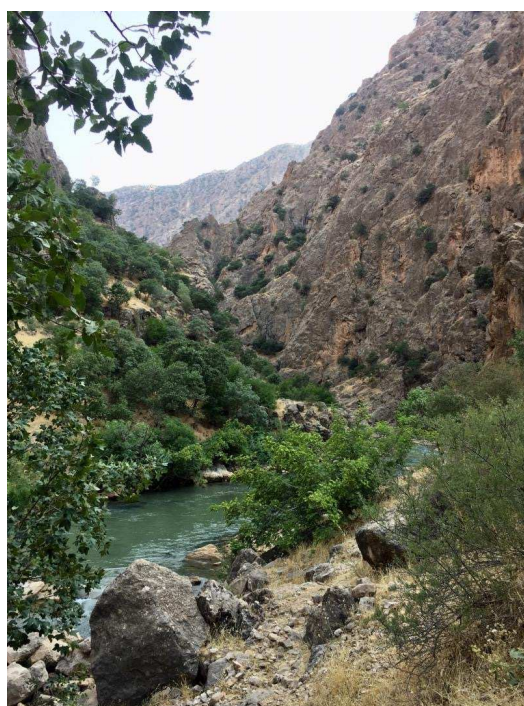


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Iranian Kurds

*Consequences of political
activities in Iran and KRI*



Ministry of Immigration
and Integration

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Immigration Service

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Front page: Private photo from the Iranian province of Kurdistan.

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Disclaimer

This report was written according to the EASO COI Report Methodology.¹ The report is primarily based on approved minutes from meetings with carefully selected sources; however, written material is used as well. Statements from sources are used in the report and all statements are referenced.

This report is not, and does not purport to be a detailed or comprehensive survey of all aspects of the issues addressed in the report and should be weighed against other available country of origin information on conditions for Iranian Kurds, who are in opposition to the Iranian Government in Iran, and in Kurdistan Region of Iraq (KRI).

The report at hand does not include any policy recommendations or analysis. The information in the report does not necessarily reflect the opinion of the Danish Immigration Service.

Furthermore, this report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

¹ EASO, Country of Origin Information (COI), Report Methodology, June 2019, [url](#)

Introduction and methodology

The report at hand focuses on conditions for Iranian Kurds who are in opposition to the Iranian government in Iran and in the Kurdistan Region of Iraq (KRI).

The report is the product of a mission conducted by the Country of Origin Information Division, Danish Immigration Service (DIS) to Erbil, KRI and Geneva, Switzerland.

The purpose of the mission was to collect updated information on issues recurring in cases regarding Iranian Kurds in Denmark. The terms of reference (ToR) for the mission were drawn up by DIS, in consultation with the Danish Refugee Appeals Board as well as an advisory group on COI ('Referencegruppen').² The ToR are included at the end of the report (Appendix 2).

Due to lack of access to sources inside Iran, and because of lack of presence of free media or international media in the country, the sources consulted were mostly exiled Iranian Kurds based in KRI. These sources are connected to people living in the Kurdish region of Iran, but due to their activities they are barred from travelling back and forth to Iran; and their narratives may be shaped by the negative experiences they had before they left Iran. Views from other types of sources such as scholars, international organisations and diplomats may have given a more balanced impression of the situation. However, such sources were to a large extent not available to the delegation. In this respect it is relevant to mention that a foreign academic researcher, who is a specialist in Iran, who DIS formerly interviewed, is no longer granted visa to Iran. With regard to access to diplomatic sources, a report by DIS and DRC published in 2018 was based on diplomatic sources from Tehran who stated that it is difficult to gain insight into the situation in the Kurdish area in Iran as access for many is restricted by the Iranian authorities.

In the process of compiling this report, the delegation consulted 11 sources in total, comprising journalists, NGOs, local governmental authorities in KRI who were all interviewed orally as well as an academic researcher who answered questions in writing. In addition, two international organisations were consulted for background information.

The sources interviewed were selected by the delegation based on expertise, merit and role of each source relevant to the mission.

The sources were asked how reference might be made to them in the report. Three out of eleven sources were given anonymity for the sake of discretion and upholding tolerable working conditions, as well as for personal safety.

The sources consulted were informed about the purpose of the mission and that their statements would be included in a public report. The minutes from the meetings with the sources were forwarded to them for approval, giving them a chance to amend, comment or correct their statements. Nine sources approved their statements. The Kurdistan Regional Government (KRG) authorities Directorate of Residency as well as Directorate of Passports did not reply to several requests for approval of the minutes of the meetings before the finalisation of the report. The notes are included in the report in the forwarded form.

² The group consists of the Danish Refugee Council, Amnesty International in Denmark, Danish Institute for Human Rights, Dignity, representatives of two Christian organisations (Danish European Mission and Open Doors), the National Commissioner of Police and the Danish Bar and Law Society (representing asylum lawyers).

The report is a synthesis of the sources' statements and thus does not include all details and nuances of each statement. Written material has been included in the report where relevant. Care has been taken to present the views of the sources as accurately and transparently as possible. The statements of all sources are found in their full extent in Appendix 1 of this report.

Certain concrete cases that were mentioned by the sources are anonymized with regard to protection of the person in question and their families.

During the interviews, the sources highlighted issues that are not addressed in the ToR. Since these issues could be relevant to refugee status determination, they are included in the meeting notes in *Appendix 1*, but they are not fully addressed in the report.

Norwegian Landinfo peer-reviewed the report as they simultaneously visited KRI with a focus on issues relating to Iranian Kurds. Some information from their meetings is included in the report.

For the sake of reader-friendliness, transparency and accuracy, paragraphs in the meeting minutes in *Appendix 1* have been given consecutive numbers, which are used in the report when referring to the statements of the sources in the footnotes. The intention hereby is to make it easier to find the exact place of a statement in the meeting minutes.

Finally, attention should be called to the changeable situation in Iran and in KRI and the fact that the information provided may quickly become out-dated. Therefore, the issues addressed in this report should be monitored periodically and be brought up to date accordingly.

The research and editing of this report was finalised by 16 January 2020.

Abbreviations and definitions used in the report

Aman-nameh	In English: Security letter	The document is issued by the Iranian authorities enabling a person to return to Iran. ³
Asayish	Security service in KRI.	The KDP and PUK maintain separate security and intelligence services. ⁴
Basij	A paramilitary force	The Basij are a volunteer-based paramilitary force under IRGC control. ⁵
COI	Country of Origin Information	Country of Origin Information (COI) refers to information about countries of origin, habitual residence, and transit or return countries used in procedures for the individual assessment of applications for international protection. ⁶
DIS	Danish Immigration Service	
IRR	Iranian Rial	The official currency of Iran. In daily life, 'the toman' is often used. One toman is equivalent to ten rials.
IRGC	The Islamic Revolutionary Guard Corps (in Farsi: 'Sepah-e Pasdaran-e Enghelab-e Eslami-e Iran')	Iran's elite military force responsible for protecting the Islamic regime from internal and external threats. The IRGC's role is enshrined in the constitution and it answers only to Iran's supreme leader, Ayatollah Ali Khamenei, thus also endowing it with an enormous range of legal, political and religious powers. ⁷ The IRGC itself is a somewhat decentralized system, with ten regional headquarters, defending the regime against both high-intensity warfare and low-intensity internal challenges such as insurgency. ⁸
IRGC Intelligence Service	Also named IRGC Intelligence Organisation (IRGC-IO) (in Farsi: 'Sazman-e Ettela'at-e Sepah-e Pasdaran-e Enghelab-e Eslami')	The IRGC Intelligence Service was established by Ayatollah Ali Khamenei in 1997 after the election of reformist president Mohammad Khatami as an alternative organisation with functions that parallel the Ministry of Intelligence. The IRGC Intelligence Service has largely taken over domestic security, though Ministry of Intelligence shares responsibilities for actively preventing internal unrest. ⁹
IS	Islamic State	Also commonly referred to as Islamic state or by use of the acronyms ISI [Islamic State in Iraq], ISIS [Islamic State in Iraq and Syria], ISIL [Islamic State in Iraq and the

³ Kurdish Human Rights Network: 271

⁴ USDOS – US Department of State: *Country Report on Human Rights Practices 2017 - Iraq*, 20 April 2018, [url](#)

⁵ WINEP - Washington Institute for Near East Policy: *Iran's Basij Mull a Wider Domestic and Regional Role* (author: Farzin Nadimi), 20 December 2016, [url](#), p. 18 ; United States Congressional Research Service, *'Iran's Foreign and Defense Policies'*, 15 June 2017, [url](#)

⁶ EASO, Country of Origin Information (COI), *Report Methodology*, June 2019, [url](#)

⁷ DW - Deutsche Welle: *What is Iran's Revolutionary Guard?*, 13 October 2017, [url](#)

⁸ WINEP - Washington Institute for Near East Policy, Saeid Golkar, *Iran's Coercive Apparatus: Capacity and Desire*, 5 January 2018, [url](#)

⁹ WINEP - Washington Institute for Near East Policy, *Iran's Widening Crackdown Pressures Rouhani*, November 25, 2015, [url](#)

		Levant] and DAESH [Arabic acronym for: ‘al-dawla al-islamiyya fii-il-i’raaq wa-ash-shaam’ meaning ‘Islamic State in Iraq and Syria/the Levant’] ¹⁰
KDPI (also abbreviated: PDKI)	Democratic Party of Iranian Kurdistan (<i>Hezb-e Demokrāt-e Kordestān-e Īrān</i>)	The Kurdish Democratic Party of Iran, was founded in the city of Mahabad on 16 August 1945. ¹¹
KDP-Iran	Kurdistan Democratic Party (KDP-Iran)	KDP-Iran broke off from KDPI in 2006. ¹²
KDP	Kurdistan Democratic Party	One out of two dominating political parties and governing powers in KRI. KDP is governing Dohuk and Erbil Governorates. ¹³
KMMK-G	The Association of Human Rights in Kurdistan – Geneva (KMMK-G)	KMMK-G is an independent organisation with no political affiliation. It was established in 2006 to serve as a bridge between the Kurdish civil society and the United Nations (UN) agencies and international institutions as well as Kurdish and Iranian civil society. ¹⁴
Kolbar	Farsi and Kurdish for ‘carrier of items’ (in plural: kolbaran)	The kolbars, who are living in a poor region, are working illegally and transporting consumer goods across the border. ¹⁵
Komala	Farsi and Kurdish for ‘group’ or ‘forum’	The Komala is an Iranian Kurdish Party established in 1969. Its members at the time consisted of Kurdish leftist students and intellectuals mainly from Tehran but also from other Kurdish towns. Founded on socialist values, Komala fights for Kurdish rights and a democratic, secular and pluralist federal Iran. ¹⁶ Komala was split into three or more parties. ¹⁷
KRG	Kurdistan Regional Government	Autonomy rule of Kurdistan Region of Iraq, which includes Dohuk, Erbil and Sulaimania Governorates. ¹⁸
KRI	Kurdistan Region of Iraq	Area, including Dohuk, Erbil and Sulaimania Governorates under autonomy rule by KRG.
Mohareb	In English: a person who fights	The Iranian Penal Code defines ‘mohareb’ as someone

¹⁰ Denmark, DIS, Danish Immigration Service and the Danish Refugee Council: *The Kurdistan Region of Iraq (KRI), Access, Possibility of Protection, Security and Humanitarian Situation, Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015*, [url](#), p. 8

¹¹ Norway, Landinfo, *Query response Iran: Increased Kurdish military activity in Iran*, 13 February 2017, [url](#), p.3

¹² Norway, Landinfo, *Query response, Iran: Increased Kurdish military activity in Iran*, 13 FEBRUARY 2017, [url](#); party website of KDP-I: [url](#)

¹³ Denmark, DIS, Danish Immigration Service and the Danish Refugee Council: *The Kurdistan Region of Iraq (KRI) Access, Possibility of Protection, Security and Humanitarian Situation, Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015*, [url](#), pp.12-13

¹⁴ The Association for Human Rights in Kurdistan - Geneva (KMMK-G), About us, n.d., [url](#)

¹⁵ IHRDC: 134

¹⁶ Komala official website, [url](#)

¹⁷ Middle East Research Institute (MERI), *Iran and its Opposition Kurdish Parties: The Need for Dialogue*, 4 December 2016, [url](#); A journalist in KRI (C): 294; Kurdistan Human Rights Network: 251; Hengaw: 82

¹⁸ Kurdistan Regional Government, [url](#)

	God	who 'takes up arms with the intention of taking people's lives, property, or honour in order to cause fear among them in a manner that causes insecurity' (Article 279 of the Iranian Penal Code). ¹⁹
Ministry of Intelligence	(in Farsi: Vezarat-e Ettela'at Jomhuri-ye Eslami-ye Iran) (formerly named: Ministry of Intelligence and Security (MOIS))	The Ministry of Intelligence is an entity that conducts domestic surveillance to identify regime opponents and seeks to penetrate anti-regime cells. Ministry of Intelligence answers directly to the Supreme Leader of Iran. Although the president appoints the head of the ministry, the Supreme Leader must approve the appointment, and the president cannot remove the appointee without the Supreme Leader's approval. ²⁰
NGO	non-governmental organisation	Refers to organisations who are not affiliated with any government.
OHCHR	The Office of the High Commissioner for Human Rights (UN Human Rights)	The leading UN entity on human rights. ²¹
PAK	Kurdistan Freedom Party (<i>Parti Azadi Kurdistan</i>)	An Iranian Kurdish party based in KRI. ²²
Peshmerga	Translates from Kurdish and Farsi to "those who face death".	The military forces of the Kurdish parties. ²³
PJAK	Kurdistan Free life Party (<i>Hezb-e Hayat-e Azad-e Kurdistan-e Iran</i>)	PJAK was founded in the late 1990s as an independent student-based human rights movement aiming to build a Kurdish national identity. The group is based in the Qandil Mountains in the border area of Iran, Iraq and Turkey. ²⁴
PKK	Kurdistan Workers Party	The Kurdistan Workers' Party (Partiya Karkerên Kurdistan, PKK) was established in 1978 aiming to create an independent Kurdish state in Turkey. The PKK has been designated a terrorist organisation by some states and organisations, including Turkey, the European Union (EU), the US, and Canada. ²⁵

¹⁹ Iran: Islamic Penal Code, 20 November 1991, [url](#) ; KMMK-G:8

²⁰ ACCORD – Austrian Centre for Country of Origin and Asylum Research and Documentation: *Iran: COI Compilation*, July 2018, [url](#), pp. 70-72

²¹ OHCHR – *Who we are*, The Office of the High Commissioner for Human Rights, [url](#)

²² AI – Amnesty International: *Urgent Action: 166/18 [MDE 13/9054/2018]*, 10 September 2018, [url](#)

²³ Deutsche Welle, *Peshmerga*, 3 September 2019, [url](#)

²⁴ BMI - Bundesministerium für Inneres (Taucher, Wolfgang; Vogl, Mathias; Webinger, Peter [eds.]) (Author), published by BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit): *regiones et res publicae - The Kurds: History - Religion - Language - Politics, Kurdish political parties in Iran*, Simone Langanger, 2015, [url](#), pp. 173-176 ; Jamestown Foundation, *Party for Free Life in Kurdistan: The PKK's Iranian Wing Bides Its Time*, 15 January 2018, [url](#)

²⁵ IRB – Immigration and Refugee Board of Canada: *Turkey: The Kurdistan Workers' Party (PKK), including areas of operation and targets, methods of recruitment and activities; state response [TUR104075.E]*, 15 June 2012, [url](#)

PUK	Patriotic Union of Kurdistan	One out of two dominating political parties and governing powers in KRI. PUK is governing Sulaimania Governorate. ²⁶
Toman	Iranian currency	In daily life, 'the toman' is often used. One toman is equivalent to ten rials (IRR).
ToR	Terms of Reference	The scope and limitations of an activity or area of knowledge. (See appendix 2)
UNHCR	United Nations High Commissioner for Refugees	UNHCR, the UN Refugee Agency, is a global organisation dedicated to saving lives, protecting rights and building a better future for refugees, forcibly displaced communities and stateless people. ²⁷

²⁶ Danish Immigration Service and the Danish Refugee Council: *The Kurdistan Region of Iraq (KRI) Access, Possibility of Protection, Security and Humanitarian Situation, Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015*, [url](#), pp.12-13

²⁷ UNHCR, *About us*, [url](#)

Executive summary

The presence of Kurdish political parties in Iran is limited due to the pressure from the authorities. Nevertheless, the parties are able to encourage the population to go on strike and protest with political messages against the Iranian government.

The Kurdish Region of Iran is militarised and the Iranian government is closely monitoring the Kurdish population, through regular checkpoints. The government also monitors people through their use of telecommunications as well as social media. Spies for the Iranian Revolutionary Guard Corps (IRGC) Intelligence Service are present in the Kurdish region, while some members of the local population are working as informants for the Iranian authorities.

Clashes between the Iranian government and the Kurdish political parties have continued over the last years, following two decades of ceasefire. In 2015, Kurdish the political party Democratic Party of Iranian Kurdistan (KDPI) re-established its Peshmerga forces in the border areas, as did one of the Komala parties, Komala-Party of Iranian Kurdistan, in 2017.

The government of Iran perceives any sort of political or civil activism as a potential threat; as such both political activists and civil activists are at risk of being persecuted. Members and supporters of KDPI and Komala are generally treated harsher than other activists in the Kurdish area. Typically, the Iranian authorities do not differentiate between members and supporters of the parties. While the Iranian authorities tend to accuse people who get arrested of being connected to these parties, this is not always the case.

Arrests take place for many different reasons, including actual or perceived membership of or support for the Kurdish opposition parties. Torture is most frequently used during the pre-investigation phase and is used to compel confessions. Harsh sentences such as long term imprisonment and the death penalty are more likely to be given to members and perceived members of the Kurdish political parties.

Family members to party members and supporters are also at risk of being questioned, detained and arrested by the Iranian authorities that are using family members to put pressure on activists. Close family members are more likely to be subjected to arrest than members of the extended family.

The Iranian authorities are present in the Kurdish Region of Iraq (KRI) and monitor activists. Political activists are pressured to stop their activities, some through their families back in Iran, instigated by the Iranian authorities. The (Iranian) authorities are also responsible for killings of political activists as well as armed attacks, for instance the missile attack on KDPI camps on 8 September 2018.

Failed asylum seekers returning to Iran from Europe are at risk of being interrogated, arrested and in some cases tortured and killed if connected to political activism by the Iranian authorities. Iranian Kurds who are returning to Iran from KRI can apply for a security letter ('aman-nameh') from the Iranian authorities in KRI in order to return legally. However, some party members have been summoned, arrested and detained despite having a security letter. A similar uncertainty applies to returnees from the al Tash refugee camp who are perceived of having a history of cooperation with the Kurdish opposition parties.

Despite intensified border control by the Iranian authorities, particularly the IRGC, it is still possible to cross the border illegally. However, the transportation of goods across the border is taking place at a high risk, as

the IRGC has been killing persons who crosses the border illegally. The casualty figures for January to October 2019 were 61 people killed and 150 people were injured.

Background

Fact box: Kurdish population in the Middle East

An estimated 25-35 million Kurds live across the broader Middle East. The majority of the Kurdish population live in north-western Iran, northern Iraq, north-eastern Syria, south-eastern Turkey and south-western Armenia; a region which is referred to as 'Kurdistan' by ethnic Kurds.²⁸ The Kurds constitute the fourth largest ethnic group in the Middle East.²⁹ In Iran there is an estimated Kurdish population of 11-13 million.³⁰



Map: Kurds in the Middle East³¹

²⁸ BBC, *Who are the Kurds?*, [url](#) ; BMI - Bundesministerium für Inneres (Taucher, Wolfgang; Vogl, Mathias; Webinger, Peter [eds.]) (Author), published by BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit): regiones et res publicae - The Kurds: History - Religion - Language - Politics, A religious landscape of the Kurds 2015, [url](#), pp. 22-24

²⁹ BBC, *Who are the Kurds?* [url](#)

³⁰ KMMK-G: 2

³¹ Source: BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit): Atlas Syria, July 2015, [url](#)

The Iranian Kurdish political parties

Kurdish Democratic Party of Iran (KDPI)

The Kurdish Democratic Party of Iran, was founded in the city of Mahabad on August 16, 1945. On the official KDPI website, it is stated that the aim of the party is ‘*to attain Kurdish national rights within a federal and democratic Iran*’.³² KDPI is traditionally regarded as the largest of the Iranian-Kurdish parties.³³ KDP-Iran broke off from KDPI in 2006 and is a separate party.³⁴

Komala

The Komala Party was established in 1969. Its members at the time consisted of Kurdish leftist students and intellectuals mainly from Tehran but also from other Kurdish towns. Founded on socialist values, Komala fights for Kurdish rights and a democratic, secular and pluralist federal Iran.³⁵ Komala consists of three or more separate parties. Three of them are named ‘the Komala Party of Iranian Kurdistan’, ‘the Komala Communist Party of Kurdistan’ and the ‘Komala Communist Party in Iran’.³⁶

PJAK (Kurdistan Free life Party)

PJAK was founded in the late 1990s as an independent student-based human rights movement aiming to build a Kurdish national identity. The group is based in the Qandil Mountains in the border area of Iran, Iraq and Turkey. As opposed to Komala and KDPI, PJAK does not rely on the support of Kurdistan Regional Government (KRG).³⁷

Historic overview

The first and only Kurdish Republic

In 1946, with support from the Soviet Union (who occupied the northern parts of Iran, while the British Empire occupied southern parts) the first and only Kurdish Republic was established, situated in the city of Mahabad. Shortly after the establishment of the republic, the Soviet Union sided with Iran for oil related gains, and Iranian troops recaptured Mahabad in December 1946. KDPI played an important role in the proclamation of the Kurdish Republic. However, in the aftermath of its collapse, the KDPI saw a period of diminishing capacities and a lessened influence. A number of KDPI leaders were either imprisoned or executed and the party therefore started operating underground in the years to come.³⁸

Iranian Kurdish resistance after the Revolution in 1979

Under the leadership of Abdul Rahman Ghassemlou, KDPI actively supported the 1979 Iranian Revolution, hoping to claim their right of autonomy in a democratically ruled Iran. At this time, the party managed to

³² KDPI official website, [url](#)

³³ Norway, Landinfo, *Query response Iran: Increased Kurdish military activity in Iran*, 13 February 2017, [url](#), p.3

³⁴ Norway, Landinfo, *Query response. Iran: Increased Kurdish military activity in Iran*, 13 February 2017, [url](#), p. 1

³⁵ Komala official website, [url](#)

³⁶ Middle East Research Institute (MERI), *Iran and its Opposition Kurdish Parties: The Need for Dialogue*, 4 December 2016, [url](#); A journalist in KRI (C): 294; Kurdistan Human Rights Network: 251; Hengaw: 82

³⁷ BMI - Bundesministerium für Inneres (Taucher, Wolfgang; Vogl, Mathias; Webinger, Peter [eds.]) (Author), published by BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit): *regiones et res publicae - The Kurds: History - Religion - Language - Politics, Kurdish political parties in Iran* 2015, [url](#), pp. 173-176; Jamestown Foundation, *Party for Free Life in Kurdistan: The PKK's Iranian Wing Bides Its Time*, 15 January 2018, [url](#)

³⁸ BMI - Bundesministerium für Inneres (Taucher, Wolfgang; Vogl, Mathias; Webinger, Peter [eds.]) (Author), published by BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit): *regiones et res publicae - The Kurds: History - Religion - Language - Politics, Kurdish political parties in Iran* 2015, [url](#), p. 165

build up an organisation with strong ties to the Kurdish population. Exiled party leaders returned or were released from prison and with the assistance of Kurdish army officers, KDPI built up a strong organisation.³⁹

However, Ayatollah Khomeini banned the Kurdish parties and they were forced to operate in secrecy. Both KDPI and Komala took up armed struggle against the new Islamic Republic of Iran. Armed clashes regularly occurred between the parties and the Iranian government. In 1983, when the government regained control of the Kurdish areas, the attacks on the parties intensified and resulted in both parties fleeing to Northern Iraq, where they established their main bases.⁴⁰

Iranian agents allegedly assassinated Ghassemlou in August 1989 in Vienna and his successor Sadiq Sharafkindi three years later in Berlin. Mustafa Hijri became the new leader of the KDPI.⁴¹

In 1996 KDPI declared a unilateral ceasefire with Iran that was generally observed for the next two decades. KDPI transferred its forces from the border areas near Iran and further into KRI.⁴² Similarly, Komala put a halt to their armed activities and also relocated their Peshmerga troops.⁴³ Since 2004, PJAK started launching attacks against Iran, until it declared a ceasefire in 2011, though sporadic armed encounters with the Iranian security forces occurred.⁴⁴

Reviving the armed struggle

In May 2015, KDPI began re-establishing its guerrilla forces in the border areas between KRI and Iran.

Similarly, in late April 2017, one of the Komala parties, Komala-Party of Iranian Kurdistan, deployed their forces in the border area between KRI and Iran.⁴⁵ More recently, on 8 September 2018, Iran attacked both

³⁹ BMI - Bundesministerium für Inneres (Taucher, Wolfgang; Vogl, Mathias; Webinger, Peter [eds.]) (Author), published by BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit): regiones et res publicae - The Kurds: History - Religion - Language - Politics, *Kurdish political parties in Iran* 2015, [url](#), p. 168

⁴⁰ BMI - Bundesministerium für Inneres (Taucher, Wolfgang; Vogl, Mathias; Webinger, Peter [eds.]) (Author), published by BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit): regiones et res publicae - The Kurds: History - Religion - Language - Politics, *Kurdish political parties in Iran* 2015, [url](#), p. 167; Komala official website, [url](#); David McDowall (2000) *A Modern History of the Kurds*, Taurus, [url](#), p. 272-274; Washington Post, Khomeini Orders Offensive Against Kurdish Capital, 20 August 1979, [url](#); Canada: Immigration and Refugee Board of Canada, *Iran: Update to IRN29342.E of 15 May 1998; information on Komala, a Kurdish Party in Kurdistan, Iran; its activities inside and outside Iran; radio broadcasts, magazines and political publications; names of its leaders, branches; treatment of its members by the government*, 28 February 2002, IRN38663.E, [url](#)

⁴¹ BMI - Bundesministerium für Inneres (Taucher, Wolfgang; Vogl, Mathias; Webinger, Peter [eds.]) (Author), published by BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit): regiones et res publicae - The Kurds: History - Religion - Language - Politics, [url](#), p.169

⁴² Norway, Landinfo, *Query response Iran: Increased Kurdish military activity in Iran*, 13 February 2017, [url](#), p. 3

⁴³ Rudaw, *Kurdish party resumes armed struggle against Iran, third party to do so*, 30 March, 2017, [url](#)

⁴⁴ Jamestown Foundation, *Party for Free Life in Kurdistan: The PKK's Iranian Wing Bides Its Time*, 15 January 2018, [url](#); Rudaw, *PJAK Warns Iran of Retribution for Leader's Execution*, 27 October, 2013, [url](#); BMI - Bundesministerium für Inneres (Taucher, Wolfgang; Vogl, Mathias; Webinger, Peter [eds.]) (Author), published by BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit): regiones et res publicae - The Kurds: History - Religion - Language - Politics, [url](#), p.173

⁴⁵ Rudaw, *Kurdish party resumes armed struggle against Iran, third party to do so*, 30 March, 2017, [url](#); Komala-Party of Iranian Kurdistan confirmed to Landinfo in a meeting on 29 October 2019 that the party deployed their forces. The party denied having declared to resume armed struggle (email from Landinfo dated 20 December 2019).

KDPI bases in Koya in KRI.⁴⁶ *For further reading on the armed struggle, please refer to chapter 3 Armed conflicts between Kurdish opposition parties and the Iranian government.*

The al Tash refugee camp (1982-2005)

During the Iran-Iraq war in the 1980's thousands of Iranian Kurds fled to Iraq. While a part of the refugees were people from border areas whose homes had been destroyed or occupied, others were members of Iranian Kurdish opposition groups, particularly KDPI.⁴⁷

In 1982 the Iranian Kurdish refugees were all relocated to Al-Tash Refugee Camp, a controlled refugee camp in Al-Anbar Province 145 km west of Baghdad.⁴⁸ According to UNHCR, 12,000 Iranian Kurds spent more than 20 years in the camp.⁴⁹

Upon the fall of Saddam Hussein's regime in 2003 and due to increasingly difficult living and security conditions, 3,200 Al-Tash refugees moved to Sulaimania Governorate in KRI on their own initiative and they were assisted by the local authorities, UNHCR and other agencies to resettle. The refugees, who settled in KRI, either reside in rented accommodations or are now accommodated in the Kawa Refugee Camp near Erbil and the Barika Refugee Camp near Sulaimania.⁵⁰ According to sources in these camps, many of the residents have connections to the KDPI and Komala, and some have relatives in the camps of these parties.⁵¹

Recent developments

Since the approval of the meeting minutes included in this report, the situation in Iran has changed rapidly. During November 2019, protests took place in more than 100 cities across Iran sparked by a hike in fuel prices instated by the government. The government cracked down on the protesters in a violent manner resulting in at least 200 people dead and 7,000 arrested.⁵² Since 16 December 2019, Amnesty International documented 304 deaths.⁵³ According to Hengaw, the number of deaths was relatively high in the Kurdish populated provinces compared to other provinces of the country: Javanroud, Kermanshah province: 14;

⁴⁶ Spyer, Jonathan, Jane's Intelligence Review, January 2019, *Border crossings*, p. 26

⁴⁷ UNHCR, Iraq, *Iranian Kurds to be transferred from insecure Al Tash camp*, 11 October, 2005, [url](#); UNHCR, *Iranian refugees flee Al Tash camp*, 8 July, 2003, and Human Rights Watch, *Flight From Iraq*, 9 May 2003, [url](#)

⁴⁸ UNHCR, Iraq, *Iranian Kurds to be transferred from insecure Al Tash camp*, 11 October, 2005, [url](#); UNHCR, *Iranian refugees flee Al Tash camp*, 8 July, 2003, and Human Rights Watch, *Flight From Iraq*, 9 May 2003, [url](#)

⁴⁹ UNHCR, Iraq: *Iranian Kurds to be transferred from insecure Al Tash camp*, 11 October 2005, [url](#)

⁵⁰ UNHCR, Iraq, *Iranian Kurds to be transferred from insecure Al Tash camp*, 11 October, 2005, [url](#); UNHCR, *Iranian refugees flee Al Tash camp*, 8 July, 2003, and Human Rights Watch, *Flight From Iraq*, 9 May 2003, [url](#)

⁵¹ Switzerland: Federal Office for Migration, *Report on Joint Finnish-Swiss Fact-Finding Mission to Amman and the Kurdish Regional Government (KRG) Area*, May 10-22, 2011, 1 February 2012, [url](#), p. 77

⁵² The Chatham House, *As Parliamentary Elections Loom, the Legitimacy of Iran's Regime Has Been Shaken*, 5 December 2019, [url](#)

⁵³ AI - Amnesty International, *Iran: Thousands arbitrarily detained and at risk of torture in chilling post-protest crackdown*, 16 December 2019, [url](#)

Kermanshah, Kermanshah province: 16; Mariwan, Kurdistan province: 9; Sanandaj, Kurdistan province: 1.⁵⁴
Hengaw identified a number of the Kurdish protesters who were killed.⁵⁵

⁵⁴ AI - Amnesty International, *Iran: More than 100 protesters believed to be killed as top officials give green light to crush protests, 19 November 2019*, [url](#)

⁵⁵ Hengaw Organization for Human Rights, *45 Kurdish protesters killed and the identity of 20 has been verified, 20 November 2019*, [url](#)

1. Activities carried out by Iranian Kurdish political parties in Iran

The level of civil political activities conducted by the Iranian Kurdish opposition parties, specifically KDPI and Komala in Iran is generally limited due to the scrutiny they are faced with. When the parties do conduct civil political activities, this is done in secrecy to prevent the authorities clamping down on them. However, the parties support the activities of others, such as organisations that focus on environmental issues as well as social issues.⁵⁶

The Kurdish political parties are conducting propaganda activities to create awareness regarding the Iranian government's policies, encouraging people to protest by various peaceful and resolution oriented methods, such as demonstrations, general strikes and symbolic means, like wearing Kurdish clothes on special occasions.⁵⁷

Most activities carried out by the Kurdish parties take place in public spaces, including schools. For instance, when the anniversary of the assassination of KDPI leader Abdul Rahman Ghassemlou occurs or the anniversary of the foundation of Kurdistan Republic in Iran, letters are hung on government buildings to inform people of these anniversaries. The parties usually encourage their members, supporters and the public to undertake actions through social media, TV, and radio channels.⁵⁸

Two recent examples of activism that the Kurdish parties managed to organise are:

- Following the attack by the Iranian government on the bases of KDPI and KDP-Iran bases in Koya on 8 September 2018, Iranian Kurdish parties coordinated and called on the population to go on strike in order to express their condemnation of this attack, and their solidarity with the parties and the victims' families. Following the call, a widespread strike took place in more than 15 cities. On that day, stores and bazaars were closed.⁵⁹
- In October 2019, on the urging of the Iranian Kurdish parties, people in most of the cities went on marches as a condemnation of Turkey's attack on Syria's Kurds.⁶⁰

2. Recruitment of new members to the political parties

The rules for membership of the Iranian Kurdish political parties Kurdish Democratic Party of Iran (KDPI) and Komala are not always straight forward, and it can be obtained through different procedures. People in the Kurdish region of Iran can become members of the political parties through the secret networks of these parties, or they can themselves contact members of the party in KRI and become members.⁶¹ Those who want to join the party's ranks directly, have to approach these parties' centres in KRI.⁶² If they have not

⁵⁶ IHRDC: 195

⁵⁷ A journalist in KRI (C): 289; Kurdish Human Rights Network: 252;

⁵⁸ KMMK-G: 22-23

⁵⁹ Spyer, Jonathan, *Jane's Intelligence Review*, January 2019, *Border crossings*, p. 26; A journalist in KRI (C): 293

⁶⁰ A journalist in KRI (C): 293

⁶¹ A journalist in KRI (C): 303

⁶² A journalist in KRI (C): 303; KMMK-G: 27

committed any violations, such as theft, murder or similar, and the parties are ensured that they have not been sent as spies, they will be accepted.⁶³

A person, who comes to Erbil and Sulaimania to join one of the parties, will go through a background check, before they become a member to make sure that the new member is not part of or affiliated with the Iranian intelligence authorities.⁶⁴ The same procedure applies to new members in Europe.⁶⁵ The Ministry of Intelligence and IRGC threaten or bribe some people and use them as spies in their service where they are sent to the parties' centres.⁶⁶

For further information on recruitment, please refer to Appendix 1, KMMK-G: 24-26 and a journalist in KRI (A): 170.

3. Armed conflicts between Kurdish opposition parties and the Iranian Government

Previously the Kurdish Democratic Party of Iran (KDPI) halted the armed struggle. However, since the 1996 cease-fire, the government of Iran has increased its military presence in the Kurdish region of Iran⁶⁷

In February 2016, the KDPI leader, Mostafa Hijri announced that the party would re-launch their armed operations after two decades of silence. Other Iranian Kurdish opposition parties followed and also sent their forces to the border area.⁶⁸ In late April 2017, one of the Komala parties, 'Komala-Party of Iranian Kurdistan' resumed its armed resistance against Iran and deployed their forces in the border area between KRI and Iran.⁶⁹

One source noted that activities by KDPI at the border are limited. This is partly due to the presence of the PKK main base. PKK have good relations with the Iranian authorities.⁷⁰

Clashes between the Iranian authorities and the Peshmergas mostly occur inside the Iranian Kurdish region, when the Peshmergas go to the towns and villages. The Peshmergas most commonly travel in smaller groups.⁷¹

For example, a local journalist in KRI (A) explained that in August 2019, the Peshmergas of KDPI and Komala were planning a mission to the Iranian border cities Sardasht, Marivan, Piransahr and Shino. The Iranian

⁶³ A journalist in KRI (C): 303

⁶⁴ KMMK-G: 28

⁶⁵ KMMK-G: 28

⁶⁶ A journalist in KRI (C): 304

⁶⁷ MAR – Minorities at Risk: Chronology for Kurds in Iran, 16 July 2010, [url](#); KMMK-G: 19

⁶⁸ National Endowment for Democracy, Taimoor Aliassi, *Enough is Enough: Iranian Kurds Running Out of Patience* 2 August 2016, [url](#); KMMK-G: 19; IHRDC:114; A journalist in KRI (C): 297

⁶⁹ Rudaw, *Kurdish party resumes armed struggle against Iran, third party to do so*, 30 March, 2017, [url](#)

⁷⁰ Journalist in KRI (A): 172

⁷¹ KMMK-G:55; Hengaw:107; A journalist in KRI (A): 165

authorities became aware of this mission after a local family under threat reported it to them. To counter the Peshmergas, the Iranian authorities relocated their military forces to these cities.⁷²

3.1 Recent clashes

According to a journalist in KRI (B), forces of all Kurdish parties are operating in the Qandil and Halgurd Mountains. The area is outside control of both Iranian and Iraqi authorities and there is no clear border. The IRGC have tried several times to take control of the mountains, but so far they have not succeeded.⁷³

In the past few years, there has been a gradual increase of military activity among some Iranian-Kurdish parties in Iran's north-western provinces West Azerbaijan, Kurdistan and Kermanshah.⁷⁴ The Iranian military guards the border more intensely; a development that was triggered by KDPI moving their bases to the Qandil Mountains in 2016. The Iranian Islamic Revolutionary Guard Corps (IRGC) and Iran's military have attacked Kurdish opposition bases inside KRI several times with the use of missiles and artillery fire. These attacks incurred great material damages to the inhabitants of the border areas, and several civilian residents were also injured.⁷⁵

From May to September 2016, armed conflicts between Kurdish guerrilla forces and Iranian security forces were reported almost weekly. In the past decade, it was mainly the Kurdish party PJAK that had military operations in north-western Iran. But since May 2016, the parties KDPI, KDP-I and PAK have also participated in military operations against Iranian security forces. All of these parties operate from military bases and camps in Northern Iraq. The IRGC has also strengthened its presence in the region in the same period and has attacked Kurdish villages on both the Iranian and Iraqi sides of the north-western border of the country.⁷⁶

For number of clashes and casualty figures, please refer to Appendix 1, Hengaw: 108-110, 113 and KMMK-G: 55 and A journalist in KRI (C): 318.

A few sources referred to meetings held in Norway, in which the Iranian government and the Iranian Kurdish parties had engaged in talks to prevent clashes. Due to these talks, the clashes this year have decreased compared to previous years.⁷⁷

⁷² A Journalist in KRI (A): 172; Rudaw, *IRGC kills two members of a Kurdish opposition group in western Iran*, 28-08-2019, [url](#)

⁷³ Journalist in KRI (B):249-250

⁷⁴ Norway, Landinfo, *Query response Iran: Increased Kurdish military activity in Iran*, 13 February 2017, [url](#), p.1

⁷⁵ KMMK-G: 55; Kurdistan Human Rights Network: 254; Journalist in KRI (C): 298; Hengaw: 104; A journalist in KRI (A): 167, 173

⁷⁶ Norway, Landinfo, *Query response Iran: Increased Kurdish military activity in Iran*, 13 February 2017, [url](#), p.1

⁷⁷ Hengaw:106; A journalist in KRI: 334; Iran Wire, *Kurdish-Iranian Talks: Hope for Peace or Just Another Political Stunt?*, 17 July 2019, [url](#);

4. Conditions of Kurdish activists in Iran

4.1 Treatment of activists by the Iranian authorities

In Iran, any sort of political or civic activism that falls outside the purview of the Government creates suspicion.⁷⁸ In particular in the Kurdish region, any activity is seen through a security lens; even civil and cultural activities are often interpreted as political. Therefore, individuals conducting civil or cultural activities are suppressed.⁷⁹

Many organisations and NGOs are active in the Kurdish region of Iran. These activities include organising support for women and children's rights, environmental associations and literary associations. The authorities consider this type of activity as potentially being against Iran's national security.⁸⁰

The sources gave some examples that are known to the public of civilian activism targeted by the authorities:

- In August 2018, four environmental activists died in an attempt to extinguish a fire in a forest near Marivan. The fire was caused by the Iranian Revolutionary Guards Corps (IRGC) Intelligence Service bombing, as they were shelling Kurdish armed groups.⁸¹
- The director of the organisation named Noujin, Zara Mohamedi, has been in prison since she was arrested by the intelligence forces on 23 May 2019 in Sanandaj for teaching the Kurdish language to children.⁸²
- On 4 July 2018, the Intelligence Service arrested a civilian activist named Orfan Rashidi, in the town of Paveh in Kermanshah Province, who assisted earth quake victims and extinguished forest fires. He was accused of "propaganda against the state" and sentenced in court to one year in prison and banned for two years from carrying out civilian activities. The court also banned him from leaving Iran for three years.⁸³

4.1.1 Targeting of political activists

As Kurdish opposition parties are illegal in Iran, the Iranian government treats members and those, who support them, more harshly than civil activists in the Kurdish region and will be accused of severe violations.⁸⁴ According to one source, even if they carry out simple activities, such as participating in an

⁷⁸ UN General Assembly (GA), *Situation of human rights in the Islamic Republic of Iran - Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran* [A/72/322], 14 August 2017, [url](#), p.8; IHRDC: 125; Amnesty International (AI), *Amnesty International Report 2017/18 - The State of the World's Human Rights - Iran*, 22 [url](#), Freedom House, *Freedom in the World 2018 – Iran, January 2018* [url](#); IHRDC: 125

⁷⁹ KMMK-G: 42, 56; Academic Researcher:168

⁸⁰ A journalist in KRI (C): 290

⁸¹ Hengaw: 72 - -74; A journalist in KRI (B): 209; Kurdistan24, *Four Kurdish environmentalists die while extinguishing forest fire in Iran: Rights Group*, 25 August 2018, [url](#)

⁸² KMMK-G: 16; A journalist in KRI (B): 209; PEN International, *Statement, Iran: detention of mother tongue volunteer teacher*, 10 June 2019, [url](#)

⁸³ A journalist in KRI (B); Kurdistan Human Rights Network, *Iran to Jail Kurdish Environmental Activist*, 18 September 2019, [url](#)

⁸⁴ Kurdistan Human Rights Network: 254; A journalist in KRI (C): 309-310

assembly of protesters or participating in a general strike, they will be accused of cooperating with opposition parties.⁸⁵

Examples on political activist who are targeted by the Iranian Government are given in section 4.1.5.2 Punishment.

4.1.2 Do the authorities differentiate between members and supporters of the Kurdish parties?

A journalist in KRI (C) stated that most of the time the government of Iran does not differentiate between party members and supporters of the Kurdish political parties or even independent activists.⁸⁶ One of the Komala parties, the Komala-Party of Iranian Kurdistan, informed Landinfo that if the Iranian authorities reveal that a person is a party member, s/he will be punished harder than other activists.⁸⁷ Likewise, KDP-Iran informed Landinfo that those who are affiliated with the party will be punished harder by the Iranian authorities than those without affiliation.⁸⁸

The targeting of individuals is arbitrary and varies from case to case. Whether or not the Iranian government makes a distinction between the targeting of party members and supporters depends, among other things, on the intelligence officer in charge.⁸⁹

4.1.3 Monitoring of activists

The government considers the activities of the Kurdish political parties as dangerous. Therefore, more effort is put into identifying and monitoring individuals, who work for these parties.⁹⁰ Any sort of political or civic activism that falls outside the purview of the government creates suspicion and it raises the risk of being monitored.⁹¹

In the Kurdish areas of the country, the risk of being monitored increases if an individual engages in any sort of activism and the level of monitoring in the Kurdish areas is higher than the average level of monitoring across the country.⁹² In May 2015, when KDPI decided to restart their military operations, the monitoring by the authorities was intensified.⁹³

Party members are trained to protect themselves when conducting activities for the party. Party supporters, however, do not usually receive such training and they may not be prepared sufficiently. Considering that the government has a cyber-army monitoring social media, in some cases, the government can identify supporters through social media activities. Therefore, supporters are also in danger of being identified and contacted.⁹⁴

See also section 4.1.3.2 Monitoring of infrastructure and communication channels.

⁸⁵ A journalist in KRI (C): 309-310

⁸⁶ A journalist in KRI (C): 307.

⁸⁷ Meeting held on 29 October 2019 (email from Landinfo dated 20 December 2019).

⁸⁸ Meeting held on 1 November 2019 (email from Landinfo dated 10 December 2019).

⁸⁹ KMMK-G: 31, 33

⁹⁰ Kurdish Human Rights Network: 252

⁹¹ Hengaw: 75; IHRDC: 125

⁹² Hengaw: 66; IHRDC: 122, 125

⁹³ KMMK-G: 38

⁹⁴ Kurdistan Human Rights Network: 261

4.1.3.1 Legislation on monitoring by the authorities

According to information from the UN Human Rights Council, the Iranian authorities have continuously increased their surveillance capabilities. Since the introduction of new regulations in August 2017, the authorities are allowed to monitor private accounts and to control national search engines. In November 2018, the government proposed a new bill on the 'organisation of social messengers'.⁹⁵ The bill is yet to be passed by the Iranian parliament.⁹⁶

4.1.3.2 Monitoring of infrastructure and communication channels

The Kurdish area is militarized;⁹⁷ there is about 1,800 checkpoints, a number of military compounds and a high security presence.⁹⁸ The authorities monitor the population through these checkpoints and arrest individuals that are suspected of being politically affiliated.⁹⁹

Furthermore, and as already mentioned, the Iranian Revolutionary Guards Corps (IRGC) created a cyber-army consisting of an estimated 45,000 personnel whose main task is to monitor and collect information on people opposing the Iranian government, including critics, academics, intellectuals, students and activists.¹⁰⁰ Moreover, a separate department by the IRGC Intelligence Service has been established in the Kurdish area.¹⁰¹

As part of this monitoring the authorities monitor individuals' phone calls and use of social media. In cases where the objective is to collect information on a person, the authorities will monitor his social media accounts to monitor what he is doing. The authorities may also listen to a person's phone calls to obtain knowledge on who he is talking to and about what. By use of GPS, the authorities will locate and arrest the person.¹⁰²

In addition to the use of social media and phone calls for monitoring, the journalist in KRI (B) explained that there are also a lot of spies in the Kurdish cities. The spies are working for the Ministry of Intelligence or the IRGC Intelligence Service. They are called 'the Anonymous Soldiers', which means they use a pseudonym instead of their real names, making it difficult to identify them.¹⁰³

People from the local population also work as informants, but it is not known who these individuals are. They have their own identity card. In order to remain anonymous, they do not tell anyone that they work for the Ministry of Intelligence or the IRGC Intelligence Service.¹⁰⁴

⁹⁵ HRC – UN Human Rights Council (formerly UN Commission on Human Rights): *Situation of human rights in the Islamic Republic of Iran*; Report of the Secretary-General [A/HRC/40/24], 8 February 2019, [url](#), p.11

⁹⁶ Tasnim, *Debating of the report of Islamic Parliament Research Center on [the bill regarding] the organisation of social messengers in the parliament*, 7 December 2019, [url](#)

⁹⁷ KMMK-G: 39

⁹⁸ KMMK-G: 39; Hengaw: 60

⁹⁹ Hengaw: 60

¹⁰⁰ KMMK-G: 39

¹⁰¹ Hengaw: 66

¹⁰² A journalist in KRI (B): 196-197

¹⁰³ A journalist in KRI (B): 199

¹⁰⁴ A journalist in KRI (B): 201

Examples of monitoring:

- The Kurdish labor activist, Mahmoud Salehi, who had been affiliated with a political party during the eighties, was arrested for his labor activism. When he was arrested, the authorities brought forward old information relating to his previous political activities and they attempted to convict him on these grounds. Thus monitoring goes back a long time. Mahmoud Salehi was first sentenced to nine years' imprisonment, but after appeal his sentence was reduced to one year imprisonment.¹⁰⁵
- Recently, a young man was arrested in Urumieh. He was accused of sending news about Kurdish parties by his Telegram app. In fact, they did not arrest him for having contact with a political party. The reason for arresting him was the news that he sent about political parties.¹⁰⁶

4.1.4 Arrest and detention

4.1.4.1 Risk faced by political activists of getting arrested

According to a UN report, discrimination in the administration of justice has been illustrated by the disproportionate number of arrests of members of minority groups, including Kurds.¹⁰⁷

The majority of the arrested people are not party members, but rather supporters or people who are not affiliated with a political party.¹⁰⁸ Several sources noted that people without affiliation to the political parties who conduct activities which the government perceives as being against its interests, may still arbitrarily be subject to arrest.¹⁰⁹ However, the likelihood of getting arrested generally increases on the basis of the level of involvement for members as well as supporters.¹¹⁰

The authorities assume that every active Kurdish individual is connected to a political party.¹¹¹ People who are arrested are therefore often accused of membership of such. Many individuals, who are accused of having ties with Kurdish political parties, can in fact be innocent.¹¹²

A source stressed that people get arrested for many different reasons, including being a family member of someone who is in prison, or being in support of an idea that goes against the ideology of the Iranian government.¹¹³ The same source gave an example of a young man who had no political affiliation. The young man walked by a demonstration without participating, but he was subsequently arrested for one

¹⁰⁵ IHRDC: 122

¹⁰⁶ Kurdistan Human Rights Network: 262; KMMK, *Increased Imprisonment Sentence for Telegram Channel Admin Detained at Orumiyeh Central Prison*, 26 December 2018, [url](#)

¹⁰⁷ HRC – UN Human Rights Council (formerly UN Commission on Human Rights): *Situation of human rights in the Islamic Republic of Iran*; Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran [A/HRC/40/67], 30 January 2019, [url](#), p. 4

¹⁰⁸ A journalist in KRI (C): 307; Kurdistan Human Rights Network: 253, 259-260; KMMK-G: 31;

¹⁰⁹ KMMK-G: 31, 33; Kurdistan Human Rights Network: 259; A journalist in KRI (C): 307

¹¹⁰ IHRDC: 119

¹¹¹ A journalist in KRI (C): 307-308, 315; Kurdistan Human Rights Network: 259-260

¹¹² A journalist in KRI (C): 307-308, 315; A journalist in KRI (B): 203; IHRDC: 121; A journalist in KRI (B): 248

¹¹³ KMMK-G: 40

month and was tortured during this time. After his release, he was given a paper by the authorities stating that he was arrested, because he was a member of the terrorist organisation Islamic State.¹¹⁴

4.1.4.2 Procedures from arrest to verdict

According to Iranian law, an individual must be transferred to court within a month of his/her arrest.¹¹⁵ However, according to sources, when someone, who is suspected of being a political activist or other kind of activist, is arrested, s/he will be detained for an unknown period. The sources estimated from 40 days to a year, and the person will be investigated and exposed to psychological and physical torture. If the detainee does not confess to the charges, the torture will be harsher.¹¹⁶ During the detention period, the prisoners are kept in a military intelligence facility without anyone knowing of their location.¹¹⁷

Following the investigation, s/he will be transferred to court where a bail will be set. The size of the bail is decided by the court depending on the charges. For political and security charges, the bail is more than 200 million tomans (approximately 15,000 US Dollars).¹¹⁸

If the bail is paid, the detainee will be temporarily released until the next court date is set during which the penalty will be decided on. Following the courts judgement, the sentence will be decided at 'the Ruling Implementation Branch' ('Shobeye Ejraye Ahkam', also also called 'Ejraye Ahkam'). If s/he is given a prison sentence s/he will then be transferred to a prison. In cases of political charges it is sometimes possible to be released temporarily on bail. If a person manages to flee while on bail, the government will confiscate the bail.¹¹⁹

After this period, convicted persons will be transferred to another prison in which the torture is less harsh; however, they will not be given enough sleep and food. These conditions are, according to one source, worse in the Kurdish region than in the rest of Iran. One source noted that Kurds are given harsher treatment during imprisonment than other Iranian nationals.¹²⁰

A source highlighted that the security services do not have a uniform procedure within a legal framework for treatment of detainees. They can torture the detainee, or they can keep him/her in solitary confinement for a long time. They can deny him/her contact or visit of family or access to an attorney.¹²¹

4.1.4.3 The silencing of politically affiliated prisoners by the authorities

A source pointed to the fact that in some cases, individuals who are members of an opposition party, but are not active in public, are arrested quietly in the sense that the media is not informed. In some cases no

¹¹⁴ KMMK-G: 41

¹¹⁵ Iran: Criminal Code of Procedure for Public and Revolutionary Courts (repealed), 19 September 1999, [url](#)
Article 33 – A decision for temporary detention is made and issued by the court's judge and is approved by the director of the District Court or his assistant, and review [of that decision] can be requested in the Court of Appeal of that province within 10 days. The process of reconsideration by the Court of Appeal [can be immediate; the case need not be put in a queue]. In any case, the status of the accused shall be verified within a month, and if the respective judge considers the continuation of temporary detention necessary, it should be performed as explained.

¹¹⁶ Hengaw: 87; A journalist in KRI (B): 220, 225; A journalist in KRI (C): 311

¹¹⁷ Hengaw: 87

¹¹⁸ A journalist in KRI (B): 221

¹¹⁹ A journalist in KRI (B): 222-223

¹²⁰ Hengaw: 88

¹²¹ Kurdistan Human Rights Network: 279

one is informed of these detainees' conditions, as the media does not mention it, until the court hands down its verdict. In some instances the individual may be released, but does not want his/her name published, for example because the person's family has been under pressure. In such cases, no one will know about the individual's release.¹²²

4.1.5 Torture and punishment

4.1.5.1 Torture and ill-treatment

According to the UN Human Rights Council, torture and other ill-treatment to compel confessions is most frequent in Iran during the initial investigative stage. This pattern has been reported particularly in the cases of vulnerable groups, including minority groups.¹²³

In terms of torture of politically affiliated people, other sources corroborated that torture was used to extract confessions or information about their connection with opposition parties.¹²⁴

If the Iranian authorities notice that someone is affiliated with one of the opposition parties, s/he is at risk of being arrested and detained and be subjected to torture, including execution simulations. There are examples of detainees who were wounded due to the ill-treatment and died in detention.¹²⁵ Once an individual is arrested, s/he will be in danger of being tortured, regardless of actual political views or affiliation.¹²⁶

4.1.5.2 Punishment

As previously mentioned, arrested party members will be in danger of being tortured, and s/he is in risk of being sentenced to death.¹²⁷

Examples of punishment and torture of political prisoners

- In a case monitored by the UN, Kurdish prisoners Zanyar Moradi and Loghman Moradi were sentenced to death in 2009 on the basis of confessions made following alleged beatings.¹²⁸
- In June 2017, another Kurd named Ramin Hossein Panahi was arrested for alleged membership of Komala and was sentenced to death on charges of 'mohareb'¹²⁹ for 'involvement in the murder of the Marivan Friday Imam's son'. The three of them were executed on 8 September 2018, despite serious concerns that they had not received fair trials and had reportedly been tortured in

¹²² Kurdistan Human Rights Network: 255-256

¹²³ HRC – UN Human Rights Council (formerly UN Commission on Human Rights): *Situation of human rights in the Islamic Republic of Iran*; Report of the Secretary-General [A/HRC/40/24], 8 February 2019, [url](#), p.4

¹²⁴ IHRDC: 116; Kurdistan Human Rights Network: 258

¹²⁵ KMMK-G: 41; Hengaw: 75, 87; Kurdistan Human Rights Network: 260

¹²⁶ Kurdistan Human Rights Network: 258

¹²⁷ KMMK-G: 41; Hengaw: 75, 87; Kurdistan Human Rights Network: 260

¹²⁸ UN General Assembly: *Situation of human rights in the Islamic Republic of Iran*; Report of the Secretary-General [A/73/299], 6 August 2018, [url](#)

¹²⁹ 'Taking up arms with the intention of taking people's lives, property, or honour in order to cause fear among them in a manner that causes insecurity', Article 279, Iran: Islamic Penal Code, 20 November 1991, [url](#)

detention.¹³⁰ The government stated that Zanyar Moradi and Loghman Moradi and Ramin Hossein Panahi had been sentenced to death in relation to acts against national security.¹³¹

- Hedayat Abdollapour, is a Kurdish Iranian on the death row, whose death sentence was upheld by the Supreme Court upon its second review in October 2018, amidst reports that he had been subjected to torture in detention and denied access to a lawyer of his choice.¹³²
- If members of any of the Kurdish opposition parties are arrested during a military clash, they will be treated much harsher.¹³³ A source pointed to a recent example concerning three Kurds who were accused of killing three members of the IRGC forces:
 - Mohammed Sadqi was given a sentence of 40 years of imprisonment; and
 - Haider Qurvami was sentenced to 118 years and six months of imprisonment. After 6 months in prison Haider Qurvami was forced to confess on the Iranian government affiliated TV channel Press TV¹³⁴. The confession was evoked by using torture, including electrification and penetration of warm iron torture.
 - Salah Rahmani, the third suspect and a KDPI military Peshmerga, was sentenced to death twice in absentia by the Spreme Leader (the source stressed that the organisation had only once observed such an order). He was never arrested.¹³⁵

For further examples, please refer to Appendix 1, A journalist in KRI (B): 204, 227, 228; KMMK-G: 32, 49-51; Hengaw: 78

4.1.6 Access to fair trial

According to the UN, discrimination in the administration of justice has been illustrated by the disproportionate number of convictions of members of minority groups, including Kurds.¹³⁶ Members of minorities constitute the majority of political prisoners and a disproportionate percentage of persons executed on political and national security-related charges.¹³⁷ One source said that in 2018, over 25 % of the executions in Iran were of Kurds.¹³⁸

¹³⁰ HRC – UN Human Rights Council (formerly UN Commission on Human Rights): *Situation of human rights in the Islamic Republic of Iran*; Report of the Secretary-General [A/HRC/40/24], 8 February 2019, [url](#); Amnesty International, *Iran: Executions of three Iranian Kurds an outrage*, 8 September 2018, [url](#); KMMK-G: 12; Hengaw: 92; IHRDC: 130

¹³¹ HRC – UN Human Rights Council (formerly UN Commission on Human Rights): *Situation of human rights in the Islamic Republic of Iran*; Report of the Secretary-General [A/HRC/40/24], 8 February 2019, [url](#), p. 5

¹³² HRC – UN Human Rights Council (formerly UN Commission on Human Rights): *Situation of human rights in the Islamic Republic of Iran*; Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran [A/HRC/40/67], 30 January 2019, [url](#), p. 3

¹³³ Kurdistan Human Rights Network: 255

¹³⁴ The Middle East Media Research Institute (MEMRI), January 6, 2020, MEMRI Daily Brief No.203, *An Iranian Attack On The U.S. Homeland May Already Be In The Works*, [url](#)

¹³⁵ Hengaw: 90-91; A journalist in KRI (B): 239; Rudaw, *PDPI Peshmerga dies from injuries sustained in Thursday's bombing*, 2 March 2018, [url](#)

¹³⁶ HRC – UN Human Rights Council (formerly UN Commission on Human Rights): *Situation of human rights in the Islamic Republic of Iran*; Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran [A/HRC/40/67], 30 January 2019, [url](#), p. 4

¹³⁷ HRC – UN Human Rights Council (formerly UN Commission on Human Rights): *Situation of human rights in the Islamic Republic of Iran*; Report of the Secretary-General [A/HRC/40/24], 8 February 2019, [url, p. 5](#)

¹³⁸ KMMK-G: 11

Human rights groups and international observers often identify the Revolutionary Courts, which are generally responsible for hearing the cases of political prisoners, as routinely employing grossly unfair trials without due process, handing down predetermined verdicts, and rubberstamping executions for political purposes.¹³⁹ One source stated that when it comes to cases of national security and many political cases, there is no fair trial.¹⁴⁰ Trials are carried out on the basis of reports and documents that are submitted to the court by security authorities, or confessions made by the accused under torture. Individuals are deprived of their due process rights, including the right to be represented by counsel.¹⁴¹

The sources pointed to many different factors that constitute the lack of fair trials:

- Iranian law states that an individual must be transferred to court within a month of his/her arrest. However, most people are detained for more than three months.¹⁴²
- Most judges are linked to the security forces and IRGC.¹⁴³
- According to Iranian law, any person who is arrested is entitled to a lawyer. However, during detention and before the court session, the lawyer is not allowed access to the detainee, and the lawyer does not receive any information. In most cases, the lawyer will only be present at the final court hearing.¹⁴⁴ One source noted that in political cases, the defendant is not allowed to have a lawyer.¹⁴⁵ If a person is accused of crimes against national security, s/he can only select a legal representative from a list of 40 lawyers pre-approved by the head of the judiciary during the investigative phase (Iranian Code of Criminal Procedure, 1999, art. 48).¹⁴⁶ However, the Kurdish population rarely gets access to lawyers in any event.¹⁴⁷
- Individuals, who do not have the means to hire a lawyer themselves, will mandatorily be provided with a lawyer, who in Farsi is called a 'taskhiri' lawyer. These mandatory lawyers are connected to the government and security authorities, and they do not really defend the accused.¹⁴⁸
- The official language of Iranian courts is Farsi, both orally and written. Some Kurds do not master this language sufficiently. This worsens their case further. A female political prisoner, named Shirin Alamholi was executed in 2010. She was accused of being a member of PJAK and for military activity. When she was in prison in Tehran, she had told a prisoner in the same section that her interrogations and trial were conducted in Farsi, which she did not fully understand.¹⁴⁹

¹³⁹ US DoS – United States Department of State, *IRAN 2018 HUMAN RIGHTS REPORT*, [url](#), p.15; HRW – Human Rights Watch: *World Report 2020 - Iran*, 14 January 2020, [url](#)

¹⁴⁰ IHRDC: 116

¹⁴¹ IHRDC: 116; Kurdistan Human Rights Network: 131

¹⁴² Iran: Criminal Code of Procedure for Public and Revolutionary Courts (repealed), Article 33, 19 September 1999, [url](#); A journalist in KRI (C): 311

¹⁴³ A journalist in KRI (C): 311

¹⁴⁴ A journalist in KRI (C): 312

¹⁴⁵ A journalist in KRI (B): 224

¹⁴⁶ United Nations A/74/273, General Assembly, Distr.: General, 2 August 2019, *Situation of human rights in the Islamic Republic of Iran*, [url](#), section 12

¹⁴⁷ KMMK-G:45

¹⁴⁸ Hengaw: 89; A journalist in KRI (C): 313

¹⁴⁹ Kurdistan Human Rights Network: 270; HRW - Human Rights Watch, 11 May 2010, *Iran: Executed Dissidents 'Tortured to Confess'*, [url](#)

- The lack of knowledge of one's rights as an accused person, including the right to remain silent, or the right to an attorney etc., can make the process of interrogations and trial for those, who are not aware of these rights, is a disadvantage.¹⁵⁰
- As previously stated, individuals who are arrested are often accused of being members of a political party, in order to be able to increase their sentences.¹⁵¹
- There are numerous cases of individuals that have been falsely arrested and who are forced to confess.¹⁵²
- The Iranian Penal Code defines 'mohareb' (a person who fights God) as someone who 'takes up arms with the intention of taking people's lives, property, or honour in order to cause fear in a manner that causes insecurity' (Article 279 of the Iranian Penal Code¹⁵³). The crime of 'mohareb' is punishable by death, according to the Iranian Penal Code, but the judges have the option of imposing an alternative punishment.¹⁵⁴ (See example in section 4.1.5.2 Punishment)

4.2 Targeting of activists' family members

Family members to party members or supporters are also at risk of being called in, questioned, arrested and detained.¹⁵⁵ The Iranian government relies on extracting information from family members, in order for the family members to put pressure on the political party member or supporter.¹⁵⁶ One source stated that if the authorities are aware that a person is a family member to a political party member, s/he is at risk of being subjected to torture.¹⁵⁷

Family members of anyone conducting social or political activities will be put under surveillance, which includes monitoring of phone calls and computer use as well as their movement.¹⁵⁸

The approach taken by the authorities towards the family can vary from case to case. In some cases a father is required to report to the intelligence authorities and pledge that he has not left the city or taken any other action to meet with his son/daughter. For example, two months ago, the father of a woman, who is a political activist living in camps inside KRI affiliated with one of the political parties, was arrested in the city of Marivan for visiting his daughter in KRI.¹⁵⁹

The punishment of the family members varies depending on the activity level of the activist. In some cases, the families have been arrested and charged.¹⁶⁰

Close family members, such as spouses, children, parents, or siblings are more likely to be subject to arrest.¹⁶¹ In some cases, the authorities have arrested extended family members, because they were in touch with the politically active individual outside of the country.¹⁶²

¹⁵⁰ Kurdistan Human Rights Network: 270

¹⁵¹ A journalist in KRI (C): 307-308, 315; A journalist in KRI (B): 203; IHRDC: 121;

¹⁵² Hengaw 87; IHRDC: 119-120; A journalist in KRI (C): 307-308

¹⁵³ Iran: Islamic Penal Code, 20 November 1991, [url](#)

¹⁵⁴ KMMK-G: 8

¹⁵⁵ IHRDC: 130; KMMK-G: 33; Kurdistan Human Rights Network: 263

¹⁵⁶ IHRDC: 130; Kurdistan Human Rights Network: 263; A journalist in KRI: 211, 218

¹⁵⁷ IHRDC: 130;

¹⁵⁸ A journalist in KRI (B): 212

¹⁵⁹ A journalist in KRI (B): 211, 215

¹⁶⁰ A journalist in KRI (B): 213

Family members of arrested or detained activists are threatened to keep the arrest secret. If the arrest is not kept secret, the torture against the arrestee will be harsher.¹⁶³

Family members may also be denied jobs in the public sector in their home town and will have to move to another town to get a job.¹⁶⁴

4.2.1 Family members of political activists abroad

A family, who has a civil or political activist family member outside of Iran, is monitored more and pressured harder.¹⁶⁵ There are examples of family members being arrested or threatened to be killed, because one of their close relatives has conducted extensive political or human rights activities outside of the country.¹⁶⁶ The Iranian authorities will gather information on the activist by continuing to call on the family to give information on where the fled person is living and what s/he is doing.¹⁶⁷ The file of any social or political activist remains open with the intelligence authorities, and they may monitor and investigate the activists, as well as his/her family members.¹⁶⁸

The authorities may also implicate family members. For example, in the already mentioned case of Zaniar and Loghman Moradi (see section 4.1.5.2 Punishment) the accused individuals insisted on being innocent and lived on death row for a number of years until their execution in September 2018.¹⁶⁹ There were serious questions concerning the government's accusations. Zaniar Moradi's father was a political activist living outside of Iran, and he was assassinated in July 2018. Zaniar Moradi stated that he had been arrested, because of his father's political activism.¹⁷⁰

A source gave examples of friends of activists who are also targeted by the Iranian government. See Appendix 1, A journalist in KRI (B): 218-219.

5 Conditions for Iranian Kurds in KRI

5.1 Monitoring and targeting by Iranian authorities of Iranian Kurds living in KRI

The Iranian authorities are active in KRI and work in different fields, such as monitoring of journalists and human rights activists, lecturers, researchers and teachers with Iranian Kurdish background.¹⁷¹ One source stated that they are monitored by the authorities in order to know who they are in contact with and what their activities are. It was the source's perception that a person who gets out of Iran is at risk of being

¹⁶¹ KMMK-G: 33; Hengaw: 96; A journalist in KRI: 218-2019; A journalist in KRI (C): 317

¹⁶² A journalist in KRI (B): 216; A journalist in KRI (C): 317

¹⁶³ Hengaw: 93; A journalist in KRI (C): 316-317

¹⁶⁴ Hengaw: 94

¹⁶⁵ IHRDC: 124; A journalist in KRI (B): 212

¹⁶⁶ A journalist in KRI (C): 316-317

¹⁶⁷ Hengaw: 95; IHRDC: 130

¹⁶⁸ A journalist in KRI (B): 214

¹⁶⁹ AI - Amnesty International, *Iran: Executions of three Iranian Kurds an outrage*, 8 September 2018, [url](#)

¹⁷⁰ IHRDC: 130

¹⁷¹ A journalist in KRI (B): 236; A journalist in KRI (C): 318

monitored, even if the person is not a political activist. The purpose of doing so is to find out why the person left Iran, what s/he is doing and who s/he is in contact with, including family members who have left Iran.¹⁷²

An international relations university professor in Sanandaj was dismissed from his work, because he did not cooperate with the Iranian intelligence. Hereafter the professor had no other option than to come to KRI. The professor initially moved to Sulaimania city. He was later informed by the Kurdistan Regional Government (KRG) Intelligence Service (in Kurdish: Asayish) in Sulaimania that he could not stay and had to leave as he was considered to be a target of the Iranian authorities and could be assassinated. According to the source, the Asayish asked him to leave, for the sake of his own safety.¹⁷³

Many radio and TV stations in KRI have Iranian employees who work for the Iranian authorities as well as the for KRI authorities. They provide information to both authorities about the activities of the political parties. Overall, the Iranian regime has a wide ranging network in KRI gathering information.¹⁷⁴

5.1.1 The monitoring and targeting of political activists and supporters by the Iranian intelligence authorities in KRI

Because of the influence of Iran, they pressure and threat political activists in KRI, including members and Peshmergas of KDPI and Komala in order to halt their activities.¹⁷⁵

The Ministry of Intelligence and the IRGC Intelligence Service are both active in KRI in different ways, and they spy on the activities of the Iranian Kurdish political parties, political and human rights activists and journalists. The IRGC international forces (the so-called 'Qods' forces) are also active in Iraq.¹⁷⁶

The Iranian intelligence authorities threaten and target the political parties in KRI. As an example, a source pointed to the bombardments on 8 September 2018 of the KDPI camp Koya.¹⁷⁷ By directly attacking the parties' bases in Iraq, and killing Peshmergas and other members and disturbing the local population of KRI, Iranian security forces have caused great damage to Iranian Kurdish parties in KRI.¹⁷⁸

Since 1991, 321 Iranian Kurdish opposition members have been assassinated by Iranian elements based on intelligence gathered from such spies.¹⁷⁹

The IRGC asks Iranian Kurdish residents in KRI to report on the movements and activities of the main Iranian Kurdish opposition groups and political parties based in Erbil and Sulaimanya.¹⁸⁰ IRGC closely monitors the parties and politically active individuals by using its forces or its collaborators in KRI, and whenever there is an opportunity, the IRGC will damage them.¹⁸¹ In this respect, a source gave the

¹⁷² A journalist in KRI (B): 242

¹⁷³ A journalist in KRI (B): 237-238

¹⁷⁴ A journalist in KRI (A): 175

¹⁷⁵ A journalist in KRI (B): 243

¹⁷⁶ A journalist in KRI (B): 244, 247

¹⁷⁷ KMMK-G: 53

¹⁷⁸ A journalist in KRI (C): 318

¹⁷⁹ KMMK-G: 52; A journalist in KRI (C): 296

¹⁸⁰ KMMK-G: 52

¹⁸¹ A journalist in KRI (C): 318

example, of the attack on Koya, where two bodyguards had been providing information to the Iranian authorities.¹⁸²

One source assessed that threats by the Iranian authorities should be taken seriously.¹⁸³ There have been examples of Iranian security authorities contacting activists residing in Kurdistan territory by telephone and threatening them, by saying that if they do not cease their activities, they would kill them. For example, the authorities will say that a person will probably be involved in a traffic accident, which mean that s/he will be killed in a planned traffic accident.¹⁸⁴ The source provided an example that took place in Penjwin, a town in Sulaimania governorate where Eghbal Moradi; the father of Zaniyar Moradi, who had been given a death sentence, was killed in 2017 by a person riding by on a motorcycle.¹⁸⁵

Sources gave these following examples of assassinations and an attempt of an armed attack against political activists carried out by the Iranian intelligence authorities in KRI:

- The Iranian intelligence authorities are present in KRI and move around in secrecy. For example in March 2018 in Erbil, a bomb was planted in the car of KDPI member, Sabah Rahmani.¹⁸⁶
- Members of KDPI were assassinated in front of their base on Yelda night on 21 December 2016 [Iranian winter solstice celebration]. Members of KRG Asayish were also targeted and killed in this incident.¹⁸⁷
- 3-4 years ago bombs were placed in Komala camp in Sulaimana. The bombs did not explode.¹⁸⁸

5.2 Residence permits in KRI for Iranian Kurds

5.2.1 Access to residency in KRI

Many Iranians come to KRI due to the current economic situation in Iran; the Iranian government goes through hardship, because of the devaluation of the Iranian currency.¹⁸⁹ On some conditions Iranian citizens have access to a residence permit on grounds of employment in KRI.¹⁹⁰

In terms of residency on grounds of protection, the Directorate of Residency explained that the first step in the procedure is to approach UNHCR to be registered and have their identity paper issued. As the next step, UNHCR refers the refugee to the Directorate of Residency where the case is processed based on the documents sent by UNHCR. The Directorate then refers the case to the security directorate to check their

¹⁸² A journalist in KRI (A): 168

¹⁸³ A journalist in KRI (C): 319

¹⁸⁴ A journalist in KRI (C): 318

¹⁸⁵ A journalist in KRI (D): 328

¹⁸⁶ Rudaw, *PDKI Peshmerga dies from injuries sustained in Thursday's bombing*, 2 March 2018, [url](#); A journalist in KRI (B): 239; Hengaw: 90-91;

¹⁸⁷ A journalist in KRI (B): 240

¹⁸⁸ Deutsche Welle, *Komola Party accused the Islamic Republic [of Iran] of bombing*, 10 August 2015, [url](#); Radio Farda, *Komola Party accused Iran of bombing the party's base*, 9 August 2015, [url](#); A journalist in KRI (B): 241

¹⁸⁹ KRG, Directorate of Residency: 136; A journalist in KRI (A): 175; A journalist in KRI (B): 235

¹⁹⁰ KRG, Directorate of Residency: 136-138

background in order to see if these people are under threat and then they are given a final decision on their stay in KRI.¹⁹¹

Iranian Kurds can in most cases obtain a Kurdistan Regional Government (KRG) issued residency card in KRI.¹⁹² They are able to stay and travel in Iraq; they can work in the private sector, but only be promoted to some level; and they can study at university.¹⁹³ They cannot obtain ID cards or passports from KRG.¹⁹⁴

Applicants, who do not give a convincing asylum motive in accordance with the KRG practice, as well as applicants who have committed a crime, are not granted protection in KRI.¹⁹⁵ The armed groups belonging to the political parties are not allowed to take up residency as long as they belong to the parties. With regard to freedom of movement for the armed groups, according to the agreement made between KRG and the parties, they have their own identity documents that can be used for commuting between towns and cities.¹⁹⁶

A local journalist in KRI (A) stated that the inability to obtain Iraqi ID cards and passports applies to members of all the Iranian Kurdish opposition parties, including KDPI, Komala, PAK and PJAK. Contrary to the lower ranks of the party, high ranked political party members are able to obtain a KRI ID that they can travel on to Baghdad.¹⁹⁷

5.2.2 *Obtaining Iraqi passports as Iranian Kurds*

The Directorate of Passports stated that applications for Iraqi passports can be submitted in KRI; however, the decisions are taken, on a case-by-case basis, by the Ministry of interior in Baghdad.¹⁹⁸

In terms of a previous possibility for Iranian Kurds in KRI to be granted a passport, a source noted that in 2010, the source and another close family member had an Iraqi passport issued by the Iraqi central government, which expired in 2018. However, due to a policy change, the file is with Baghdad Passport Directorate and the passport cannot be renewed.¹⁹⁹ An academic researcher said that around 2008, a very small number of Iranian Kurds received some support, including a naturalisation of their citizenship, so that they became Iraqi citizens. However, this was not recognised by the central government of Baghdad. The passports that were issued by the KRG, expired after 10 years and according to the source, in the years 2017, 2018 none of these passports have been renewed.²⁰⁰

¹⁹¹ KRG, Directorate of Residency: 140

¹⁹² A journalist in KRI (B): 235

¹⁹³ A journalist in KRI (A): 184

¹⁹⁴ A journalist in KRI (B): 235; A journalist in KRI (A): 183, 184; Kurdistan Human Rights Network:283

¹⁹⁵ KRG, Directorate of Residency: 141-143

¹⁹⁶ KRG, Directorate of Residency: 150

¹⁹⁷ A journalist in KRI (A): 181-182

¹⁹⁸ KRG, Directorate of Passports: 160

¹⁹⁹ A journalist in KRI (A): 185

²⁰⁰ An academic researcher: 194

6 Returning to Iran

The Iranian governments' security approach tends to suspect all Kurds of activism. Therefore, if a Kurd leaves the country without permission, there is a risk that the suspicion towards the person is heightened and the act of leaving can be seen as evidence of their activism.²⁰¹

6.1 Security Letters ('aman-nameh')

According to Kurdistan Human Rights Network, the government of Iran claims that individuals returning to Iran, who have obtained a security letter (in Farsi: "aman-nameh"), should not face difficulties. Either the individual or a family member can apply for a security letter through the Iranian security authority.²⁰²

There are cases of party members who have returned to Iran from KRI using a security letter. However, in most cases returning to Iran has had consequences for the individuals who have been summoned, arrested or detained.²⁰³

- In a recent case, a Kurdish woman named Maghbouleh Sekavand from Maku city returned to Iran after receiving a security letter. The woman was a member of a political party. Two weeks after her return, she was summoned and arrested by the intelligence authorities in Urumieh.²⁰⁴ Maghbouleh Sekavand, was sentenced to one year in prison for being a member of an opposition party. She was released on 23 November 2019, after nine months in prison.²⁰⁵
- In another recent case, a Kurdish Iranian citizen returned from KRI to Iran. Despite having a security letter, he was arrested by the IRGC and accused of 'mohareb'²⁰⁶. He has been in prison for approximately a year and a half and it is unclear when he will be released.²⁰⁷

There are other examples illustrating that the security letter is not upheld in practice, particularly in relation to cases where the individual is accused of political activism. In some cases individuals who have returned have been summoned by security authorities, and in other cases the returnees have been arrested and kept in detention for a prolonged period followed by imprisonment.²⁰⁸

6.1.1 Activists who return

In general, a person, who has been accused of political affiliation with any of the Kurdish opposition parties, will not be able to return to an ordinary life in Iran. In many cases, the individual will keep his/her past political affiliation and activities secret, to avoid being subjected to monitoring by the Iranian authorities.²⁰⁹

²⁰¹ KMMK-G: 65

²⁰² Kurdistan Human Rights Network:271-273

²⁰³ Kurdistan Human Rights Network:271-273

²⁰⁴ Kurdistan Human Rights Network: 275-276

²⁰⁵ Apedit News, *Upon serving her sentence, Maghbouleh Sekavand was released from Khoj prison*, 23 November 2019, [url](#)

²⁰⁶ 'Taking up arms with the intention of taking people's lives, property, or honour in order to cause fear among them in a manner that causes insecurity', Iran: Islamic Penal Code, Article 279, 20 November 1991, [url](#)

²⁰⁷ Kurdistan Human Rights Network, *The latest report on the situation of Mohammad Moradi after one and half years of limbo*, 6 November 2019, [url](#); Kurdistan Human Rights Network: 272

²⁰⁸ Kurdistan Human Rights Network:271-277

²⁰⁹ Kurdistan Human Rights Network: 278

6.1.1.1 Returning from a western country

One source noted that a person returning to Iran from Europe will be subjected to a higher level of suspicion by the authorities, compared to someone returning from the KRI. Some returnees are arrested and others are not.²¹⁰

Another source opined that an individual, who has applied for asylum in a foreign country, will face difficulties upon return to Iran. The authorities will subject her/him to questioning related to the reason for the asylum claim as well as what actions the individual has taken against the government of Iran.²¹¹

The sources highlighted a number of cases where Iranian citizens, who had applied for asylum in European countries, were arrested upon return to Iran:

- In 2015, the Iranian Kurd, from Kermanshah, was arrested by the Intelligence authorities. He had previously sought asylum in Denmark in 2015. When his asylum claim was rejected, the authorities sent him back to Iran in Spring 2018. Upon his arrival at the airport in Tehran, he was arrested by the Iranian authorities. He was then transferred to Dizel Abad prison in Kermanshah, which is infamous for torture and executions.²¹² According to local sources, the returnee has been interrogated and tortured whilst in detention. The Association of Human Rights in Kurdistan – Geneva (KMMK-G) does not know whether the person has been charged, tried or sentenced for any crimes. He has not had access to a lawyer, nor visits from his family.²¹³ The source informed the Danish Immigration Service (DIS) that the local sources who pointed to the case could not be identified.²¹⁴
- In another case, an Iranian Kurd from Sarpoole-Zahab, Kermanshah was sent back to Iran from the UK after his application for asylum was rejected. He applied for asylum in 2016. After two years, his request was rejected and he returned to Iran in September 2018. Upon arrival at the airport in Tehran, he was arrested and taken to jail by the IRGC. Since his arrest, his family has been informed that he was sentenced to four years of imprisonment. He has not had access to a lawyer, nor has he had contact with his family. It is unknown what crime he was charged with and found guilty of. In an email to the Danish Immigration Service (DIS), dated 18 December 2019, the Association of Human Rights in Kurdistan – Geneva (KMMK-G) informed that he had been informed about the release of the returnee.²¹⁵ The UK authorities informed DIS that the person in question returned voluntarily.²¹⁶
- In a case from 2017, a woman was rejected asylum in Norway. According to source journalist in KRI (B), she was deported to Iran, where she was subjected to punishment by whipping – a sentence

²¹⁰ KMMK-G: 59

²¹¹ Kurdistan Human Rights Network: 284

²¹² Hrana - News Agency, *A Brief Report about the Diesel Abad Prison of Kermanshah*, 8 May 2016, [url](#)

²¹³ KMMK-G: 57

²¹⁴ Email dated 15 January 2020

²¹⁵ KMMK-G: 58

²¹⁶ Email dated 23 December 2019

handed down before her fleeing but which was carried out after her return.²¹⁷ The Norwegian authorities concluded that the individual had not been flogged in accordance with a 2007 verdict, as she claimed. This conclusion has been upheld by the District court in Oslo. The judgment has been appealed, and the case is set to be reviewed by the Borgarting Appeals Court.²¹⁸ The Norwegian authorities informed DIS that the case was reported upon in the Norwegian media.²¹⁹

- Three years ago, a returnee, who was not politically affiliated, voluntarily returned to Iran from Finland. He was detained for 40 days and killed by the IRGC Intelligence Service under torture. The authorities threatened his father that they would kill his other son, if he went public with the case. Despite this, the father made the world know that the government threatened him; however, the brother was not killed.²²⁰ The Finish authorities informed the Danish Immigration Service (DIS) that the person in question had been granted asylum in Finland.²²¹
- According to sources, in 2011 an Iranian man was expelled from Norway to Iran; when he returned, he was arrested and tortured; after he was released, he had to flee Iran and go to KRI.²²² In an email, the Norwegian authorities informed the Danish Immigration Service (DIS) that information obtained i.a. through the Norwegian embassy in Tehran, showed that the circumstances concerning the imprisonment were not in accordance with the individual's claims.²²³ The Norwegian authorities further informed DIS that the case was reported upon in the Norwegian media.²²⁴

6.1.1.2 Returning from KRI

A political activist, who returns from KRI, will, according to one source, be sentenced to imprisonment upon return to Iran. For example, an Iranian Kurdish university teacher in Sulaimania, originally from Bukan, was arrested for affiliation with the Kurdish opposition parties. The university teacher is still imprisoned without trial.²²⁵

6.1.2 Family members who return

According to one source, individuals who have fled Iran, including family members of a political activist, are unlikely to return to Iran, because they risk being investigated and in some cases also punished. Whilst

²¹⁷ A journalist in KRI (B): 286; Radio Zamaneh, *Flogging sentence carried out against the asylum seeker deported from Norway to Iran*, 21 September 2017, [url](#)

²¹⁸ Email from the Norwegian authorities to the Danish Immigration Service (DIS) dated 23 January 2020

²¹⁹ Email dated 11 December 2019. Bas News, *Kurdish National Died under Torture by Iranian Intelligence*, 29 May 2017, [url](#); Hufvudstadsbladet (HBL), *Kurd som beviljats asyl i Finland torterad till döds i Iran*, 30 May 2017, [url](#)

²²⁰ Hengaw: 99

²²¹ Email dated 16 January 2020.

²²² Iran Human Rights, *Rahim Rostami, the deported asylum seeker accused of propaganda against the government was released on bail*, June 2011, [url](#); Kurdistan Human Rights Network: 285.

²²³ Email dated 23 January 2020

²²⁴ Email dated 11 December 2019

²²⁵ Hengaw:100

there are no clear criteria on who will be investigated and who will be punished, close family members are at risk of being targeted by the authorities, not the extended family.²²⁶

According to another source, the authorities treat family members of political activists well as to showcase to the world that there is freedom in Iran, and that returnees are not being harmed. The source did not provide any examples.²²⁷

6.2 Al-Tash Refugees

6.2.1 *Return of refugees from the al-Tash camp*

Due to the war between Iran and Iraq during the '80s, a large group of Iranian Kurds from the border area fled to Iraq and were placed in the al Tash camp close to Ramadi.²²⁸ According to UNHCR, 12,000 Iranian Kurds spent more than 20 years in the camp.²²⁹ This group of refugees was not granted Iraqi citizenship, nor did they have Iranian passports.²³⁰

According to the Association of Human Rights in Kurdistan – Geneva (KMMK-G), in 1991, a large number of people from the al Tash camp returned voluntarily to Iran.²³¹ The KMMK-G representative has three family members who were among these returnees and they were sentenced to 15 years of prison. The source is unaware of new cases of returnees.²³²

According to Hengaw, Al Tash refugees will not be treated well if they return to Iran. They do not have identity papers; partly because their families are refugees and, more importantly, because the al Tash refugees joined the KDPI. In order to get basic rights such as freedom of movement the al Tash refugees have no choice but to join the political parties. The parties provide them with a party ID card that will allow them to move around in KRI. Hengaw does not know of any cases of Al Tash refugees who voluntarily returned to Iran.²³³

Another source assessed that if Al Tash refugees return to Iran, and they have a history of cooperation with the Iraqi government or Iranian opposition parties, they will be in danger of being arrested and punished.²³⁴

A member of Kurdistan's Human Rights Network was held in Dizelabad prison in Kermanshah for two years. During this time, the member personally met with several Kurdish citizens who had been in Ramadi and Al Tash camp for several years. Following their return to Iran, they were arrested and sentenced to long prison terms for cooperating with Kurdish opposition parties.²³⁵

²²⁶ A Journalist in KRI (B): 231

²²⁷ Hengaw:97

²²⁸ Hengaw: 101. According to Hengaw more than 100,000 Iranian Kurds from the border area fled to Iraq and were placed in the al Tash camp close to Ramadi.

²²⁹ UNHCR, *Iraq: Iranian Kurds to be transferred from insecure Al Tash camp*, 11 October 2005, [url](#)

²³⁰ Hengaw: 101.

²³¹ KMMK-G: 60: In 1991, 20,000 people from the al Tash camp returned voluntarily to Iran.

²³² KMMK-G: 60

²³³ Hengaw:101; Kurdistan Human Rights Network: 280

²³⁴ Kurdistan Human Rights Network: 282

²³⁵ Kurdistan Human Rights Network: 281

However, there have also been examples of individuals who have returned from Al Tash refugee camp to Iran, and despite being summoned and interrogated, they were not sentenced to imprisonment. However, they were still denied many of their social rights in Iran.²³⁶

Children of al-Tash refugees might have Iranian ID, though it will state on the ID that they are born in Iraq and this can create problems for them in Iran. They may face discrimination in access to education and employment because of their place of birth.²³⁷

7. Conditions in the border area between Iran and Iraq

7.1 Legal crossings

As of October 2017, there were five official entrances/crossings between Iran and Iraq²³⁸:

- Haj Omran: Erbil
- Basmaq/Bashmaq: Mariwan-Suleimania
- Parwizhkan/Parwez Khan: Qasr-e Shirin-Sulaymaniya;
- Khosrawi: Karank-Kirkuk

The visa requirement between Iran and Iraq has been lifted which implies that a short term visa of 30 days is granted on the border.²³⁹

7.2 Illegal crossings

The border, between Iran and the Iraqi Kurdish areas, is mostly mountainous. Despite the Iranian border guards' stringent control, it is still possible to cross the border illegally. However, great caution is advised for safety reasons. One must travel with a person who is very familiar with the area.²⁴⁰

Most of the border in Iran is guarded by a special force, 'nero intizami'; however, in the Kurdish area the border is now guarded by the IRGC forces, by order of the Supreme Leader.²⁴¹

Over the last three to four years, the Iranian military have been guarding the border more intensely.²⁴² More military checkpoints have been built in the mountains in places where they were difficult to build. There are mines in the border area stemming from earlier periods of hostility as well as new mines that were recently planted. In 2019 (January to October), 23 people were victims of mines and either killed or wounded.²⁴³

In the Iranian Kurdish border area, the IRGC forces are given permission to kill anyone who crosses the border illegally. In 2019 (January to October), 61 Kurdish porters (in Kurdish and Farsi: 'kolbars') were killed

²³⁶ Kurdistan Human Rights Network: 282-283

²³⁷ KMMK-G: 61

²³⁸ DW, *Closure of Iran's border to KRI by "security authorities' decision"*, 16 October 2017, [url](#)

²³⁹ Directorate of Residency: 136

²⁴⁰ Kurdistan Human Rights Network: 288

²⁴¹ Hengaw: 102

²⁴² Hengaw: 104; A journalist in KRI (C): 322

²⁴³ Hengaw: 104

at the border and 150 have been injured.²⁴⁴ In the same period 10 civilians, who were not kolbars, were killed or wounded.²⁴⁵ Other sources gave different numbers on kolbars who have become victims of extrajudicial killings by the IRGC forces.²⁴⁶

²⁴⁴ Hengaw, *130 Kurdish Porters Killed, Injured in Six Months*, 6 July 2019, [url](#); Hengaw, *At least 16 Kurdish Porters Killed, Injured in August*, 1 September 2019, [url](#)

²⁴⁵ Hengaw: 102; IHRDC: 134

²⁴⁶ KMMK-G: 14: In 2019 from 1st of January until today, 188 Kurdish citizens were killed extrajudicially out of whom 136 were killed by shooting by the Iranian border security forces.

A journalist in KRI (C): 321: In the past 2 years, at least 140 kolbars have been killed in Kurdistan's border region, shot by Iranian forces or due to natural incidents, such as falling from high points

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Appendix 1: Meeting minutes

Association for Human Rights in Kurdistan - Geneva (KMMK-G)

Geneva, 17 October 2019

*The Association of Human Rights in Kurdistan – Geneva (KMMK-G) is an independent organisation, with no political affiliation established in 2006. The organisation has a dozen of partners in KRI and in Iranian Kurdistan. The work of the organisation focusses on gathering information, conducting advocacy at the United Nations (UN), and organising conferences in the EU parliament. Thus, KMMK-G serves as a bridge between the Kurdish civil society and the UN agencies and International institutions on the one hand, and Kurdish and Iranian civil society on the other hand.*²⁴⁷

1. KMMK-G shared some general information on human rights in the Kurdish region of Iran, including their latest report²⁴⁸ which was submitted to the UN Special Rapporteur for the upcoming report. KMMK-G provides information to the Special Rapporteurs reports to the General Assembly and the Human Rights Council. KMMK-G collects data on executions, extra-judicial killings, political prisoners, arrests, landmines²⁴⁹:

Iranian Kurdistan

2. The Iranian Kurdistan covers an area of 111,705 km², comprising of four western provinces of Kermanshah, Ilam, West Azerbaijan and Kordestan and is situated in North West of Iran. The population is estimated between 11–13 million people. Most of the Kurds are Muslims: 66% Sunni, 27% Shi'a and the others are: Yarasani, Yazidis, Qadiriyya, Naqeshbandiyya, Christians and Jews.
3. The governance of Iran including Iranian Kurdistan, is based on a system of one country, one nation, one language and one religion. Kermanshah is a Kurdish town with various religious identities. It is mainly composed of Sunnis, Yarasani (Ahlihaq) and Shia. They are all Kurds, but they have different faiths. The Islamic Republic, from its beginning, is ruling by creating divisions among ethnic and religious communities. In Kermanshah, the government uses the Shia group to repress other faith groups. However, in the recent years especially after the earthquake in Kermanshah in November 2017, all the groups including the Shias revolted against the government lacks of response and help to the earthquake victims in Kermanshah.

²⁴⁷ Website of The Association of Human Rights in Kurdistan – Geneva (KMMK-G): <http://kmmk-ge.org/sd/about-us/>

²⁴⁸ Human Rights Violations in Kurdistan of Iran, Periodic Summary Report for the Attention of the OHCHR Desk of the UN Special Rapporteur on the Situation of Human Rights in Iran, Association for Human Rights in Kurdistan of Iran-Geneva (KMMK-G), September 2019, [url](#)

²⁴⁹ 'In order to get the most credible data, KMMK-G collects and verifies up-to-date information in the following ways: (a) conducting interviews with family members of the victims, (b) conducting interviews with the lawyers of the victims, (c) contacting and receiving information from various on-the-ground institution, local networks, as well as informants within authorities and governmental entities, (d) monitoring the Islamic Republic's official statements, state media and publications, (e) receiving information from informal news agencies, (f) partnering with the Human Rights Section of Kurdpa News Agency (g) and cross checking the executions data with the Abdorrahman Boroumand Center.'

4. Iranian Kurdistan like Turkmenistan, Ahwaz and Balochistan suffers a high level of unemployment and discriminative policy of 'the Gozinesh' (the Selection Law based on Religious and Ethical Standards of 1995).²⁵⁰ According to the UN Committee on Economic, Social and Cultural Rights, the Iranian 1995 Selection Law based on Religious and Ethical Standards known as the 'Gozinesh' impairs equality of opportunity or treatment in employment for persons belonging to ethnic and religious minorities. The Kurds as well as other minorities in Iran are facing challenges concerning access to mother tongue language education, access to employment, poverty and lack of investment, environmental challenges, and access to fair trial. In addition, ethnic minority women are suffering multiple layers of discrimination.

General information on human rights in the Kurdish region of Iran

5. From the beginning of the revolution in 1979 the government of Iran adopted a hostile policy towards the Kurdish people not only because of their national and democratic aspirations, but also because the Kurds refused the establishment of Iran as an Islamic state in a referendum put forward by the Supreme Leader Imam Khomeini. Following the Kurdish refusal of the Islamic rule, the Supreme Leader Imam Khomeini at the time, declared a 'Holy War' against the Kurdish people and adopted a hostile and military approach towards the Kurds and generally towards ethnic issues.

The Legal framework within the Iranian constitution and the Iranian Penal Code

6. Iran's constitution consists of vague and contradicting articles; one article states one thing and the following article refuses it. For example, article 19 of the Constitution states that, 'All people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights; and color, race, language, and the like, do not bestow any privilege'. However, article 1, 4 and 12 states that the official religion of the country is the 12th Imam Shi'ism, all laws must be based on this branch of Shia and Persian is the only official language. So, in practice, a Kurd, a Baluchi, an Arab, a Kurdish Yarsan or a Bahai are deprived from any significant posts.
7. Furthermore, according to Article 48 of the Constitution, 'there must be no discrimination among the various provinces with regard to the exploitation of natural resources, utilisation of public revenues, and distribution of economic activities among the various provinces and regions of the country, thereby ensuring that every region has access to the necessary capital and facilities in accordance with its needs and capacity for growth'. However, article 115 applies the already mentioned 'Gozinesh'.
8. The Iranian Penal Code defines 'moharebeh' (a person who fights God) as someone who 'takes up arms with the intention of taking people's lives, property, or honour in order to cause fear among them in a manner that causes insecurity' (Article 279 of the Iranian Penal Code). The Crime of 'moharebeh' is punishable by death in the Iranian Penal Code but the judge has the option of imposing an alternative punishment. Under the previous Iranian Penal Code (in place until 2013), the charge of 'moharebeh' was frequently used against political dissidents and people connected to

²⁵⁰ Further reference was made to report by Amnesty International, IRAN, SUBMISSION TO THE UN COMM

opposition groups abroad, even if they were non-violent. The new Iranian Penal Code (2013) has provided for punishment under the notion of 'corruption on earth and rebellion'. This new concept of 'rebellion' expands the scope of the death penalty for all those who are convicted of 'corruption on earth'. Thus the death penalty can now also be given to those who commit 'a crime on an extensive level against the physical integrity of others or domestic or external security, spreads lies, disrupts the national economic system, undertakes arson and destruction, disseminates poisonous, microbiological and dangerous substances, establishes corruption and prostitution centres or assists in establishing them'. The Article is not legally precise and does not give concrete definitions of the term 'crime' or 'extensive', therefore giving judges wide power to arbitrarily interpret the law.

9. Furthermore, article 287 of the Iranian Penal Code defines 'rebels' as the members of any group that stages armed uprisings against the Islamic Republic of Iran and stipulates that they shall be sentenced to death.

Executions and extrajudicial killings

10. The Kurdish people in Iran amount to 13% of Iran's population of 80 million. However, over 25% of all executed persons are Kurds and almost half of all Iran's political prisoners are Kurds.
11. Ethnic minorities, especially Kurds and Baluchis, are over-represented in death penalty statistics. In 2018, over 25% of the executions in Iran were of Kurds. One third of Kurdish executions were related to the fabricated charges of 'national security threats' and 'moharebeh' (a person who fights god). 25% of Kurdish prisoners are executed outside Kurdistan and the government refuses to return back their bodies to their families. All out of six juvenile offenders who were executed in 2018 were also Kurds.
12. Last September (2018), despite the UN special rapporteur's warning, Iran executed Lukman Moradi, Zanyar Moradi and Ramin Hossein Panahi for their political opinions. The number of executions related to belief and political opinion were 10 in 2017 while this number was 29 in 2018.
13. In October 2019, 49 of 177 executions were of Kurdish Iranians.²⁵¹ In 2018 there was a decrease in the number of executions in Iran, due to an amendment to the law of drug offenses, but at the same time there was a doubling of the number of extrajudicial killings. In 2017, the number was 152, but in 2018 the number almost doubled to 225 extrajudicial killings. All the killed individuals were 'kolbaran' (in English: carriers of items. In singular: 'kolbar').
14. In 2019 from 1st of January until today, 188 Kurdish citizens were victims of extrajudicial killings out of whom 136 were killed by shooting by the Iranian border security forces. The victims were 'kolbaran'²⁵² The number of Kurdish 'kolbaran' victims for the period of January 1st, 2019 to August

ITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, 49TH SESSION, PRE-SESSIONAL WORKING GROUP (21-25 MAY2012), [url](#); Abdorrahman Boroumand Center for Human Rights in Iran, [url](#)

30th, 2019, constitutes 212 persons. 58 killed and 152 injured. 160 of them have been identified by name.

Political prisoners

15. The Kurdish political prisoners constitute 50% of all prisoners in Iran.
16. The source referred to a case known to the public, of a young woman named Zara Mohammadi a Kurdish volunteer teacher. She was arrested on May 23 2019 in Sanandej for teaching the Kurdish language.²⁵³ She was brought to court in September 2019. KMMK-G pointed to the fact that Zara Mohammadi has been in prison for five months without access to a lawyer. Other cases included Mohammad Nazari and Osman Nazari. They have been in jail for over 26 years for membership of a Kurdish political party.
17. According to the source, in the first eight months of 2019 352 Kurdish Iranians were arrested, out of whom 124 were arrested for charges related to membership with Kurdish political parties.²⁵⁴

Arrests

18. Regarding Kurdish citizens who are arrested or sentenced in 2019, KMMK-G has collected names of 369 Kurdish citizens from January to September 2019. Almost 95 % of the arrests are related to national security, civic or political activism. KMMK-G also collected the names of those arrested in 2016, 2017 and 2018. In addition, information was gathered on their location, reason for arrest and duration of imprisonment.

Activities conducted by the Kurdish political parties in Iran

19. Kurdish minorities in Iran live in a precarious situation, which has become intensified in recent years. In May 2016, the Democratic Party of Iranian Kurdistan (KDPI), Iran's main Kurdish armed movement, previously exiled in Northern Iraq, re-launched their armed operations after two decades of silence.²⁵⁵ The KDPI previously put an end to the armed struggle in the hope that the situations of Kurdish people in Iran would be improved by removing the armed conflict. However, since the 1993 cease-fire, the government of Iran has increased its military presence in Kurdistan, and the repression of Kurdish civil rights has continued to rise. KDPI has existed since 1945.
20. The source informed that in 2015, KDPI sent back their Peshmergas from KRI to Iranian Kurdistan, with the purpose of reorganising their members and sympathizers and engage them in activities related to promoting Kurdish rights. As such, they distribute brochures, organise gatherings and anniversaries of Kurdish holidays as well as protest, and events including writing slogans on the

²⁵³ Human Rights Violations in Kurdistan of Iran, Periodic Summary Report for the Attention of the OHCHR Desk of the UN Special Rapporteur on the Situation of Human Rights in Iran, Association for Human Rights in Kurdistan of Iran- Geneva (KMMK-G), September 2019, [url](#), p. 5

²⁵⁴ Human Rights Violations in Kurdistan of Iran, Periodic Summary Report for the Attention of the OHCHR Desk of the UN Special Rapporteur on the Situation of Human Rights in Iran, Association for Human Rights in Kurdistan of Iran- Geneva (KMMK-G), September 2019, [url](#), p. 5

²⁵⁵ National Endowment for Democracy, Taimoor Aliassi, *Enough is Enough: Iranian Kurds Running Out of Patience* 2 August 2016, [url](#)

walls, or putting Kurdish flags on government buildings, and raised money and clothes for Peshmergas.

21. With regard to Komala, they conduct similar activities but with less coverage in the Kurdish region of Iran.
22. The source informed that most activities take place in public spaces, including schools. For instance, when the anniversary of the assassination of Ghasemloo takes place or the anniversary of the foundation of Kurdistan Republic in Iran, letters are hung on government buildings to inform people of these anniversaries.
23. The Kurdish parties also use media and social media outlets. The Kurdish political parties, such as KDPI, has a TV channel (Tishk TV), websites (Kurdistanmedia.com), radio (Voice of the Kurdistan of Iran), Facebook, twitter and telegram. The parties usually encourage their members, sympathizers and the public to undertake actions through these channels. Furthermore, when the parties undertake special activities, members are contacted through human channels.

Recruitment of new members

24. With regard to the possibility of KDPI to recruit new members in Iran, KMMK-G replied that KDPI conduct training for newcomers in Koya and in Qandil. The training course takes 3 months. It includes the teaching of Kurdish language, Kurdish history, the political party's history takes and geopolitics. Then according to the new comers' educational background, s/he will be sent to different departments. For instance, if the new comer is a journalist, s/he will be sent to KDPIs media department.
25. The newcomers come voluntarily due to the fact that the level of repression is very high in Iranian Kurdistan and they have lost hope in reforms within the system; in addition to the repression, they suffer also discrimination in job opportunities because of the 'Gozinesh' law. KDPI generally encourage people, especially highly educated volunteers, to stay in Iran to work for KDPI in order to reinforce the party's presence in the villages and towns. It is also costly and requires space to house recruits in the bases in Iraqi Kurdistan.
26. Komala have adopted the same methodology as KDPI and the two parties have created a common platform, in the sense that three years ago they established a center for cooperation of Iranian political parties. KMMK-G noted that the parties were invited to participate in a conference in New York by the US State Department and Saudi Arabia together with other Iranian opposition groups; however, both parties including all factions declined the invitation.
27. If someone in Iran wants to join Komala/KDPI, s/he should go to Erbil or Sulaimania and meet with the representatives of the political party.
28. KMMK-G added that a person, who come to Erbil and Sulaimania to join the parties will go through a background check before they become a member. The committee of the political party in question will address members that are linked to the place in Iran where s/he comes from. The background check is performed in order to make sure that the new member is not part of the

Iranian Intelligence Service. The security committee of each party is in touch with the committees in the towns and villages in Iran in order to check the background of the said person. The same procedure applies to new members in Europe.

Members versus sympathizers

29. When party activities in the Kurdish region of Iran are being organised, the leadership of the political parties asks the committees inside Iran to organise them, for instance the anniversary of the assassination of Ghassemlou. The security cells used to consist of three to five persons, but for security reasons, the Kurdish political parties prefer to organise their members within small cells such as one person cell. In villages and towns there are experienced members who are trusted by the party.
30. Generally, active and experienced committee members are trusted members of the political parties. The way to become a member is to gain the personal trust of these experienced members. A new member does not easily gain the trust to be recruited. The consequences of recruiting someone who is secretly also working for the government can be consequential and put at risk the KDPI networks and members. The members of Kurdish political parties are often convicted for 'moharebeh' (Article 279 of the Iran Penal Code) and national security charges (Article 287 of the Iranian Penal Code) and it means long-term imprisonment and death penalty.
31. It is difficult to say whether the Iranian government makes a distinction between the targeting of party members and sympathizers. This, amongst other things, depends on the intelligence officer in charge. The targeting of individuals is arbitrary and varies from case to case. One can be a simple citizen in the Kurdish region and charged of something and then the officer who interrogates disapproves of the interrogated person who will receive a sentence for 'moharebeh' (a person who fights god) and executed; and on the other hand someone can be a member of an active opposition party and go free.
32. The source gave an example of a person well-known to him, who many years ago, was a Peshmerga. He was previously wounded in a military conflict with the Iranian security forces to the extent that he could not walk anymore. The person went to the military and surrendered himself at the military base in Sanandej. However, despite his surrender, the military reported that he was arrested during the fighting and imprisoned him. He was set free and after three years in prison he was sent back to Kermanshah where he came from. After a while, a government car belonging to IRGC Intelligence Service (in Farsi: Sazman-e Ettela'at-e Sepah-e Pasdaran-e Enghelab-e Eslami) stopped him in the middle of the town of Kermanshah. They showed him a paper in Kurdish which stated that 'the Peshmerga is the right hand of the people', a kind of slogan, and they asked him to translate it to Farsi; they wanted to test if he reads Kurdish. When they realised that he does, they took him to an unknown prison where he was tortured. Finally, he was set free, because they did not get any information from him. The point is, that it is really complicated and there is no system in place.

Targeting of family members to party members

33. Family members of political activists are at risk of being arrested and detained. It is not possible to foresee the reaction of the government. The closer the family member is, the higher the chance of being targeted and potentially arrested. The Iranian Government does not care if the arrestee is a party member or a party sympathizer; many people are not even related to the party, and still subject to arrest.

Monitoring by the Iranian government

34. There are more than 17 different security organisations operating in Iran. The most repressive organs operating in Kurdish territories are 1) IRGC Intelligence Service (in Farsi: Sazman-e Ettela'at-e Sepah-e Pasdaran-e Enghelab-e Eslami) and 2) Ministry of Intelligence (Vezarat-e Ettela'at Jomhuri-ye Eslami-ye Iran).
35. The IRGC is a government agency and elite military force tasked with preserving the Islamic Republic of Iran and the ideals of the 1979 revolution and protecting the Iranian Islamic State from internal and external threats. Iranian law defines the IRGC as an institution 'commanded by the supreme leader whose purpose is to protect the Islamic revolution of Iran and its accomplishments, while striving continuously (...) to spread the sovereignty of Gods law.'²⁵⁶ The IRGC has its own intelligence unit, the IRGC Intelligence Service (IRGC-IO), set up by Supreme Leader Ali Khamenei, which operates parallel to MOIS, and is instrumental in the targeting of ethnic and religious minorities.²⁵⁷
36. MOIS is tasked with defending the Government and ensuring the strength of the government, and with protecting Iran's interests abroad. Under the constitution, the MOIS gathers and assesses information and acts against conspiracies endangering the Islamic Republic²⁵⁸. All of Iran's security forces belong to the Beite Rahbari or the House of Leadership, under the Supreme Leader Ali Khamenei who is responsible for all armed forces in the country and has also a right to veto the presidency or parliamentary decisions.
37. In order to maintain this system of surveillance, the Iranian authorities, in particular the IRGC (in Farsi: Sepah-e Pasdaran-e Enghelab-e Eslami-e Iran), IRGC Intelligence (in Farsi: Sazman-e Ettela'at-e Sepah-e Pasdaran-e Enghelab-e Eslami) and Basijs (one of the 5 branches of the IRGC consisting of volunteers), are known to push Kurdish citizens to spy for them.

²⁵⁶ Islamic Parliament Research Center Of The Islamic Republic Of IRAN, *Statute of the Iranian Revolutionary Guards Islamic Revolution*, ratified on 6 September 1982, article 1, [url](#)

²⁵⁷ Center for Human Rights in Iran, *Rouhani's Intelligence Ministry and Khamenei's IRGC Widen Crackdown Ahead of Election*, 16 March 2017, [url](#)

²⁵⁸ Byman, D. (2002). *Iran's security policy in the post-revolutionary era*. Santa Monica, CA: Rand Corporation, [url](#) pp.31-

38. In May 2015 when KDPI decided to restart their military operations, the level of monitoring by the authorities got more intense, because the Iranian government fears a revolt. For someone who participated in a demonstration there is a risk of being arrested. Once more the source pointed to the Zara Mohammadi case, the woman who got arrested for teaching Kurdish language, to show how the authorities operate randomly.²⁵⁹
39. Iranian Kurdistan is the most militarised part of Iran; between every single town, village and hill there are checkpoints, military compounds and a high security presence. Furthermore, the IRGC has created a cyber-army of an estimated 45,000 personnel whose main task is to monitor and collect information on people opposing the Iranian government, including critics, academics, intellectuals, students and activists.

Profile of people who are targeted by the Iranian Government

40. KMMK-G stressed that people get arrested for many different reasons, including being a family member of someone who is in prison, or who supported an idea that goes against the ideology of the Iranian Government or someone who participated in Newroz (Kurdish New Year).
41. When asked what happens to people who are targeted, the source gave an example of one of his family members. A young man with no political affiliation, walk by a demonstration without participating. He got arrested for one month and was tortured during this time. After his release, he was delivered a paper telling that he was arrested because he was member of Islamic State. The source informed that a party member, if arrested, would be exposed to torture, including execution simulations and s/he would be sentenced to death penalty.
42. Any activities of Kurdish people that could be interpreted as political are harshly suppressed. Any works pertaining to social change critical to the Iranian Government, in particular by Kurdish citizens, are perceived as being propaganda against the system. In connection with his 2012 film *Neveshtan Rooy-e Shahr (Writing on the City)*, Keyvan Karimi, a prominent Kurdish documentary and fiction filmmaker, was sentenced to six years' imprisonment and 223 lashes on December 23, 2015. The film depicted the growing anger from the youth expressed on the walls in Iran in the form of graffiti. Karimi described the film as containing 'graffiti and wall painting that date back to 100 years ago in Tehran.' He further noted that 'it is story of a wall and how it reflects what has happened in society'²⁶⁰. He was sentenced by Branch 28 of Tehran Revolutionary Court, accused of 'insulting the holy sanctities', 'spreading propaganda against the system' and 'illegitimate relations'. Karimi's film was never shown in public apart from a trailer on YouTube.
43. The Iranian authorities operate with a complete lack of ethics, and use any methods available to denigrate, harass and repress anyone they consider to be a political threat to the Government.

²⁵⁹ The KMMK-G calls on the UN Special Rapporteur for Iran to urge Iranian authorities the immediate and unconditional release of Ms. Zara Mohammadi, a volunteer teacher in Kurdish language, from Sina/Sanandaj, arrested at her home on 23 May 2019, [url](#)

²⁶⁰ Pen-international.org. (2015). *Iran: Upcoming appeal of prominent Kurdish filmmaker Keyvan Karimi*. [url](#)

They even employ these tactics in high profile cases with a great deal of international attention. For example, in 2005, the Iranian lawyer, former judge and Nobel Peace Prize Laureate Ms. Shirin Ebadi's family was targeted and infiltrated by the authorities. In an attempt to destroy Ms. Ebadi's reputation, the IRGC Intelligence Services infiltrated the Ebadis by using friends and acquaintances of theirs as undercover operatives who constructed a 'honey-trap' in order to get evidence of adultery against Mr. Ebadi. Mr. Ebadi was lured to a friend's house where he was seduced by a woman he knew. However, intelligence officers were hidden in the next room with cameras, and caught and arrested Mr. Ebadi in the act of adultery.²⁶¹ They then sentenced Mr. Ebadi to death by stoning for his crimes of adultery. The sentence was used to blackmail Mr. Ebadi, forcing him to appear on national television to denounce his wife and state that she is a Western agent²⁶² in order to get his freedom. Ms. Ebadi subsequently fled Iran and applied for asylum in the UK.

44. The source gave another example of a Kurdish man who was imprisoned for 26 years on the basis of party activism. IRGC officials in Bukan, Iranian Kurdistan, arrested the already mentioned Mr. Mohammad Nazari in May 1994 and he eventually spent over 26 years in prison for 'moharebeh' (a person who fights god), after his death sentence was commuted to life imprisonment in 1999. According to information from Amnesty International, he was held for over a month in solitary confinement, first by the IRGC and then by the Ministry of Intelligence. Nazari said that, during this period, he was subjected to torture, including beatings, kicking, and flogging on the soles of his feet, and threats made against his sister, in order to make him confess to being involved in an alleged assassination plot against a number of people affiliated with the IRGC. According to Amnesty International the allegations against Nazari were fabricated, and the real reason for his arrest was related to his political beliefs²⁶³. No evidence of the assassination plot or his involvement in any armed activities was presented in court. At no point during his detention or trial did he have access to a lawyer. He never received an official copy of the verdict. He since submitted numerous requests for retrial but the Iranian authorities seemingly considered none of them.

Fair trial

45. If a person is accused of crimes against national security, s/he can only select legal representative from a list of 40 lawyers pre-approved by the head of the judiciary during the investigative phase (Iranian Code of Criminal Procedure, 1999, art. 48).²⁶⁴ However, the Kurdish population rarely gets access to lawyers in any event. KMMK-G work to train lawyers in Iranian Kurdistan in cases on human rights. With regard to the previously mentioned case of Zara Mohammadi, she had two independent lawyers who were imprisoned for four years due to taking her case. There is no access to appeal for prisoners in Iranian Kurdistan.

²⁶¹ NY Times, Ebadi, S. *Tricked Into Cheating and Sentenced to Death*, 3 March 2016, [url](#)

²⁶² The news segment is available in Farsi: ایران صلح بانوی علیه سی و بیست, 10 June 2010, [url](#)

²⁶³ Amnesty International, *Urgent Action: Iranian Prisoner of Conscience Critically Ill*, 23 October 2017, [url](#)

²⁶⁴ United Nations A/74/273, General Assembly, Distr.: General, 2 August 2019, Situation of human rights in the Islamic Republic of Iran, [url](#), section 12

46. There are many well-documented reports from the UN and various international and Iranian NGOs evidencing that generally detainees have been forced to confess to collusion with “foreign enemies”.
47. On 8 January 2019, the Urumiyeh Revolutionary Tribunal sentenced Mr. Massoud Shamsnezhad to six years and four months imprisonment for the crimes of ‘propaganda against the system and threat for national security’. These charges were based on the Iranian Penal Code Articles 499 and 500. The Urumiyeh Revolutionary Tribunal, Section 3, pronounced the sentence against Mr Shamsnezhad without the presence of his lawyer Mr. Saleh Nikbaght.²⁶⁵ KMMK-G has reasons to believe that the real reason behind the arrest was Massoud’s work on defending and gathering information about the suspicious death of Ms. Shayda Hatemi, a Kurdish student in Urumiyeh University.²⁶⁶
48. Affiliation with the Kurdish political parties is a strong charge, but it is not possible to say precisely what the sentence will be; the sentences are arbitrarily given. There is no legal process; the convicted person will have to abide by the sentence given. The only person that could change the sentence is the local Imam appointed by the Guardian Council who has the right to veto the sentence. Furthermore, this imam is empowered with appointing the local governor, the head of security as well as nominating the local judges. He represents the grand ayatollah at local level.
49. KDPI members Osman Mostafapour, Mullah Jasem Delneshin and Ayoub Jahangiri were arrested on July 14, 1991. Their arrest followed the clashes between a number of KDPI Peshmergas and the Iranian Revolutionary Guards Corps (IRGC) forces in the Asen Gran Valley of Urumiyeh. They were detained for six months in the IRGC Detention Facility in the City of Urumiyeh under intense physical and psychological torture. On December 18, 1991 after the interrogations were completed, all three were transferred to the quarantine of Urumiyeh Central Prison. On December 5, 1991 they were sentenced to death by the Branch 1 of Revolutionary Court of Urumiyeh, chaired by Judge Johari, without the right to have a lawyer on charges of membership in KDPI.
50. Following the confirmation of the death sentences of these three Kurdish political prisoners by the Court of Appeal in the summer of 1992, Mullah Jasem was hanged and Ayoub Jahangiri was executed at Urumiyeh Central Prison the following year. In 1993, i.e. a year after the execution of these two political prisoners.
51. Osman Mustafapour was exiled to Tabriz Central Prison where he spent two years of his imprisonment sentence. In 1996, Osman Mustafapour was transferred back to Urumiyeh Central

²⁶⁵ The source referred to an article in Farsi published on 17 February 2019 in which it is stated that Massoud Shamsnezhad was released on bail:

وثیقه قرار با نژادشمس مسعود

شد آزاد 20:50 - 28 بهمن 1397/ , [url](#)

²⁶⁶ Human Rights Violations in Kurdistan of Iran, Periodic Summary Report for the Attention of the OHCHR Desk of the UN Special Rapporteur on the Situation of Human Rights in Iran, Association for Human Rights in Kurdistan of Iran- Geneva (KMMK-G), September 2019, [url](#), p. 4

Prison and his death sentence was reduced to 10 years of imprisonment in 2000. However, in the same year, the Branch 3 of Revolutionary Court of Urumiyeh sentenced him to 25 years in prison on charges of membership in the Kurdistan Democratic Party, which meant that this political prisoner should serve a total sentence of 35 years in prison, including his previous conviction. He has lost his mother, one sister and one brother during his 27 years of imprisonment, but he has not been allowed to attend their funeral due to the opposition of the Prosecutor's Office and Orumiyeh Intelligence office.

Monitoring in KRI

52. The IRGC asks Iranian Kurdish citizens to report on the movements and activities of the main Iranian Kurdish opposition groups and political parties based in Erbil, the capital city of Kurdistan, and Sulaimanya, part of Iraqi Kurdistan. Since 1991, 321 Iranian Kurdish opposition members have been assassinated by Iranian elements based on intelligence gathered from such spies.
53. The Iranian intelligence service threatens the parties in KRI. As an example, the source pointed to the bombardments on 8 of September 2018 on the KDPI camps Koya.
54. Furthermore, 30 Kurdish activists based in Iraqi Kurdistan were targeted by Iranian bombing, assassination and missiles.

Armed conflict between the Kurdish parties and the government forces

55. According to the source, in 2018 there were 58 operational armed conflicts between KDPI and Iranian government entities. The clashes most frequently erupt due to government attacks on the Peshmerga forces inside Iranian Kurdistan. Indeed, as in Iran, the Kurdish political parties are prohibited, the Kurdish political parties send their Peshmergas units inside Iranian Kurdistan to spread their ideas and promote the Kurdish rights but they are often ambushed and attacked by Iranian military forces notably the IRGC. Sometimes their bases are also attacked by artillery in the Qandil Mountains. Approximately 40 Peshmergas were killed. Between 150 and 300 members of the security forces were killed in these conflicts. KDPI said that 38 to 40 government officials were killed by them. There is no accurate data on the casualties, but KMMK-G gather information given by the government, governors or the military officials. KMMK-G cannot confirm any of these figures.

Consequences for returning

56. Kurdish returnees can face risk of arrest for the fact alone that they are failed asylum seekers. The Iranian Governments' security approach is to suspect everyone Kurdish of activism. Therefore, if a Kurd leaves the country without permission, the suspicion towards the person is heightened and the act of leaving can be seen as evidence of their activism.
57. For example, in 2015 an Iranian Kurd from Kermanshah was arrested by the Intelligence Service. He had previously sought asylum in Denmark in 2015. When his asylum claim was rejected, the authorities sent him back to Iran in Spring 2018. Upon his arrival at the airport in Tehran, he was arrested by the Iranian authorities. He was then transferred to Dizel Abad prison in Kermanshah,

which is infamous for torture and executions²⁶⁷. There is even a cemetery behind the prison where the corpses of the people executed there are buried despite families' request to bury the bodies themselves. According to local sources, the returnee has been interrogated and tortured whilst in detention. The source does not know whether the returnee has been charged, tried or sentenced for any crimes. He has not had access to a lawyer, nor visits from his family.

58. In another case, a Kurdish Iranian from Sarpoole-Zahab, Kermanshah was sent back to Iran from the UK after his application for asylum was rejected. He sought asylum in 2016. After two years, his request was rejected and he was returned to Iran on September, 2018. Upon arrival in Mehrabad airport in Tehran, he was arrested and taken to jail by IRGC Intelligence Service. Since his arrest, his family has been informed that he was sentenced to 4 years of imprisonment. He has not had access to a lawyer, nor has he had contact with his family. It is unknown what crime he was charged with and found guilty of. In an email to the Danish Immigration Service, dated 18 December 2019 the source informed that he had been informed about the release of the returnee.

Use of the death penalty

59. According to the source it does make a difference if the returnee is returning from Europe rather than from KRI in the sense that the level of suspicion will be higher for those returning from Europe. Some returnees do get arrested; however, others do not get arrested.

Return of refugees from the al-Tash camp

60. In 1991, 20,000 people from the al Tash camp returned voluntarily to Iran. The KMMK-G representative has three family members who were among these returnees and was sentenced to 15 years of prison. The source is unaware of new cases of returnees.
61. Children of al-Tash refugees are considered Iraqis, because they were born there; however, they might have Iranian ID, though it will state on this that they are born in Iraq and this can create problems for them. They face discriminations in access to education and employment because of their place of birth.

Landmines

62. During the Iran-Iraq war, the Iranian government planted 20 million landmines; however, the government refuses to carry out the necessary demining. The provinces of West Azerbaijan, Kurdistan, Kermanshah and Ilam which have large Kurdish majority populations together with Khuzestan Province which has an Arab majority population continues to see the most deaths and serious injuries from landmines.²⁶⁸ According to a report by the UN Special Rapporteur, 43 percent of the victims are children under 13 years.

²⁶⁷ Hrana - News Agency, *A Brief Report about the Diesel Abad Prison of Kermanshah*, 8 May 2016, [url](#)

²⁶⁸ A/74/188, UN General Assembly, Distr.: General, 18 July 2019, Situation of human rights in the Islamic Republic of Iran, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, [url](#),

Hengaw Organization for Human Rights

Erbil, 28 October 2019

Hengaw is an independent human rights organisation reporting on human rights violations in Kurdistan, Iran. On their website Hengaw is collecting information from all cities in Iran and they are cooperating with lawyers from the courts in all provinces.²⁶⁹ Hengaw has trusted sources to confirmed information on prisoners in Iran as well as on the Kurdish opposition parties.

63. Hengaw cooperates with all the Kurdish parties. The parties share their news with Hengaw in order for the organisation to publish it. The source further stated that all Kurds have a strong passion for their land and are supporting 'the Kurdish case' which also implies support for the Kurdish parties.
64. According to the source, the Iranian government does not see the Kurdish region as a part of the country partly due to the fact that the majority of the Kurdish population are Sunni Muslims, whereas the government and the state are based on Shia Islam. Seen from a government perspective, 'being Kurdish is a crime'. Due to the political issues and the current economic crisis, unemployment in the Kurdish region is reaching 60 percent. Over the last 10 years the government has built 1,800 checkpoints to control the Kurds. The authorities monitor the Kurdish population through these checkpoints and arrest individuals that are suspected of being politically affiliated.
65. Through the use of media, the authorities are presenting the Kurdish region negatively, which results in the Kurdish region having a bad image in the rest of the country.

Monitoring of party members and supporters in Iran

66. If the Iranian government suspects anyone of working with one of the opposition parties, s/he will be monitored. In Iran, there is an information centre dealing with opposition to the regime. In the Kurdish area a separate department by the IRGC Intelligence Service (in Farsi: Sazman-e Ettela'at-e Sepah-e Pasdaran-e Enghelab-e Eslami) has been established. This department is monitoring people's phones and put pressure on people who they suspect of interacting with the political parties. The pressure, in some instances, includes the authorities forcing wives to separate from their politically active husbands.
67. From January to October 2019, 487 people were arrested and detained by the Iranian government on suspicion of being affiliated with the Kurdish opposition parties, out of whom 412 people were members of the parties.

Monitoring of party members and supporters in Iraq

68. Due to the political relation between Iraq and Iran, the Iranian authorities have some control over the Kurdish parties. This causes problems for the Iranian party members residing in KRI. The way the Iranian government makes problems for the party members requiring seeing their residence permit at the checkpoints.

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²⁶⁹ Website: <https://hengaw.net/en>

69. The source stated that even through media, Iran has a huge influence in Iraq. For instance, a few years ago in Choman, Erbil Governorate the Iranian government attacked a Komala camp. The incident was covered by a journalist from a magazine, even though the journalist was Kurdish, he covered this due to the influence of Iranian.
70. When asked if the Iranian authorities perform intelligence operations in Iraq, Hengaw replied that no person has been captured in Iraq; one member of PAK surrendered himself to the Popular Mobilization Forces (in Arabic: 'Hashd al Shaabi'), who extradited him to Iran, and he is now in prison in Iran.

Targeting of members and supporters in Iran

71. In general, when the Iranian government targets someone, s/he will be under telephone surveillance. The suspect will in some cases be forced to separate from his wife and children; he will be imprisoned and given a long sentence and the authorities will take advantage of him as a financial source. For example the authorities set a financial guarantee to release the person. This oftentimes causes the prisoner to escape, in which case the government will take over his house and belongings.
72. According to the source, in worst case scenario, individuals who are given a warning or a notification from the authorities, and who do not comply with directions from the authorities, will be killed. As an example on this, Hengaw pointed to the incident that occurred in August 2018 in Marivan, Five environmental activists from the 'The Green Mountain Committee', disregarded the notification that they were given by the Iranian authorities. Four of them were killed. According to the authorities they were burned in an accident. On Hengaw's website it is stated that Sherif Bhawar and his friends were left to burn in a fire which was caused by IRGC bombings in an attempt 'to drive out the Peshmerga'.²⁷⁰
73. According to the source one of the activists called his wife and said 'they are shooting at us'. This was the last anyone heard from the activists. The source added that the deceased were volunteers in firefighting. One activist survived the fire but he was taken away by plane and no one has heard from him since.
74. The authorities targeted the environmental activist due to a conflict that occurred when the Iranian government established a recycling factory next to the river in Marivan. The environmental organisation/committee raised awareness about the fact that the factory was jeopardising the water quality. The 'consulting head' of Marivan city who is a member of the IRGC intelligence service threatened the activists, which was published on Hengaw's website. The authorities went to the activists' families and asked them to ensure that the information was deleted from Hengaw's website. However, the activists' families refused to do so.

²⁷⁰ Hengaw, *Forest fires caused by the bombing of the Revolutionary Guard and the killing of four environmental activists*, 26 August 2018, [url](#)

75. There is no right to privacy in Iran. For instance the Iranian government arbitrarily monitors people's phone calls. If they notice that someone is affiliated with one of the opposition parties, s/he will be arrested and detained and will be subjected to torture.

Political prisoners

76. Conditions for political prisoners in the Kurdish region are difficult. Persons under suspicion of being politically affiliated will be given a long sentence and prevented from seeing their families. In comparison, other prisoners who are given 10 years of prison are allowed to see their families. Defendants, who are affiliated with the communist branch of Komala, are given shorter sentences than other branches of Komala than KDPI affiliates.
77. There are cases in which Kurdish defendants were given sentences of 25 years or more in prison, without the right to see their families. Kurdish prisoners are not granted their basic rights, for instance when they fall ill, they are often refused treatment. In case treatment is provided, Kurdish political prisoners are not allowed treatment in a hospital outside of the prison.
78. According to the source, the following are examples of Kurdish political prisoners that have been given long term sentences:
 - Artan Tibash from Orumieh. He was sentenced to 25 years of imprisonment for being affiliated with KDPI. The source did not provide further information on the case.
 - Osman Mostafapour. He was sentenced to 35 years in prison for being a member of KDPI. His recent request for probation was denied.²⁷¹ He was imprisoned in Orumieh prison and has been imprisoned for 29 years.
 - Hossein Osmani from Habat, has been imprisoned for 27 years. He was a member of Komala. The source did not provide further information on the case.
 - Mohammed Moradi was sentenced for 33 years. He was under suspicion of being affiliated with KDPI and is held in Nagada prison. Mohammed Moradi is the brother of Zaniar Moradi and Loghman Moradi who were executed in a publically known case. When Mohammed Moradi heard about the execution he attempted suicide.

Statistics on sentences to Kurdish prisoners

79. According to the statistics, at the Hengaw statistics center, at least 70 Kurdish citizens were executed in Iran in 2018.²⁷²
80. In total, there are 20 Kurdish prisoners who are given sentences of more than 20 years and seven prisoners that are given life sentences.
81. 17 Kurdish minors have been sentenced to death and are awaiting the execution in the Iranian prisons.

²⁷¹ Hengaw, *Urmia's Revolutionary court denied Osman Mostafapour's request for parole. He's a political prisoner from Piranshahr and has been jailed for almost three decades*, 8 November 2018, [url](#)

²⁷² Hengaw, *10% of global executions were Kurdish citizens in 2018*, 11 April 2019, [url](#)

82. The source added that in general members of the three Komala parties are not punished as harshly as KDPI.
83. Following the Turkish invasion of Syria in October 2019, 86 people were arrested for expressing themselves against the invasion. Out of this group, ten people were sentenced to one year in prison. All this happened during a period of 10 days.

Prison conditions

84. The prison conditions in Iran are generally poor. Food is limited and inmates will not survive unless their families send them money.
85. According to Hengaw, 27 individuals died in suspicious ways inside Iranian prisons during 2018. According to the authorities some committed suicide and others died due to illness. The source commented that sick prisoners were either not taken to hospital or they are taken there too late. During the first 10 months of 2019, 14 prisoners died under suspicious circumstances in the Kurdish region.
86. Every city in the Kurdish region has its own prison, but the biggest prisons are in Orumieh, Naqadeh, Qorveh, Sanandej, Saqqez, Kermanshah and Ilam. Political prisoners are transferred to places like Tehran, Khorasan, Ardebil, and Iraj, places that are far away from the Kurdish region.

Torture

87. People in the Kurdish region of Iran, who are suspected of political activities, are arrested in their houses often in the early morning. In most cases the individual will be detained for three to four months without any information given to the family. During this period s/he will be tortured physically and psychologically. In some cases, male prisoners will be forced to watch their wives being raped with the aim of disrespecting the values of the detainee. The authorities will pressure him to confess to things that did not happen. In case the detainee is cooperating with the authorities, the authorities will let him call his family. In case, he does not cooperate he will be tortured more intensively. During these three to four months the prisoners are kept in a facility under the military intelligence service without anyone knowing of their location.
88. After this period they will be transferred to a real prison in which the torture is less harsh; however, they will not be given enough sleep and food. These conditions are worse in the Kurdish region than in the rest of Iran. The source stressed that Kurdish people are given harsher treatment than other Iranian nationals.

Fair trial

89. All trials are closed to the public and the defendant will not be present. In most cases the defendant does not have the right to a lawyer. In case they are offered a lawyer, the defendant can choose between 3-4 preselected lawyers. This lawyer will represent the government rather than the client.

90. Hengaw, is aware of one case in which the Iranian court was overruled by the Supreme Leader Khamenei. The case concerned three Kurds who were accused of killing three members of the IRGC forces (in Farsi: Sepah-e Pasdaran-e Enghelab-e Eslami-e Iran). The defendant was sentenced to death twice upon order from the Supreme Leader. Hengaw stressed that the organisation has only once observed such an order.
91. Furthermore, Hengaw noted that harsh sentences were also given to the two defendants, accused of assisting in the killing of the three members of the military and for helping their third co-defendant to escape. Mohammed Sadqi was given a sentence of 40 years of imprisonment; and Haider Qurvami was sentenced to 118 years and six months of imprisonment. The sentences were given ten days ago and they have currently been detained for three years without the right to see their families. After 6 months in prison Haider Qurvami was forced to confess on Press TV. The confession was evoked by electrification, warm irons inside his body and by showing disrespect for his values. Moreover, 45 persons were arrested in this case and Haider Qurvami expressed that he would take responsibility of the killings, to prevent more people from being arrested. Salah Rahmani, the third suspect and a KDPI military peshmerga, was sentenced to death twice in absentia. He was never arrested. On 2 March 2018, a car bomb was planted in Salah Rahmani's car and his child died.

The Moradi-case

92. The Moradi-case is well known and documented by several media and organisations, including the UN: The political prisoners from Marivan, Zanyar Moradi and Loghman Moradi, were detained on August 2009, by the Sanandaj Intelligence Ministry in the city of Marivan.²⁷³ Zanyar Moradi and Loghman Moradi were sentenced to death in December 2010 for 'involvement in the murder of the Marivan Friday prayer leader's son' and for 'enmity with God' (in Farsi: 'moharebeh'). The men denied the charges in court and said their confessions were done under torture by the Intelligence Ministry. The confessions were published on video in which they were forced to sit on bottles. The execution took place on 8 September 2018.

Targeting of family members of politically affiliated persons

93. Family members of arrested or detained activists, are being threatened to keep the arrest secret. If the arrest is not kept secret, the torture against the arrestee will be harsher. The Iranian authorities will sometimes show videos to the family members of the arrestee crying and begging them not to tell anyone about the arrest. In some cases, family members are brought to the prison and disrespected in front of the arrestee. In one case, the authorities threatened to rape the wife of a prisoner, in front of him and force him to divorce her while being in the prison.
94. Family members may also be denied jobs in the public sector in their home town and will have to move to another town to get a job.

²⁷³ Hengaw, Zanyar, Loghman and Ramin are at serious risk of execution, 7 September 2018, [url](#)

95. With regard to the treatment of family members to political activists, who fled abroad, Hengaw informed that the Iranian authorities will gather information on the family members. For example, a political activist fled 15 years ago. The authorities continue to call on the family to give information on where the fled person is living and what he is doing.
96. All family members of activists are being treated the same way; the closer family, wife and children, will be targeted before others. If the activist does not have a wife and children, sisters, brothers and parents will be targeted.

Return

97. According to the source, the authorities treat family members of political activists well as to showcase to the world that there is freedom in Iran, and that returnees are not being harmed. The source did not provide any examples.
98. Hengaw does not have a case in which the activist returned himself. Hengaw assessed that if an activist returns he will be sentenced to death.
99. Three years ago, a returnee, who was not politically affiliated, voluntarily returned to Iran from Finland. He was detained for 40 days and killed by the IRGC intelligence service under torture. The authorities threatened his father that they would kill his other son, if he went public with the case. Despite this, the father made the world know that the government threatened him; however, the brother was not killed.
100. With regard to activists who return from KRI, Hengaw informed that they will be sentenced to imprisonment. In one case a woman, visited an Iranian political party in Sulaimania, and was sentenced to three years in prison. Moreover, people who work in KRI are sometimes arrested under suspicion of being affiliated with the Kurdish opposition parties. The source gave an example of an Iranian Kurdish university teacher in Sulaimania, who is originally from Bukan. He was arrested for being affiliated with the Kurdish opposition parties. The university teacher is still imprisoned without trial.

Return of al Tash refugees

101. Due to the war between Iran and Iraq during the '80s, more than 100,000 Iranian Kurds from the border area fled to Iraq and were placed in the al Tash camp close to Ramadi. This group of refugees was not granted Iraqi citizenship, nor did they have Iranian passports. In 2014, when the borders were open most of the third generation of al Tash refugees went to Europe to seek asylum; however, they were not given nationality there, nor do they have citizenship in Iran or Iraq. In KRI they are living in Barika and Kawa camps. According to Hengaw, Al Tash refugees will not be treated well if they return to Iran. They do not have identity papers/nationality; their families were refugees for a long time and, more importantly, because the al Tash refugees joined the KDPI. Hengaw does not know of any cases who voluntarily returned to Iran. In order to get basic rights such as freedom of movement the al Tash refugees have no choice but to join the political parties. The parties provide them with a political residency ID card that will allow them to move around in KRI.

Border area, illegal crossings

102. Most of the border in Iran is guarded by a special force, 'nero intizami'; however, in the Kurdish area the border is now guarded by the IRGC forces, by order of the Supreme Leader. In the Kurdish border area, the IRGC forces are given permission to kill anyone who crosses the border illegally. In 2019 (January to October), 61 Kurdish porters (in Kurdish language: 'kolbars') were killed at the border and 150 has been injured.²⁷⁴ In the same period 10 civilians, who were not kolbars, were killed or wounded in the fields.
103. During the period when 'nero intizami' were still guarding the borders of the Kurdish area between Iran and Iraq, they were more flexible and people would be allowed to take goods between Iran and Iraq.
104. Over the last three to four years, the Iranian military are guarding the border more intensely. This development was triggered by KDPI moving their bases to the Qandil Mountains in 2016. There are mines in the border area stemming from earlier periods of hostility as well as new mines that were recently planted. In 2019 (January to October), 23 people were victims of mines and either killed or wounded.
105. Within the latest two or three years, the Iranian government has intensified its monitoring of the border. More military checkpoints have been built in the mountains, including in Qandil and in KRI, in places where they were difficult to build. This improves IRGC intelligence service' ability to arrest people at the border.

Clashes between the Iranian government forces and the Iranian Kurdish opposition parties

106. This year the number of clashes between the Iranian government forces and the Iranian Kurdish opposition parties decreased compared to former years. This is due to an agreement between the Iranian government and the Iranian Kurdish parties made through an organisation in Norway in order to prevent clashed between the two sides
107. The clashes often occur when the party members go the towns in the Iranian Kurdish areas to raise awareness about the party. During this time they are attacked by the Iranian military and clashes occur. Sometimes the Iranian authorities discover the party members crossing the border which results in clashes.
108. In 2019 (January to October), there were 32 clashes in which 17 peshmergas killed in the conflict and 23 Iranian military personnel were killed.
109. In 2019 (January to October), Iran bombed places in the Kurdish region of Iran 11 times. As a result one girl died and four persons were wounded.

²⁷⁴ Hengaw, *130 Kurdish Porters Killed, Injured in Six Months*, 6 July 2019, [url](#); Hengaw, *At least 16 Kurdish Porters Killed, Injured in August*, 1 September 2019, [url](#)

110. In 2018, 48 clashes took place, which resulted in the killing of 15 members of KDPI and 14 members of KDP-Iran, 15 members of PJAK, 2 members of Komala. In addition, 2 members of PAK were arrested in the same year, 97 members of the Iranian government army were killed.

111. When asked about the definition of a Peshmerga, Hengaw replied that a Peshmerga is someone who is armed and with the party full time. The definition of a party member includes both civilian members and Peshmergas.

112. When asked how Peshmergas, who took part in armed conflicts, are treated by the government if they are arrested, Hengaw gave some examples:

- Two Peshmergas, who were caught in 2018 are still in prison and they have not been taken to court.
- In another case a member of PJAK was captured. He is now in prison in Orumieh and is intensively tortured. The source did not provide information on time and place for the event.
- On 9 September 2018 two peshmergas named Ahmed Shabab and Nasir Asisi both from Habat were injured and taken as prisoners. They were subsequently killed by the Iranian military.

113. The source noted that Hengaw started collecting statistics in 2016. They do not have any data prior to 2016. Hengaw emphasized that before 2016 the number of clashes were lower. For instance, in 2016 the number of kolbars killed was 97. In 2017, the number was 230. Another example of the development in the conflict is the number of arrests of activists. In 2016 less than 250 activists were arrested. In 2017, the number was more than 600.

Iran Human Rights Documentation Center (IHRDC)

Skype meeting on 21 October 2019

The Iran Human Rights Documentation Center is an independent non-profit organisation that was founded in 2004 by human rights scholars and lawyers.

*The mission of the Center is to establish a comprehensive and objective historical record of the human rights situation in Iran, and on the basis of this record, establish responsibility for patterns of human rights abuses. These records are made available in an archive that is accessible to the public for research and educational purposes. The center also focusses on promoting accountability, respect for human rights and the rule of law in Iran; as well as to encourage an informed dialogue on the human rights situation in Iran among scholars and the general public in Iran and abroad.*²⁷⁵

KDPI Party presence and their activities in Iran

114. In 2016, Mostafa Hejri, the leader of one of two KDPI factions, stated that they have resumed armed conflict with the Iranian government after the presence of their armed fighters known as

²⁷⁵ Website of Iran Human Rights Documentation Center: <https://iranhrdc.org/mission/>

peshmerga were not tolerated by the Iranian government. The source cannot comment on their capacity or whether they have engaged in armed operations in recent years. The source is unaware of the extent of their influence and what activities they are engaged in.

115. The Iranian Government arrests Kurdish activists and accuses them of armed engagement. However because trials are neither fair nor public, it is impossible to comment on the activities of individual defendants.

Members versus supporters

116. The source noted that it is important to understand how the judiciary and the intelligence apparatus operate. The basis of their work is to extract confessions from the defendant. In relation to how these confessions are carried out, the use of torture has been documented. The authorities may have limited information on the arrested persons but subject them to torture in order to make them confess. In some cases the authorities do not even care if the confessions are accurate, but rather focus on the fact that it can be reported to their superiors that a subject has been identified. On the basis of this, it does not make a difference whether a person is a member or a sympathiser as the objective of the intelligence agents is to extract a confession. Oftentimes torture is used to extract the confessions and when a person has confessed, the authorities have obtained what they want.
117. If a supporter, who has not engaged in armed conflict, can withstand the torture and does not confess, he will probably be charged of a lesser crime. The source reiterated that most often evidence is extracted during confessions.
118. Whereas the burden of proof ought to fall on the Government, it wrongly is put upon the accused individual to prove his/her innocence.
119. In relation to whether a sympathizer is treated differently than a member during the pre-arrest stage, the source stated, that generally the likelihood of getting arrested, increases on the basis of the level of involvement. The source underlined, that whilst this is a general observation, there are numerous cases of individuals that have been falsely arrested.
120. For example, it was recently revealed that a number of persons, who had been accused and sentenced for the assassination of Iranian nuclear scientists, were found innocent following years of imprisonment as well as public TV confessions. The individuals were therefore released.
121. Many individuals, who are accused of having ties with Kurdish political parties, may in fact, be innocent. The source reiterated that due to the working methods of the judiciary the arrest of innocent people happens frequently.

Monitoring by the Iranian authorities

122. The level of monitoring in the Kurdish areas is higher than the average level of monitoring across the country. The Iranian authorities have the resources to monitor political activists. For example, a Kurdish labor activist named Mahmoud Salehi, who had been affiliated with a political party during the eighties, was arrested for his labor activism. When he was arrested, the authorities brought forward old information relating to his previous political activities and they attempted to convict

him on these grounds. Thus monitoring goes back a long time. Mahmoud Salehi was first sentenced to nine years' imprisonment, but on appeal his sentence was reduced to one year imprisonment.

123. The source stated that it is also important to consider that many of the people have a family member who was involved with a Kurdish political party. If a person has a family member who has been arrested or executed, it is more likely that the person will be monitored.
124. Political active persons and their family members are at high risk of being monitored. The risk is always present.
125. Any sort of political or civic activism that falls outside the purview of the government creates suspicion and it raises the risk of being monitored. In the Kurdish areas of the country, the risk increases if an individual engages in any sort of activism.

Profile of people who are targeted by the Iranian government

126. For example, many areas within the Kurdish region are populated by Sunni Muslim Kurds. Persons with this ethnic religious background have been arrested by the authorities accused of having links to extremist groups such as Islamic State (IS). Several of the accused have been sentenced to death, after being subjected to torture and a closed trial. The individuals had no access to counsel and their due process rights were violated. The source noted that the Iranian government did not prove the guilt of any of the executed individuals. Conducting religious activism also increases the risk of monitoring.
127. As such, an individual may be Kurdish; however the reason for his arrest is national security charges resulting from alleged affiliation with extremist Sunni groups.
128. The source stated that there are reports of extremist groups operating in the Kurdish regions of Iran. However, it is unknown whether the individuals who have been arrested are actually affiliated or members of these groups. The charges against them were 'waging war against God' (moharebeh), which is punished by death. In 2014 there were 40 persons on the death row in Rajaee Shahr prison because of allegations of being affiliated with an extremist Sunni group.
129. With regard to people being targeted, the source pointed to three possibilities on the outcome:
 1. If a person is arrested for and convicted of disseminating propaganda, s/he will be sentenced to 1 year in prison.
 2. If a person is charged with and convicted of acting against national security, s/he will be sentenced to 1 to 5 years in prison.
 3. Under the Islamic Penal Code of 2013 the charge of moharebeh is only applicable if a person draws a weapon. However, alleged membership or affiliation with an armed opposition group has been the basis for the charge of moharebeh in some cases.

The risk of family members to party members or supporters

130. Family members to party members or sympathizers are also at risk of being called in, questioned and detained. The Iranian government relies on extracting information from family members by putting pressure on them, in order for the family member to put pressure on the political party member. This is also the case for activist living abroad. Family members are at risk of being subject to the same treatment as the members. If the authorities are aware that a person is a family member to a political party member, s/he is at risk of questioning and being subjected to torture. The authorities may also retaliate against family members. For example, there is the well-known case of Zaniar and Loghman Moradi in which two young men (cousins) were accused of assassinating a religious cleric. They insisted on being innocent and lived on death row for a number of years until their execution in September 2018.²⁷⁶ There were serious questions concerning the government's accusations. Zaniar Moradi's father was a political activist living outside of Iran, and he was assassinated in July 2018. Zaniar Moradi stated that he had been arrested because of his father's political activism.

Fair trial

131. The source stated that there is no fair trial in Iran and that this is the nature of the Iranian government, particularly when it comes to cases of national security. Individuals are deprived of their due process rights, including the right to be represented by counsel and not being subject to torture.

Conflict between the Iranian authorities and political parties

132. The source noted that he had no detailed information about this.

Consequences for Iranian Kurds voluntarily returning to Iran

133. Whilst the source noted that he had no detailed information about this, he noted that generally the government states that individuals, who have left Iran, are welcome to come back. He is aware of cases of individuals that have conducted activism related to other issues than that of the Kurds, and that these individuals have been arrested after returning to Iran. He assumes that the same conditions apply for Kurdish activists. The source is not aware of whether a person is at risk after voluntarily returning from Europe.

The border area

134. One issue that is consistently raised relating to the border area is that of the 'kolbars'. The kolbars, who are living in a poor region, are working illegally and transporting consumer goods across the border. Despite this act being illegal under the law, the Iranian government further violates Iranian law, by responding with disproportionate use of force, as they are shooting the kolbars who are unarmed. Many kolbars have been killed as a result of these shootings.

²⁷⁶ AI - Amnesty International, Iran: Executions of three Iranian Kurds an outrage, 8 September 2018, [url](#)

KRG, Ministry of Immigration and Displacement, Directorate of Residency, Erbil Province

Meeting with Brigadier General Yadgar A. Faraj

Erbil, 27 October 2019

135. The area of responsibility of the Directorate of residency includes foreign nationals seeking residence permit at the 'Haj Omran' border crossing point northeast of Erbil city at the border to Iran and Erbil International Airport (EIA); anyone who enters KRG through these border points is under the responsibility of the Directorate of Residency. For anyone who wants to seek asylum in KRI, including Iranian refugees the Directorate has established four camps outside Erbil city. Within the Directorate, there is a special unit for people who seek asylum in KRI and do not want to live in the camps. It falls within the responsibility of the directorate, to register and issue permits and licence to stay.

Residence permits on grounds of employment

136. Many Iranians are coming to KRI due to the current economic situation in Iran; the Iranian government goes through hardship because of the evaluation of the Iranian currency. The visa requirement between Iran and Iraq has been lifted which implies that a short term visa of 30 days is granted on the border.

137. As for Iranian nationals who apply for residence permit on grounds of employment, a large number of Iranians are coming to KRI and some of them make contracts with different local directorates and organisations in KRI. For instance, some Iranian doctors and some Iranian university lectures come to have a working contract. When they apply they go through different official channels. For instance when a university lecturer applies s/he addresses the Ministry of High Education; on behalf of the applicant the ministry sends a letter to the Directorate of Residency and requests a residence permit for the teacher. When a medical doctor applies, the letter is sent by the Ministry of Health. These types of contracts are temporary and depends on the approval and interest that the KRG has in these applicants in the sense that if their field of specialty is needed they extend their stay. If not, they will return.

138. For Iranians applying for a longer stay in KRI, their children have the right to be registered in. KRG is applying legal procedures and medical procedures to check their legal status and health. Information on the address of the applicant is a requirement for issuance of a permit letter for them to stay in KRI.

Residence permits on grounds of protection/asylum

139. As for the political party members, when they take refuge in KRI because of security threat to their lives; the first step in the procedure is to approach UNHCR to be registered and have their identity paper issued. As the next step, UNHCR refers the refugee to the Directorate of Residency where the case is processed based on the documents sent by UNHCR. The Directorate then refers the case to

the security directorate to check their background in order to see if these people are under threat and then they are given a final decision on their stay in KRI.

140. When asked whether the Directorate of Residency accepts all cases from UNHCR or if they make their own assessment, the source replied that the refugees are firstly received by the UNHCR and in accordance with their procedures, the refugees are referred to the Directorate of Residency. The Directorate then processes the cases in accordance with their own procedures that are different from those of UNHCR. Brigadier General Yadgar A. Faraj stated that it is not within the capacity of KRG to receive every person who seeks asylum in KRI. When the directorate has decided the case, it is referred to the security directorate in order to check the refugees' background. Furthermore it is being check that that the refugees are in fact under threat in Iran and that they cannot return, because they will not be safe. During the period in which these checks are being carried out, they are kept under surveillance by the KRG for some time to make sure that the reason they stated as their asylum motive is the real reason why they came to KRI. After this procedure they are given temporary residence permit in KRI. *Reasons for refusal of residence permit/asylum*
141. Refugees, who do not give a convincing asylum motive in accordance with the KRG, are not granted residence permit in KRI. For instance, KRG does not give residency to Iranians who flee their country in order to evade military service. KRG does not forcefully return these people, but on the other hand they do not issue residence permit for them. As already stated KRG does not have the capacity to give asylum to all applicants who are coming. KRI is under huge pressure to provide services for internally displaced Iraqis as well as to a large number of Syrian refugees to stay in KRI. This month [October 2019] KRI received 10,000 people from Syria. Compared to other countries, KRI received a large number of refugees who fled to KRI that is a relatively safe area compared to the rest of Iraq.
142. A person, who commits a crime or kills someone and then takes refuge to KRI, will not be granted residency.
143. As an example the source noted that drug addiction and drug dealing is quite rampant in Iran, and that the Iranian regime also focuses these issues. In this respect, a large number of Iranians have come to KRI to sell drugs. KRG is combatting drug dealing in KRI by a special unit within Asayish called 'The Directorate of Combatting Drugs'. The Directorate of Residency has restrictions on issuing residence permits for Iranians because of the treats that come from drug addiction and drug dealing. It is a sensitive issue and it is being dealt with accordingly.
144. It is a matter for the Directorate for Combatting Drugs to decide if an Iranian drug smuggler will be returned to Iran. In case it has been decided that the person in question is to be returned, the Directorate for Combatting Drugs issues a letter addressed to the Directorate of Residency demanding to send the person back to Iran, the Directorate of Residency will carry out the return. If not, sometimes the case will be dealt with according to the Iraqi civil law.
145. If a person is registered by UNHCR, they will not be given a residence permit unless the Directorate of Residency decides to issue one. Sometimes the Directorate might allow them to stay for a few

months but later on the Directorate will check their backgrounds and follow up their cases, otherwise it is difficult for the Directorate to issue 'iqama' for people who apply for residency.

146.KRG views the work done by UNHCR as a mean to check their status, but sometimes it does not imply that the procedures of the Directorate allow them to issue the 'iqama'. Some concrete cases were agreed by UNHCR, but the Directorate did not agree on them. These decisions on canceling applications due to the lack of convincing evidence were explained to UNHCR.

Duration of residence permit

147.For residence permit issued on protection grounds, they are issued for six months. For residence permit issued on grounds of employment, one year stay will be granted with the possibility to extent for another year.

Fees for residence permit

148.For applicants coming from countries with no visa requirement, for instance Turkey and Iran, the price is 675,000 IQD. For applicants from countries with visa requirement the price is 1,175,000 IQD. Renewal costs 175,000 IQD for a year; for six months 105,000 IQD. Asylum seekers are not charged for a residence permit.

How many Iranians are currently staying in KRI?

149.Some Iranians stay within their political factions and they do not ask for renewal of their residence permit. Other Iranians come to renew their status.

Do the peshmergas have residence permit?

150.As for civilians, it is a matter for the Directorate of Residency; as for armed groups it is being dealt with by other authorities. The armed groups within the parties are not allowed to take up residency as long as they belong to the parties. With regard to freedom of movement for the armed groups, according to the agreement made between KRG and the parties, the parties have their own identity documents that can be used for commuting between towns and cities. However, this question is outside the field of the Directorate of Residency.

Possibility to be granted Iraqi passports

151.When asked if it is possible for Iranian refugees to be granted Iraqi passports today, knowing that previously this was possible for a period around 2008, the source replied that applications for Iraqi passports are being processed in accordance with the Iraqi nationality Code. If requirements are met, one will be granted a passport. Two different situations in KRI: When KRI was an independent territory and separated from Baghdad, according to the Iraqi nationality code, those who met the requirement were given citizenship and passport. After the loss of independency and KRI became a part of the newly elected Iraqi government, the applications must be addressed to the Iraqi authorities in order for them to decide.

152.As for these applications for Iraqi passports for Iranian refugees it is a matter for the Directorate of Passports.

153.Forged documents are tracked at the border and are being dealt with through a legal procedure.

Number of crossings

154.For legal crossings, there are two types of statistics:

The official data on legal stay granted for 28 days; when this period is exceeded they are referred to the Directorate of Passports to process the application for the extension that they ask for. In 2018, for Haj Omaran crossing point: 137,000 Iranians entered the border legally.

155.The figure for residency granted to Iranians this year is 5,267 people long term, i.e. 6 months or one year.

156.There is no official data for the number of illegal crossings, or for people who are caught crossing the border illegally. No documents are issued in these cases; they are being asked to return. If they are not asylum seekers they might be forcefully returned/repatriated.

Entry to KRI

157.Most Iranians are coming by land. As for direct flights to Iran, currently only Mahan Air has three flights a week from Tehran to EIA on Wednesdays, Fridays and Mondays. As for Sulaimania Airport the Directorate is not aware.

Iranian authorities in KRI

158.Asked to what extent the Iranian intelligence service is monitoring the Iranian politically parties in KRI, the source replied that it could be true that the Iranian intelligence service monitor the parties, however, there have been no incidences so far. KRG is monitoring the parties in order to assure their safety. KRG does everything within its capacity to protect the refugees who are living on their territory.

KRG, Ministry of Immigration and Displacement, Directorate of Passports, Erbil Province

Meeting with Legal Brigadier Director Didar Omer Qadir
Erbil, 27 October 2019

159.Director Didar Omer Qadir stated that Iraqi passports are solely issued to holders of an Iraqi citizen certificate.

160.Asked if Iraqi passports are granted to Iranian refugees, Director Didar Omer Qadir replied that the Directorate received a number of requests and repeated that passports are only issues to persons with an Iraqi citizen certificate. The same rule applies to Iranian nationals having lived for a longer

period in Iraq. The source added that there might have been some cases on Iranians in Ramadi, who were given passports, but it is not the responsibility of KRG.

161. The procedure for applications for passport in Erbil is to address the Directorate of Passports. Applications for passports are sent for approval in Baghdad. Some cases are refused, but it is a matter for the Iraqi Ministry of Interior in Baghdad.

162. The Directorate of Passports in Erbil was established in 2010 and is not responsible for what happened before this date. In 2010, the information in the passport document was changed in the sense that as of that time the location of issuance is stated. Before 2010, the location of issuance of all passports issued in Iraq was 'Baghdad, Iraq'. After 2010, the location of issuance in passports that were applied for in Erbil is 'Erbil, Iraq'.

163. When asked about the possibility for Feyli Kurds to apply for a passport, the source replied that they have the right to apply. Applications should be submitted to the Iraqi Ministry of Interior in Baghdad. With regard to legislation on passports, the source referred to the Iraqi Nationality Code (2006).

A journalist in KRI (A)

Erbil, 29 October 2019

Party activities

164. The activities of KDPI are less than in previous years. In 1991, the party entered into an agreement with the KRI authorities that they would not conduct any military actions against Iran.

165. When the party conducts activities in Iranian cities, they go in small groups of five to seven people, with the purpose of enhancing the knowledge of people as well as recruiting new members. The group may be armed as a means of protection, but the purpose is not to go into fighting. The objective is solely to raise awareness around party activities.

166. There are cases of civilian party members living in Iran being killed. For example, a man was killed in Mahabat in his bookstore. He was not conducting any civil activities for the party, but the authorities knew that he was working for the opposition parties and for this reason he was killed.

167. Since the Iranian authorities attacked the KDPI base in Koya in September 2018, the situation has become precarious and the political parties have intensified their focus on security and military capacity. Women and children also reside in the camp.

Conditions for members and supporters in KRI

168. The Iranian authorities use infiltrators and spies to obtain information. For example, when the attack happened in Koya, two bodyguards attending were providing information to the Iranian authorities.

169. The source noted that the party is focusing on increasing their member base, rather than ensuring that the individuals joining the party are not in fact working for the Iranian authorities. The source explained while the party is focusing on increasing their member base, some of the recruited people are joining the party for other reasons than supporting the party's cause and may even be working for the Iranian authorities. As a result, there are individuals living with the party members in the camps, who are working for the authorities.
170. According to the source, the Iranian authorities have various policies aiming at gathering information about individuals through the use of spies and informants. For example, some families work for both the political party and the Iranian authorities.
171. According to the source, for family members of a Peshmerga who are living in the KRI it is not possible to travel to Iran. Many Peshmergas are living on a very low income. Generally, a Peshmerga member earns 60 USD per month per family. In many cases, family members living outside the camps, support the Peshmergas financially through their salaries.

Conflict at the border

172. Two months ago the Peshmergas of KDPI and Komala were planning to enter into the Iranian cities on the border: Sardasht, Marivan, Piransahr and Shino to conduct civilian activities and inform members of their activities. The duration of the stay was planned to be five days. The purpose of this mission was to publish and disseminate a publication among the Iranian Kurds. The Iranian forces became aware of the mission after a local family under threat reported it to them and therefore relocated forces to those areas in order to counter the Peshmergas with military forces. A press release was also issued by the Iranian authorities stating that anyone who enters Iran and who is against Iranian policies will be attacked.
173. Activities by KDPI at the border is limited, also due to the presence of the main base of PKK who have good relations with the Iranian authorities.
174. Some media activities still take place in the camp in Koya, however one year ago the KDPI-run TV channel named 'Tishk' was closed down for one year. Officially due to lack of financial resources, but most likely it was a politically motivated decision.

Monitoring by Iranian intelligence service of members and supporters in KRI

175. According to the source, many radio and TV stations in KRI, have employees that are Iranian and working for the Iranian authorities as well as the KRI authorities and who provide information about the activities of the political parties. Overall, the Iranian regime has a wide ranging network in KRI gathering information. This is also a result of the increasingly difficult economic situation in Iran. Many people travel to KRI working for the Iranian authorities of which many are Kurds from Iran.
176. Another reason why many Iranian Kurds are employed in KRI is due to their high level of education. However, Iranian Kurds are limited in terms of employment and can only work for the KRG on consultancy basis. Furthermore, in order to advance career wise, it is necessary to be linked to a political party.

177.The importance for the KRI intelligence service is that nothing happens, that will affect the security situation in KRI.

178.As an example of the Iranian intelligence operations in KRI, last year in Kasnazan, west of Erbil, a car bomb was planted in a car of a man who had been politically active inside of Iran. This happened when the man came back to KRI after six months. The man and his son were killed by the bomb. Many Kurds from Iran live in Kasnazan.

Legal entry

179.Some people can cross the border if they have documentation and if one has political affiliation it becomes easier. Particularly, there is no longer a need to obtain a visa to cross the border.

180.Lack of ID documents and citizenship

181.With regards to the KDPI members who previously lived in the camps in the Qandil Mountains and moved to Koya in 1990, the source explained that many of them are unable to obtain any identity paper, such as a passport or an ID card. They may have a political party ID card, but they have no rights. In the Iraqi ID document they are provided with, it states that they are not originally Iraqi and that they are born in Iran. For this reason they cannot obtain a passport. The inability to obtain ID documents applies to members of all the Iranian Kurdish opposition parties, including KDPI, Komala, PAK and PJAK.

182.Contrary to the lower ranks of the party, high ranked political party members are able to obtain a KRI ID that they can travel on to Baghdad.

183.Iranian Kurds in Iraq, may hold a nationality card (in Arabic: 'jensiya') and an ID card (in Arabic: 'hawiya'). However, a new national ID card has been introduced in Iraq, which replaces the 'jensiya' and the 'hawiya'. Without this card, a person cannot apply for a passport.

184.Basically, Iranian Kurds are able to stay and travel in Iraq; they can work in the private sector, but only be promoted to some level; and they can study at university. They cannot obtain a passport

185.In 2010, the source and another close family member had an Iraqi passport issued by the central government, which expired in 2018. However, due to a policy change, the file is with Baghdad Passport Directorate and the passport cannot be renewed.

Written note, Academic Researcher, Hemn Seyed

13 November, 2019

186.Over the last four decades the Iranian Government has enforced strict security on the Kurdish region of Iran. Any activity in this region has been seen through a security lens; even civil and cultural activities have been interpreted as political and individuals conducting civil or cultural activities are given the same punishment. Many people in Iran and in particular in the Kurdish region of Iran were arrested and have been sentenced for cultural activities, as well as for

environmental activities, in more recent times. The Kurdish question in Iran is broadly linked to the security status of the country.

187. According to the source, there is no legal basis for any punishment of civil activities, but in practice punishment of such activities takes place. Albeit those who are linked to political parties will face the worst punishments but in many cases it is difficult to say which case is political and which cases that are civil or cultural.
188. The source informed that he had firsthand knowledge of arrest in Iran. He pointed out that the legal situation, including the behaviors of the courts and Judges, and the political situation in Iranian Kurdistan was and still is worse than the rest of Iran. According to the source, activists who have been sentenced and imprisoned in the Kurdish region, state that 'Tehran Evin Prison looks like a hotel compared to the prisons in Kurdish region'.
189. The source was asked if he was aware of a truce between the Iranian government and the Iranian Kurdish opposition parties facilitated by a Norwegian organisation. In relation to this, the source explained that meetings had been held in Oslo last summer. However, it was not a negotiation process to address the Kurdish issues in Iran. Iranian representatives just declared that they would respond strongly to any military campaign by the Kurdish political parties with armed members; Peshmergas. The Iranian representatives furthermore stated that Iran is currently under US sanctions and that the Iranian Government will not tolerate any activities or any sort of potential cooperation with Americans by the Kurdish groups.
190. The socio-economic situation in the Kurdistan region of Iran is linked to the political situation. The Kurdish question in Iran is political and dates back to the 1979 Iranian Revolution. The Kurds did not endorse the idea of Islamic rule in Iran and this created a political problem with the Iranian Government. The Revolution in Kurdistan had a democratic and secular orientation. The Kurds did not participate in the Revolution to create an Islamic society but they revolted for freedom, democracy and for creating a Kurdish autonomous administration to obtain their ethnic demands.
191. When asked if PJAK executes military operations or other types of operations in Iran, PJAK operates on the same grounds and principles as other Kurdish groups like Komala and KDP, KDP-I, and Khabat. PJAK is more active in the northern and southern parts of the Kurdish region while the other groups traditionally focus on central parts of the Kurdish region of Iran.
192. The source was asked about the status of Iranian Kurds in KRI, specifically their civil and social rights (including the right to ID cards, passports, work and education.)
193. The source explained that most of the Iranian Kurds do not have any legal rights to stay in KRI. They do not receive standard refugee supports and even their security is not guaranteed by KRG. According to the source, only a small number, who have lived in KRI for more than a decade, and that has political ties with the ruling parties in KRG receive limited support. The majority of people

live in a dire situation.

194. When asked if the source was aware of whether the KRG authorities have granted passports to Iranian Kurds around 2008, the source reiterated that a very small number of Iranian Kurds received some supports during that time, including naturalising their citizenship and becoming Iraqi citizen. However, this was not recognised by Baghdad and therefore the passports were terminated shortly after. This resulted in most of the people losing the rights given to them. In addition, the passports that were issued, had expired after 10 years and according to the source, in the years 2017, 2018 none of them have received a new one so far.

A journalist in KRI (B)

Erbil, 29 October 2019

Conditions for Iranian Kurds in Iran

Political civil activities by members and supporters of the Iranian Kurdish opposition parties

195. The source informed that the level of civil political activities conducted by the Iranian Kurdish opposition parties in Iran is limited due to the scrutiny they are faced with. When the party does conduct civil political activities, this is done in secrecy to prevent the authorities clamping down on them. However, the parties support the activities of others, such as organisations that focus on environmental issues as well as other social issues. The Kurdish political parties support political and social activities in Kurdistan, and they also support peaceful gatherings of Kurds in which they demand their rights.

Monitoring of activists

196. In Iran anyone put under monitoring can be arrested and imprisoned for no reason and without any evidence against them. Individuals are taken from their homes or from their workplace without informing the families. Oftentimes 3-4 Intelligence Service personnel arrive by car to arrest the person. Investigation of the individual may take 20 days or up till 1 month. Following this period, the person will be allowed to contact family to inform that s/he has been taken by Ministry of Intelligence (in Farsi: 'Vezarat-e Ettela'at Jomhuri-ye Eslami-ye Iran'), the IRGC Intelligence Service (in Farsi: Sazman-e Ettela'at-e Sepah-e Pasdaran-e Enghelab-e Eslami) or by the IRGC Military Forces (in Farsi: Sepah-e Pasdaran-e Enghelab-e Eslami-e Iran).

197. As part of the monitoring, the authorities monitor the phone calls as well as social media of individuals. In cases where the objective is to just collect information on a person, the authorities will monitor his social media accounts to see what he is doing. If the objective is to arrest someone, the person's phone will be monitored and the authorities will listen to his phone calls to obtain knowledge on who he is talking to and about what. By use of GPS, they authorities will locate the person and arrest her/him.

198. The source informed that he has seen such monitoring himself as well as heard of it through friends who have been arrested and monitored.

199. When asked if the authorities rely on social media and phone calls only for monitoring, the source explained that there are also a lot of spies in the Kurdish cities. The spies that are working for Ministry of Intelligence or the IRGC Intelligence Service have their own formalities and they are called 'the Anonymous Soldiers', which means they use a pseudonym instead of their real names, making them difficult to identify. They often wear certain types of clothes and are shaved in a certain way, but it is not known to everyone how they look.
200. If they appear in the cities people would know them, but the Iranian government provides them with special accommodation such as in hotels or other private places to avoid them being visible in the community.
201. People from the local population also work as informants, but it is not known who these individuals are. They have their own identity and card and no one knows about it. In order to remain anonymous, they do not tell anyone that they work for Ministry of Intelligence (MOI) or the IRGC Intelligence Service.
202. In December 2012, the Federal Research Division of the US Library of Congress published the result of a research under the title 'Iran's Ministry of Intelligence and Security'²⁷⁷ in which it was explained how the Iranian intelligence operates and what activities they conduct outside of Iran as well as how departments are operating and managed.

Targeting of activists

203. Anyone who is arrested in Iran will be accused of either helping the political parties or doing environmental activities or activities that are affecting the national security in Iran. Ministry of Intelligence or the IRGC Intelligence Service will threaten the activist by saying that if s/he leaves Iran, the punishment for the activist will be tripled.
204. The source mentioned the case of Mohammad Sadiq Kabudwand who was detained in Evin prison for 10 years and now lives in Tehran, as an example. He was the head of an organisation called Defense of Kurdistan Human Rights Organisation. Mohammad Sadiq Kabudwand wrote on his private tweet that following his release from prison, the authorities withdrew his passport and documents which make it impossible for him to leave Iran.²⁷⁸
205. The source has firsthand knowledge on the Intelligence Service and how it operates. There is two different corps of intelligence service in Iran, and the source has been called for investigation at both; namely the IRGC Intelligence Service and Ministry of Intelligence.
206. Activists that are arrested in Iran are either arrested by the IRGC Intelligence Service or by Ministry of Intelligence.
207. In Urumieh there is a specific military intelligence service under the IRGC, where there is a detention center which is referred to as 'Al Mahdi Detention Centre'. Any person held in this

²⁷⁷ The Library of Congress, *Iran's Ministry of Intelligence and Security*, December 2012, [url](#)

²⁷⁸ Kurdpa, *Mohammad Sadiq Kabudwand was banned to exit Iran*, 9 July 2019, [url](#)

detention center is subject to hard torture until they confess. Upon completing the interrogation, detainees are taken to trial before Urumieh Revolutionary Court where severe sentences are issued to those with security and political charges .

208. In Sanandej there are two different detention centers; one is under the IRGC Intelligence Service and one is under Ministry of Intelligence.

209. The source gave examples of targeting of activists by the authorities:

- The source referred to a case of two environmental activists, named Sharif Bajaur, Omid Kohnesh Poushi, who died in summer 2018 while conducting environmental activities. They died while extinguishing forest fires in Mariwan.
- In the cities of Marivan and Sanandej, two cultural organisations, called Nourjin and Wajin, conducted Kurdish cultural activities, including teaching the Kurdish language. The director of Nourjin (Zahra Mohamedi) has been in prison for more than five months. The court requested 700 million Iranian Toman²⁷⁹ in bail, as a guarantee for her release. The family provided the funds, but the court is still not willing to release her. The authorities have accused her of conducting political activities, though all she was doing was teaching the Kurdish language to children. She was arrested by the intelligence forces on 23 May 2019.

210. In Iran, anyone who is arrested for conducting civil activities will be accused of conducting political or security related activities.

Treatment of activists' family members and friends

211. The source left Iran in 2013 and since then the Iranian authorities have not allowed for any family to visit the source. In addition, family members have been taken several times for investigation and been threatened and therefore do not dare visiting the source. Generally, the Iranian authorities use families to put pressure on the person living outside of Iran with the aim of having the family convincing her/him to return to Iran. They investigate the family and put pressure on them. Every once in a while, the intelligence forces contact the families by telephone asking them to report to the intelligence department in order to answer their questions, and when they report, they are interrogated about the activities of their children.

212. The source explained that according to information received from a university teacher, who previously worked with the Iranian Intelligence Service, families of anyone doing social or political activity will be put under surveillance, which includes monitoring of phone calls, computer use as well as their movement. According to the source there are many examples of parents of activists who have been threatened and pressured. Any family who has a civil or political activist family member outside of Iran is put under more monitoring and pressure than other families.

213. The punishment of the family members depends on how active the activist has been. In some cases, the families have been arrested and accused.

²⁷⁹ Corresponding to approx. 17,515 USD

214. The file of any social or political activist is always open with the Intelligence Service, and they are always monitoring and investigating the activists as well as his/her family members.
215. Generally, the Intelligence Service calls on the family three times throughout the year. However, the approach by the authorities towards the family can vary from case to case. In some cases the father is required to come to the Intelligence Service and pledge that he has not left the city or taken any other action to meet with his son/daughter. For example, two months ago, the father of a woman who is a political activist living in one of the political party camps inside KRI, was arrested in the city of Marivan, for visiting his daughter in KRI.
216. Generally, the Intelligence Service will target close family members (mother, father and siblings) first. Hereafter relatives more broadly are targeted. In some cases also friends of the activist can be targeted. Through family members and relatives, the Intelligence service will try to obtain personal information about the activist, including the address and phone number.
217. The Intelligence Service will seek information from both close family and relatives to see if any family member has had contact to the activist family member living outside of Iran and in case contact has been made, the family member will be threatened with the possibility of arrest. The authorities see it as a violation against the law and a threat to national security and therefore may punish the family member accordingly.
218. For example, five years ago a close friend of the source was an activist in Erbil. The friend asked to see the source for a meeting. Following the meeting, the friend travelled back to Iran and was taken in for investigation by the authorities. The friend was told that if he ever met with an activist again, as this is against the national security of the country, he would be arrested. In addition the friend was forced to sign a pledge stating that he would never meet his friend or any other activist again. The authorities further stated that if he met with the source again he would be arrested and prosecuted.
219. According to the source, there are other cases of individuals who have been in contact with the source and with other political activists, who were imprisoned for five years. In one incident, a friend was in contact with the source through social media. The person was taken in by the Intelligence Service for interrogation in January 2019. Following his arrest, he was sentenced five years in prison because he had contact with a political party and political activists outside of Iran. The source informed that the same person was previously dismissed from university as he had the Kurdish flag on his laptop background. Since the Kurdish flag is banned in Iran, many students have been terminated from University because they have shown the Kurdish flag publically.

Procedure by the authorities from arrest to verdict

220. The source explained the procedure by the authorities from arrest to verdict as follows: When an activist has been arrested, s/he will be detained for an unknown period and will be investigated and exposed to psychological and physical torture. If the detainee does not confess to the charges, the torture will be harsher. There are examples of detainees who were wounded due to the ill-treatment and died in detention.

221. Following the investigation, s/he will be transferred to court where a bail will be decided for the detainee to be released. The size of the bail is decided by the court depending on the charges. For political and security charges, the bail is more than 200 million tomans (approximately 18,000 US Dollars and above) .
222. If the bail is paid, the detainee will be temporarily released until the next court date is set during which the penalty will be decided on. Following the ruling of the judgement the source explained, that the sentence will be decided at 'Ruling Implementation Branch' ('Shobeye Ejraye Ahkam', also also called 'Ejraye Ahkam'). If s/he is given a prison sentence s/he will then be transferred to prison.
223. In cases of political charges it is sometimes possible to be released temporarily on bail. In some cases, the person managed to flee while on bail. In such cases the government will confiscate the bail.
224. In political cases, the defendant is not allowed to have a lawyer, and s/he will not be given hospital treatment if s/he gets sick. The source stated that such cases receive very cruel treatment.
225. The timeframe for detention to verdict depends on the case and may vary from 40 days and up to five months or more.
226. When asked whether there is a difference in treatment of the various minority groups compared to the majority, the source replied that there are different rules for how minorities are being treated. Kurds are seen as the enemy of the government and being Kurdish is considered 'a crime'. The Iranian government is doing everything it can to make the Kurdish political activists give up their demands to prevent them from obtaining their human rights and civil rights.

Examples of long term prisoners sentenced for political activities

227. The source provided the following examples of long term prisoners:
- Osman Mustafapour from the city of Piranshahr. He has been in prison for 28 years. He is in Urumieh prison and he has not been allowed to get out on parole. He was not allowed to go to his mother's funeral.
 - Mohamed Nasari has been in prison for 25 years. He was arrested in 1994 for alleged membership of KDPI, he is very sick and not taken to hospital. He is currently in Urumieh prison. He was never allowed to get out on parole.
228. Due to a general amnesty, these two prisoners were released from Urumieh Prison on 21 November 2019, and the news about their release were widely reflected in the news networks and social media.²⁸⁰

²⁸⁰ Rudaw, *Iran pardons Kurd and Azeri political prisoners held for 30 years*, 21 November 2019, [url](#)

Return of activists

229. The source noted that politically affiliated Iranian Kurds who have left their country will never return to Iran, because if they do, they will be punished by the authorities in a harsh way, including many years of imprisonment. The source pointed to the case of Kamil Ahmadi, who is a researcher on social issues on women and children. He is a dual Iranian-British citizen with a long term stay in Iran and is currently living in Tehran. He was arrested in August 2019 and was in Evin Prison until 18 November where he was released on a 500 million tomans bail (approximately 46,000 US Dollars).
230. The source has never seen anyone from Europe who has returned to Iran, and no one has dared to do so.

Return of activists' family members

231. Those who fled from Iran, including family members to activist will not dare to go back to Iran, because they will be investigated and in some cases also punished. There are no clear criteria on who will be investigated and who will also be punished. When asked to elaborate, the source stated that only close family is at risk of being targeted by the authorities, not the extended family. According to the source, no family has ever returned to Iran.

ID documents for Iranian Kurds in Iran

232. In Iran, there is a new system of civil ID cards, which implies that former ID documents are now invalid. On the new electronic ID card there is a bar code that will be screened at checkpoints, giving a wide range of information on the card holder, including the person's crime record. Some people in the Kurdish and Balouch areas do not have ID documents. Asked about the scope of the lack of ID cards, the source said that in the Balouch area 3,000 children do not have documents and very few people in the Kurdish region does not have any documents. When asked to clarify the scope of Iranian Kurds who do not hold an ID card in Iran, the sources opined that due to lack of free media, no precise information on this issue is available.
233. In Iran, political activists have ID cards but when they go to KRI these ID cards become invalid. For the past ten years, political activists are unable to get documents and their papers are no longer valid.

Mine risk

234. Over the last three months 20 people have been killed due to mines (so-called No.4 'pedali' mines copied from an Israeli brand) planted by the IRGC.

Conditions for Iranian Kurds in KRI

Why Iranian Kurds live in KRI

235. Many Iranian Kurds move to KRI to conduct political and human rights activities, Iran's influence in KRI is increasing; the political and economic situation in the Kurdish region of Iran is grave. Iranian Kurds can in most cases get a KRG issued residency card in KRI, but they cannot get ID card or

passport, and they were never recognised as KRI citizens. Most of the Iranian Kurds in KRI only possess residency card, and they do not have ID cards or passports from KRG.

Iranian authorities in KRI

236. Asked if agents of the Iranian government are present in KRI, the source stated that they are active here and working in different fields, such as monitoring of journalists and human rights activists. Despite the presence of the Iranian authorities in KRI, organisations continue their activities.

237. As an example, an international relations university professor in Sanandaj, was dismissed from university, because he did not cooperate with the Iranian intelligence. Hereafter the professor had no other option than to come to KRI.

238. The professor initially moved to Sulaimania city. He was later informed by the KRG Intelligence Service (in Kurdish: Asayish) in Sulaimania that he could not stay and had to leave as he was considered to be a target of the Iranian authorities and could be assassinated. According to the source, the Asayish asked him to leave, for the sake of his own safety.

239. The Iranian Intelligence Service is always present in KRI and moving around in secrecy. For example in March 2018 in Erbil, a bomb was planted in the car of KDPI member, Sabah Rahmani. He was from the city of Kamyaran.

240. Members of other parties have also been assassinated. For example members of KDPI, were assassinated in front of their base on Yelda night on 21 December 2016 [Iranian winter solstice celebration]. KRG Asayish were also targeted and killed in this incident.

241. 3-4 years ago bombs were put in Komala camp in Sulaimana. The bomb did not explode.²⁸¹

242. All journalists with Iranian Kurdish background are monitored to know who they are in contact with and what their activities are. When asked if lecturers, researchers and teachers are monitored, the source answered that anyone who gets out of Iran will be monitored, even if not a political activist, to know why the person left Iran and what s/he is doing and who s/he is in contact with. This also includes family members who have left Iran.

243. Because of the influence Iran has in KRI, they pressure and threat political activists, including members and Peshmergas in order to have them stop conducting their activities.

The Iranian intelligence services in KRI and their modus operandi

244. Ministry of Intelligence (MOI) and the IRGC Intelligence are both active in KRI in different ways, and they spy on the activities of the Iranian Kurdish political parties, political and human rights activists and journalists.

²⁸¹ DW - Deutsche Welle, *Komala Party accused the Islamic Republic [of Iran] of bombing*, 10 August 2015, [url](#); Radio Farda, *Komala Party accused Iran of bombing the party's base*, 9 August 2015, [url](#)

245. Until 2003, an IRGC base called Ramezan Base headed by Mohammad Jafar Sahra Roodi was present in KRI where they conducted espionage against Iranian Kurds in KRI. After the USA offensive and the occupation of Iraq in 2003, these cells were removed, and they are now active and conduct espionage in other ways.
246. It is the duty of the agents of Ministry of Intelligence (MOI) and IRGC Intelligence to monitor and spy on the Iranian Kurdish political parties and Iranian Kurdish activists.
247. The IRGC forces, which are under the command of Ghasem Soleimani, are also active in Iraq, and the Iranian Governments intelligence services outside Iran have almost a common duty.
248. Members of the Iranian intelligence have studied psychological warfare. They will make you lose your mind and hate yourself during investigation. Anyone who is captured will be accused of political activities or other activities that can be seen as an act against the Security of Iran. There is a special university in Tehran, called 'Imam Sadaq University'. This university focuses on persons who wish to work for the IRGC Intelligence. The University teaches its student special techniques, which can lead to success in security operations. Individuals joining this university are preselected. Not anyone can join.

Location of KDPI bases in the Qandil Mountains

249. KDPIs bases in the Qandil and Halgurd Mountains are located in a rough landscape where only Kurdish people live. In this respect the Kurdish saying 'no friends but the mountains' becomes relevant in the sense that the Kurds living in these mountains feel protected by them. The area is outside control of the Iranian authorities as well as the Iraqi authorities and there is no clear border. According to the source, the IRGC Military Forces have tried to reach the KDPI base but they did not succeed.
250. Two mountains in the Iranian Kurdish region named Shaho and Kuh-i-Salan (Kurdistan and Kermanshah Provinces) and IRGC have tried many times to take control of these mountains but they have never succeeded. Forces of all Kurdish parties are moving around in these mountains. In June 2016, there was a severe clash in Kuh-i-Salan between KDPI forces and IRGC. The Iranian forces used the illegal weapon phosphor to burn the forest which caused the death of 11 Peshmerga.

Kurdistan Human Rights Network

Skype meeting, Copenhagen 15 October 2019

Kurdistan Human Rights Network (KHRN), is an apolitical, independent and non-profit organisation. (KHRN) conducts activities for documentation of human rights violations in Kurdistan on the basis of international standards. KHRN has reliable sources in Iran, and outside of the country it cooperates with human rights

*activists, and the international organisation for defending human rights, in order to achieve progress and for improvement of human rights in the Kurdish society and in Iran.*²⁸²

Iranian authorities' treatment of party members and supporters

- 251.Regarding democratic parties and Komala, it is important to be aware, that Democratic Party in Iranian Kurdistan, is not a single party. After the party was divided in 2006, there are 2 separate political parties. One of them is Iranian Kurdistan's Democratic Party (KDPI), and the other one, Kurdistan's Democratic Party (KDP). Komala has also, through years of activity, been divided several times. At present time, there are 4 active parties under the name of Komala: Komala, Iran's Communist Party Kurdistan Organization, Iranian Kurdistan's Komala Party, Kurdistan's worker's Komala, and a smaller group with the name of Ravand-e Socialiste Komala (Komala socialistic process). Besides these parties, there are other parties that are active in Iranian Kurdistan. For example, Hezb-e Hayat-e Azad-e Kurdistan (PJAK), Hizb-e Azadi-e Kurdistan (PAK), Zase-man-e Khabat-e Enghelabi-e Kurdistan (Khabat) etc. All of the headquarters of these parties are in Iraqi Kurdistan territory. As none of these parties are legally recognised in Iran, and are not officially allowed to be active, members of these parties do not reveal their official membership of the parties inside the country. They are so called secret members.
- 252.The most important activities of the members of these parties inside the country, are organizing work and propaganda for their respective favorite party. Iran's Islamic Republic monitors its citizens. One of its purposes is identifying those individuals, who are active for opposition groups. Iran's Islamic Republic considers the activities of these parties as dangerous. Therefor it struggles harder to identify and monitor the individuals, who work for these parties. They even send spies among them in order to identify members of the secret organisation. For example, a journalist or an active individual, who writes in his/her own name, is identified by the government. However, a person, who cooperates with an opposition party, which is illegal in Iran, does not engage in these activities in his/her own name, or in public.
- 253.It is difficult to say which individuals get arrested because of their place in the organisation, or kind of activities for the party. Getting arrested and prosecuted is not even contingent on being official member of a party. Individuals who are in danger of being arrested, and are arrested, are from various placements in the party, and various levels of activity. Some of them live in Iran, others may be residing in Iraqi Kurdistan, and have gone to Iran to engage in party activities and propaganda work. At any rate, they are all in danger of being arrested.
- 254.As Kurdish opposition parties are illegal in Iran, the Iranian government treats members and those, who cooperate with them, more harshly. In the 80's, just a year after the Iranian revolution, there was only one military war between Iran's central government and Iranian Kurdistan's democratic parties and Komala in Kurdistan. Consequently, these parties had to withdraw to Iraqi Kurdistan territory. In recent years, there have been a few military clashes in some Iranian Kurdish areas, between the parties and Iranian government. IRGC have already several times attacked these

²⁸² Website of Kurdistan Human Rights Network (KHRN): [url](#)

parties' centers in Iraqi Kurdistan territory, by missiles and artillery fire. If a member of any of these Kurdish opposition parties is arrested during a military clash, s/he will be treated much worse and much harsher. This however does not mean that individuals, who are arrested in connection with the parties, have participated in military operations. Many detainees are, as earlier mentioned are arrested only because of their political and propaganda activities.

255. In some cases, individuals who are members of an opposition party, but are not active in public, are arrested quietly, eg. the media are not informed, or with media's acquiescence. Therefore the Islamic Republic can treat these individuals as it wants to, without any news of it finding its way into media.
256. The source highlighted, that in some cases no one is informed of these detainees' conditions, as the media does not mention it, until the court hands down its verdict. In some cases, the individual may be released, but s/he does not want his/her name published, for example because the person's family has been under pressure. In such cases, no one will know about the individual's release.. e.g., mostly public information regarding the detention and the detainees' conditions, particularly media and human rights activists.
257. As an example, the source mentioned that intelligence authorities in Kermanshah arrested him in 2009. He was kept in this city's intelligence office's detention facility for 4 months. While in detention, he met a young man, who was about 20 years old, who was in the next cell. The young man, who was arrested for having relationship with PJAK, was treated more brutally and he was subjected to harsher torture. The information that the source had about the treatment of the young man was limited, because talking with each other in intelligence authority's detention was banned and limited. The young man was from a village near the town of Javanroud, in Kermanshah Province. His family had no knowledge of his detention and his conditions at that time. There was no mention of him in the media either. However, the source's family was in touch with the media, and received information about his detention and conditions.
258. Once an individual is arrested, regardless of being member of a political party or a supporter, s/he will be in danger of being tortured. This is because security authorities will try to get some information about his/her connection with the party and other members of the party.
259. Individuals in Iranian Kurdistan, who are in danger of being arrested, are not necessarily members of a political party. The Kurdish people in Iran are a rather political society, and the parties in the society play an active role also. This however does not mean that all the activists in Iranian Kurdistan belong to parties. There are many activists, who operate independently, as critics and non-partisans. They are in danger of being arrested as well.
260. Asked whether supporters are considered as party members, the source said, as there are many active parties in Iranian Kurdistan, and the community is rather influenced by these parties' culture, the authorities always assume, that every active Kurdish individual, is connected to a party. However, as stated before, there are many independent, non-partisan activists in Kurdistan. Regarding the treatment of these party supporters, they are also in danger of being arrested and tortured.

261. Party members are trained to be active and protect themselves. Party supporters, however, do not usually receive such training and they may not be prepared sufficiently. Considering Cyber Army's monitoring of social media, government can, in some cases, identify supporters through their activities in social media. Therefore it can be said, that supporters are also in danger of being identified and contacted.

262. As an example, recently a young man was arrested in Orumieh. He was accused of sending news about Kurdish parties, through his Telegram app. In fact, they did not arrest him for having contact with a political party. The reason for arresting him, was the news, that he sent about political parties through his Telegram app.²⁸³

Iranian authorities' treatment of the party members' family members

263. It is not only party members, who are in danger of being arrested. Family members can also be arrested or be subject to pressure, because of a family member's activities for a party and using the excuse, that they are in contact with that party as well. Kurdistan Human Rights Network has recently published a report on pressing family members of opposition parties' members. In this report there is a reference to the Iranian security authorities' pressing families, who have a son or another member of the family, who is member of a party and lives in Iraqi Kurdistan, in order to have them return to Iran.²⁸⁴

Iranian authorities' treatment of individuals, who have nothing to do with parties

264. The source was asked whether an individual, who has no political connections, is also in danger. The source replied that the question is ambiguous. However, he told about an example about a general strike in Iranian Kurdistan. The strike that was carried out in the summer of 2018, was a protest against execution of Kurdish political prisoners. Stores closed in many Kurdish cities. Not everyone, who participated in the strike, was politically connected. However, despite this, these individuals may be summoned by security authorities, or be in danger of being arrested.

265. According to the source, considering presence of the parties in the Kurdish community, it is possible, that in many cases, the first accusation made against a detainee, is connection to these political parties.

266. One of the usual questions that interrogators ask is: Are you in touch with such and such party? Or as an example: Have you participated in a strike, called by the parties?

267. There are also other examples of detaining individuals that have no connection or cooperation with any particular party. For example, they accused a mountain climber of meeting members of one of the parties, in the mountains, that he climbed. There are also cases about individuals, who travel to

²⁸³ KMMK, Increased Imprisonment Sentence for Telegram Channel Admin Detained at Orumiyeh Central Prison, 26 December 2018, [url](#)

²⁸⁴ Kurdistan Human Rights Network, *Families of Kurdish activists abroad summoned, pressured and threatened*, 1 October 2010, [url](#)

Iraqi Kurdistan. They may be accused of having been in touch with the parties there. In other cases, security authorities interrogate individuals in order to get information about their family members, who are members of one of the parties there. At any rate, there are such pressure in Kurdistan.

Fair Trial

268.Regarding fair trial, Iranian justice system is by and large unfair. This is both the source's personal experience, and many of the political cases, that he and his organisation have pursued. Trials are carried out on the basis of reports and documents that are submitted to the court by security authorities, or confessions made by the accused under torture. In Iranian justice system, there is no such a thing as independent verdict or fair trial.

269.In Kurdish cities, where the majority of the population is Sunnis, security authorities and judges are mostly Shia, and they come from other parts of the country. They treat the accused more harshly and severely.

270.At the same time, the official language of Iranian courts is Farsi, both orally and written. Some Kurds do not master this language sufficiently. This worsens their cases further. A female political prisoner, named Shirin Alamholi was executed in 2010. When she was in prison in Tehran, she had told a prisoner in the same section, and she was an active woman as well, that her interrogations and trial was in Farsi, which she did not fully understand. Furthermore, lack of knowledge of one's rights as an accused person, including right to remain silent, or right to have an attorney etc., can make the process of interrogations and trial for those, who are not aware of these rights, more difficult.

Returning to Iran from other countries

271.There are cases of party members have returned to Iran from KRI to live a private life. Returning is arranged by receiving a 'aman-nameh' (security letter) from state authorities. Either the person himself or his family can apply to the Iranian security authorities, for 'aman nameh'.

272.In Kurdistan Human Rights Network, they have not had a case yet, where a Kurdish active individual has received a security letter and has returned to Iran from Europe. However, in a recent case, a Kurdish citizen returned from Iraqi Kurdistan to Iran. Despite having a security letter, IRGC Intelligence Service, arrested him. He was accused of "Moharebeh" (being at war with God) and has now been in prison for approximately one and a half years, still with no end in sight.²⁸⁵

273.Government claims, that those returning to Iran, in possession of security letters, should not have any difficulties. However, that's not the way it is in practice. There are cases, where individuals have returned, and they have been summoned by security authorities, who have demanded information about the party, which the person has been a member of. There are also cases where individuals, who have returned, have been arrested, and some of them remain in detention for a long time, and they are even sentenced to imprisonment. In some cases, security officials subject

²⁸⁵ Kurdistan Human Rights Network, *The latest report on the situation of Mohammad Moradi after one and half years of limbo*, 6 November 2019, [url](#)

the individual to pressure, in order to persuade them to cooperate with intelligence services. If they refuse to do so, they will risk punishment.

274. In case of refusing to cooperate with the security forces, they will undoubtedly be punished.

According to Kurdistan Human Rights Network's information, there are at least 20 persons in different prisons in Kurdistan.

275. Generally returning has, in most cases had consequences for them, and they will be entangled in a web of intelligence services and courts. For example, recently, there was a Kurdish woman, from Maku by the name Maghbouleh Sekavand, who was a member of one these parties. She also went back to Iran by getting an aman nameh. However, after 2 weeks the intelligence authorities in Orumieh summoned and arrested her. She was detained for 3 months, and until March of this year, the organisation had not received any news about her situation.

276. Maghbouleh Sekavand, has been sentenced to one year in prison for being a member of an opposition party. She was released on 23 November 2019, after spending 9 months of her sentence.²⁸⁶

277. In another case, a married couple, Komala peshmergas, by the names of Mahin Shokrollahpour and Farahmand Sadegh Vaziri, who had surrendered themselves to the Iranian authorities in the 80's, were denied work, social rights etc., eventually they had to decide to leave Iran. They were arrested at the border, and afterwards, Farahmand Sadegh Vaziri was hanged. Mahin Shokrollahpour and her child, after 7 years living in Iraqi Kurdistan, went to France. Read Mahin Shokrollahpour's story and narrative on these 2 links:²⁸⁷

278. Individuals, who previously have been accused of having a connection to an illegal party, have no possibility of returning to an ordinary life in Iran. They cannot get permission to work or study, and they will be confronted with many obstacles. In many cases, these individuals prefer, that others should not find out about their past, so they will not be subjected to monitoring.

279. The source highlighted, that security services do not have a uniform procedure in a legal framework for treatment of detainees. They can torture the detainee, or they can keep him/her in solitary confinement for a long time. They can deny him contact or visit with his family, or access to an attorney. These are the treatment that political prisoners in Iran, particularly Kurdistan, are often subjected to.

AI Tash refugees

280. The source has no particular information about AI Tash refugees. Considering the fact that AI Tash refugees went from the province where they lived to Iraq, the source says: Once the Islamic government took over after the revolution, they left Iran and went to Iraq in groups. The Iranian authorities accused them of treason, because it was claimed, that they had collaborated with Iraq,

²⁸⁶ Apeedit News, *Upon serving her sentence, Maghbouleh Sekavand was released from Khoj prison*, 23 November 2019, [url](#)

²⁸⁷ Abdorrahman Boroumand Center for Human Rights in Iran, *Farhad Sadegh Vaziri, a biography*, no date, [url](#)

which was an enemy country. A large number of these refugees had then and later, cooperated with the opposition parties. Considering this fact, it is probable, that if Al Tash refugees return to Iran, and they have a history of cooperation with Iraqi government or opposition parties, they will be in danger of being arrested and punished.

281. The source did not have any particular information about Al Tash refugees, who have returned to Iran. However, one of the members of Kurdistan's human rights network, who was in Dizelabad prison in Kermanshah for 2 years, met personally with several Kurdish citizens, who had been in Ramadi and Al Tash camps for several years. After they had returned to Iran, they were arrested and sentenced to long prison terms for cooperating with Kurdish opposition parties.
282. But another member of the network knows others, who have returned from Al Tash to Iran, and despite being summoned and interrogated, they were not sentenced to imprisonment. However, they have also been denied many of their social rights in Iran.
283. The source had also a conversation with a former resident of Al Tash camp, who in 2001 was granted asylum with his family in Sweden. Through this conversation, the source received information about those remaining in this camp in the Iraqi Kurdistan territory. According to the source, after the American attack on Iraq, a group of residents of the Al Tash camp, were able to receive asylum in European countries. A number of them returned to Iran. However, they were also subjected to harassment there. They are still denied official identity documents. Those who are still left in Iraqi Kurdistan, live under difficult conditions in 2 camps, Kaveh and Barikeh, and in the cities of Soleimanieh and Erbil. Iraqi Kurdistan territory government refuses to issue valid identity and residency documents for them.
284. The source believes that if a person applies for asylum in a foreign country, and he later returns to Iran, the Iranian authorities would want to know what reason that individual has given for fleeing and applying for asylum, and what he has said against the government, and what actions he has taken against the government. These subjects can create difficulties for the person, who returns.
285. In 2011 an Iranian man was expelled from Norway to Iran. When he returned, he was arrested and tortured. After he was released, he had to flee Iran and go to Iraqi Kurdistan. The source, who himself was at that time an asylum seeker in Iraqi Kurdistan, met him. At that time, Mahmoud Amiri Moghadam, head of Iranian human rights organisation in Norway, was in touch with this individual.²⁸⁸
286. There is also the recent case of a woman, who after her asylum application was rejected in Norway, she was deported to Iran, where she was subjected to punishment by whipping. The sentence was handed down before her fleeing. The sentence was carried out after her return.²⁸⁹

²⁸⁸ Iran Human Rights, *Rahim Rostami, the deported asylum seeker accused of propaganda against the government was released on bail*, June 2011, [url](#)

²⁸⁹ Radio Zamaneh , *Flogging sentence carried out against the asylum seeker deported from Norway to Iran*, 21 September 2017, [url](#)

Conditions in the border areas

287. IRGC has great power in Kurdistan's border areas. IRGC from Hamzeh Seyed-ol-Shohada base, has a particularly considerable presence in the Iranian Kurdish regions and Kurdistan's border areas.
288. Kurdistan's border is because of its geography, in a generally mountainous area. Despite the border guards' stringent control, it is still possible to cross the border illegally. However, great caution is advised for safety reasons. One must travel with a person, who is very familiar with the area.

A journalist in KRI (C), Nasser Piroti

Erbil, 28 October 2019

Political parties' activities

289. Kurdistan's political parties have a military force called Peshmergas. However, in the recent period of more than 2 decades, they have mostly focused on political and civic activities inside Iranian Kurdistan. These parties' forces' moving to Iranian Kurdistan have also been conducting propaganda activities and having direct contact with people. The purpose has never been attacking Iran's military and administrative centers. They will however defend themselves, in case they are subjected to attacks. These parties apply various methods such as awareness-raising regarding the Islamic Republic's policies, encouraging people to protest by various peaceful and reconciliatory methods, such as demonstrations, general strikes and symbolic means, such as wearing Kurdish clothes on special occasions. These parties socially originate from and have their roots among the Kurdish people of Iran. In many cases people have embraced their proposals for protesting against the Iranian government.
290. It should also be mentioned, that civilian activities in Iranian Kurdistan are not only carried out by the opposition parties. Many organisations and NGOs are active in towns and even villages in Iranian Kurdistan, and they are engaged in independent activities. For example, these activities include organizing support for women and children's rights, environmental associations and literary associations. Even though these types of activities are apolitical, the Government of the Islamic Republic, Ministry of Intelligence and IRGC, consider their activities against Iran's national security. In some cases, they are arrested and imprisoned. For example, 15 environmental activists, who are engaged in voluntary work, such as extinguishing forest fires, or collecting trash in towns and villages, were summoned by the intelligence authorities in September 2019 in the town of Piranshahr, a small, border town in West-Azərbayjan Province. They were threatened and they were told to stop their activities. The source mentioned another example: In the evening of July 4, 2018, the intelligence authorities arrested one of the most active civilian activists, named Orfan Rashidi, in the town of Paveh in Kermanshah Province, for assisting earth quake victims and extinguishing forest fires. After several months, he was sentenced in court to 1 year in prison and banned for 2 years from carrying out civilian activities. The court even banned him from leaving Iran for 3 years.
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291. There are plenty of such examples in Kurdistan. This shows that the Iranian authorities do not tolerate even activities that are completely civilian and peaceful.

292. Regarding the reaction of political parties to such activities, it should be mentioned, that these parties support these kinds of popular and independent activities. However, that does not mean, that civilian activities are carried out by these parties' direct instructions and control. Members and sympathizers of these parties inside Iranian Kurdistan can also participate in these activities as well as any other citizen of the towns.

Kurdish parties' foothold in Iran

293. These parties are not allowed to conduct free and legal activities in Iran. The Iranian Government considers them as being against it. However, these parties have relatively strong social foothold in Iranian Kurdistan. These parties, considering their social foothold, sometimes call on Iran's Kurdistan's population to carry out a protest action. A clear case of such calling was the general strike 2 years ago, following the missile attack on Kurdistan's Democratic Party's, KDP-Iran's, political headquarters on September 8, 2108, which resulted in 16 members of the party leadership, ordinary members and Peshmergas, being killed. Iranian Kurdistan's parties coordinated and called on Iranian Kurdistan's population to strike in order to express their condemnation of this attack, and their solidarity with the KDP-Iran and the victims' families. This widespread strike took place in more than 15 cities. On that day, stores and bazaars were closed. Furthermore, in October 2019 on the urging of the Iranian Kurdistan's parties, people in most of the cities went on marches as a condemnation of Turkey's attack on Syria's Kurds.

294. Responding to a question on whether various parties carry out activities, the source said, there are over 15 opposition political parties in Iranian Kurdistan. The most important ones are Kurdistan's Democratic Party KDP-IRAN, Iran's Kurdistan's Democratic Party KDPI, Kurdistan's Workers Komala, Iran's Kurdistan's Komala, Komala-Iran's Communist Party's Kurdistan's branch, Kurdistan's Liberation Party PAK, Kurdistan's Free Life Party PJAK and Iranian Kurdistan's Struggle Organization. Some of these parties are offshoots of other parties. All of these parties have relative social foothold, and they have their own particular followers. However, as KDPI is the oldest party, and has struggled and fought for 74 years, the 2 branches of this party probably have greater influence among the people. Furthermore, the only elections held in 1980 to elect representatives to the 1st parliament after the revolution, the KDPIs representatives achieved first place in most of the cities. This, however, would probably not be the case now. Not all of the parties mentioned took part in the elections, because some of them were established in later years. However, the KDPI and Komala, which were 2 main parties, did participate in the elections.

Historical backdrop

295. The source mentioned the historical backdrop for Iranian Kurdistan's political parties' military activities, and said that after the Iranian revolution in 1979, Kurdistan's parties struggled a lot to have the new government to, at least officially recognize the demands and expectations of the Kurdish people. In order to achieve this goal, they had several rounds of negotiations with the Islamic Republic's leaders, including Ayatollah Khomeini. However, the new Government did not pay any attention to their demands, and the leader of the Islamic Republic at the time, issued an

order to attack Kurdistan, for annihilation of the political parties and the people, who had national and democratic demands. Confronted with this attack, Kurdistan's Population rose to its own defense. Using the weapons that they had taken from the previous Government's military centers, they confronted the attackers. Komala and KDPI organized the population and they consolidated the Peshmergas military forces. This war and conflict lasted for at least 10 years, until the parties withdrew from the cities and villages completely, and reestablished their bases in the Iraqi Kurdistan territory.

296. The Islamic Republic also attacked these parties beyond the border, and so far, they have assassinated more than 400 politically active members of the parties in Iraqi Kurdistan, or other countries. These parties have always declared that they wish to solve the Kurdish problem in Iran peacefully, by negotiations and talks. The Iranian Government, however, does not pay any attention. Iranian forces even assassinated Doctor Abdolrahman Ghassemlou, the KDPI's leader in 1989 in Vienna, at the negotiation table, with the Iranian representatives.

297. According to the source, in 2016, a security gap arose at the border as KRI focused their resources toward fighting IS. The Iranian government tried to exploit this vacuum to organize the extremist and religious groups. Iranian Kurdistan's parties thought also about expanding their activities and further approach the borders. Therefore KDPI declared that it would deploy part of its forces to the border areas. Afterwards other parties also sent their forces to the border areas. These parties declared, that establishing bases in the border areas did not mean the beginning of military activities and conflicts with the Iranian forces. However, responsible Iranian authorities, such as Hossein Salami, chief commander of the Islamic Revolutions Guard Corps (IRGC), (he was deputy chief commander at that time), and Mohammad Pakpour, Sepah's army commander, declared that they would attack these parties' bases.

298. During 2016, 2017, 2018 and 2019 IRGC and Iran's military, several times attacked these bases using their artillery. These attacks incurred great material damages to the inhabitants of the border areas, and several border areas' civilian residents were also injured. These warnings resulted in missiles falling on Kurdistan's Democratic Party's, KDP-Iran, political base, deep in Iraqi Kurdistan territory, near the town of Koy Sanjagh, on 8 September 2018, while a meeting of the political leaders of the party was in session. KDP-Iran urged the population more than other parties, to engage in civic activities. The Party seeks a peaceful resolution of the Kurdish problem. One of the leaders of the party, named Rahman Piroti, who was killed during the missiles attack, always talked of the civic struggle's necessity in his writings and interviews. He urged the population to engage in civic activities.

Members versus supporters

299. There are three general categories of cooperation with Iranian Kurdistan's political parties:

300. The first group comprises party members, who are at the party's disposal fulltime. These are called Peshmergas. These individuals live in camps and party locations with their families. In accordance with the parties' administrative rules, once every few years in a congress, leaders of the party are elected by these members by direct voting and they assume the position of running the party.

301. The second group are party members, who cooperate with the party on part time basis. Some of these individuals are in Iranian Kurdistan and are secret party members. If it comes to light that they are party members, security forces will arrest and prosecute them. The second group of party members are persons, who reside in Iraqi Kurdistan's towns or foreign countries. Their party activities are in public, and they carry out duties, that the party has assigned to them.
302. The third group are supporters or sympathizers of the parties. Most of the supporters of Iranian Kurdistan's parties are inside Iran, but they do not have a clear and organised relationship with the party. They defend mostly their favorite party's policies, but they are not members directly. The number of supporters of the parties is higher than that of Peshmergas and members.
303. The source was asked about the procedure for becoming a member of these parties. In his response, the source was cautious, because there are not always clear rules for membership, and it can be done through different procedures. The source explained that people of Iranian Kurdistan can become members of these parties. Those who are in Iran can become members through the secret networks of these parties, or they can themselves get in touch with members of the party in Iraqi Kurdistan and become members. Those who want to join the party's ranks directly, have to go to these parties' centers in Iraqi Kurdistan territory. If they have not committed any social violations, such as theft, murder and so on, and they have not been sent as spies, they will be accepted.
304. Ministry of Intelligence and IRGC threatens or bribe some people and use them as spies in their service. They are sent to these parties' centers. Those applying for membership have to begin by going through the party's investigation process, and if they have no difficulties, they will be accepted.
305. When asked if supporters may conduct activities by their own initiative, the source stated that supporters do not have any direct duties. The source stressed that if the Iranian authorities find out that an individual is a member of the Kurdish Iranian opposition parties, s/he will be punished harshly. As it is generally not possible to have contact with the members, general instructions are followed, such as conducting propaganda for the party that one sympathizers with.
306. When asked what the number of Peshmergas living in the camps is, the source stated that there are no official statistics or recordings of this. Every month approximately, 40 to 50 individuals contact each of these parties and ask for membership hereof.

Activities of the members and supporters

307. It is generally very difficult and dangerous to conduct political activities in the Kurdistan region of Iran. Most of the time, the Government of Iran does not differentiate between party members and supporters or even independent activists and ordinary people. The majority of the people that are arrested are not party members, but rather supporters. They are accused of membership and arrested and forced to confess.
308. Iranian authorities mostly accuse the persons arrested of being members of parties opposed to the Government, in order to be able to punish them more harshly. In many cases accused people are

forced to confess on TV. To give an example, the source referred to the case of the killing of an Iranian nuclear scientist. The individuals accused and sentenced had confessed to the killing of nuclear scientists in Tehran on Iran's official TV. Several years after their imprisonment, however, they were freed, as it turned out they were innocent. Such events happen also in Kurdistan. For example, a teacher was forced to falsely confess on TV, that he conducted terrorist activities. Following his release after many years in prison, he fled to Germany. The source could not give more information.

Targeting of members and supporters

309. Generally Iranian security and judicial authorities in Kurdistan, treat every kind of political and civic activity as a security case. If they receive information or news about a person or one of the opposition parties, they will treat that person harsher. In order to avoid difficulties, members and supporters of the parties try to conceal their interest for and contact with the parties.

310. However, sometimes their interest and connection to the parties are revealed, and if they are not able to flee Iran, they will be arrested and taken to court, accused of severe violations. Even if they carry out simple activities, such as participating in a protesting assembly or participating in a general strike, they will, with certainty, be accused of cooperating with opposition parties. This is in Iran's judicial system a grave violation. In these cases, which are public, security forces have documentation for the accused person's participation in a political or protest activity, which is not concealed. However, in many cases, Iran's security forces do not have any kind of documentation, and they rely only on the accused person's forced confession. For example, this year several civil and environmental activists were arrested in the cities of Kamyaran and Sanandaj in Kurdistan Province, accused of killing an ambulance driver. According to what the accused families have said, the accused are under pressure to confess to killing the driver. However, they have no proof against them and they deny having committed the crime.

Fair trial

311. The source informed that he has seen a lot of people who have been arrested that have not been treated in accordance to law. For example, Iranian law states that an individual must be transferred to court within a month of his/her arrest. However, most people are detained for more than 3 months, and in some cases, the detention period can last 6 months or a year, without the family being informed of their arrest. Their fate is unknown, until they are taken to court. The source further explained that most judges are members of the security forces and IRGC, which is why they support the security forces.

Access to lawyer

312. According to Iranian law, any person who is arrested is entitled to a lawyer. However, during detention and before the court session, the lawyer is not allowed access to the detainee, and the lawyer does not receive any information. In most cases, the lawyer will only be present at the final court hearing. This means, that from the time of arrest until the court ruling. The security forces can treat the detainee in any way they want, and he has no access to the outside world.

313. Individuals, who do not have the means to hire a lawyer themselves, will mandatorily be provided with a lawyer, who in Farsi is called a “taskhiri” lawyer. Mandatory lawyers are connected to the Government and security authorities, and they do not really defend the accused. On the other hand, there are a number of lawyers, who take political and civic prisoners’ cases free of charge. The most experienced of these lawyers is Mohammad Saleh Nikbakht, who has practiced law more than 40 years in Tehran.
314. The source was asked whether access to a lawyer is dependent on gravity of the crime. The source replied that he does not have much information on social violations such as theft, conflicts and economic cases.
315. Regarding individuals, who are accused of having political opposition connections, and are dangerous to the country, the source is of the opinion, that many people and activists, who are dissatisfied with the present conditions and they protest, will be accused of this grave violation. For example, even people who protested against building of a dam, were subjected to this kind of accusation.

Targeting of family members

316. The level of monitoring of family members depends on the person’s level of activity. Many individuals, who directly or through a party carry out political activities, have near relatives such as father, mother, sister, brother, child and so on. Most of the relatives of the politically active individual come under pressure. However, not all of them will be arrested or threatened. Intelligence authorities or IRGC who want to silence politically active individuals or force them to cooperate, usually apply heavy pressure on their relatives. There are examples of families of individuals being arrested or threatened to be killed, because their one of their close relatives has extensive political or human rights activities outside of the country. The source knew of cases, in which the whole or several members of the politically active individuals’ family have been arrested.
317. When asked if close family members are more likely to be targeted by the Iranian authorities than extended family, the source informed that generally the security department will threaten family members with the aim of silencing the political active person. Close family members, such as mother, father, brother or sister are more subject to arrest. In other cases, the authorities have arrested extended family members because of being in touch with the politically active individual outside of the country. The authorities may also threaten to kill family members, if the politically active person does not return. As an example, that took place 30 years ago, the intelligence authorities arrested the brother of a Peshmerga in the city of Orumieh. They threatened to kill him, if the Peshmerga brother did not return. The brother knew that if he returned, he himself would also be killed. Therefore he did not return. Security authorities carried out their threat and killed his brother.

Monitoring of political party members in Iraqi Kurdistan territory KRI

318. The leadership headquarters of Iranian Kurdistan’s parties are in Iraqi Kurdistan’s territory. Iran and Iraqi Kurdistan have a long common border. By directly attacking these parties’ bases in Iraq, and killing Peshmergas and members and disturbing the local population of Iraqi Kurdistan, Iranian

security forces have caused great damage to Iranian Kurdistan's parties in Iraqi Kurdistan territory. During the last 5 years, that these parties have been in Iraqi Kurdistan, more than 500 of their Peshmergas and members have been killed. Iran by using its forces or its collaborators in Iraqi Kurdistan, closely monitors the parties and politically active individuals, and whenever there is opportunity, damages them. Even if there are peaceful protests in Iraqi Kurdistan, against Iran's policies or against repression of the population, Iran protests to Kurdistan territory authorities and demands that such activities not be allowed. However, despite this, Iraqi Kurdistan territory's responsible authorities have provided a secure place for most Iranian political activists and journalists. They allow less often now, that they get hurt. There have, of course, been examples of Iranian security authorities contacting activist residing in Kurdistan territory by telephone and threatening them, that if they do not cease their activities, they would kill them. For example, they say that they will probably be involved in a traffic accident, which mean that they will be killed in a planned traffic accident.

319. The source noted that threats by Iranian authorities should be taken seriously, because Iran does not view its enemies as weak, and they will strike them, when they can.

Border area between Iran and KRI

320. While Kurdistan is a land which against Kurdish people's wish is divided among Iran, Iraq, Turkey and Syria, the Kurdish people do not believe in this separation of borders. They consider the Kurds as one nation and Kurdistan as one land. It is at present however divided and ruling it is, aside from Iraqi Kurdistan territory, not in Kurdish hands. The border region between Iranian and Iraqi Kurdistan has been from ancient times, an area, where the local population has earned a living. They transport goods across the border to both sides. This is done legally through authorized border crossings. However, this can only be done by traders, and local poor people do not have the means to trade over the borders. They usually carry smaller and less valuable goods across the border to both sides. They are called kolbar. The Iranian government legalized the kolbars from 2015 till 2017 and it allowed the people of the border regions to work as kolbars. However, in 2017 using prevention of smuggling as an excuse, it closed the border for kolbars. However, even within the government there was opposition to this decision. As an example, Ebrahim Raeisi, head of the judicial sector, states that fighting smugglers did not mean forbidding kolbars to work. According to semi-official statistics for Iranian provinces, there are approximately. 85,000 kolbars working.

321. In the past 2 years working as a kolbar has become very difficult and dangerous. Kolbars are forced to pass across mountainous and dangerous areas. They are constantly in danger of Iranian forces shooting at them. In the past 2 years, at least 140 kolbars have been killed in Kurdistan's border region, shot by Iranian forces or natural incidents, such as falling from high points.

322. When asked, if the Iranian authorities have increased border control, the source explained that IRGC and border guards in border areas, are always in the state of high alert. Recently the military forces have also assisted them. Two months ago, the chief commander of Iranian military (artesh) announced, that this force is guarding parts of the border with the use of sophisticated equipment, such as laser, as well as with the Special Forces.
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A journalist in KRI (D)

Erbil, 29 October 2019

Level of monitoring of political party members and supporters in Iran

323. Following the Iranian revolution in 1979, the Iranian authorities announced that the Kurds were considered as a threat to the State. The Iranian authorities have consistently committed violent acts against the Kurds and other religious minorities, such as the Baluchis and the Christians. The Iranian authorities also banned all political activity and therefore parties now have to operate in secrecy.
324. Individuals that conduct political activism are at risk of being interrogated and imprisoned. Furthermore, persons who conduct other forms of civil activism are also subject to being arrested and imprisoned.
325. According to the source, it is not possible to distinguish between political active members and supporters. Even environmental activists may be considered as political activists, as alleged political activities can serve as a reason to arrest and sentence them.
326. It is difficult to organise and implement any activism or political activity, as any such activity will be considered political. Many party members leave Iran, as it is impossible to conduct any activities there.

Monitoring of members and supporters in KRI

327. According to the source, the Iranian authorities have an extensive knowledge of activities that take place in all three governorates in KRI. The source noted that is a very sensitive issue to discuss and that KRI is not a safe place for Iranian Kurds. The source was aware of threats against colleagues and that the Iranian authorities monitor activities as well as social media. For example a writer known to the source who works on a local radio station, was threatened through the use of his family by the Iranian authorities.
328. The level of monitoring differs, but the source stated that if the Iranian authorities want to kill you, they can. The source gave an example that took place in Penjwin, a town in Sulaimania governorate Eghbal Moradi, who is the father of Zaniyar Moradi, who had been given a death sentence, was killed in 2017 by a person riding by on a motorcycle. The assassination was made public by Eghbal Moradi's wife, who became an activist defending other activists in Iran and their right to justice. The wife, who lost two of her children, is living in Sulaimania Governorate in KRI.
329. In another example, a filmmaker named Rahim Zabihi was working on a film focusing on the situation of the Kolbars. Rahim and his brother died in an alleged car accident. Following their death, a friend of theirs stated that Rahim had told him, he had been approached by the security department. Due to this, he was no longer sure he would be able to complete the film.

Armed conflict

330. Clashes take place regularly on the border between IRGC and the Peshmerga, who act in defense. For example, 2-3 months ago clashes erupted near Haj Omran, which resulted in the killing of a girl and the injury of some of her family members
331. Generally, it is not safe to move around in the border area. In another example, a group of hikers were attacked by the Iranian authorities during a mountain hike.
332. In 2018 Prime Minister (PM) Nechirvan Barzani visited Iran and during the visit the Iranian authorities stated that no armed activity would be accepted in the border area. Upon return, the PM announced that no political activities should take place against the neighbouring country. According to the source, the Kurdish population felt that the authorities were not supporting them. Shortly after this announcement by the PM, the attack on Koya took place. The source stated that this was a warning to the KRG, indicating that any support to the political parties could result in an attack on the KRG.
333. Following the attack on Koya, demonstrations took place in Erbil in front of the UN compound, urging the international community to take action.
334. The source informed of a Norwegian initiative by the 'Hawkary Centre'. According to the source, the centre gathered the Kurdish political parties to have a joint front. However, 2-3 parties withdrew from the initiative. It seems KDPI did not participate from the outset and influenced other parties to withdraw. According to the source, the purpose of the initiative was to enter in to dialogue with the Iranian authorities

Legal entry

335. When asked about the entry and exit in to Iran, the source stated that it is necessary to see this in light of the current Iranian/American dispute. US sanctions have resulted in an increase of people from Iran travelling to Iraq. In addition, according to the source, it is now possible for more people to enter Iran without a visa. However, this does not mean that individuals that are politically active can easily go to Iran. According to the source, anyone conducting the slightest political activities will be arrested upon return to Iran. As an example the source mentioned the well-known case of Ramin Hossein Panahi who was executed when he returned to the Kurdish region of Iran.

Illegal entry

336. According to the source, the issue of the kolbars is a big problem for the Iranian authorities. The authorities are preventing factories opening in Iranian Kurdistan which results in joblessness, and even newly educated graduates are forced to work as spies for the Iranian authorities
337. The Kurdish region of Iran was already a poor area prior to the sanctions. These have only further increased the poverty level. In most cases people have no other way of earning money than to work as a kolbar. The kolbars are often subject to attack and killed by the Iranian authorities in the border area.

Lack of documents

338. According to the source, Iranian refugees in KRI have no home or country that they can obtain nationality in. Many people are born in KRI and have lived there for 30 years and do not have any ID documents.

Appendix 2: Terms of Reference (ToR)

I Conditions for members and supporters of KDPI/Komala in Iran

1. Party presence in Iran
 - a. What type of activities does the party conduct?
 - b. Examples on specific activities and events? (Protests, leaflets, posters, recent demonstrations/gatherings)
2. Treatment of party members of the Iranian authorities (monitoring, arrests, interrogations, detention, torture, fair trial, executions)
3. Treatment of party supporters of the Iranian authorities (monitoring, arrests, interrogations, detention, torture, fair trial, executions)
4. Persecution of family members of party members/supporters
5. Armed conflict between the Iranian government and the party (distinction between Iranian and Iraqi territory)

II Conditions for members/supporters of KDPI/ Komala and for al Tash refugees in KRI

1. To what extent is the Iranian intelligence service able to monitor members/supporters of KDPI/ Komala and al Tash refugees in KRI?

III Consequences for returning Iranian Kurds

1. Situation of returnees with no other profile than having lived in al-Tash refugee camp and their family members upon return to Iran
2. Situation of members/supporters of KDPI/ Komala and their family members upon return to Iran

IV Border area between KRI and Kurdish region of Iran

1. Possibility to cross the border legally and what are the consequences in terms of reaction from the Iranian authorities
2. Possibility to cross the border illegally and what are the consequences in terms of reaction from the Iranian authorities

Map: Iran



Source: Map No. 3891 Rev.9, January 2004, UNITED NATIONS,
<https://www.un.org/Depts/Cartographic/map/profile/iran.pdf>