islamic. There was no indication that Iran was genuinely willing to improve its record or to engage with the international community about it. Iran continued to refuse to allow the Special Rapporteur to visit the country.

In 2013, we expect the situation to remain poor, although we will continue to press Iran for systematic improvements. Iran's presidential elections in June 2013 may prompt further repression, particularly of groups considered likely to be critical of the regime. Iran will be concerned about the potential for economic unrest caused by the increasing financial pressures on the regime – a result of its own economic mismanagement and the impact of international sanctions relating to the nuclear issue. Any economic unrest could also lead the regime to increase restrictions on basic freedoms.

The UK will continue to keep Iran's behaviour in the international spotlight, to speak out in support of the observance of universal human rights and to encourage genuine progress.

Elections

The parliamentary (Majles) elections in March 2012 passed without major protest. The elections were clearly not free and fair, with candidates being filtered at an early stage by the Guardian Council to prevent any real choice. The two opposition leaders, Mirhossein Mousavi and Mehdi Karubi, remained under house arrest. The presidential elections in June 2013 are likely also to be tightly controlled, again with the careful selection of candidates deemed acceptable to senior members of the regime.

Freedom of expression

In 2012, Iran introduced further restrictions on Internet use, including regulations controlling public Internet cafes. A national Internet network was introduced to control the flow of information, and websites continued to be filtered. Cyber-security forces arrested and intimidated Internet users, bloggers and journalists.

Domestic media remained tightly controlled to prevent reporting on certain topics. Many journalists were arrested, subsequently reporting poor prison conditions and a lack of access to appropriate medical care. Journalists such as BBC Persian employees reported that their families in Iran continued to be harassed, arrested and interrogated.

The Iranian authorities continued to jam satellite signals, affecting Persian-language broadcasts. Islamic Republic of Iran Broadcasting (IRIB) reported that Iranian intelligence agents had discovered a ring of underground studios linked to satellite TV stations. They claimed that these were linked to counter-revolutionary groups, and arrested over 30 people.

A small number of protests were held by labour activists protesting against unpaid salaries and redundancies, as well as a protest by Iranian students on Students' Day on 6 December.

Human rights defenders

Iran's treatment of human rights defenders continued to be a matter of concern. Nasrin Sotoudeh, a human rights lawyer serving a six-year sentence, began a hunger strike in October in protest at the harassment of her family. She ended this on 4 December, after 49 days, following concessions from the prison authorities, but her health was seriously affected as a result. She won the European Parliament's Sakharov Prize for Freedom of Thought in October. A planned visit to Iran by MEPs was cancelled after the authorities refused them permission to visit her in prison to congratulate her. The Foreign Secretary and the Minister for the Middle East and North Africa, Alistair Burt, recorded video messages of support for Sotoudeh and called on the Iranian authorities to release her immediately. At the time of writing, she remains in prison.

Concerns also remain about other high-profile imprisoned lawyers in Iran, such as Mohammad Ali Dadkhah, Narguess Mohammadi, Abdolfattah Soltani and Javid Houtan Kian. Some have reported being tortured during their imprisonment and suffering long periods of solitary confinement as well as denial of access to appropriate medical care. We believe they were sentenced for their

work to defend peacefully the rights of others. Soltani won the International Bar Association Human Rights Award in October, and Houtan Kian was awarded a human rights prize by the German city of Bochum in December (jointly with labour activist Sharokh Zamani).

Access to justice and the rule of law

The Iranian authorities operate outside both Iranian law and the Iranian constitution. Many of those arrested and imprisoned have been denied access to legal representation or due process. Many charges are politically motivated and discriminatory, and sentences are excessive in relation to the crime (including two men found guilty of a third offence of drinking alcohol who were given death sentences).

The Islamic Penal Code is being amended, but we remain concerned about the revised text, which retains discriminatory laws against women and non-Muslims and does not abolish the death penalty for minors. The code also permits the death penalty for blasphemy, but the definition of what would constitute a crime under this provision is unclear, allowing arbitrary application of the law. Many current prisoners have been imprisoned for long periods on loosely worded charges of "enmity against God" and "corruption on earth", which are defined as capital offences in the current draft code.

Death penalty

Iran fails to meet the most basic international legal standards for the application of the death penalty and has one of the highest numbers of executions per capita in the world. According to EU figures, 352 people were executed in 2012. This is a reduction from 436 the previous year, though the secrecy surrounding executions in Iran means that the true figure is undoubtedly much higher. May saw a spike in reported executions of up to 63 in one week. The overwhelming majority of executions are for drugs offences, which the international community does not generally consider to be a crime for which the death penalty is permitted by international law.

The UN Secretary-General reported that over 30 people were executed publicly between January and June, many by suspension strangulation, where the condemned person is winched upward slowly and death is not instantaneous. It remains possible for a judge to order death by stoning in accordance with Sharia Law, although there have been no confirmed cases of stoning for four years. A case of note where the death penalty was used involved Safieh Ghafouri, who was sentenced to death for murder on the basis of her own confession. Ghafouri was reportedly not told of her imminent execution and withdrew her confession at the gallows. Contrary to established procedure in Iran, which should then have seen her execution halted, her retraction was ignored and it went ahead.

The UK continued to condemn publicly Iran's use of the death penalty, both in public statements and in online features in English and Farsi, as well as through the EU. Iran offered a dialogue with the EU on the death penalty in October following an EU démarche on the issue, but to date has not followed this up.

Torture

Conditions in Iranian prisons remained extremely poor, with reports of deaths in custody, torture, long periods of solitary confinement and denial of medical treatment to inmates. Prison officials appeared to act with impunity. Reports by the UN Secretary-General and the UN Special Rapporteur on human rights in Iran included accounts of the deaths in custody of two ethnic Ahwazi Arab activists, both of whom were allegedly tortured to death. News emerged of the death of a blogger, Sattar Beheshti, in November, less than a week after being arrested for "actions against national security on social networks and Facebook", and reportedly after being beaten by prison authorities. This prompted a domestic and international outcry, including public condemnation by Alistair Burt, FCO Minister with responsibility for Iran. The Iranian judicial

authorities undertook to conduct an investigation into Mr Beheshti's death and to punish those responsible. The Cyber Police Chief responsible for his arrest was later sacked, but the resulting report, which found that the previously healthy 35-year-old had died of natural causes as a result of shock, was not widely considered credible.

Freedom of religion or belief

The past year arguably saw some intensification of the systematic persecution of Iran's minority religious communities.

Throughout 2012, we received reports of arrests and detentions of Christians, often without fair trial or legal representation. Monitoring of church congregations continued, prompting many Christians to worship in private homes, known as "house churches". Converts were particularly targeted. Those found by the authorities to have converted to Christianity were told to revert to Islam or face arrest and apostasy charges. The release in September of Christian Pastor Yousef Nadarkhani, sentenced to death for apostasy in 2010, was a rare positive outcome following sustained pressure from the international community to commute his sentence. Whilst Mr Burt welcomed news of his release, he was also clear that the arrest should not have taken place and called on Iran to respect the religious freedoms of its citizens. Pastor Nadarkhani was re-arrested on Christmas Day and briefly held in prison, although he had been released again at the time of writing. Other Christians remained in harsh conditions in prison, including Pastors Behnam Irani and Farshid Fathi.

The Iranian Baha'i community, which remains unrecognised as an official religious group in Iran, reported an escalation in the oppression of their community, concentrated in the province of Semnan in the north. There were signs of a clampdown on Baha'i economic activity there, such as the raiding and closure in May by Intelligence Ministry officials of two factories that were fully or partially owned by Baha'is. Discrimination against Baha'is included restrictions on educational and employment opportunities and attacks on the Baha'i Institute for Higher Education. The seven Baha'i leaders arrested in 2008 remained in prison to serve sentences of 20 years, having been subjected to unfair trials that did not comply with Iran's own laws. Over 100 Baha'is were reported to be imprisoned in Iran in total at the time of writing.

The Dervish community reported to the UN Special Rapporteur that they had been subjected to arbitrary arrests, torture and incarceration, as well as attacks on their places of worship. The report contained an account of a trial in May following a demonstration at which 189 Dervishes were represented in court by only two lawyers after a judge ruled that too many lawyers would disturb court proceedings. The trial lasted only 10 days, with 18-20 people being tried each day.

Reports emerged at the end of the year about an increase in persecution of the small Jewish community in Iran.

Women's rights

The new draft of the Islamic Penal Code continues to legitimise disparities between the sexes, penalising women. A woman's testimony in court has half the value of a man's, and "blood money" paid for female murder victims is half that paid for male victims. The age of criminal responsibility for girls is set at 9 years of age, but at 14 for boys. In August, 36 universities announced that 77 fields of study would be closed to female applicants. In November, we received reports that the Majles (parliament) had passed a bill requiring all single females under the age of 40 to obtain the permission of a male guardian or spouse to travel outside Iran or to apply for a passport. This has not yet been passed into law and we will be following the bill's progress.

Minority rights

There are many different ethnic groups in Iran. As well as the Persian majority (51%), the population is made up of Azeris, Kurds, Arabs, Baluchis, Turkmens, Armenians, Assyrians, Jews, Afghans and Georgians. Despite this diversity and the protection of equal rights for all in the Iranian constitution, Iran's ethnic minorities regularly suffered discrimination from central and local government. Discrimination included property confiscation, denial of state education and employment, cultural and linguistic restrictions, lack of access to water, electricity and basic sanitation in some areas such as Khuzestan and forced relocation.

Iran's ethnic minorities continued to be affected by apparent government bias, fuelling ethnic-based political violence, in particular among Iranian Kurds and Baluchi communities. There was also evidence that these groups were being targeted for persecution. In June, four Ahwazi Arabs were executed in secret for "enmity against God", followed by a further five less than a month later, after what were believed to have been unfair trials and torture. The Foreign Secretary publicly condemned these executions in August and called on Iran to cease the persecution of its ethnic minorities.

Lesbian, gay, bisexual and transgender rights

Lesbian, gay, bisexual and transgender issues in Iran remain taboo, and homosexual acts between men attract the death penalty. In May, four men were reportedly hanged in secret on charges of homosexuality. Once again, Mr Burt spoke out against the persecution of homosexuals and Iran's shameful record of executions. This area is also of concern regarding the lack of fair trials and suspicions that such charges are sometimes falsely applied.

Afghan refugees

Iran can be credited with hosting a large number of Afghan refugees (around 30 million over 30 years) and making basic provision for them such as temporary work permits and tax exemptions, although they remained subject to discrimination. Access to education and healthcare remained restricted and they were not permitted to live in certain areas of Iran, reducing employment opportunities for them. The deterioration of the economy in Iran affected these refugees disproportionately as they were excluded, for example, from cash subsidies for food and medical costs. Illegal migrants suffered much less favourable treatment, and in July access to goods and services for illegal migrants was further restricted. In June, after two Afghans were accused of rape and murder in Yazd, many local Afghan residents were attacked, possibly with the collusion of the local security forces according to Afghan witnesses. Vice President Rahimi publicly linked Iran's economic decline to the presence of Afghan migrants.

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- [Rule of law / Due process / Procedural fairness](#)
- [Torture](#)
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