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Iran

**Country Reports on Human Rights Practices -2000**
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The Islamic Republic of Iran* was established in 1979 after a populist revolution toppled the Pahlavi monarchy. The Constitution ratified after the revolution by popular referendum established a theocratic republic and declared as its purpose the establishment of institutions and a society based on Islamic principles and norms. The Government is dominated by Shi'a Muslim clergy. The Head of State, Ayatollah Ali Khamenei, is the Supreme Leader of the Islamic Revolution and has direct control of the armed forces, internal security forces, and the judiciary. Mohammad Khatami was elected to a 4-year term as President in a popular vote in February 1997. A popularly elected 290-seat unicameral Islamic Consultative Assembly, or Majles, develops and passes legislation. All legislation passed by the Majles is reviewed for adherence to Islamic and constitutional principles by a Council of Guardians, which consists of six clerical members, who are appointed by the Supreme Leader, and six lay jurists, who are appointed by the head of the judiciary and approved by the Majles. The Constitution provides the Council of Guardians with the power to screen and disqualify candidates for elective offices based on an ill-defined set of requirements, including the candidates' ideological beliefs. The judiciary is subject to government and religious influence.

Several agencies share responsibility for internal security, including the Ministry of Intelligence and Security, the Ministry of Interior, and the Revolutionary Guards, a military force that was established after the revolution. Paramilitary volunteer forces known as Basijis, and gangs of thugs, known as the Ansar-e Hezbollah (Helpers of the Party of God), who often are aligned with specific members of the leadership, act as vigilantes, and are released into the streets to intimidate and threaten physically demonstrators, journalists, and individuals suspected of counterrevolutionary activities. Both regular and paramilitary security forces committed numerous, serious human rights abuses.

Iran has a mixed economy that is heavily dependent on export earnings from the country's extensive petroleum reserves. The Constitution mandates that all large-scale industry, including petroleum, minerals, banking, foreign exchange, insurance, power generation, communications, aviation, and road and rail transport, be owned publicly and administered by the state. Large charitable foundations called bonyads, most with strong connections to the Government, control the extensive properties and businesses expropriated from the Pahlavi family and individuals associated with the monarchy. The bonyads exercise considerable influence in the economy, but do not account publicly for revenue and pay no taxes. Basic foodstuffs and energy costs are subsidized heavily by the Government. Oil exports account for nearly 80 percent of foreign exchange earnings. Private property is respected. Although economic performance improved somewhat during the year due to the worldwide increase in oil prices, performance is affected adversely by government mismanagement and corruption. Unemployment was estimated to be at least 25 percent, and inflation was an estimated 25 percent.

The Government's human rights record remained poor; although efforts within society to make the Government accountable for its human rights policies continued, serious problems remain. The Government restricts citizens' right to change their government. Systematic abuses include extrajudicial killings and summary executions; disappearances; widespread use of torture and other degrading treatment, reportedly including rape; harsh prison conditions; arbitrary arrest and detention; and prolonged and incommunicado detention. Judicial proceedings were instituted against some government officials for misconduct. However, perpetrators often committed such abuses with impunity. A group of 20 police officials was brought to trial in March for their actions in an attack on a Tehran University student dormitory in July 1999. All but two were cleared, including the senior official involved. In December 18 former officials of the Intelligence Ministry were tried before a military court for the killings of four dissidents in 1998. The proceedings were closed and the results of the trial were not made public by year's end.

The judiciary suffers from government and religious influence, and does not ensure that citizens receive due process or fair trials. The Government uses the judiciary to stifle dissent and obstruct progress on human rights. The Government infringes on citizens' privacy rights, and restricts freedom of speech, press, assembly, and association. The Government closed nearly all reform-oriented publications during the year and brought charges against prominent political figures and members of the clergy for expressing ideas viewed as contrary to the ruling orthodoxy. However, the Ministry of Culture and Islamic Guidance continued to issue licenses for the establishment of newspapers and magazines, some of which challenged government policies. The

Government restricts freedom of religion. Religious minorities, particularly Baha'is, continued to suffer repression by conservative elements of the judiciary and security establishment. In July 10 Iranian Jews were tried and convicted on charges of illegal contacts with Israel, and sentenced to between 2 and 13 years in prison. Three others were acquitted. The trial procedures were unfair, and violated numerous internationally recognized standards of due process. The selection of candidates for elections effectively is controlled by the Government. Intense political struggle continued during the year between a broad popular movement that favored greater liberalization in government policies, particularly in the area of human rights, and certain hard-line elements in the government and society, which view such reforms as a threat to the survival of the Islamic republic. In many cases, this struggle is played out within the Government itself, with reformists and hardliners squaring off in divisive internal debates. Reformers and moderates won a landslide victory in the February Majles election, and now constitute a majority of that body; however, the Council of Guardians and other elements within the Government blocked much of the early reform legislation passed by the Majles.

The Government restricts the work of human rights groups and continues to deny entry to the country to the U.N. Special Representative for Human Rights in Iran. Violence against women occurs, and women face legal and societal discrimination. The Government discriminates against religious and ethnic minorities and restricts important workers' rights, including freedom of association and the right to organize and bargain collectively. Child labor persists. Vigilante groups, with strong ties to certain members of the Government, enforce their interpretation of appropriate social behavior through intimidation and violence.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

The Government has been responsible for numerous extrajudicial killings. Human rights groups reported that security forces killed at least 20 persons while violently suppressing demonstrations by Kurds that occurred in the wake of the February 1999 arrest of Kurdish Workers Party (PKK) leader Abdullah Ocalan in Turkey (see Sections 1.c., 2.b., and 5). Human Rights Watch reported at least four student deaths in July 1999, when government-sanctioned agitators attacked a student dormitory during protests in Tehran (see Sections 1.c. and 2.b.).

Citizens continued to be tried and sentenced to death in the absence of sufficient procedural safeguards. In 1992 the domestic press stopped reporting most executions; however, executions continue in substantial numbers, according to U.N. and other reporting. The U.N. Special Representative cited an estimated 130 executions from January through July, most of which were reported in the media. The Government has not cooperated in providing the Special Representative with a precise number of executions carried out in Iran. Exiles and human rights monitors allege that many of those executed for criminal offenses, such as narcotics trafficking, actually are political dissidents. Supporters of outlawed political organizations, such as the Mujahedin-e Khalq organization, are believed to make up a large number of those executed each year. A November 1995 law criminalized dissent and applied the death penalty to offenses such as "attempts against the security of the State, outrage against high-ranking Iranian officials, and insults against the memory of Imam Khomeini and against the Supreme Leader of the Islamic Republic." U.N. representatives, including the U.N. Special Representative on Human Rights in Iran, and independent human rights organizations, continue to note the absence of procedural safeguards in criminal trials. Harsh punishments are carried out, including stoning and flogging (see Section 1.c.). However, cases of stoning apparently are declining, and the U.N. Special Representative reports no cases over the past year in which such a sentence was carried out. The law also allows for the relatives of murder victims to take part in the execution of the killer.

The Government's investigation into the murder of several prominent Iranian dissidents and intellectuals in late 1998 continued throughout the year. The case involved the murders, over a 2-month period from October to December 1998, of prominent political activists Darioush and Parvaneh Forouhar and writers Mohammad Mokhtari and Mohammad Pouandeh. Political activist Pirouz Davani disappeared in the same time period and never has been found (see Section 1.b.). In February after several senior figures of the leadership blamed the disappearances and murders on "foreign hands," it was revealed that active-duty agents of the Ministry of Intelligence had carried out the killings. Minister of Intelligence Qorban Ali Dori-Najafabadi and several of his senior deputies resigned their posts following these revelations.

Supervision for the case was placed in the hands of the Military Prosecutor's office. In June 1999, the Prosecutor's Office released an initial report on the investigation, identifying a cell within the Ministry of Intelligence led by four "main agents" as responsible for the murders. The leader among the agents reportedly was a former Deputy Minister of Intelligence, Saeed Emami, who, the Government stated, had committed suicide in prison by drinking a toxic hair removal solution several days prior to release of the Government's June report. The report also indicated that 23 persons had been arrested in connection with the murders and that a further 33 were summoned for interrogation. In the early part of the year, the Government announced that 18 men would stand trial in connection with the killings. The trial began in late December in a military court. The proceedings were closed. However, news reports indicated that 15 defendants pled guilty during the opening stages of the trial. The identity of the defendants is still unknown, but former Minister of Intelligence Dori-Najafabadi has not been charged. Results of the trial had not been announced by year's end.

(see Section 1.e.).

Frustration over the slow pace of the murder investigation and doubt about the government's willingness to follow the case to its conclusion were frequent topics of criticism of the Government throughout the year, particularly by those advocating greater adherence to the rule of law. Reform-oriented journalists and prominent cultural figures declared publicly their demands for a full accounting in the case and speculated that responsibility for ordering the murders lay at the highest level of the Government. Several citizens, including prominent investigative journalist Akbar Ganji, were arrested in connection with statements they have made about the case (see Sections 1.c. and 1.e.). In December, just before Ganji's case went to trial, the Military Court arrested a lawyer for the family of one of the victims for violating a public ban on comments regarding the case.

One organization in 1999 reported eight deaths of evangelical Christians at the hands of the authorities in the past 10 years (see Section 2.c.). In 1999 an investigative reporter alleged that officials within the Intelligence Ministry were responsible for the murders of three prominent evangelical ministers in 1994, a crime for which three female members of the Mujahedin-e Khalq organization had been convicted (see Section 2.c.).

Numerous Sunni clerics have been murdered in recent years, some allegedly by government agents (see Section 2.c.).

The Government announced in September 1998 that it would take no action to threaten the life of British author Salman Rushdie, or anyone associated with his work, "The Satanic Verses," despite the issuance of a fatwa against Rushdie's life in 1989. The announcement came during discussions with the United Kingdom regarding the restoration of full diplomatic relations. Several revolutionary foundations and a number of Majles deputies within Iran repudiated the Government's pledge and emphasized the "irrevocability" of the fatwa, or religious ruling, by Ayatollah Khomeini in 1989, calling for Rushdie's murder. The 15 Khordad Foundation raised the bounty it earlier had established for the murder of Rushdie.

The Istanbul Court of Appeal upheld in 1998 the conviction of an Iranian national for complicity in the 1996 murders of Zahra Rajabi and Ali Moradi, both of whom were associated with the National Council of Resistance (NCR), an exile group that has claimed responsibility for several terrorist attacks within Iran. The U.N. Special Representative reported in 1998 that Italian security authorities continued their investigation into the 1993 killing in Rome of Mohammad Hossein Naghdi, the NCR's representative in Italy.

b. Disappearance

No reliable information is available on the number of disappearances. In the period immediately following arrest, many detainees are held incommunicado and denied access to lawyers and family members.

Pirouz Davani, a political activist who disappeared in late 1998 along with several other prominent intellectuals and dissidents who later were found murdered, remains unaccounted for and is believed to have been killed for his political beliefs and activism (see Section 1.a.).

A Christian group reported that between 15 and 23 Iranian Christians disappeared between November 1997 and November 1998 (see Section 2.c.). Those who disappeared reportedly were Muslim converts to Christianity whose baptisms had been discovered by the authorities. The group that reported the figure believes that most or all of those who disappeared were killed.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution forbids the use of torture; however, there are numerous, credible reports that security forces and prison personnel continue to torture detainees and prisoners. Some prison facilities, including Tehran's Evin prison, are notorious for the cruel and prolonged acts of torture inflicted upon political opponents of the Government. Common methods include suspension for long periods in contorted positions, burning with cigarettes, sleep deprivation, and, most frequently, severe and repeated beatings with cables or other instruments on the back and on the soles of the feet. Prisoners also have reported beatings about the ears, inducing partial or complete deafness, and punching in the eyes, leading to partial or complete blindness. Stoning and flogging are prescribed expressly by the Islamic Penal Code as appropriate punishment for adultery (see Section 1.a.).

In November investigative journalist Akbar Ganji went on trial for statements he allegedly made during an April conference in Berlin on Iranian politics (see Sections 2.a. and 1.e.). He was arrested in April upon his return to Iran and held over the next 6 months for long periods in solitary confinement. Ganji told the court that he was beaten and tortured in prison. Ganji previously had written articles implicating former President Rafsanjani in a series of murders of dissidents and intellectuals apparently carried out by security forces.

In March a gunman shot and severely wounded newspaper editor Saeed Hajarian, a senior political advisor to President Khatami. The methods used raised widespread suspicions that the security forces were involved in

the attack. The gunman later was arrested and sentenced along with four other defendants to 15-year prison sentences.

On July 8, 1999, the Government and individuals acting with the consent of the authorities, used excessive force in attacking a dormitory during student protests in Tehran, including reportedly throwing students from windows. Approximately 300 students were injured in the incident. The U.N. Special Representative has noted numerous credible reports that students arrested following the demonstration were tortured in prison (see Sections 1.a., 1.d., and 2.b.).

In May 1999, Brigadier General Gholam-reza Naqdi, a senior Tehran police official, and several associates, who were accused of using torture to coerce confessions during the 1998 trial of former mayor of Tehran Gholam Hossein Kharbaschi, went on trial. It reportedly was the first prosecution of a government official for torture since the 1979 revolution. The charges were based on the accusations of numerous Tehran municipality officials and district mayors that authorities had used torture to coerce admissions of guilt and statements that implicated the former mayor. The trial of Naqdi was conducted in closed session before a military court. Naqdi was cleared of most charges and resumed his duties with the Tehran police force.

In August 1999, President Khatami was quoted in public remarks as criticizing the use of torture. He defended the rights of prisoners as a legitimate concern based on "Islam and human conscience."

Prison conditions are harsh. Some prisoners are held in solitary confinement or denied adequate food or medical care in order to force confessions. Female prisoners reportedly have been raped or otherwise tortured while in detention. Prison guards reportedly intimidate family members of detainees and torture detainees in the presence of family members. The U.N. Special Representative reported receiving numerous reports of prisoner overcrowding and unrest. He cited a reported figure of only 8.2 square feet (2.5 square) of space available for each prisoner.

The Government does not permit visits to imprisoned dissidents by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, these practices remain common. There is reportedly no legal time limit for incommunicado detention, nor any judicial means to determine the legality of detention. Suspects may be held for questioning in jails or in local Revolutionary Guard offices. Although reliable statistics are not available, international observers believe that between scores and hundreds of citizens are detained for their political beliefs.

The security forces often do not inform family members of a prisoner's welfare and location. Prisoners also may be denied visits by family members and legal counsel. In addition, families of executed prisoners do not always receive notification of the prisoners' deaths. Those who do receive such information reportedly have been forced on occasion to pay the Government to retrieve the body of their relative.

Mohammed Chehrangi, an advocate for the cultural rights of Azeris, was arrested in December 1999. Azeri groups claim that Chehrangi was arrested to prevent his registration as a candidate in the February Majles elections (see Sections 3 and 5).

In February and March 1999, 13 Jews were arrested by security forces in the cities of Isfahan and Shiraz. Among the group were several prominent rabbis, teachers of Hebrew, and their students, one a 16-year-old boy. They were held for 14 months or more without formal charges until their trial began in May. The delay in clarification of charges appeared to violate Article 32 of the Constitution, which states in part that in cases of arrest "charges with the reasons for accusation must, without delay, be communicated and explained to the accused in writing, and a provisional dossier must be forwarded to the competent judicial authorities within a maximum of 24 hours so that the preliminaries to the trial can be completed as swiftly as possible." Ten of the 13 eventually were convicted of charges relating to illegal contacts with Israel. Governments around the world criticized the detentions and trial as unfair and in violation of due process (see Sections 1.e. and 2.c.).

As many as 1,500 students were detained in the wake of student protests on July 8, 1999, and subsequent riots. Many of them remained in prison throughout the year (see Sections 1.a., 1.c., and 2.b.).

Numerous publishers, editors and journalists either were detained, jailed, fined, or prohibited from publishing their writings during the year (see Section 2.a.). The Government appeared to follow a policy of intimidation toward members of the media that it considers to pose a threat to the current system of Islamic government.

Adherents of the Baha'i Faith continue to face arbitrary arrest and detention. The Government appears to adhere to a practice of keeping a small number of Baha'is in detention at any given time. According to the U.N. Special Representative and Baha'i groups, at least 10 Baha'is are in prisons, including 2 who were convicted of either apostasy or "actions against God" and sentenced to death. In March 1999, the four remaining detainees from the 1998 raid on the Baha'i Institute of Higher Learning were convicted and sentenced to prison terms

ranging from 3 to 10 years (see Section 2.c.).

The Government enforced house arrest and other measures to restrict the movements and ability to communicate of several senior religious leaders whose views on political and governance issues are at variance with the ruling orthodoxy. Several of these figures dispute the legitimacy and position of the current Supreme Leader, Ayatollah Ali Khamenei. The clerics include Ayatollah Seyyed Hassan Tabataei-Qomi, who has been under house arrest in Mashad for more than 15 years; Ayatollah Mohammad Shirazi, who remains under house arrest in Qom; and Ayatollah Ya'asub al-Din Rastgari, who has been under house arrest in Qom since late 1996. Ayatollah Hossein Ali Montazeri, the former designated successor of the late Spiritual Leader, Ayatollah Khomeini, and an outspoken critic of the current Supreme Leader, remains under house arrest and heightened police surveillance (see Section 2.a.). The followers of these and other dissident clerics, many of them junior clerics and students, reportedly have been detained in recent years and tortured by government authorities.

Throughout the year, Iran and Iraq exchanged prisoners of war (POW's) and the remains of deceased fighters from the 1980-88 Iran-Iraq war, adding to the large number of Iraqi POW's returned by Iran in 1998. However, a final settlement of this issue between the two governments was not achieved, despite such predictions by Iranian government officials in late 1998. A June 1998 press report described joint Iran-Iraq search operations to identify the remains of those missing in action.

The Government does not use forced exile, but many dissidents and ethnic and religious minorities leave the country due to a perception of threat from the Government.

e. Denial of Fair Public Trial

The court system is not independent and is subject to government and religious influence. It serves as the principal vehicle of the State to restrict freedom and reform in the society.

There are several different court systems. The two most active are the traditional courts, which adjudicate civil and criminal offenses, and the Islamic Revolutionary Courts. The latter were established in 1979 to try offenses viewed as potentially threatening to the Islamic Republic, including threats to internal or external security, narcotics crimes, economic crimes (including hoarding and overpricing), and official corruption. A special clerical court examines alleged transgressions within the clerical establishment, and a military court investigates crimes committed in connection with military or security duties by members of the army, police, and the Revolutionary Guards. A press court hears complaints against publishers, editors, and writers in the media. The Supreme Court has limited authority to review cases.

The judicial system has been designed to conform, where possible, to an Islamic canon based on the Koran, Sunna, and other Islamic sources. Article 157 provides that the head of the judiciary shall be a cleric chosen by the Supreme Leader. Ayatollah Mohammad Yazdi resigned as the head of the judiciary in August 1999, and was replaced by Ayatollah Mahmoud Hashemi Shahrud. The head of the Supreme Court and Prosecutor General also must be clerics.

Many aspects of the prerevolutionary judicial system survive in the civil and criminal courts. For example, defendants have the right to a public trial, may choose their own lawyer, and have the right of appeal. Trials are adjudicated by panels of judges. There is no jury system in the civil and criminal courts. If a situation is not addressed by statutes enacted after the 1979 revolution, the Government advises judges to give precedence to their own knowledge and interpretation of Islamic law, rather than rely on statutes enacted during the Pahlavi monarchy.

Trials in the Revolutionary Courts, in which crimes against national security and other principal offenses are heard, are notorious for their disregard of international standards of fairness. Revolutionary Court judges act as both prosecutor and judge in the same case, and judges are chosen in part based on their ideological commitment to the system. Pretrial detention often is prolonged and defendants lack access to attorneys. Indictments often lack clarity and include undefined offenses such as "antirevolutionary behavior," "moral corruption," and "siding with global arrogance." Defendants do not have the right to confront their accusers. Secret or summary trials of 5 minutes duration occur. Others are show trials that are intended merely to highlight a coerced public confession. In 1992 the Lawyers Committee for Human Rights concluded that "the chronic abuses associated with the Islamic Revolutionary Courts are so numerous and so entrenched as to be beyond reform." The Government has undertaken no major reform of the Revolutionary Court system since that report.

In October a former member of a vigilante group, Amir Farshad Ibrahim, was sentenced to 2 years' imprisonment for defamation after he stated in a videotape that Ansar-e Hezbollah vigilantes had received payments from senior clerics and conservative political figures to organize and carry out attacks on their political opponents. Two prominent lawyers active in civil liberties cases, Shirin Ebadi and Mohsen Rahimi, were given suspended sentences and prohibited from practicing law for 5 years for their role in distributing the tape.

In November a Revolutionary Court began the trials of 16 writers, intellectuals, and political figures who took part in an April conference in Berlin on the implications of the February Majles elections (see Section 3). The 16 defendants, who were arrested in Iran after the conference and charged with taking part in antigovernment and anti-Islamic activities, included investigative journalist Akbar Ganji, newspaper editor Mohammed Reza Jalaipour, Member of Parliament Jamileh Kadivar, women's rights activists Mehrangiz Kar and Shahla Lahji, opposition politician Ezzatollah Sahabi, student leader Ali Afshari, and others, including a translator for the German Embassy in Tehran. The trial was ongoing at year's end.

In late December, a military court began the trials of 18 persons in connection with the killings of several prominent dissidents and intellectuals in late 1998. The results of the trial had not been announced by year's end (see Section 1.a.).

The legitimacy of the Special Clerical Court (SCC) system continued to be a subject of wide debate throughout the year. The clerical courts, which were established in 1987 to investigate offenses and crimes committed by clerics, and which are overseen directly by the Supreme Leader, are not provided for in the Constitution, and operate outside the domain of the judiciary. In particular, critics alleged that the clerical courts were used to prosecute certain clerics for expressing controversial ideas and for participating in activities outside the area of religion, including journalism.

During the latter part of the year, a Special Clerical Court began the trial of Hojatoleslam Hassan Yousefi Eshkevari, a cleric who participated in the Berlin conference, on charges of apostasy and "corruption on earth," which potentially carry the death penalty. Eshkevari has called for more liberal interpretations of Islamic law in certain areas. In November 1999, former Interior Minister and Vice President Abdollah Nouri was sentenced by a branch of the SCC to a 5-year prison term for allegedly publishing "anti-Islamic articles, insulting government officials, promoting friendly relations with the United States," and providing illegal publicity to dissident cleric Ayatollah Hossein Ali Montazeri in the pages of Khordad, a newspaper that was established by Nouri in late 1998 and closed at the time of his arrest. Nouri used the public trial to attack the legitimacy of the SCC (see Section 2.a.).

In April 1999, a branch of the SCC convicted Hojatoleslam Mohsen Kadivar, a Shi'a cleric and popular seminary lecturer, to 18 months in prison for "dissemination of lies and confusing public opinion" in a series of broadcast interviews and newspaper articles. Kadivar advocated political reform and greater intellectual freedom and criticized the misuse of religion to maintain power. In an interview published in a newspaper, Kadivar criticized certain government officials for turning criticism against them into alleged crimes against the State. He also observed that such leaders "mistake themselves with Islam, with national interests, or with the interests of the system, and in this way believe that they should be immune from criticism." He also allegedly criticized former Supreme Leader Ayatollah Khomeini and demonstrated support for dissident cleric Ayatollah Montazeri. Kadivar's trial was not open to the public.

In July 1999, the SCC banned the daily newspaper Salaam and indicted its publisher, Mohammad Mousavi Khoeniha, on charges of "violating Islamic principles," "endangering national security," and "disturbing public opinion." Khoeniha, a cleric, later was sentenced to a 5-year jail term. The charges involved the publication by Salaam of documents related to the unsolved murders of dissident intellectuals in late 1998, which indicated a possible connection to senior officials in the plotting of the murders. The closure of the newspaper led to peaceful protests by students at Tehran University that later grew into widespread rioting after aggressive countermeasures were taken by security forces (see Section 2.b.).

It is difficult for many women to obtain legal redress. A woman's testimony in court is worth only half that of a man's, making it difficult for a woman to prove a case against a male defendant.

The Government frequently charges members of religious minorities with crimes such as "confronting the regime" and apostasy, and conducts trials in these cases in the same manner as is reserved for threats to national security. Ayatollah Mohammad Yazdi, who resigned as head of the judiciary in August, stated in 1996 that Baha'i Faith was an espionage organization. Trials against Baha'is have reflected this view (see Section 2.c.). The trial of 13 Iranian Jews on charges related to espionage for Israel was marked throughout by a lack of due process. The defendants were held for over 1 year without being charged formally or given access to lawyers. The trial was closed, and the defendants were not allowed to choose their own lawyers. Following the trial, defense lawyers told news reporters that they were threatened by judiciary officials and pressured to admit their clients' guilt (see Sections 1.d. and 2.c.).

In December 1999, authorities rearrested former Deputy Prime Minister and longtime political dissident Abbas Amir-Entezam after an interview with him was published in an Iranian newspaper. Amir-Entezam has spent much of the past 20 years in and out of prison since being arrested on charges of collaboration with the United States following the seizure of the U.S. embassy in Tehran by revolutionary militants in 1979. In his original trial, Amir-Entezam was denied defense counsel and access to the allegedly incriminating evidence that was gathered from the overtaken U.S. Embassy and used against him. Since then he has appealed for a fair and public trial, which has been denied him. He has been a frequent victim of torture in prison; he suffered a ruptured eardrum due to repeated beatings, and kidney failure resulting from denial of access to toilet facilities, and an untreated prostate condition. He reports having been taken on numerous occasions before a firing

squad, told to prepare for death, only to be allowed to live. Amir-Entezam remained in prison at year's end (see Section 1.c.).

Independent legal scholar and member of the Islamic clergy Hojatoleslam Sayyid Mohsen Saidzadeh, who was convicted by the SCC in 1998 for his outspoken criticism of the treatment of women under the law, was released from prison in early in 1999; however, the Government banned him from performing any clerical duties for 5 years. Human Rights groups outside Iran noted reports that Saidzadeh's 1998 sentence also included a prohibition on publishing. He has ceased authoring a monthly column on legal issues, many focusing on the rights of women, since the time of his detention.

In December Judiciary Chief Mahmoud Hashemi Shahroudi announced an initiative to reform the Iranian judicial system. He said that the country is "still a long way off from having a reformed and developed judicial organization." He also announced that 40 judges, clerks, and "middle-men" had been arrested on corruption charges.

No estimates are available on the number of political prisoners. However, the Government often arrests, convicts, and sentences persons on questionable criminal charges, including drug trafficking, when their actual "offenses" are political.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The Constitution states that "reputation, life, property, (and) dwelling(s)" are protected from trespass except as "provided by law;" however, the Government infringes on these rights. Security forces monitor the social activities of citizens, enter homes and offices, monitor telephone conversations, and open mail without court authorization.

Organizations such as the Ansar-e Hezbollah, an organization of hard-line vigilantes who seek to enforce their vision of appropriate revolutionary comportment upon the society, harass, beat, and intimidate those who demonstrate publicly for reform or who do not observe dress codes or other modes of correct revolutionary conduct. This includes women whose clothing does not cover the hair and all of the body except the hands and face, or those who wear makeup or nail polish. Ansar-e Hezbollah gangs also have been used to destroy newspaper offices and printing presses, intimidate dissident clerics, and disrupt peaceful gatherings (see Sections 2.a. and 2.b.). Ansar-e Hezbollah cells are organized throughout the country and linked to individual members of the country's leadership.

Vigilante violence includes attacking young persons considered too "un-Islamic" in their dress or activities, invading private homes, abusing unmarried couples, and disrupting concerts or other forms of popular entertainment. Authorities occasionally enter homes to remove television satellite dishes, or to disrupt private gatherings in which unmarried men and women socialize, or where alcohol, mixed dancing, or other forbidden activities are offered or take place. Enforcement appears to be arbitrary, varying widely with the political climate and the individuals involved. Authorities reportedly are vulnerable to bribes in some of these circumstances.

In 1998 security forces conducted a nationwide raid of more than 500 homes and offices owned or occupied by Baha'is suspected of having connections to the Baha'i Institute of Higher Learning (see Section 2.c.). During the raids, instructional materials, office equipment, and other items of personal property were confiscated. The effort apparently was designed to disrupt the operation of the Institute, which serves as the only alternative source of higher education for most Baha'is, who are denied entry to the state-controlled university system.

Prison guards intimidated family members of detainees (see Section 1.c.). Opposition figures living abroad reported harassment of their relatives in the country.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of the press, except when published ideas are "contrary to Islamic principles, or are detrimental to public rights;" however, the Government restricts freedom of speech and of the press in practice. After the election of President Khatami, the independent press, especially newspapers and magazines, played an increasingly important role in providing a forum for an intense debate regarding reform in the society. However, basic legal safeguards for freedom of expression are lacking, and the independent press has been subjected to arbitrary enforcement measures by elements of the Government, notably the judiciary, which see in such debates a threat to their own hold on power.

Newspapers and magazines represent a wide variety of political and social perspectives, some allied with particular figures within the Government. Many subjects of discussion are tolerated, including criticism of certain government policies. However, the 1995 Press Law prohibits the publishing of a broad and ill-defined category of subjects, including material "insulting Islam and its sanctities" or "promoting subjects that might damage the foundation of the Islamic Republic." Generally prohibited topics include fault-finding comment on

the personality and achievements of the late Leader of the Revolution, Ayatollah Khomeini; direct criticism of the current Supreme Leader; assailing the principle of velayat-e faqih, or rule by a supreme religious leader; questioning the tenets of certain Islamic legal principles; sensitive or classified material affecting national security; promotion of the views of certain dissident clerics, including Grand Ayatollah Ali Montazeri; and advocating rights or autonomy for ethnic minorities.

Oversight of the press is carried out in accordance with a press law that was enacted in 1995. The law established the Press Supervisory Board, which is composed of the Minister of Islamic Culture and Guidance, a Supreme Court judge, a Member of Parliament, and a university professor who is appointed by the Minister of Islamic Culture and Guidance. The Board is responsible for issuing press licenses and for examining complaints filed against publications or individual journalists, editors, and publishers. In certain cases, the Press Supervisory Board may refer complaints to the courts for further action, including closure. The Press Court hears such complaints. Its hearings are conducted in public and feature the presence of a jury that is composed of clerics, government officials, and editors of government-controlled newspapers. The jury is empowered to recommend to the presiding judge the guilt or innocence of defendants and the severity of any penalty to be imposed, although these recommendations are not binding legally. In at least two cases in 1999 (against the newspapers Jame-eh Salem and Adineh), recommendations made by Press Court juries for relatively lenient penalties were disregarded by the presiding judge in favor of harsher measures, including closure. Perhaps because the judgments of the Press Courts have not been viewed as sufficiently strict by some government officials, alleged violations of the Press Law increasingly were referred to the Revolutionary and Special Clerical Courts, in which defendants enjoy fewer legal safeguards (see Section 1.e.).

In March the outgoing Parliament passed amendments to the Press Law that gave the Press Court increased procedural and jurisdictional power. The amendments allowed prosecution of individual journalists, in addition to their editors and publishers, for a broad range of ill-defined political offenses. The new Parliament (which was seated in May), introduced a bill in August to reverse the restrictive amendments. However, Supreme Leader Khamenei intervened with a letter to the Speaker demanding that the bill be dropped from consideration. Semiofficial vigilante groups appeared outside the Parliament, creating an atmosphere of intimidation. Despite some strongly worded objections from members, the bill was withdrawn.

Public officials frequently levy complaints against journalists, editors, publishers, and even rival publications. The practice of complaining about the writings of journalists crosses ideological lines. Offending writers are subject to lawsuits and fines. Suspension from journalistic activities and imprisonment are common punishments for guilty verdicts for offenses ranging from "fabrication" to "propaganda against the State" to "insulting the leadership of the Islamic Republic." Police raid newspaper offices, and Ansar-e Hezbollah mobs attack the offices of liberal publications and bookstores without interference from the police or prosecution by the courts.

The country's record on freedom of expression worsened during the year. It remained a central issue in the struggle between hardliners and political reformers. The Government continued its policy of issuing licenses for new publications, some of which engaged in open criticism of certain government policies. However, the Government issued such licenses at a greatly reduced rate during the year. Beginning in late April, the Press Court closed virtually all remaining newspapers associated with the reform-oriented press. Over the course of a few days, the 14 most prominent reform newspapers were ordered closed, without hearings. By year's end, more than 30 independent newspapers and journals were closed. A few mildly proreform newspapers continue to publish; however, these have been restricted as well. "Hamshahri," a daily newspaper published by the Tehran municipality, was ordered to restrict its circulation to the Tehran city limits. Others continue to publish, but only with heavy self-censorship.

Dozens of individual editors and journalists were charged and tried by the Press Court, and several prominent journalists were jailed for long periods without trial. Others have been sentenced to prison terms or exorbitant fines. Among those imprisoned were Mashallah Shamsolvaezin, the editor of a number of now-banned newspapers; Latif Safari, Shamsolvaezin's publisher; and independent journalists, such as Akbar Ganji, Ahmed Zeidabadi, Massoud Behnoud, Ebrahim Nabavi, and Ezzatollah Sahabi. In November Ganji went on trial for statements that he made at a conference in Berlin on Iranian politics (see Sections 1.c. and 1.e.).

The Government monitors carefully the statements and views of Iran's senior religious leaders to prevent disruptive dissent within the clerical ranks. In November 1997, Ayatollah Hossein Ali Montazeri, a cleric formerly designated as the successor to Iran's late Spiritual Leader Ayatollah Khomeini, called into question the authority of the current Supreme Leader, Ali Khamenei, criticizing his increasing intervention in government policy. The comments sparked attacks by Ansar-e Hezbollah mobs on Montazeri's residence and a Koranic school in Qom run by Montazeri. The promotion of Montazeri's views were among the charges brought against clerics Mohsen Kadivar and Abdollah Nouri at hearings of the Special Clerical Court in 1999 (see Sections 1.e.).

The press reported throughout the year that several persons were jailed for expressing support for Grand Ayatollah Montazeri. In October it was reported that Akbar Tajik-Saeeki, identified as the prayer leader at a Tehran mosque, was jailed by the Special Court for the Clergy for signing a petition that protested the continued detention of Grand Ayatollah Montazeri. Support for Montazeri was also one of the charges included in the wide-ranging indictment of former Interior Minister Abdollah Nouri (see Sections 1.e.). In December one of

Montazeri's sons was arrested for distributing his father's writings.

The 134 signatories of the 1994 Declaration of Iranian Writers, which declared a collective intent to work for the removal of barriers to freedom of thought and expression, remain at risk. In July 1999, the Association of International Writers, known by its acronym PEN, released a statement noting that authorities had never solved the murders of signatories Ahmad Miralalai, Ghafar Hosseini, Ahmad Modhtari, Mohammad Jafar Pouyandeh, Ebrahim Zalzadeh, and Darioush and Parvaneh Forouhar, nor the disappearance in late 1998 of Pirouz Davani. PEN had reported in October 1998 that Declaration signatories Mohammad Pouyandeh, Mohammad Mokhtari, Houshang Golshiri, Kazem Kardevani, and Mansour Koushan were questioned by a Revolutionary Court in connection with their attempts to convene a meeting of the Iran Writer's Association. Mokhtari and Pouyandeh subsequently were murdered, while signatory Mansour Koushan reportedly fled to Norway.

The Government directly controls and maintains a monopoly over all television and radio broadcasting facilities; programming reflects the Government's political and socio-religious ideology. Because newspapers and other print media have a limited circulation outside large cities, radio and television serve as the principal news source for many citizens. Satellite dishes that receive foreign television broadcasts are forbidden; however, many citizens, particularly the wealthy, own them. In May 1999, the Minister of Islamic Culture and Guidance stated in public remarks that the Government might support an easing of the satellite ban. However, Supreme Leader Khamenei, who makes the ultimate determination on issues that involve radio and television broadcasting, quickly criticized any potential change as amounting to "surrender" to Western culture, effectively ending any further debate of the idea.

The Ministry of Islamic Culture and Guidance is charged with screening books prior to publication to ensure that they do not contain offensive material. However, some books and pamphlets critical of the Government are published without reprisal. The Ministry inspects foreign printed materials prior to their release on the market.

Legal scholar Hojatoleslam Sayyid Mohsen Saidzadeh, who was convicted by the SCC in 1998 for his outspoken criticism of the treatment of women under the law, was released from prison early in 1999; however, the Government banned him from performing any clerical duties for 5 years and prohibited him from publishing (see Section 1.e.).

The Government effectively censors Iranian-made films, since it is the main source of funding for domestic film producers. Those producers must submit scripts and film proposals to government officials in advance of funding approval. However, such government restrictions appear to have eased since the election of President Khatami.

President Khatami announced in September 1998 that the Government would take no action to threaten the life of British author Salman Rushdie, or anyone associated with his work "The Satanic Verses." However, his remarks were repudiated by other parties, including the 15 Khordad Foundation, which claims to have financed a bounty for the murder of Rushdie (see Section 1.a.).

Academic censorship persists. In his 1996 interim report, the U.N. Special Representative noted the existence of a campaign to bring about the "Islamization of the universities," which appeared to be a movement to purge persons alleged to "fight against the sanctities of the Islamic system." Government informers who monitor classroom material reportedly are common on university campuses. Admission to universities is politicized; all applicants must pass "character tests" in which officials screen out applicants critical of the Government's ideology. To obtain tenure, professors must cooperate with government authorities over a period of years. Ansar-e Hezbollah thugs disrupt lectures and appearances by academics whose views do not conform with their own. In October 1999, a newspaper announced that a post-graduate philosophy course taught by Professor Abdolkarim Soroush at Tehran University was canceled due to threats to set fire to the classroom by unidentified persons.

b. Freedom of Peaceful Assembly and Association

The Constitution permits assemblies and marches "provided they do not violate the principles of Islam;" however, in practice the Government restricts freedom of assembly and closely monitors gatherings to ensure that they do not constitute uncontrolled antigovernment protest. Such gatherings include public entertainment and lectures, student gatherings, labor protests, funeral processions, and Friday prayer gatherings. A significant factor for groups in deciding whether to hold a public gathering is whether it would be opposed by the semiofficial Ansar-e Hezbollah, which uses violence and intimidation to disperse such assemblies.

In August two leading reform intellectuals, Mohsen Kadivar and Abdul Karim Soroush, were prevented by semiofficial club- and knife-wielding vigilantes from addressing a student convention in Khorramabad. Subsequent clashes between students and vigilantes resulted in the death of a police officer and injuries. The authorities arrested 150 persons.

On July 8, 1999, students at Tehran University who were protesting proposed legislation by the Majles that would limit press freedoms and the Government's closure of a prominent reform-oriented newspaper, were attacked by elements of the security forces and Ansar-e Hezbollah thugs. Police forces reportedly looked on

and allowed repeated attacks against the students and their dormitory. Human Rights Watch reported that, according to witnesses, at least 4 students were killed in the assault on the dormitory, 300 were wounded, and 400 were detained. The demonstrations continued to grow in subsequent days to include many nonstudents. Looting, vandalism, and large-scale rioting began and spread to cities outside Tehran. Student groups attempted to distance their organizations from these later acts, which they blamed on government-sanctioned agitators. The Government intervened to stop the rioting and announced a July 14 counter-demonstration of regime loyalists and off-duty government workers, many of whom were bussed in from other cities for the demonstration.

In September 1999, the head of the Tehran Revolutionary Court, Hojatoleslam Gholamhossein Rahbarpour, was quoted as saying that 1,500 students were arrested during the riots, 500 were released immediately after questioning, 800 were released later, and formal investigations were undertaken against the remaining 200. He also announced that four student leaders were sentenced to death by a Revolutionary Court for their role in the demonstrations. The death sentences reportedly were commuted to prison terms during the year. The Special Representative's report stated that about two-thirds of the students who initially were arrested subsequently were released, but noted that there has been no formal accounting of all the persons arrested in connection with the July 1999 demonstrations.

The Government arrested the leaders of the Iran Nations Party in the aftermath of the July 1999 demonstrations. The party is a secular nationalist movement that predates the revolution and is viewed as a threat by certain elements of the Government. The party was accused of inciting rioters and of encouraging disparaging slogans against "sacred values." Agents of the intelligence service in late 1998 killed the former head of the Iran Nations Party, Darioush Forouhar, along with his wife (see Section 1.a.).

In the aftermath of these events, the Government took action against members of the security forces for their violent assault on the student dormitory, and against student leaders, demonstrators, and political activists, whom it blamed for inciting illegal behavior. In August 1999, the commander of the security forces, General Hedayat Lotfian, was summoned before the Parliament to explain the role of his officers in the dormitory raid. He reportedly announced that 98 officers were arrested for their actions. In February 20 police officers and officials were tried on charges of misconduct in connection with the demonstrations. The court found that misconduct had occurred, and ordered compensation for 34 injured students. However, the court released all but two of the accused officers.

The Government forcefully suppressed demonstrations by Kurds in the wake of the February 1999 arrest of PKK leader Abudullah Ocalan in Turkey. Security forces reportedly killed 20 persons and made several hundred arrests (see Sections 1.a. and 5).

The Government limits freedom of association. The Constitution provides for the establishment of political parties, professional associations, Islamic religious groups, and recognized religious minorities, provided that such groups do not violate the principles of "freedom, sovereignty, and national unity," or question Islam as the basis of the Islamic Republic. President Khatami repeatedly has declared as a major goal the development of civil society. A newspaper reported in June 1999 that the Article Ten Commission, a government body responsible for reviewing applications for the establishment of political parties, guilds, societies, and nongovernmental organizations (NGO's), released figures indicating that as of April, "85 political, 115 specialized, and 26 religious minority organizations and associations" were active in the country.

c. Freedom of Religion

The Government restricts freedom of religion. The Constitution declares that the "official religion of Iran is Islam and the sect followed is that of Ja'fari (Twelver) Shi'ism," and that this principle is "eternally immutable." It also states that "other Islamic denominations are to be accorded full respect," and recognizes Zoroastrians, Christians, and Jews (Iran's pre-Islamic religions) as the only "protected religious minorities." Religions not specifically protected under the Constitution do not enjoy freedom of religion. This situation most directly affects the nearly 350,000 followers of the Baha'i Faith, who effectively enjoy no legal rights.

The central feature of the country's Islamic republican system is rule by a "religious jurisconsult." Its senior leadership, including the Supreme Leader of the Revolution, the President, the head of the Judiciary, and the Speaker of the Islamic Consultative Assembly (Parliament), is composed principally of Shi'a clergymen.

Religious activity is monitored closely by the Ministry of Intelligence and Security (MOIS). Adherents of recognized religious minorities are not required to register individually with the Government, although their community, religious, and cultural organizations, as well as schools and public events are monitored closely. Baha'is are not recognized by the Government as a legitimate religious group; rather, they are considered an outlawed political organization. Registration of Baha'i adherents is a police function. Evangelical Christian groups are pressured by government authorities to compile and hand over membership lists for their congregations. Evangelicals have resisted this demand. Non-Muslim owners of grocery shops are required to indicate their religious affiliation on the front of their shops.

The population is approximately 99 percent Muslim, of which 89 percent are Shi'a and 10 percent are Sunni

(mostly Turkomans, Arabs, Baluchs, and Kurds living in the southwest, southeast, and northwest). Baha'i, Christian, Zoroastrian, and Jewish communities compose less than 1 percent of the population. Sufi brotherhoods are popular, but there are no reliable figures available to judge their true size.

Members of religious minorities are allowed to vote, but they may not run for President. All religious minorities suffer varying degrees of officially sanctioned discrimination, particularly in the areas of employment, education, and housing (see Section 5).

The Government allows recognized religious minorities to conduct religious education of their adherents. This includes separate and privately funded Zoroastrian, Jewish, and Christian schools. These schools are supervised by the Ministry of Education, which imposes certain curriculum requirements. With few exceptions, the directors of these private schools must be Muslim. Attendance at these schools is not mandatory for recognized religious minorities. All textbooks used in course work must be approved for use by the Ministry of Education, including religious texts. Religious texts in non-Persian languages require approval by the authorities for use. This requirement imposes sometimes significant translation expenses on minority communities. Recognized religious minorities may provide religious instruction in non-Persian languages, but often come under pressure from the authorities when conducting such instruction in Persian. In particular, evangelical Christian and Jewish communities have suffered harassment and arrest by authorities for the printing of materials or delivery of sermons in Persian.

Recognized religious minorities are allowed by the Government to establish community centers and certain cultural, social, sports, or charitable associations that they finance themselves. This does not apply to the Baha'i community which, since 1983, has been denied the right to assemble officially or to maintain administrative institutions. Because the Baha'i Faith has no clergy, the denial of the right to form such institutions and elect officers has threatened its existence in the country.

University applicants are required to pass an examination in Islamic theology. Although public-school students receive instruction in Islam, this requirement limits the access of most religious minorities to higher education. Applicants for public sector employment similarly are screened for their knowledge of Islam.

Religious minorities suffer discrimination in the legal system, receiving lower awards in injury and death lawsuits, and incurring heavier punishments than Muslims. Muslim men are free to marry non-Muslim women, but the opposite does not apply. Marriages between Muslim women and non-Muslim men are not recognized.

The Government is highly suspicious of any proselytizing of Muslims by non-Muslims and can be harsh in its response, in particular against Baha'is and evangelical Christians. The Government regards the Baha'i community, whose faith originally derives from a strand of Islam, as a "misguided" or "wayward" sect. The Government has fueled anti-Baha'i and anti-Jewish sentiment in the country for political purposes.

The Government does not ensure the right of citizens to change or recant their religious faith. Apostasy, specifically conversion from Islam, may be punishable by death.

Although Sunni Muslims are accorded full respect under the terms of the Constitution, some Sunni groups claim discrimination on the part of the Government. In particular, Sunnis cite the lack of a Sunni mosque in Tehran and claim that authorities refuse to authorize construction of a Sunni place of worship in the capital. Sunnis also have accused the state broadcasting company of airing programming insulting to Sunnis. Numerous Sunni clerics have been killed in recent years, some allegedly by agents of the Government. For example, Human Rights Watch reported in 1998 the killing of Sunni prayer leader Molavi Imam Bakhsh Narouie in the province of Sistan va-Baluchistan in the southeast. This led to protests from the local community, which believed that government authorities were involved in the killing.

Majdhub Alishahi, an adherent of the Sufi tradition, reportedly was executed on charges of adultery and homosexuality after a coerced confession in 1996. Sufi organizations outside the country remain concerned about repression by the authorities of Sufi religious practices.

The largest non-Muslim minority is the Baha'i Faith, estimated at nearly 350,000 adherents throughout the country. The Baha'i Faith originated in Iran during the 1840's as a reformist movement within Shi'a Islam. Initially it attracted a wide following among Shi'a clergy. The political and religious authorities of that time joined to suppress the movement, and since then the hostility of the Shi'a clergy to the Baha'i Faith has remained intense. Baha'is are considered apostates because of their claim to a valid religious revelation subsequent to that of the Prophet Mohammed. The Baha'i Faith is defined by the Government as a political "sect" historically linked to the Pahlavi monarchy and, therefore, as counterrevolutionary. Historically at risk, Baha'is often have suffered increased levels of mistreatment during times of political unrest.

Baha'is may not teach or practice their faith or maintain links with coreligionists abroad. The fact that the Baha'i world headquarters is situated in what is now the state of Israel (established by the founder of the Baha'i Faith in the 19th century in what was then Ottoman-controlled Palestine) exposes Baha'is to government charges of "espionage on behalf of Zionism," in particular when Baha'is are caught communicating with or remitting monetary contributions to the Baha'i Faith headquarters.

Broad restrictions on Baha'is appear to be geared to destroying them as a community. They repeatedly have been offered relief from abuse in exchange for recanting their faith. Baha'i cemeteries, holy places, historical sites, administrative centers, and other assets were seized shortly after the 1979 revolution. None of these properties have been returned and many have been destroyed. Baha'is are not allowed to bury and honor their dead in keeping with their religious tradition. In October 1998, three Baha'is were arrested in Damavand, a city north of Tehran, on the grounds that they had buried their dead without government authorization.

In the past, Baha'i marriages were not recognized by the Government, leaving Baha'i women open to charges of prostitution. As a result, children of Baha'i marriages were not recognized as legitimate and, therefore, were denied inheritance rights. However, in April the Government announced the elimination of the requirement that citizens indicate religious affiliation at the time of registration of marriage. This may allow Baha'is to register their marriages officially, and thereby mitigate some of the legal obstacles that they face.

Manuchehr Khulusi was arrested in June 1999 while visiting fellow Baha'is in the town of Birjand, and was imprisoned until his release in May. During his imprisonment, Khulusi was interrogated, beaten, held in solitary confinement, and denied access to his lawyer. The charges brought against him still are unknown, but they were believed to be related to his faith. The Islamic Revolutionary Court in Mashhad held a 2-day trial in September 1999 and then sentenced him to death in February. Despite Khulusi's release, it is unclear if the conviction and death sentence against him still stand.

Ruhollah Rowhani, a Baha'i, was executed in July 1998 after having served 9 months in solitary confinement on a charge of apostasy, which arose from his allegedly having converted a Muslim woman to the Baha'i Faith. The woman claimed that her mother was a Baha'i and she herself had been raised a Baha'i. Rowhani was not accorded a public trial, and no sentence was announced prior to his execution.

Two other Baha'is, Sirus Zabihi-Moghaddam and Hadayat Kashefi-Najafabadi, were tried alongside Rowhani and later sentenced to death by a revolutionary court in Mashad for practicing their faith. The sentences were reduced during the year to jail terms of 7 and 5 years, respectively.

Baha'i group meetings and religious education, which often take place in private homes and offices, are curtailed severely. Public and private universities continue to deny admittance to Baha'i students, a particularly demoralizing blow to a community that traditionally has placed a high value on education. Denial of access to higher education appears aimed at the eventual impoverishment of the Baha'i community.

The property rights of Baha'is generally are disregarded. Since 1979 large numbers of private and business properties belonging to Baha'is have been confiscated. In 1999 three Baha'i homes in Yazd and one in Arbakan were confiscated because their owners were members of the Baha'i community. In September and October 1998, government officers plundered more than 500 Baha'i homes throughout the country and seized personal household effects, such as furniture and appliances. Seizure of personal property, in addition to the denial of access to education and employment, is eroding the economic base of the Baha'i community.

In 1999 authorities in Khurasan intensified their efforts to intimidate and undermine Baha'i education. Two teachers in Mashhad were arrested and sentenced to 3 years' imprisonment. Their students were given suspended sentences, to be reinstated if the students again participated in religious education classes. Three more Baha'is were arrested in Bujnurd in northern Khurasan for participating in religious education gatherings. After 6 days in prison, they were released with suspended sentences of 5 years. The use of suspended sentences appears to be a new government tactic to discourage Baha'is from taking part in monthly religious gatherings.

In September 1998, authorities began a nationwide operation to disrupt the activities of the Baha'i Institute of Higher Learning. Also known as the "Open University," the Institute was established by the Baha'i community shortly after the revolution to offer opportunities in higher education to Baha'i students who had been denied access to the country's high schools and universities. The Institute employed Baha'i faculty and professors, many of whom had been dismissed from teaching positions by the Government as a result of their faith, and conducted classes in homes or offices owned or rented by Baha'is. During the operation, which took place in at least 14 different cities, 36 faculty members were arrested, and a variety of personal property, including books, papers, and furniture, either were destroyed or confiscated. Government interrogators sought to force the detained faculty members to sign statements acknowledging that the Open University now was defunct and pledging not to collaborate with it in the future. Baha'is outside the country report that none of the 36 detainees would sign the document. All but 4 of the 36 persons detained during the September 1998 raid on the Baha'i Institute had been released by November 1998.

In March 1999, Dr. Sina Hakiman, Farzad Khajeh Sharifabadi, Habibullah Ferdosian Najafabadi, and Ziaullah Mirzapanah, the four remaining detainees from the September 1998 raid, were convicted under Article 498 of the Penal Code and sentenced to prison terms ranging from 3 to 10 years. In the court verdict, the four were accused of having establishing a "secret organization" engaged in "attracting youth, teaching against Islam, and teaching against the regime of the Islamic Republic." According to Baha'i groups outside Iran, the four taught general science and Persian literature courses. In July 1999, Mirzapanah, who had been sentenced to 3 years

in prison, became ill and was hospitalized. Prison authorities allowed him to return home upon his recovery on the understanding that they could find him whenever necessary. The other three were released in December 1999.

The Government appears to adhere to a practice of keeping a small number of Baha'is in arbitrary detention, some at risk of execution, at any given time. There were at least 10 Baha'is reported to be under arrest for practicing their faith at year's end, 2 under sentence of death.

Baha'is regularly are denied compensation for injury or criminal victimization. Government authorities claim that only Muslim plaintiffs are eligible for compensation in these circumstances. In practice, Baha'is continue to be denied most forms of government employment (see Section 5).

In 1993 the U.N. Special Representative reported the existence of a government policy directive on the Baha'is. According to the directive, the Supreme Revolutionary Council instructed government agencies to block the progress and development of the Baha'i community, expel Baha'i students from universities, cut Baha'i links with groups outside Iran, restrict employment of Baha'is, and deny Baha'is "positions of influence," including those in education. The Government claims that the directive is a forgery. However, it appears to be an accurate reflection of current government practice.

In his 1996 report to the U.N. Commission on Human Rights, the U.N. Special Rapporteur on the Question of Religious Intolerance recommended "that the ban on the Baha'i organization should be lifted to enable it to organize itself freely through its administrative institutions, which are vital in the absence of a clergy, so that it can engage fully in its religious activities." In response to the Special Rapporteur's concerns with regard to the lack of official recognition of the Baha'i Faith, government officials stated that Baha'is "are not a religious minority, but a political organization that was associated with the Shah's regime, is against the Iranian Revolution, and engage in espionage activities." The Government asserted to the Special Rapporteur that, as individuals, all Baha'is were entitled to their beliefs and protected under other articles of the Constitution as citizens.

The Christian community is estimated at approximately 117,000, according to government figures. Of these the majority are ethnic Armenians and Assyro-Chaldeans. Protestant denominations and evangelical churches also are active, although nonethnically based groups report a greater degree of restrictions on their activities.

The authorities have become particularly vigilant in recent years in curbing what is perceived as increasing proselytizing activities by evangelical Christians, whose services are conducted in Persian. Conversion of a Muslim to a non-Muslim religion can be considered apostasy. Government officials have reacted to this perceived activity by closing evangelical churches and arresting converts. Members of evangelical congregations are required to carry membership cards, photocopies of which must be provided to the authorities. Worshipers are subject to identity checks by authorities posted outside congregation centers. Meetings for evangelical services have been restricted by the authorities to Sundays, and church officials have been ordered to inform the Ministry of Information and Islamic Guidance before admitting new members to their congregations.

As conversion by a Muslim to a non-Muslim religion may be considered apostasy under traditional Shari'a (Islamic law) practices enforced in the country, non-Muslims may not proselytize Muslims without putting their own lives at risk. Evangelical church leaders are subject to pressure from authorities to sign pledges committing them not to evangelize Muslims or to allow Muslims to attend church services.

One organization reported in 1999 the deaths of 8 evangelical Christians at the hands of authorities in the past 11 years, and between 15 and 23 disappearances between November 1997 and November 1998.

Oppression of evangelical Christians continued during the year. Christian groups reported instances of government harassment of churchgoers in Tehran, in particular against worshipers at the Assembly of God congregation in the capital. Cited instances of harassment included conspicuous monitoring outside Christian premises by Revolutionary Guards to discourage Muslims or converts from entering church premises and demands for presentation of identity papers of worshipers inside. Iranian Christians International (ICI) detailed the cases of Alireza and Mahboobeh Mahmoudian, converts to Christianity and lay leaders of the Saint Simon the Zealot Osgofi Church in Shiraz, who were forced to leave the country permanently in June 1998 after continued harassment by the authorities. The ICI reported that Alireza Mahmoudian had lost his job because of his conversion and had been beaten repeatedly by Basiji and Ansar-e Hezbollah thugs on the orders of government officials from the Ministry of Islamic Guidance. His wife, Mahboobeh, also had been the subject of intimidation, principally through frequent and aggressive interrogation by government officials.

Estimates of the size of the Iranian Jewish community vary from 25,000 to 30,000. These figures represent a substantial reduction from the estimated 75,000 to 80,000 Jews who resided in the country prior to the 1979 revolution.

While Jews are a recognized religious minority, allegations of official discrimination are frequent. The Government's anti-Israel policies, coupled with a perception among radicalized Muslim elements in Iran that

There appears to be little restriction or interference with religious practice or education; however, Jews were eased out of most government positions after 1979. Jews are permitted to obtain passports and to travel outside the country; however, with the exception of certain business travelers, they are required by the authorities to obtain government clearance (and pay additional fees) before each trip abroad. The Government appears concerned about the emigration of Jews and permission generally is not granted for all members of a Jewish family to travel outside the country at the same time (see Section 2.d.).

Human Rights Watch reported the death in May 1998 of Jewish businessman Ruhollah Kakhodah-Zadeh, who was hanged in prison without a public charge or legal proceeding. Reports indicate that Kakhodah-Zadeh may have been killed for assisting Jews to emigrate. As an accountant, Kakhoda-Zadeh had provided power-of-attorney services for Jews departing the country.

The Government places some restrictions on these rights. Citizens may travel to any part of the country, although there have been restrictions on travel to Kurdish areas during times of occasional heavy fighting. Roadblocks and security checks are common on routes between major cities. Citizens may change their place of residence without obtaining official permission. The Government requires exit permits (a validation stamp placed in the traveler's passport) for draft-age males and citizens who are politically suspect. Some citizens, particularly those whose skills are in short supply and who were educated at government expense, must post bonds to obtain exit permits. The Government restricts the movement of certain religious minorities and of several religious leaders (see Sections 1.d. and 2.c.).

The Government permits Jews to travel abroad, but often denies them the multiple-exit permits normally issued to other citizens. The Government normally does not permit all members of a Jewish family to travel abroad at the same time. Baha'is often experience difficulty in obtaining passports. Women must obtain the permission of their husband, father, or other living male relative in order to obtain a passport. Married women must receive written permission from their husbands before embarking on a trip outside the country.

Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. Although the Government generally provides first asylum, the Government increased pressure on some refugees to return to their home countries, particularly as the economy has worsened.

The country hosts a large refugee population, mostly Afghans who fled during the Soviet occupation. The Government and the UNHCR estimate that there are approximately 1.4 million Afghan refugees in the country. Most subsist on itinerant labor, often moving from place to place within the country. Between April and December, the government and the UNHCR operated a joint program intended to facilitate the repatriation of Afghans who did not have a well-founded fear of persecution. Approximately 133,000 Afghans returned voluntarily with UNHCR assistance, and another 50,000 returned with help from the Government. There were reports in late 1998 and early 1999 of a surge in the numbers of Afghans forcibly repatriated to their country by government officials and military personnel. Reasons cited were a worsening economic situation and anger over the murders in August 1998 of nine Iranian diplomats and journalists stationed at the Iranian Consulate in the Afghan city of Mazar-e Sharif. There also were reports during this period of civilian mob attacks against groups of Afghan refugees, which resulted in numerous deaths.

The UNHCR estimates that there were about 386,000 Iraqi Kurdish and Arab refugees in the country at year's end. Many of these Iraqi refugees originally were expelled by Iraq at the beginning of the Iran-Iraq war because of their suspected Iranian origin. In numerous instances, both the Iraqi and Iranian Governments dispute their citizenship, rendering many of them, in effect, stateless. Other Iraqi refugees arrived following Iraq's invasion of Kuwait in 1990.

Although the Government claims to host more than 30,000 refugees of other nationalities, including Tajiks, Bosnians, Azeris, Eritreans, Somalis, Bangladeshis and Pakistanis, it has provided no information about them or allowed the UNHCR or other organizations access to them.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The right of citizens to change their government is restricted. The Supreme Leader, the recognized Head of State, is selected for a life term by the Assembly of Experts. The Supreme Leader may also be removed by the Assembly of Experts. The Assembly itself is restricted to clerics, who serve an 8-year term and are chosen by popular vote from a list approved by the Government. There is no separation of state and religion, and clerics dominate the Government. The Government represses any attempts to separate state and religion, or to alter the State's existing theocratic foundation. The selection of candidates for elections effectively is controlled by the Government.

The Constitution provides for a Council of Guardians composed of six Islamic clergymen and six lay members who review all laws for consistency with Islamic law and the Constitution. The Council also screens political candidates for ideological, political, and religious suitability. It accepts only candidates who support a theocratic state; clerics who disagree with government policies also have been disqualified.

Regularly scheduled elections are held for the President, members of the Majles, and the Assembly of Experts. Mohammad Khatami, a former Minister of Culture and Islamic Guidance who was impeached in 1992 by the Majles for "liberalism" and "negligence," was elected President in May 1997. The Interior Ministry estimated that over 90 percent of the eligible population voted in that election. During the campaign, there was considerable government intervention and censorship. For example, the Council of Guardians reviewed 238 candidates, including a woman, but allowed only 4 individuals to run. Three were clerics; all were men. Khatami won nearly 70 percent of the vote, with his greatest support coming from the middle class, youth, minorities, and women. The election results were not disputed, and the Government did not appear to have engaged in fraud.

Elections were held in the fall of 1998 for the 86-member Assembly of Experts. The Council of Guardians disqualified numerous candidates, which led to criticism from many observers that the Government improperly predetermined the election results.

In February 1999, elections for nationwide local councils were held for the first time since the 1979 revolution. Government figures indicated that roughly 280,000 candidates competed for 130,000 council seats across the nation. Women were elected to seats in numerous districts. The Councils do not appear to have been granted the autonomy or authority that would make them effective or meaningful local institutions; doing so could be viewed as a threat to the control of the central Government.

Iran held elections for its 290 seat Majles in February. Of over 6,000 candidates, 576 were disqualified before the elections by the Council of Guardians, which represented a substantial decrease from the 44 percent who were disqualified before the 1996 elections. Most of those disqualified were outspoken advocates of political reform, including some of the most prominent supporters of President Khatami. In addition, an Azeri activist was arrested in December 1999, reportedly to prevent him from registering to run in the elections (see Sections 1.d. and 5). However, candidates with a wide range of views were permitted to run. The elections resulted in a landslide victory for moderate and reform candidates, who now constitute a large majority in the Majles. Vigorous parliamentary debates take place on various issues. However, the Supreme Leader and other

conservatives within the Government used constitutional provisions to block much of the early reform legislation passed by the Majles.

Women are underrepresented in government. They hold 9 of 290 Majles seats. There are no female cabinet members. In 1997 President Khatami appointed the first female vice president (for environmental protection) since the 1979 Islamic Revolution, Masoumeh Ebtekar, following his inauguration. Minister of Islamic Culture and Guidance Ataollah Mohajerani appointed a second woman to a senior post, Azam Nouri, when he chose her in 1997 as his Deputy Minister for Legal and Parliamentary Affairs. President Khatami appointed a woman to serve as Presidential Adviser for Women's Affairs.

Christians, Jews, and Zoroastrians elect deputies to specially reserved Majles seats. However, the UN Special Representative noted in his September report frequent assertions that religious minorities are, by law and practice, barred from being elected to a representative body (except to the seats in the Majles reserved for minorities), and from holding senior government or military positions. Religious minorities are allowed to vote, but they may not run for president.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government continued to restrict the work of local human rights groups. The Government denies the universality of human rights and has stated that human rights issues should be viewed in the context of a country's "culture and beliefs."

Various professional groups representing writers, journalists, photographers, and others attempt to monitor government restrictions in their field and harassment and intimidation against individual members of their professions. However, their ability to meet, organize, and effect change is curtailed severely by the Government.

International human rights NGO's such as Human Rights Watch and Amnesty International are not permitted to establish offices in or conduct regular investigative visits to the country. Human Rights Watch and members of a European judicial monitoring NGO were permitted to send representatives to Shiraz for the trial of 13 Iranian Jews on espionage charges (see Section 2.c.). However, they were not permitted to monitor the trial proceedings.

The ICRC and the UNHCR both operate in the country. However, the Government did not allow the U.N. Special Representative for Human Rights in Iran to visit the country during the year. The Special Representative last was allowed entry into the country to gather information for his yearly report in 1996. However, the Special Representative corresponded with government officials during the year, and received several replies to his correspondence.

The Islamic Human Rights Commission (IHRC) was established in 1995 under the authority of the head of the judiciary, who sits on its board as an observer. In 1996 the Government established a human rights committee in the Majles. Most observers believe that these bodies lack independence. The U.N. Special Representative published statistics provided by the IHRC indicating that in the period from March 1998 to March 1999, 1,051 files were opened on the basis of complaints received by the organization. Of those the highest number of complaints were related to the judiciary. Of a total of about 3,000 currently active files, approximately 1,000 were related to women and women's issues.

In April 1999, Mohammad Zia'i Far, secretary of the IHRC, stated in a press interview that illegal detention centers continue to exist in Iran. The press also reported that the IHRC sought permission from the Special Court for the Clergy to visit imprisoned cleric Mohsen Kadivar in Evin Prison in March 1999 (see Section 1.e.). The request reportedly was never answered. Kadivar was released during the summer. In 1998 Ziaei-Far reportedly complained about the use by police of "special detention centers" to conduct coercive interrogations of detainees (see Section 1.c.) and acknowledged widespread human rights violations.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

In general the Government does not discriminate on the basis of race, disability, language, or social status. The Government does discriminate on the basis of religion and sex.

Women

Although reported cases of spousal abuse and violence against women occur, the statistics on such reports are not available publicly. Abuse in the family is considered a private matter and seldom is discussed publicly. In May 1999, the President's Advisor on Women's Affairs was quoted in the press as stating that "one cannot claim that violence against women does not take place in Iran." The Special Representative noted in his September report that media reporting on the situation of women has diminished, in part due to the closure of the reform-oriented press (see Section 2.a.).

The State enforces gender segregation in most public spaces, and prohibits women mixing openly with unmarried men or men not related to them. Women must ride in a reserved section on public buses and enter public buildings, universities, and airports through separate entrances. Women are prohibited from attending male sporting events, although this restriction does not appear to be enforced universally. While the enforcement of a conservative Islamic dress codes has varied with the political climate since the death of Ayatollah Khomeini in 1989, what women wear in public is not entirely a matter of personal choice. Women are subject to harassment by the authorities if their dress or behavior is considered inappropriate, and may be sentenced to flogging or imprisonment for such violations. The law prohibits the publication of pictures of uncovered women in the print media, including pictures of foreign women. There are penalties for failure to observe Islamic dress codes at work (see Section 6.a.).

In October the Parliament passed a bill to raise the legal age of marriage for women from 9 to 15. However, the Council of Guardians in November rejected the bill as contrary to Islamic law, although even under the current law, marriage at the minimum age is rare. All women, no matter the age, must have the permission of their father or a living male relative in order to marry. The law allows for the practice of Siqeh, or temporary marriage, a Shi'a custom in which a woman or a girl may become the wife of a married or single Muslim male after a simple and brief religious ceremony. The Siqeh marriage can last for a night or as little as 30 minutes. The bond is not recorded on identification documents, and, according to Islamic law, men may have as many Siqeh wives as they wish. Such wives are not granted rights associated with traditional marriage.

Children

People With Disabilities

Religious Minorities

The Labor Code grants workers the right to establish unions; however, the Government does not allow independent unions to exist. A national organization known as the Worker's House, founded in 1982, is the sole authorized national labor organization. It serves primarily as a conduit for the Government to exert control over workers. The leadership of the Worker's House coordinates activities with Islamic labor councils, which are made up of representatives of the workers and one representative of management in industrial, agricultural, and service organizations of more than 35 employees. These councils also function as instruments of government control, although they frequently have been able to block layoffs and dismissals.

In 1991 the Government published a new Labor Code that allowed employers and employees to establish guilds. The guilds issue vocational licenses and help members find jobs.

The Government does not tolerate any strike deemed to be at odds with its economic and labor policies. In 1993 the Parliament passed a law that prohibits strikes by government workers. It also prohibits government workers from having contacts with foreigners and stipulates penalties for failure to observe Islamic dress codes and principles at work. Nevertheless, strikes occur, and apparently in increasing numbers as the economy has worsened. A European-based labor organization that follows Iranian labor issues reported 181 protests and strikes by workers in the period from March 1998 to March 1999. These reportedly included strikes and protests by oil, textile, electrical manufacturing, and metal workers, and by the unemployed.

Newspapers in 1999 reported an "unauthorized rally" by thousands of workers over the Government's labor policies and the poor economy. Instances of late or partial pay for government workers reportedly are common.

There are no known affiliations with international labor organizations.

b. The Right to Organize and Bargain Collectively

Workers do not have the right to organize independently and negotiate collective bargaining agreements. No information is available on mechanisms used to set wages. It is not known whether labor legislation and practice in the export processing zones differ from the law and practice in the rest of the country.

c. Prohibition of Forced or Compulsory Labor

The Penal Code provides that the Government may require any person who does not have work to take suitable employment; however, this does not appear to be enforced regularly. This provision has been criticized frequently by the International Labor Organization (ILO) as contravening ILO Convention 29 on forced labor. There is no information available on the Government's policy on forced and bonded labor by children.

d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Law prohibits employment of minors under 15 years of age and places special restrictions on the employment of minors under age 18. Education is compulsory until age 11. The law permits children to work in agriculture, domestic service, and some small businesses. By law women and minors may not be employed in hard labor or, in general, night work. Information on the extent to which these regulations are enforced is not available. There is no information available on the Government's policy on forced and bonded labor by children (see Section 6.c.). A 1985 law provides for 3 months of paid maternity leave, and 2 half-hour periods per day for nursing mothers to feed their babies.

e. Acceptable Conditions of Work

The Labor Code empowers the Supreme Labor Council to establish annual minimum wage levels for each industrial sector and region. It is not known if the minimum wages are adjusted annually or enforced. The Labor Code stipulates that the minimum wage should be sufficient to meet the living expenses of a family and should take inflation into account. Under current poor economic conditions, many middle-class citizens must work two or even three jobs to support their families. The daily minimum wage was raised in March 1997 to \$2.80 (8,500 rials). This wage apparently is not sufficient to provide a decent standard of living for a worker and family. Information on the percentage of the working population covered by minimum wage legislation is not available.

The Labor Code establishes a 6-day workweek of 48 hours maximum, with 1 weekly rest day, normally Fridays, and at least 12 days of paid annual leave and several paid public holidays.

According to the Labor Code, a Supreme Safety Council, chaired by the Labor Minister or his representative, is responsible for promoting workplace safety and health. The Council reportedly has issued 28 safety directives, and oversees the activities of 3,000 safety committees established in enterprises employing more than 10 persons. Labor organizations outside the country allege that hazardous work environments are common in

Iran, and result in thousands of worker deaths per year. It is not known how well the Ministry's inspectors enforce regulations. It is not known whether workers may remove themselves from hazardous situations without risking the loss of employment.

f. Trafficking in Persons

The law does not prohibit specifically trafficking in persons; however, there were no reports that persons were trafficked to, from, within, or through the country.

*The United States does not have an embassy in Iran. This report draws heavily on non-U.S. Government sources.

[End.]