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Subject: ►Iran◄: Penalty for running a business selling ►satellite◄ ►dishes◄; whether there have been recent prosecutions

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In his article published in 1995, Hamid Naficy indicated that the Iranian government declared Those who were found to be importing, selling, or installing the ►dishes◄ would be jailed and fined the incredible sum of \$25,000US. Anecdotal reports indicate that despite some arrests and fines, the ban has not been entirely successful and the owners of the equipment have found creative ways of camouflaging or of miniaturizing of their ►satellite◄ ►dishes◄. This failure and the loop-holes within the rules themselves that exempt government officials and foreign legations from the ban have created a fluid cultural space in which all kinds of slippage and transgressions as well as countermeasures are possible (1995, 149).

In another article, Sétoreh Ghaffari-Farhangi added that in a matter of days after it became law, the ban on ►satellite◄ ►dishes◄ was not strictly enforced by the government (1995, 120).

Six specialists on ►Iran◄ confirmed that the ban on selling or importing ►satellite◄ ►dishes◄ has not been seriously enforced since 1996 mainly because the number of ►dishes◄ that are installed, and continued to be installed, is so high that the security forces do not have the resources to enforce it (19 Mar. 1999; 19 Mar. 1999; 25 Mar. 1999; 7 Apr. 1999; 7 Apr. 1999; 12 Apr. 1999). The six specialists have not come across information of prosecution cases regarding selling ►satellite◄ ►dishes◄, and added that cases dealing with ►satellite◄ ►dishes◄ are resolved through the payment of a fine (ibid.).

According to the Director of the Centre for Iranian Studies in Bethesda, Maryland, ►satellite◄ ►dishes◄ are smuggled to ►Iran◄ in part from Dubaï, in the Persian Gulf (25 Mar. 1999). International hotels and government organizations are not included in the ban of ►satellite◄ ►dishes◄ (ibid.). The Director added that the smuggling of thousands of ►satellite◄ ►dishes◄ could not have been done without official involvement (ibid.). This last information was also provided by the journalist covering ►Iran◄ for the *Middle East Economic Digest* (MÉED) and a sociologist specialist on ►Iran◄ at the Centre National de la recherche scientifique (CNRS) in Paris (12 Apr. 1999; 7 Apr. 1999). The journalist also stated that during the 1993-1994 Tehran International Trade Fair, there were two Iranian companies exposing their own product: ►satellite◄ ►dishes◄ (ibid.). The researcher at the CNRS mentioned that certain TV shops in Tehran can be contacted to order a dish (ibid.). This black market would not continue without the approval of the security services (ibid.).

A 1995 article on media and communication in ►Iran◄ published in *Cahiers d'études sur la méditerranée orientale et le monde turco-iranien*, indicated that many ►satellite◄ ►dishes◄ could

be seen in neighbourhoods inhabited by members of the security forces and the régime (1995, 88).

According to two specialists on Iran with the CNRS in Paris, in 1994-1995 the issue of satellite dishes was brought before the Majlis even though the Ministry of Culture and Islamic Guidance and the security forces knew it would be impossible to enforce (7 Apr. 1999; 7 Apr. 1999). The number of satellite dishes was already in the hundreds of thousands before the law was even adopted (ibid.). The two specialists added that the ban was a political message against Western influences amongst Iranian youth rather than a security issue (ibid.).

In 1997, *Tehran Salam* provided an interview with Mohammed Kazemi, head of the Special Unit for Combating Cultural Onslaught (SUCCO), the unit in charge of investigating "all offences relating to social and cultural corruption" (18 Mar. 1997). SUCCO is the unit in charge of enforcing the ban on selling and owning satellite dishes (ibid.). Asked how his unit deals with offenders, Mr. Kazemi stated that in the first instance offenders are recited Quranic verses and traditions, punishment is the next stage (ibid.). The verdicts are "discretionary punishments together with cash fines and, in limited cases, imprisonment" (ibid.).

The debate over the lack of resources to enforce the ban on satellite dishes was already an issue in January 1995. As reported in the Iranian television monthly *Gozarash-e Film* of March 1995,

A veto by the Council of Guardians caused a delay in the implementation of the bill. The Council found two articles of the bill contradictory to Article 75 of the Constitution on the grounds that they would increase public expenditures. It returned the bill to parliament. Subsequently, Lotfollah Ghanavati, representative of Behbahan and a member of parliament's Committee of Arts and Islamic Guidance, said in a January 5, 1995, interview with Abrar: "The Council of Guardians disapproved of the second and the third articles of the bill, which stipulated that the Ministry of Interior confiscate satellite dishes. The problem was that the articles obliged the Ministry of Interior to remove satellite dishes but did not provide corresponding expenses for the execution of the act. This would increase public expenditures. The Majlis resolved the issue by allowing for the expenses to be provided from funds collected from implementation of the act, since articles 8 and 9 of the bill call for fines and penalties to be collected from the manufacturers, distributors and users of satellite equipment.

The following provides additional data on satellite dishes in Iran.

Ghaffari-Farhangi indicated that in 1995 there were around 1 million satellite dishes in Iran (1995, 118). In the article, Ghaffari-Farhangi states that most Iranian middle and lower class families bought 1 meter circumference dishes able to catch 8 channels for 160,000 Tomans (or 4,000 French Francs in 1995), which in 1995 was equal to two years salary for a manual labourer and 3 months salary for a university professor (ibid., 119).

According to Omid Habibi Niya, "the audiences of satellite TV programs who are mostly teenagers spend between one and 4.5 hours of their time every day watching such [foreign] programs" (*Cinema Critique* Summer 1998). Niya also observed that

Around 35 percent of teen-aged population has access to satellite TV, watching two or three TV programs aired by satellite every day. The highest rate of satellite TV watching is 4.5 hours per day and the lowest rate is one hour a day.

He also indicated that

The use of ►satellite◄ ►dishes◄ for receiving foreign TV programs has gained momentum in ►Iran◄ since 1992. With coming to market of more powerful receivers, it is now easy to receive the programs aired through ►satellite◄ by foreign countries.

At present, over 120 foreign TV channels can be received using receivers and dish antennas. There are also some special channels which require their audience to pay for their decoders (ibid.).

According to estimated statistics released by government officials, presently there are 250,000 dish antennas throughout the country. Since each antenna is used by more than one family with separate receivers, if we put the number of those using one antenna at 15, then four million people in ►Iran◄, or in other words, one in every 16 persons, are potential audience of ►satellite◄ TV networks.

It is to be noted that despite the encounter of the law enforcement personnel with owners of ►satellite◄ equipment, due to the fact that such equipment has become more modern and smaller in size and that use of more compact antennas or curtain-like ones have become prevalent, it is now more difficult to identify and confiscate ►satellite◄ TV equipment.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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