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Freedom in the World 2012 - Iran

2012 Scores

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

Overview

Human rights violations continued to be committed during 2011 against political and social activists, human rights defenders, ethnic and religious minorities, journalists, students, and women. Freedoms of expression and assembly remained curtailed, and a growing number of prisoners, including juvenile offenders, were executed. The authorities placed the two most prominent opposition leaders, Mir Hussein Mousavi and Mehdi Karroubi, under house arrest and refused to allow the newly appointed UN special rapporteur on the human rights situation in Iran to visit the country.

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 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 leader Saddam Hussein considered the time ripe 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 legitimize, 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, more than 200 independent newspapers and magazines with a diverse array of viewpoints were established, 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 ensuing 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 politicians 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 – an election which reflected the public's political apathy and economic dissatisfaction. 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 human rights, 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 four rounds of sanctions on Iran. However, Tehran's uncompromising nuclear policy created a stalemate in diplomatic negotiations.

In the December 2006 city 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 March 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 of 475 potential candidates to compete against Ahmadinejad, but all three were well-known political personalities with established revolutionary credentials: 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. 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. However, 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.

The postelection confrontations created a new political landscape, in which basic freedoms deteriorated and political affairs were further militarized. In February 2011, the government moved to put opposition leaders Mousavi and Karroubi under house arrest. With the reformist opposition pushed to the sidelines, a power struggle between Ahmadinejad and Khamenei spilled into public view in May, when the latter reinstated the minister of intelligence who had been fired by the president. Subsequently a dozen associates of Ahmadinejad and his controversial chief of staff, Esfandiar Rahim-Mashaie, were arrested and accused of constituting a "deviant current" within the country's leadership. The president himself was threatened with impeachment and questioning. Deep internal divisions in the conservative camp were expected to intensify in connection with legislative elections set for March 2012.

In response to worsening conditions in the country, the UN Human Rights Council in March 2011 established the mandate for a special rapporteur on the situation of human rights in Iran. Ahmed Shaheed, a former Maldivian foreign minister, was entrusted with the post, but the Iranian government refused to allow him into the country. None of the United Nations' thematic special rapporteurs have been able to visit Iran since 2005. Shaheed published an interim report in September, expressing concern over flagrant human rights violations including widespread use of secret and public executions and repression of ethnic and religious minorities.

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 Guardian Council generally disqualifies about a fourth of parliamentary candidates, though some are able to reverse these rulings on appeal. The Guardian Council 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 body, headed by former president Ali Akbar Hashemi Rafsanjani.

Opposition politicians and party groupings have faced 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. Beginning in February 2011, the former presidential candidates and prominent opposition leaders Mir Hussein Mousavi and Mehdi Karroubi, along with their wives Zahra Rahnava and Fatemeh Karroubi, were kept under strict house arrest without trial. They were still being held incommunicado at year's end, 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 120 out of 183 countries surveyed in Transparency International's 2011 Corruption Perceptions Index. A \$2.6 billion banking embezzlement case that emerged in 2011 involved at least seven Iranian state-owned and private banks, exacerbating concerns about rampant corruption in Iran.

Freedom of expression is severely limited. The Ministry of Culture must approve publication of all books and inspects foreign books prior to domestic distribution. 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. In September 2011, the U.S. Broadcasting Board of Governors (BBG) and the British Broadcasting Corporation (BBC) jointly called on the UN General Assembly and the International Telecommunication Union to condemn the Iranian government's efforts to jam satellite broadcasts, disrupt and hack websites, and intimidate journalists.

The authorities frequently issue ad hoc orders banning media coverage of specific topics and events. The foreign media are banned from covering demonstrations. Cooperation with Persian-language satellite news channels based abroad is also banned. Shortly after a documentary about Khamenei was aired on BBC Persian television in August 2011, six independent documentary filmmakers were arrested on allegations of collaborating with the network. Since then, the Iranian government has ratcheted up pressure on BBC Persian by arresting, questioning, intimidating, and confiscating the passports of relatives of BBC staff.

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 during 2011, including the independent newspapers *Shahrvand-e Emrooz* and *Roozgar*. According to an August 2011 Human Rights Watch report, at least 40 publications have been shut down since 2009. Iran leads the world in the number of jailed journalists, with 42 behind bars at the close of 2010 and many serving lengthy prison sentences. Several dozen other journalists were arrested, coerced into self-incriminating confessions, and released on exorbitant bail payments. The Committee to Protect Journalists reported in June 2011 that 18 journalists had been forced into exile in the past 12 months.

Internet penetration has skyrocketed in recent years, and web-based citizen journalism flourished after the 2009 presidential election, as many Iranians used mobile-telephone cameras and social-networking sites to provide some of the only independent coverage of the crackdown. However, recognizing the internet's rising influence, the government has forced service providers to block a growing list of "immoral" or politically sensitive sites, and the country has developed one of the most expansive and sophisticated internet surveillance and filtering frameworks in the world. Key international social-media websites like Facebook, Twitter, and YouTube were blocked after the 2009 election, and the number of disabled political sites continued to increase in 2011, hampering the opposition's ability to communicate and organize. A special Iranian police unit was formed in 2011 to counter "cybercrimes."

Iranian filmmakers are subject to tight restrictions, and many have been arrested or harassed since the 2009 election. In October 2011, an appeals court in Tehran upheld the conviction of prominent director Jafar Panahi, who was sentenced to six years in prison and a 20-year ban preventing him from travelling abroad or engaging in any artistic activity.

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. Ayatollah Ali-Mohammad Dastgheib and Ayatollah Yusuf Saanei, both ardent critics of the postelection crackdown, have been harassed and had their properties attacked by plainclothes security agents.

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. In August 2011, the chief religious authority of the Sunni community in Iran asked the supreme leader to

allow Sunnis to freely observe their religious holidays and Friday prayer ceremonies, and expressed concern over discrimination against Sunni citizens.

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, the security forces have repeatedly clashed with the members of this order in Gonabad and Kavar, arrested numerous adherents, and shut down their websites.

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. Baha'i students are barred from attending university and prevented from obtaining their educational records. 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. Hundreds of Baha'is have been executed since the Islamic Revolution in 1979, and at least 100 were in prison in 2011, including seven main Baha'i community leaders who were sentenced in 2010 to 20 years in prison on charges of espionage and "engaging in propaganda against Islam." In May 2011, at least 30 Baha'is were arrested in coordinated raids in Tehran, Karaj, Isfahan, and Shiraz. The imprisoned individuals were involved in an online university initiative that provided higher education to Baha'i students.

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 2011, 34-year-old Protestant pastor Yousef Naderkhani, who had converted to Christianity at age 19, was sentenced to execution by hanging, though the sentence was not carried out by year's end. The non-Muslim minorities are barred from election to representative bodies (though five seats have been 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. 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. In October 2011, Peyman Aref, a political science student at Tehran University, was publicly lashed 74 times for insulting Ahmadinejad, hours after he completed a one-year prison term. Meanwhile, on Khamenei's orders the government announced increased scrutiny over degree programs in the humanities to ensure their commitment to Islamic principles. In September, the country's top humanities university, Allameh Tabatabai, eliminated 13 branches of social sciences, including political science, history, sociology, philosophy, pedagogy, and journalism.

The constitution prohibits public demonstrations that "are detrimental to the fundamental principles of Islam," a vague provision that was regularly 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. These forces even deny mourners the right to attend the funerals of political activists. An emblematic case occurred in June 2011, when security forces disrupted the funeral of Ezatollah Sahabi, a nationalist-religious leader. During the violent confrontation between the security forces and the mourners, Haleh Sahabi, the deceased's daughter and a political activist on furlough from a two-year prison term, sustained beatings and suffered a fatal heart attack. In reaction to her death, imprisoned journalist Reza Hoda Saber started a hunger strike that resulted in his death a few days later. Peaceful, nonpolitical demonstrations are increasingly met with brutal violence. In August 2011, environmentalist protests to protect Lake Urmia in northwestern Iran resulted in the arrest of 60 protesters and injuries to 45. In addition, under the pretense of "countering immoral behavior," the government regularly disrupts private gatherings.

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). Although 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 year's end.

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. Leading workers' rights activist and trade union leader Mansour Ossanlou has become the symbol of the labor rights situation in Iran. Serving a five-year prison sentence since 2007 on charges of "acting against national security," he is reportedly suffering from several health problems in prison.

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.

Pressuring lawyers to abandon the cases of political and social detainees is another widespread government practice in Iran. If the lawyers persist in fulfilling their duties, they can face harassment, interrogation, and incarceration. Since 2009, at least 42 attorneys have been prosecuted. In one prominent case, human rights lawyer Nasrin Sotoudeh was sentenced in January 2011 to 11 years in prison and a 20-year ban on professional activity and travel. An appellate court in September reduced the prison term to six years and halved the professional and travel ban, but one of the attorneys representing Sotoudeh was jailed. Sotoudeh was reportedly in poor health and had gone on several hunger strikes behind bars.

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 has the highest number of executions per capita in the world, with hundreds carried out each year. While many 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 January 2011 alone, it was reported that 83 people, including three political prisoners, were executed. By September, there had been more than 200 officially announced executions, including over two dozen public hangings, while at least 146 others were carried out in secret, without the knowledge of the inmates' lawyers or relatives. The total number of executions in 2011 was reportedly as high as 600.

Contrary to Iran's obligations under the Convention on the Rights of the Child, the judiciary continues to execute juvenile offenders. Two minors were publicly hanged in Bandar Abbas in April 2011, and a 17-year-old boy was executed in September. More than 100 juveniles reportedly remained on death row. The government announced in 2008 that it would no longer execute minors, but it later clarified that the death penalty remained an option under the parallel "retribution" system, in which the sentence is imposed by the victim's family rather than the state. This would expose male offenders over the age of 15 and female offenders as young as nine to capital punishment.

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 a letter to Iranian authorities published in May 2011, 26 prominent political prisoners reported ill-treatment, prolonged solitary confinement, torture, and systemic due process violations during their interrogation and detention.

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. The Free Life Party of Kurdistan (PJAK), a separatist militant group linked to the Kurdistan Workers' Party (PKK) of Turkey, has conducted a number of guerrilla attacks in recent years and was declared a terrorist organization by the United States in 2009. Iranian efforts to combat the PJAK have included raids into Kurdish territory in neighboring Iraq.

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 less than 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 damages 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. In 2011, two prominent members of the campaign, Bahareh Hedayat and Mahboubeh Karami, were sentenced to nine and a half and three years in prison, respectively.

Trend Arrow ↓

Iran received a downward trend arrow due to the imposition of severe restrictions on nongovernmental organizations and the prosecution of an increasing number of civic leaders.

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