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Iran

Country:

Iran

Year:

2018

Freedom Status:

Not Free

Political Rights:

6

Civil Liberties:

6

Aggregate Score:

18

Freedom Rating:

6.0

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.

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 May 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 its 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 February 2016, elections were held for the both the parliament and the Assembly of Experts, a body of 86 clerics who are elected to eight-year terms by popular vote. Only 51 percent of candidates who had applied to run for parliament were approved by the Guardian Council, the lowest figure to date. Only 20 percent of candidates were approved to run for the assembly, 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 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 Ettihad 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.

In September 2017, seven reformist politicians were sentenced to one-year prison terms and barred from political and media activity for two years, having been convicted in a closed trial of spreading “propaganda” against the regime.

Top opposition leaders remain subject to restrictions on their movement and access to the media. Mousavi, Rahnavard, and Karroubi—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. Ahead of the 2017 presidential election, reformist former president Mohammad Khatami defied a media ban by releasing an online video to endorse Rouhani’s reelection; the message was spread by supporters on social media.

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. No women candidates were allowed to run for president.

The parliament grants five seats to recognized non-Muslim minorities: Jews, Armenian Christians, Assyrian and Chaldean Christians, and Zoroastrians. However, ethnic and especially religious minorities are rarely awarded senior government posts, and their political representation remains weak.

In September 2017, the Guardian Council ordered the suspension of a Zoroastrian member of the Yazd city council; Jannati, the head of the Guardian Council, had said in April that religious minorities should not have a representative in towns where the majority of the population was Muslim. The parliament passed legislation in December to affirm minorities’ right to run for municipal councils, but the Guardian Council

blocked the bill later that month, meaning the dispute would have to be settled by the Expediency Council.

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.

Recent reports suggest that the government is attempting to curb the economic dominance of the IRGC, which has enabled corruption. The *Financial Times* reported in September that at least a dozen IRGC members and affiliated businessmen had been detained in recent months, while others were forced to pay back proceeds from suspect business deals.

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 July 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 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16 (+1)

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

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. In August 2017, the British Broadcasting Corporation (BBC) reported that Iran's judiciary had frozen the assets of its Persian-service staff.

While the authorities continued to arrest and detain journalists during 2017, the number of journalists behind bars has steadily decreased from 45 in December 2012 to 5 in December 2017, according to the Committee to Protect Journalists.

Score Change: The score improved from 0 to 1 to reflect modest shifts in some aspects of the media environment under President Rouhani, including a reduction in the number of jailed journalists.

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. The regime cracks down on Muslims who are deemed to be at variance with the state ideology and interpretation of Islam. Spiritual leader Mohammad Ali Taheri, in jail since 2011 for founding a group centered on mysticism whose beliefs and practices are allegedly un-Islamic, was sentenced to death for a second time in August 2017 for "spreading corruption on earth" after his initial death sentence was overturned on appeal in 2015. However, the Supreme Court rejected the verdict in December and ordered Taheri to be retried by a lower court.

Sunni Muslims complain that they have been prevented from building mosques in major cities and face difficulty obtaining government jobs. In recent years, there has been increased pressure on the Sufi Muslim order Nematollahi Gonabadi, including destruction of their places of worship and the jailing of some of their members.

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. 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, despite attempts by Rouhani's government to ease the harsh repression universities have experienced since 2009. 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. Xiyue Wang, a U.S. citizen pursuing a doctorate in history, was arrested in 2016 while conducting archival research in Iran, and the judiciary reported in July 2017 that he had been sentenced to 10 years in prison for espionage.

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.

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 forcibly dispersed by security personnel, who detain participants. In addition to hundreds of detentions, several people were killed by year's end in the protests that erupted in late December 2017, and the authorities restricted access to social media platforms that were being used to spread information about the unrest. Rallies organized in support of the regime on December 30 received live coverage from state media.

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

Nongovernmental organizations that work on nonpolitical issues such as poverty and the environment are allowed to operate relatively freely. Other groups, especially those 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.

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, including prominent human rights lawyer Abdolfatah Soltani. A number of lawyers have been forced to leave the country to escape prosecution.

Dual nationals and those with connections abroad have also faced arbitrary detention, trumped-up charges, and denial of due process rights in recent years. Physician Ahmadreza Djalali, an Iranian-born resident of Sweden, was detained while visiting Iran in April 2016 and sentenced to death in October 2017 for allegedly collaborating with Israel, after a trial that Amnesty International called "grossly unfair." The Supreme Court upheld the sentence in December, and an apparently forced confession was aired on state television. Djalali's wife said he was punished for refusing to spy for Iran, and that interrogators threatened his family to obtain the recorded confession.

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. Organized hunger strikes by political prisoners continued to be reported in 2017. Former political prisoner Alireza Rajayi, a prominent journalist, lost an eye and part of his face during the year due to cancer that was reportedly left untreated while he was in prison from 2011 to 2015.

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 for crimes they committed when they were less than 18 years old. At least 476 people had been executed in 2017 as of late November, according to human rights groups, including several juvenile offenders. Legislation adopted in August 2017 and approved by the Guardian Council in October significantly increased the quantity of illegal drugs required for a drug-related crime to incur the death penalty, prompting 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 and Sunni Muslim minority populations. The perpetrators of the June 2017 terrorist attacks in Tehran reportedly included ethnic Kurds who had been radicalized by IS.

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.

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 activists have been prevented from leaving the country. In October 2017, it was reported that authorities had tightened movement restrictions on former president Khatami, banning him from attending public events and meeting with officials and students in Iran. Four members of the family of former president Akbar Hashemi Rafsanjani, including his daughter, were reportedly banned from traveling outside the country during the year.

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. Men are subject to less strict controls on personal appearance. Although Tehran's police chief announced in December 2017 that city authorities would no longer make arrests for breaching rules on personal appearance, instead mandating education sessions by police officials, the

change apparently applied only to the capital, and repeat offenders could reportedly still face detention.

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 October 2017, Human Rights Watch reported that children as young as 14 are among those recruited.

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