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Amnesty International Report 2017/18 - The State of the World's Human Rights - Iran

The authorities heavily suppressed the rights to freedom of expression, association and peaceful assembly, as well as freedom of religion and belief, and imprisoned scores of individuals who voiced dissent. Trials were systematically unfair. Torture and other ill-treatment was widespread and committed with impunity. Floggings, amputations and other cruel punishments were carried out. The authorities endorsed pervasive discrimination and violence based on gender, political opinion, religious belief, ethnicity, disability, sexual orientation and gender identity. Hundreds of people were executed, some in public, and thousands remained on death row. They included people who were under the age of 18 at the time of the crime.

Background

In March the UN Human Rights Council renewed the mandate of the UN Special Rapporteur on the situation of human rights in Iran; the Iranian authorities continued to deny her and other UN experts entry to the country.

In May, President Rouhani was elected to a second term in office, following an electoral process that discriminated against hundreds of candidates by disqualifying them on the basis of gender, religious belief and political opinion. The appointment of individuals allegedly involved in grave human rights violations to ministerial posts attracted public criticism.

The EU and Iran worked towards renewing a bilateral human rights dialogue while several human rights defenders served prison sentences imposed for communicating with EU and UN officials. Several governments including those of Australia, Sweden and Switzerland also started bilateral human rights dialogues with Iran.

At the end of December, thousands of Iranians took to the streets to protest against poverty, corruption and political repression, in the first anti-establishment demonstrations on such a scale since 2009.

Freedoms of expression, association and assembly

The authorities continued to crack down heavily on the rights to freedom of expression, association and peaceful assembly, jailing scores of peaceful critics on spurious national security charges. Among those targeted were peaceful political dissidents, journalists, online media workers, students, filmmakers, musicians and writers, as well as human rights defenders including women’s rights activists, minority rights and environmental activists, trade unionists, anti-death penalty campaigners, lawyers, and those seeking truth, justice and reparation for the mass executions and enforced disappearances of the 1980s.

Many prisoners of conscience undertook hunger strikes to protest against their unjust imprisonment.

The authorities arrested hundreds of protesters following anti-establishment demonstrations that began across the country at the end of December. Reports emerged that security forces killed and injured unarmed protesters by using firearms and other excessive force. On 31 December the Minister of Information and Communications Technology blocked access to Instagram and the popular messaging application Telegram, used by activists to promote and support the protests.

Earlier in the year, judicial officials had exerted persistent pressure on the Ministry of Information and Communications Technology to request that Telegram relocate its servers to Iran and close tens of thousands of Telegram channels, which according to the judiciary “threatened national security” or “insulted religious values”. Telegram said it rejected both requests.

Other popular social media sites including Facebook, Twitter and YouTube remained blocked.

Journalists and online media workers faced a renewed wave of harsh interrogations and arbitrary arrests and detentions before the presidential election in May. Those using Telegram were particularly targeted for harsh prison sentences, some exceeding a decade.

Freedom of musical expression remained curtailed. Women were banned from singing in public and the authorities continued to forcibly cancel many concerts. In August, several hundred artists called on President Rouhani to end such restrictions.

The authorities continued their violent raids on private mixed-gender parties, arresting hundreds of young people and sentencing many to flogging.

Censorship of all forms of media and jamming of foreign satellite television channels continued. The judicial authorities intensified their harassment of journalists working with the Persian BBC service, freezing the assets of 152 former or current BBC journalists and banning them from conducting financial transactions.

The Association of Journalists remained suspended.

Scores of students continued to be barred from higher education in reprisal for their peaceful activism, despite President Rouhani's election promise to lift the ban.

Bans on independent trade unions persisted and several trade unionists were unjustly imprisoned. Security forces continued to violently suppress peaceful protests by workers, including on International Workers' Day.

Dozens of environmental activists were summoned for interrogation, detained and prosecuted for participating in peaceful protests against air pollution, disappearing lakes, river diversion projects and dumping practices.

Opposition leaders Mehdi Karroubi and Mir Hossein Mousavi and the latter's wife, Zahra Rahnava, remained under house arrest without charge or trial since 2011.

Torture and other ill-treatment

Torture and other ill-treatment remained common, especially during interrogations. Detainees held by the Ministry of Intelligence and the Revolutionary Guards were routinely subjected to prolonged solitary confinement amounting to torture.

Failure to investigate allegations of torture and exclude “confessions” obtained under torture as evidence against suspects remained systematic.

The authorities continued to deprive prisoners detained for political reasons of adequate medical care. In many cases, this was done as a deliberate punishment or to extract “confessions”, and amounted to torture.

Prisoners endured cruel and inhuman conditions of detention, including overcrowding, limited hot water, inadequate food, insufficient beds, poor ventilation and insect infestations.

More than a dozen political prisoners at Karaj's Raja'i Shahr prison waged a prolonged hunger strike between July and September in protest at their dire detention conditions. Some faced denial of medical care, solitary confinement and fresh criminal charges in reprisal.

Cruel, inhuman or degrading punishment

Judicial authorities continued to impose and carry out, at times in public, cruel and inhuman punishments amounting to torture.

Scores of individuals, including children, faced up to 100 lashes for theft and assault as well as for acts that, under international law, must not be criminalized – including extra-marital relationships, attending mixed gender parties, eating in public during Ramadan or attending peaceful protests.

In January, journalist Hossein Movahedi was lashed 40 times in Najaf Abad, Esfahan province, after a court found him guilty of inaccurately reporting the number of motorcycles confiscated by police in the city. In August, a criminal court in Markazi province sentenced trade unionist Shapour Ehsanirad to 30 lashes and six months' imprisonment for participating in a protest against unjust work conditions.

In February, the Supreme Court upheld a blinding sentence issued by a criminal court in Kohgiluyeh and Boyer-Ahmad province against a woman in retribution for blinding another woman.

Dozens of amputation sentences were imposed and subsequently upheld by the Supreme Court. In April, judicial authorities in Shiraz, Fars province, amputated the hand of Hamid Moinee and executed him 10 days later. He had been convicted of murder and robbery. At least four other amputation sentences were carried out for robbery.

The authorities also carried out degrading punishments. In April, three men accused of kidnapping and other crimes were paraded around Dehloran, Ilam province, with their hands tied and watering cans used for lavatory washing hung around their necks. Eight men were similarly humiliated in Pakdasht, Tehran province, in July.

In May, a woman arrested for having an intimate extramarital relationship was sentenced by a criminal court in the capital, Tehran, to two years of washing corpses and 74 lashes. The man was sentenced to 99 lashes.

Unfair trials

Trials, including those resulting in death sentences, were systematically unfair. There were no independent mechanisms for ensuring accountability within the judiciary. Serious concerns remained that judges, particularly those presiding over Revolutionary Courts, were appointed on the basis of their political opinions and affiliation with intelligence bodies, and lacked legal qualifications.

Fair trial provisions of the 2015 Code of Criminal Procedure, including those guaranteeing access to a lawyer from the time of arrest and during investigations, were routinely flouted. The authorities continued to invoke Article 48 of the Code of Criminal Procedure to prevent those detained for political reasons from accessing lawyers of their own choosing. Lawyers were told they were not on the list approved by the Head of the Judiciary, even though no official list had been made public.

Trials, particularly those before Revolutionary Courts, remained closed and extremely brief, sometimes lasting just a few minutes.

Foreign nationals and Iranians with dual nationality continued to face arbitrary arrest and detention, grossly unfair trials and lengthy imprisonment. The authorities claimed that they were countering foreign-orchestrated “infiltration projects”. In reality, such individuals were often charged with vague national security offences in connection with the peaceful exercise of their rights to freedom of expression and association.

Freedom of religion and belief

Freedom of religion and belief was systematically violated, in law and practice. The authorities continued to impose codes of public conduct rooted in a strict interpretation of Shi’a Islam on individuals of all faiths. Non-Shi’a Muslims were not allowed to stand as presidential candidates or hold key political offices.

Widespread and systematic attacks continued to be carried out against the Baha’i minority. These included arbitrary arrests, lengthy imprisonment, torture and other ill-treatment, forcible closure of Baha’i-owned businesses, confiscation of Baha’i properties, bans on employment in the public sector and denial of access to universities. The authorities regularly incited hatred and violence, vilifying Baha’is as “heretical” and “filthy”. There were renewed concerns that hate crimes could be committed with impunity after two men who had admitted to killing Farang Amiri because of his Baha’i faith were released on bail in June.

Other religious minorities not recognized under the Constitution, such as Yaresan (Ahl-e Haq), also faced systematic discrimination, including in education and employment, and were persecuted for practising their faith.

The right to change or renounce religious beliefs continued to be violated. Christian converts received harsh prison sentences, which ranged from 10 to 15 years in several cases. Raids on house churches continued.

Gonabadi dervishes faced imprisonment and attacks on their places of worship. A number were arbitrarily dismissed from employment or denied enrolment in universities.

Those who professed atheism remained at risk of arbitrary arrest and detention, torture and other ill-treatment and the death penalty for “apostasy”.

Sunni Muslims continued to report discrimination, including restrictions on holding separate prayers for Eid al-Fitr celebrations and exclusion from high-ranking positions.

In a departure from Iranian law, the Court of Administrative Justice suspended the membership of Sepanta Niknam, a Zoroastrian man, from Yazd’s City Council in October, based on an opinion from the head of Iran’s Guardian Council who said it was against Shari’a law to allow the governance of non-Muslims over Muslims.

At least two people were sentenced to death for the peaceful exercise of their rights to freedom of religion and belief (see below).

Discrimination – ethnic minorities

Ethnic minorities, including Ahwazi Arabs, Azerbaijani Turks, Baluchis, Kurds and Turkmen, remained subject to entrenched discrimination, curtailing their access to education, employment, adequate housing and political office.

Continued economic neglect of minority-populated regions further entrenched poverty and marginalization. In Sistan-Baluchistan province, residents of many villages reported a lack of access to water, electricity, schools and health facilities. The impoverished province retained high rates of illiteracy among girls and of infant mortality.

The Persian language remained the sole medium of instruction during primary and secondary education, contributing to higher drop-out rates in minority-populated areas.

There was ongoing criticism of the absence of measures ensuring minority self-government.

Members of minorities who spoke out against violations of their rights faced arbitrary arrest, torture and other ill-treatment, grossly unfair trials, imprisonment and the death penalty. Intelligence and security bodies frequently accused minority rights activists of supporting “separatist currents” threatening Iran’s territorial integrity.

Iran’s border guards continued to unlawfully shoot and kill, with full impunity, scores of unarmed Kurdish men known as Kulbars who work as cross-border porters between Iraqi and Iranian Kurdistan. In September, security forces violently suppressed protests in Baneh and Sanandaj over the fatal shootings of two Kulbars, and detained more than a dozen people.

There was a heavy police presence across Kurdistan province in September when members of Iran’s Kurdish minority held rallies in support of the independence referendum in the Kurdish region of northern Iraq. More than a dozen people were reportedly arrested.

In June, security forces were deployed in Ahvaz in advance of the Eid al-Fitr holiday to prevent gatherings planned in solidarity with families of Ahwazi Arabs imprisoned or executed for political reasons. More than a dozen people were arbitrarily detained and many more were summoned for interrogation. Ahwazi Arab human rights defender Mohammad Ali Amouri remained on death row.

Discrimination – women and girls

Women remained subject to entrenched discrimination in law and practice, including in access to divorce, employment, equal inheritance and political office, and in family and criminal law.

Acts of violence against women and girls, including domestic violence and early and forced marriage, were widespread and committed with impunity. The authorities failed to criminalize gender-based violence; a draft bill remained pending since 2012. The legal age of marriage for girls remained at 13, and fathers and grandfathers could obtain permission from courts for their daughters to be married at an even younger age.

All 137 women who registered as presidential candidates were disqualified by the Guardian Council. President Rouhani included no woman ministers in his cabinet, despite civil society demands.

Compulsory veiling (hijab) allowed police and paramilitary forces to harass and detain women for showing strands of hair under their headscarves or for wearing heavy make-up or tight clothing. State-sanctioned smear campaigns were conducted against women who campaigned against the compulsory hijab.

Iran’s Civil Code continued to deny Iranian women married to non-Iranian men the right to pass their nationality on to their children, a right enjoyed by Iranian men married to foreign spouses.

Authorities defied ongoing public pressure to open football stadiums to women spectators.

Women experienced reduced access to affordable modern contraception as the authorities failed to restore the budget for state family planning programmes cut in 2012. Parliament passed a law in October imposing severe restrictions on imparting information about contraception.

The authorities continued to monitor and restrict foreign travel of women’s rights activists. Alieh Motalebzadeh was sentenced to three years’ imprisonment in August for attending a workshop in Georgia on “Women’s empowerment and elections”.

Discrimination – persons with disabilities and people living with HIV

The UN Committee on the Rights of Persons with Disabilities reviewed Iran’s human rights record in March. The Committee condemned state discrimination and violence against people with physical and intellectual disabilities; poor implementation of accessibility standards; and denial of reasonable accommodation at the workplace. The Committee also expressed alarm at reports of forced institutionalization of people with disabilities and non-consensual medical treatments against people perceived to have a disability, including on the grounds of gender identity and sexual orientation. In December, parliament passed a proposed law on the Protection of the Rights of People with Disabilities which, if implemented fully, would enhance accessibility and access to education, housing, health care and employment.

In August the Ministry of Education adopted discriminatory criteria for disqualifying candidates for teaching positions. This included illnesses, crossed eyes, facial moles, short height and heavy weight. Following public outrage, the Ministry promised revisions but said that people living with HIV would still be barred as they lacked “moral qualifications”.

Death penalty

The authorities continued to execute hundreds of people after unfair trials. Some executions were conducted in public.

The authorities continued to describe peaceful campaigning against the death penalty as “un-Islamic”, and harassed and imprisoned anti-death penalty activists.

The majority of executions were for non-lethal drug-related offences. A new law adopted in October increased the quantities of drugs required for imposing the death penalty but retained mandatory death sentences for a wide range of drug-related offences. While the new law provided for retroactive applicability, it remained unclear how the authorities intended to implement it to commute the death sentences of those already on death row.

It was possible to confirm the execution of four individuals who were under 18 at the time of the crime and the cases of 92 other juvenile offenders who remained on death row. The real numbers were likely to be much higher. Several executions were scheduled and postponed at the last minute because of public campaigning. Retrials of juvenile offenders pursuant to Article 91 of the 2013 Islamic Penal Code continued to result in renewed death sentences following arbitrary assessments of their “maturity” at the time of the crime.

The death penalty was maintained for vaguely worded offences such as “insulting the Prophet”, “enmity against God” and “spreading corruption on earth”.

In August, spiritual teacher and prisoner of conscience Mohammad Ali Taheri was sentenced to death for the second time for “spreading corruption on earth” through establishing the spiritual group Erfan-e Halgheh; in October the Supreme Court quashed the death sentence. He remained in solitary confinement.

Prisoner of conscience Marjan Davari was sentenced to death in March for “spreading corruption on earth” in connection with her membership of the religious group Eckankar and for translating their materials. The Supreme Court subsequently quashed the death sentence and sent the case back to the Revolutionary Court in Tehran for retrial.

The Islamic Penal Code continued to provide for stoning as a method of execution.

Some consensual same-sex sexual conduct remained punishable by death.

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