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Freedom in the World 2019 - Iran

Not Free

18 /100

Overview:

The Islamic Republic of Iran holds elections regularly, but they fall short of democratic standards due in part to the influence of the hard-line Guardian Council, an unelected body that disqualifies all candidates it deems insufficiently loyal to the clerical establishment. Ultimate power rests in the hands of the country's supreme leader, Ayatollah Ali Khamenei, and the unelected institutions under his control. These institutions, including the security forces and the judiciary, play a major role in the suppression of dissent and other restrictions on civil liberties.

Key Developments:

Key Developments in 2018:

- Approximately 4,900 people were reportedly detained in nationwide antigovernment protests over the worsening economy and corruption that erupted in late December 2017 and stretched into January; at least 21 people were killed in clashes with security forces during the demonstrations.
- In April, the government banned the popular messaging app Telegram, which was used by 40 million Iranians.
- In June, authorities arrested prominent human rights lawyer Nasrin Sotoudeh, who had defended several women detained for protesting the compulsory hijab (headscarf) earlier in the year. She was charged with "propaganda against the state" and "assembly and collusion." Her trial commenced in late December. At least seven attorneys were arrested and detained in 2018 in connection with their work
- In May, the United States withdrew from the 2015 nuclear deal and announced the reimposition of sanctions, which exacerbated Iran's economic problems and contributed to the collapse of the national currency.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 7 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The supreme leader, who has no fixed term, is the highest authority in the country. He is the commander in chief of the armed forces and appoints the head of the judiciary, the heads of state broadcast media, and the Expediency Council—a body tasked with mediating disputes between the Guardian Council and the parliament. He also appoints six of the members of the Guardian Council; the other six are jurists nominated by the head of the judiciary and confirmed by the parliament, all for six-year terms. The supreme leader is appointed by the Assembly of Experts, which also monitors his work. However, in practice his decisions appear to go unchallenged by the assembly, whose proceedings are kept confidential. The current supreme leader, Ali Khamenei, succeeded Islamic Republic founder Ruhollah Khomeini in 1989.

The president, the second-highest-ranking official in the Islamic Republic, appoints a cabinet that must be confirmed by the parliament. He is elected by popular vote for up to two consecutive four-year terms. In the 2017 presidential election, only six men were allowed to run out of some 1,600 candidates who had applied. All 137 women candidates were disqualified by the Guardian Council. President Rouhani's main challenger, hard-line cleric Ebrahim Raisi, was known for his role as a judge involved in Iran's mass executions of political opponents in the 1980s. In the run-up to the election, the authorities intensified a crackdown on the media, arresting several journalists and administrators of reformist channels on Telegram, the popular messaging app. However, Rouhani's victory, with 57 percent of the vote amid roughly 70 percent turnout, appeared to reflect the choice of the electorate among the available candidates.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

In 2016, elections were held for the both the unicameral 290-seat Islamic Consultative Assembly and the Assembly of Experts, a body of 86 clerics who are elected to eight-year terms by popular vote. Members of the Islamic Consultative Assembly are elected to four-year terms, with 285 members directly elected, and 5 seats reserved for Zoroastrians, Jews, Armenians, and Christians. Only 51 percent of candidates who had applied to run for seats in the parliament were approved by the Guardian Council, the lowest figure to date. Only 20 percent of candidates were approved to run for the Assembly of Experts, also a record low.

At the end of the process, relatively moderate Rouhani supporters held more than 40 percent of seats in the parliament, while independents—who included a number of reformists—and hard-liners each took about a third. The result was perceived as a victory for moderates and reformists, though the exact orientations and allegiances of individual lawmakers are often unclear. Moderates and reformists similarly made symbolic gains in the Assembly of Experts, but because so many had been disqualified,

the supposedly moderate lists included conservative candidates. A majority of the new Assembly of Experts ultimately chose hard-line cleric Ahmad Jannati, head of the Guardian Council, as the body's chairman.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The electoral system in Iran does not meet international democratic standards. The Guardian Council, controlled by hard-line conservatives and ultimately by the supreme leader, vets all candidates for the parliament, the presidency, and the Assembly of Experts. The council typically rejects candidates who are not considered insiders or deemed fully loyal to the clerical establishment, as well as women seeking to run in the presidential election. As a result, Iranian voters are given a limited choice of candidates.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Only political parties and factions loyal to the establishment and to the state ideology are permitted to operate. Reformist parties and politicians have come under increased state repression, especially since 2009.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

In 2015, two new reformist parties—Nedaye Iranian (Voice of Iranians) and Etehad Mellat Iran (Iranian National Unity)—were established ahead of the 2016 parliamentary elections. However, most candidates from these and other reformist groups were disqualified by the Guardian Council ahead of the voting.

Top opposition figures remain subject to restrictions on their movement and access to the media. Mir Hossein Mousavi, Zahra Rahnava, and Mehdi Karubi—leaders of the reformist Green Movement, whose protests were violently suppressed following the disputed 2009 presidential election—have been under house arrest since February 2011. Reformist former president Mohammad Khatami continues to face a media ban that prohibits the press from mentioning him and publishing his photos. Former hard-line president Mahmoud Ahmadinejad, who fell out of favor for challenging Khamenei, was barred from running in the 2017 presidential election.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 0 / 4

The choices of both voters and politicians are heavily influenced and ultimately circumscribed by Iran's unelected state institutions and ruling clerical establishment.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Women remain significantly underrepresented in politics and government. In 2017, Rouhani appointed two women among his several vice presidents but failed to name any women as cabinet ministers. Rouhani's advisor on citizens' rights, Shahindokht Molaverdi, a champion of women's empowerment, resigned in November 2018. No women candidates have ever been allowed to run for president.

Despite the quota that sets aside five parliamentary seats for recognized non-Muslim minorities, ethnic and especially religious minorities are rarely awarded senior government posts, and their political representation remains weak.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The elected president's powers are limited by the supreme leader and other unelected authorities. The powers of the elected parliament are similarly restricted by the supreme leader and the unelected Guardian Council, which must approve all bills before they can become law. The council often rejects bills it deems un-Islamic. Nevertheless, the parliament has been a platform for heated political debate and criticism of the government, and legislators have frequently challenged presidents and their policies.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption remains endemic at all levels of the bureaucracy, despite regular calls by authorities to tackle the problem. Powerful actors involved in the economy, including the Islamic Revolutionary Guard Corps (IRGC) and bonyads (endowed foundations), are above scrutiny, and restrictions on the media and civil society activists prevent them from serving as independent watchdogs to ensure transparency and accountability.

C3. Does the government operate with openness and transparency? 1 / 4

An access to information law was passed in 2009, and implementing regulations were finally adopted in 2015. In 2017, the Information and Communications Technology Ministry unveiled an online portal to facilitate information requests. However, the law grants broadly worded exemptions allowing the protection of information whose disclosure would conflict with state interests, cause financial loss, or harm public security, among other stipulations. In practice, the transparency of Iran's political system remains extremely limited, and powerful elements of the state and society remain unaccountable to the public.

CIVIL LIBERTIES: 11 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 1 / 4

Freedom of expression and media independence are severely limited both online and offline. The state broadcasting company is tightly controlled by hard-liners and influenced by the security apparatus. News and analysis are heavily censored, while critics and opposition members are rarely, if ever, given a platform on state-controlled television, which remains a major source of information for many Iranians. State television has a record of airing confessions extracted from political prisoners under duress, and it routinely carries reports aimed at discrediting dissidents and opposition activists.

Newspapers and magazines face censorship and warnings from authorities about which topics to cover and how. Tens of thousands of foreign-based websites are filtered, including news sites and major social media services. Satellite dishes are banned, and Persian-language broadcasts from outside the country are regularly jammed. Authorities periodically raid private homes and confiscate satellite dishes. Iranian authorities have pressured journalists working for Persian-language media outside the country by summoning and threatening their families in Iran.

Independent journalists face potential arrest, prosecution, and imprisonment. In July and August 2018, at least six journalists from the news site *Majzooban-e-Noor* were sentenced to prison terms ranging from 7 to 26 years for their coverage of February protests by members of the Sufi Muslim order Nematollahi Gonabadi.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Iran is home to a majority Shiite Muslim population and Sunni, Baha'i, Christian, and Zoroastrian minorities. The constitution recognizes only Zoroastrians, Jews, and certain Christian communities as religious minorities, and these small groups are relatively free to worship. However, conversion from Islam to another religion is illegal, as is proselytizing. The regime cracks down on Muslims who are deemed to be at variance with the state ideology and interpretation of Islam. Sunni Muslims complain that they have been prevented from building mosques in major cities.

In recent years, there has been increased pressure on the Nematollahi Gonabadi, including destruction of their places of worship and the jailing of some of their members. In February 2018, authorities detained 300 Gonabadi dervishes protesting the detention of their members in Tehran. The protest, which descended into violence, led to the deaths of five security officers. More than 200 of the protesters were subsequently convicted and sentenced to prison terms, and a bus driver was hanged in June following a murder conviction for killing three police officers during the protest. Amnesty International claimed that the only evidence used in the trial was a confession the accused made after being severely beaten by the police.

The government also subjects some non-Muslim minorities to repressive policies and discrimination. Baha'is are systematically persecuted, sentenced to prison, and banned from access to higher education. According to Human Rights Watch (HRW), there were at least 79 Baha'is imprisoned as of November. There is an ongoing crackdown on Christian converts; in the past several years, a number of informal house churches have been raided and their pastors or congregants detained.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom remains limited in Iran. Khamenei has warned that universities should not be turned into centers for political activities. Students have been prevented from continuing their studies for political reasons or because they belong to the Baha'i community. Foreign scholars visiting Iran are vulnerable to detention on trumped-up charges.

At least 150 university students were detained between December 2017 and January 2018 for attending antigovernment protests. Many of the students detained were from the University of Tehran, which was a site of mass demonstrations during the unrest. The Center for Human Rights in Iran reported that by August, at least 19 students had been sentenced to prison terms ranging from a few months to 12 years for their participation in the protests.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Iran's vaguely defined restrictions on speech, harsh criminal penalties, and state monitoring of online communications are among several factors that deter citizens from engaging in open and free private discussion. Despite the risks and limitations, many do express dissent on social media, in some cases circumventing official blocks on certain platforms. In April 2018, the government banned Telegram, which was used by 40 million Iranians. Authorities claimed that the app spreads antigovernment propaganda and encourages unrest. However, many users were able to continue using the app by employing virtual private networks (VPNs).

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

The constitution states that public demonstrations may be held if they are not "detrimental to the fundamental principles of Islam." In practice, only state-sanctioned demonstrations are typically permitted, while other gatherings have in recent years been closely monitored and forcibly dispersed by security personnel, who detain participants. Approximately 4,900 people were reportedly detained in the nationwide protests that erupted in late December 2017 and early January 2018 over the worsening economy and corruption, and at least 21 people were killed in clashes with security forces surrounding the demonstrations. The authorities restricted access to social media platforms that were being used to spread information about the protests.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Nongovernmental organizations (NGOs) that have highlighted human rights violations have been suppressed. They include the Center for Human Rights Defenders, which remains closed with several of its members in jail, and the Mourning Mothers of Iran (Mothers of Laleh Park), which had been gathering in a Tehran park to bring attention to human rights abuses.

According to HRW, the IRGC had arrested at least 50 environmental activists by August 2018, in an unprecedented crackdown. At year's end, eight activists from the Persian Wildlife Heritage Foundation, who were arrested in January, remained in detention awaiting trial on espionage charges. The organization's managing director, Kavous Seyed-Emami, who had been arrested along with his colleagues, died in prison in February. The judiciary said Seyed-Emami's death was a suicide, but critics called for an independent investigation into the incident.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Iran does not permit the creation of labor unions; only state-sponsored labor councils are allowed. Labor rights groups have come under pressure in recent years, with key leaders and activists sentenced to prison on national security charges. Workers who engage in strikes are vulnerable to dismissal and arrest.

F. RULE OF LAW: 3 / 16**F1. Is there an independent judiciary? 1 / 4**

The judicial system is used as a tool to silence regime critics and opposition members. The head of the judiciary is appointed by the supreme leader for renewable five-year terms. Under the current head, Ayatollah Sadegh Larijani, human rights advocates and political activists have been subjected to unfair trials, and the security apparatus's influence over judges has reportedly grown.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Activists are routinely arrested without warrants, held indefinitely without formal charges, and denied access to legal counsel or any contact with the outside world. Many are later convicted on vague security charges in trials that sometimes last only a few minutes.

Lawyers taking up sensitive political cases have been jailed and banned from practicing. A number of lawyers have been forced to leave the country to escape prosecution. In June 2018, authorities arrested prominent human rights lawyer Nasrin Sotoudeh, who had defended several women detained for protesting the compulsory hijab earlier in the year. Sotoudeh, who had been sentenced to five years in prison in absentia on

another charge in 2016, was charged with "propaganda against the state" and "assembly and collusion." Her trial commenced in late December. At least seven attorneys were arrested and detained in 2018 in connection with their work.

Dual nationals and those with connections abroad have also faced arbitrary detention, trumped-up charges, and denial of due process rights in recent years.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Former detainees have reported being beaten during arrest and subjected to torture until they confess to crimes dictated by their interrogators.

Prisons are overcrowded, and prisoners often complain of poor detention conditions, including denial of medical care. Hunger strikes by political prisoners continued to be reported in 2018. In December, activist and political prisoner Vahid Sayadi Nasiri died after a 60-day hunger strike in protest of inhumane conditions at the Qom prison.

Iran has generally been second only to China in the number of executions it carries out each year. Convicts can be executed for offenses other than murder, such as drug trafficking and financial crimes, and for crimes they committed when they were less than 18 years old. According to the NGO Iran Human Rights, at least 273 people were executed in 2018, a significant decrease from the 507 executions reported by Amnesty International in 2017. The decrease was attributed to legislation enacted in 2017 that significantly increased the quantity of illegal drugs required for a drug-related crime to incur the death penalty, which prompted sentence reviews for thousands of death-row inmates.

The country faces a long-term threat from terrorist and insurgent groups that recruit from disadvantaged Kurdish, Arab, and Sunni Muslim minority populations. In September, gunmen attacked a military parade in Ahvaz, killing 29. Both the Islamic State (IS) and a separatist Arab group claimed responsibility for the attack. The government blamed Arab nationalists, which it claimed acted with the support of the United States and Arab nations. In the two months following the attacks, authorities arrested as many as 800 Arabs, and rights activists claim that 22 people were secretly executed during the crackdown.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women do not receive equal treatment under the law and face widespread discrimination in practice. For example, 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, unlike men, are unable to pass their nationality on to foreign-born husbands or their children.

Ethnic minorities complain of various forms of discrimination, including restrictions on the use of their languages. Some provinces with large minority populations remain underdeveloped. Activists campaigning for the rights of ethnic minorities and greater autonomy for minority regions have come under pressure from the authorities, and some have been jailed.

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. Members of the LGBT (lesbian, gay, bisexual, and transgender) community face harassment and discrimination, though the problem is underreported due to the criminalized and hidden nature of these groups in Iran.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement is restricted, particularly for women and perceived opponents of the regime. Women are banned from certain public places, such as sports stadiums, and can obtain a passport to travel abroad only with the permission of their fathers or husbands. Many journalists and human rights activists have also been barred from traveling abroad.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Iranians have the legal right to own property and establish private businesses. However, powerful institutions like the IRGC play a dominant role in the economy, and bribery is said to be widespread in the business environment, including for registration and obtaining business licenses. Women are denied equal rights in inheritance matters.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Social freedoms are restricted in Iran. Women are subject to obligatory rules on dress and personal appearance, and those who are deemed to have inadequately covered their hair and body face state harassment, fines, and arrest. In February 2018, police arrested 29 women for publicly removing their hijabs in protest of the law, and at least three received prison sentences after being convicted for their role in the demonstrations. Men are subject to less strict controls on personal appearance.

Police conduct raids on private gatherings that breach rules against drinking alcohol and mixing with unrelated members of the opposite sex. Those attending can be detained and fined or sentenced to corporal punishment in the form of lashes.

Women do not enjoy equal rights in divorce and child custody disputes.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The government provides no protection to women and children forced into sex trafficking, and both Iranians and migrant workers from countries like Afghanistan are subject to forced labor and debt bondage. The IRGC has allegedly used coercive tactics to recruit thousands of Afghan migrants living in Iran to fight in Syria. In 2017, HRW reported that children as young as 14 are among those recruited.

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