

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	369
Land:	Iran
Kilde:	Freedom House
Titel:	Freedom in teh World 2008
Udgivet:	1. september 2008
Optaget på baggrundsmaterialet:	12. september 2008



FREEDOM HOUSE

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Freedom in the World - Iran (2008)

Capital: Tehran

Population:
71,200,000

Political Rights Score: 6

Civil Liberties Score: 6

Status: Not Free

Overview

In 2007, the Iranian authorities cracked down on reformists, particularly academics and human rights activists, and detained a number of scholars and other high-profile individuals with dual nationality. Amid rising military tensions between Iran and the United States, the conservative government asserted itself domestically, more strictly enforcing “morality codes” in public and even imposing itself in the private sphere.

In 1979, a tumultuous revolution ousted Iran’s hereditary monarchy, which had been marked by widespread corruption and misguided modernization efforts. The revolution mobilized much of the population and brought together diverse political interests—including Muslim clerics, Communists, democrats, and human rights activists—in their efforts to rid Iran of the Pahlavi dynasty’s rule. Ultimately, it was the more organized clerical establishment, in a strategic alliance with Iran’s merchant class, that came out on top. Under the charismatic leadership of the previously exiled Ayatollah Ruhollah Khomeini, democratic and republican interests were subsumed. The constitution drafted by Khomeini’s disciples provided for a president and parliament elected through universal adult suffrage, but an unelected clerical body, the Council of Guardians, was empowered to approve electoral candidates and certify that the decisions of elected officials were in accord with Sharia (Islamic law). Khomeini was named supreme leader and invested with control over the security and intelligence services, armed forces, and judiciary. Soon after the establishment of the Islamic Republic, Iraqi leader Saddam Hussein launched an invasion to settle a long-running border dispute. The conflict, which lasted from 1980 to 1988, cost over a million lives.

After Khomeini’s death in 1989, the title of supreme leader passed to Ayatollah Ali Khamenei, a middle-ranking cleric who lacked the religious credentials and popularity of his predecessor. The constitution was changed to consolidate his power and give him final authority on all matters of foreign and domestic policy. Beneath its veneer of religious probity, the Islamic Republic gave rise to a new elite that accumulated wealth through opaque and unaccountable means. Basic freedoms were quickly revoked, and women in particular experienced severe regression in their status and rights. By the mid-1990s, dismal economic conditions and a demographic trend toward a younger population had created

widespread hostility to clerical rule. A coalition of reformers began to emerge within the leadership, advocating a gradual process of political change, economic liberalization, and normalization of relations with the outside world that was designed to legitimize, but not radically alter, the existing political system.

Representing this coalition, former culture minister Mohammed Khatami was elected president in 1997 with nearly 70 percent of the vote. Under his administration, more than 200 independent newspapers and magazines representing a diverse array of viewpoints were established, and the authorities relaxed the enforcement of restrictions on social interaction between the sexes. Reformists won 80 percent of the seats in the country's first nationwide municipal elections in 1999 and took the vast majority of seats in parliamentary elections the following year.

The 2000 parliamentary elections prompted a backlash by hard-line clerics that continued through 2006. Over the four years after the polls, the conservative judiciary closed more than 100 reformist newspapers and jailed hundreds of liberal journalists and activists, while security forces cracked down on the ensuing student protests. Significant political and economic reforms were overwhelmingly approved by the parliament only to be vetoed by the Council of Guardians.

Despite being reelected with 78 percent of the vote in 2001, Khatami did not challenge the conservative clerics. He ignored recurrent pleas by reformist lawmakers to call a referendum to approve vetoed reform legislation, and repeatedly implored citizens to refrain from demonstrating in public. Within the broader reform movement, Khatami was accused of serving as a democratic façade for an oppressive regime. Many Iranians abandoned hopes for government-led reform, and record-low turnout for the 2003 municipal elections resulted in a landslide victory by hard-liners.

Popular dissatisfaction with the reformists' failures, coupled with the Council of Guardians' rejection of the candidacies of most reformist politicians, allowed hard-liners to triumph in the February 2004 parliamentary elections. Emboldened by the victory, the clerical establishment quickly moved to further restrict public freedom. Several major reformist newspapers were closed, dozens of journalists and civil society activists were arrested, and the authorities attacked the country's last refuge of free expression—the internet. In October, the head of the judiciary, Ayatollah Mahmoud Shahroudi, announced that "anyone who disseminates information aimed at disturbing the public mind through computer systems" would be jailed. The government also launched a crackdown on "social corruption," sending thousands of morality police and vigilantes into the streets to enforce Islamic dress codes and prevent public mingling of men and women.

The June 2005 presidential election swept away the last bastion of reformist political power. While the Council of Guardians ensured a reactionary outcome by rejecting the candidacies of popular reformers, the victory of Tehran mayor

Mahmoud Ahmadinejad over other approved candidates in a two-round election reflected popular desires for change. The son of a blacksmith, Ahmadinejad dressed modestly and lived in a working-class neighborhood. As Iran's first nonclerical president in more than two decades, he campaigned on promises to fight elite corruption and redistribute Iran's oil wealth to the poor and middle class.

Ahmadinejad signaled his intent to further erode political and civil liberties by awarding the powerful ministries of Information and the Interior to hard-liners who have been implicated directly in the extrajudicial killings of dissidents and other egregious human rights abuses. He quickly began a wide-ranging purge of the administration, including the dismissal of 40 of Iran's most experienced diplomats and seven state-bank directors. The new president and many of the new appointees were veterans of the Iran-Iraq War.

His government tightened restrictions on media and announced plans to impose more stringent controls. Human rights suffered, with increasing reports of arrest, torture, and execution. Sharia was also more strictly enforced than under Khatami.

The most significant change associated with Ahmadinejad's ascension was in Iran's foreign policy. After two years of efforts by Britain, France, and Germany to convince Tehran to permanently halt its uranium-enrichment and plutonium-reprocessing programs, the new administration rejected a European Union (EU) package of economic incentives in August 2005 and resumed uranium-processing work. The following month, the International Atomic Energy Agency (IAEA) ruled that Iran was in noncompliance with the Nuclear Non-Proliferation Treaty. Rather than attempting to allay fears that Iran was seeking to develop nuclear weapons, Ahmadinejad seemed intent on enflaming them, declaring that Iran was "ready to transfer nuclear know-how to Islamic countries." He has also repeatedly called for the destruction of Israel and publicly questioned the reality of the Holocaust.

In January 2006, Iran announced that it was resuming other aspects of its nuclear fuel research, triggering condemnation from the international community. Iran's foreign minister also announced the end of Iran's voluntary cooperation with the IAEA. In April, an IAEA report faulted Iran for failing to suspend uranium enrichment and improve cooperation with inspectors. As a result of the IAEA reports and faltering negotiations, the UN Security Council in July adopted Resolution 1696, calling for Iran to suspend uranium enrichment by August 31 or face the possibility of economic sanctions. On November 14, 2006, the IAEA reported that traces of plutonium and enriched uranium were found at a nuclear-waste facility, after which the United Nations voted unanimously to impose sanctions and ban the sale to Iran of materials that could be used for nuclear or missile programs.

Despite renewed efforts by the United Nations, the EU, and Russia to reach a negotiated settlement with Iran, the nuclear issue remains at an impasse. The main sticking point is Iran's unwillingness to suspend uranium enrichment, which

officials say must precede talks involving the United States. Iranians insist they seek only peaceful uses of nuclear energy and accuse the West of restraining their progress. In February 2007, the IAEA announced that Iran did not meet the deadline to suspend uranium enrichment, strengthening the push for added sanctions. The IAEA also said that Iran was making nuclear fuel in an underground uranium-enrichment plant. This prompted the United States to announce new, tough sanctions against Iran in October. Iran's chief nuclear negotiator, Ali Larijani, resigned unexpectedly that month and was quickly replaced by Said Jalili, a conservative.

Iran remains accused of being a state sponsor of terrorism due to its open or suspected support of the Lebanese militant group Hezbollah, the Palestinian groups Hamas and Islamic Jihad, and Iraqi Shiite militias. In 2007, the United States considered declaring the Iranian Revolutionary Guard Corps (IRGC) a terrorist organization, and Interpol approved arrest warrants for a number of senior IRGC and Iranian government officials for their alleged roles in the 1994 bombing of a Jewish cultural center in Argentina. Iran also faced a diplomatic standoff with Britain after it detained 15 British sailors patrolling near the maritime boundary between Iran and Iraq in March. The sailors were released after two weeks in detention. Observers suggested the Iranian action was retaliation for the detention of Iranian officials by U.S. forces in northern Iraq months earlier.

Though fear of appearing unpatriotic has reinforced a trend toward self-censorship in the Iranian media and inhibited public criticism of the president, more reform-minded Iranians have criticized Ahmadinejad for isolating the country internationally and stifling civil liberties at home. In one recent consequence of this discontent, many candidates closely associated with Ahmadinejad lost out in the December 2006 municipal and Assembly of Experts elections as voters turned to more moderate voices.

However, the regime continued to crack down on reformists in 2007. The authorities particularly targeted scholars and others from the Iranian diaspora community, accusing them of being agents for foreign powers and seeking to destabilize the country. The most prominent case involved the detention of noted Iranian American scholar Haleh Esfandiari, who was released in August after more than three months in prison.

Political Rights and Civil Liberties

Iran is not an electoral democracy. The most powerful figure in the government is the supreme leader (*Vali-e-Faghih*), currently Ayatollah Ali Khamenei; he is chosen by the Assembly of Experts, a body of 86 clerics who are elected to eight-year terms by popular vote, from a government-screened list of candidates. The supreme leader is head of the armed forces and appoints the leaders of the judiciary, the chiefs of state broadcast media, the commander of the IRGC, the Expediency Council, and half of the Council of Guardians. Although the president

and parliament, both with four-year terms, are responsible for designating cabinet ministers, the supreme leader exercises de facto control over appointments to the ministries of Defense, the Interior, and Intelligence.

All candidates for the presidency and the 290-seat, unicameral parliament (the Islamic Consultative Assembly) are vetted by the Council of Guardians, which consists of six clergymen appointed by the supreme leader and six civil law experts selected by the head of the judiciary, all for six-year terms (the latter are nominally subject to parliamentary approval). The Council of Guardians also has the power to reject legislation approved by parliament; disputes between the two are arbitrated by the Expediency Council, another unelected, conservative-dominated body. It is currently headed by former president Ali Akbar Hashemi Rafsanjani, who has sided with the reformist camp to curb the influence of his rival, current president Mahmoud Ahmadinejad. Rafsanjani was also chosen to head the Assembly of Experts in September 2007, after the previous leader died in July.

The Ministry of the Interior submitted a bill in July 2006 that would involve the IRGC in the election vetting process, increase the voting age to 18, and impose new qualifications for presidential candidates. Parliament passed the bill in January 2007.

Corruption is pervasive. The hard-line clerical establishment has grown immensely wealthy through its control of tax-exempt foundations that monopolize many sectors of the economy, such as cement and sugar production. Iran was ranked 131 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is severely limited. The government directly controls all television and radio broadcasting. Satellite dishes are illegal, though generally tolerated. However, there have been increasing reports of satellite dish confiscation and steep fines. The authorities have had some success in jamming broadcasts by dissident overseas satellite stations, and cooperation with Persian-language satellite channels is banned. The government also began cracking down on unauthorized telecommunications lines in 2007, cutting them to halt "illegal international contacts." Even the purchase of satellite images from abroad was deemed illegal.

The Ministry of Culture must approve publication of all books and inspects foreign books prior to domestic distribution. The Press Court has extensive procedural and jurisdictional power to prosecute journalists, editors, and publishers for such vaguely worded offenses as "insulting Islam" and "damaging the foundations of the Islamic Republic." The government has also recently clamped down on popular book clubs or book cafés, where scholars gather to discuss topics of the day.

The authorities frequently issue ad hoc gag orders banning media coverage of

specific topics and events. Despite a period of greater press freedom between the initial election of former president Mohammed Khatami and a series of student protests in 1999, threats against and arrests of Iranian journalists have increased in recent years. Many journalists are barred from leaving Iran. Since the inauguration of Ahmadinejad, 570 publications have been shut down. A report issued by the Association of Iranian journalists in 2007 stated that the profession had suffered in quality and investment due to the government's crackdown on independent newspapers.

The Ahmadinejad government holds that the duty of the media is to report and support government actions, not comment on them. Sensitivity over the nuclear issue at home and abroad has led to greater government restraints on news reporting. Use of "suspicious sources," or sources that criticize the government, are forbidden. A number of journalists were arrested or detained in 2007. The Society for the Defense of Freedom of the Press, an Iranian journalist society, repeatedly called for information on journalists arbitrarily detained by authorities. Journalists Masoud Bastani, Farhad Ghorbanpour, and Soheli Assefi were all arrested during the year for "publishing false statements." Two Iranian Kurdish journalists, Adnan Hassanpour and Abdolvahed Botimar, were sentenced to death for being "enemies of God" and endangering national security.

Also in 2007, French-Iranian filmmaker Mehrnoushe Solouki was arrested and jailed while working on a film that came to involve political killings in the aftermath of the Iran-Iraq War. Though she was released on bail, she was not allowed to leave the country and faced a secret trial for "attempting to spread propaganda."

The government systematically censors internet content by forcing internet service providers (ISPs) to block access to a growing list of "immoral" or politically sensitive sites. At least a dozen journalists and bloggers have been indicted or convicted of press offenses, and many more have been summoned for questioning about their writings. As of January 2007, Iranian bloggers were also required to register with the Guidance Ministry, a measure that will likely reduce the diverse and active blogging community in Iran. In 2006, the Communication and Information Technology Ministry announced the creation of a central filtering facility that would block access to unauthorized websites, identify internet users, and keep a record of sites visited. Iranian news websites such as Emruz, Ruydad, and Ruzonline have been blocked by internet filtering. In September 2007, the Baztab news website was shut down by authorities despite attempts to appeal the decision through the courts.

Religious freedom is limited in Iran, which is largely Shiite Muslim but includes Sunni Muslim, Baha'i, Christian, Jewish, and Zoroastrian minorities. Shiite clerics who dissent from the ruling establishment are frequently harassed. Sunnis enjoy equal rights under the law but face discrimination in practice; there is no Sunni mosque in Tehran, and few Sunnis hold senior government posts. Sufi Muslims have also suffered from discrimination by the authorities. The constitution

recognizes Zoroastrians, Jews, and Christians as religious minorities, and they are generally allowed to worship without interference, so long as they do not proselytize. Conversion by Muslims to a non-Muslim religion is punishable by death. The non-Muslim minorities are barred from election to representative bodies (though a set number of parliamentary seats are reserved for them), cannot hold senior government or military positions, and face restrictions in employment, education, and property ownership. Some 300,000 Baha'is, Iran's largest non-Muslim minority, are not recognized in the constitution, enjoy virtually no rights under the law, and are banned from practicing their faith. Hundreds of Baha'is have been executed since the Islamic Revolution in 1979. Baha'i students are often barred from attending university and prevented from obtaining their educational records.

Academic freedom is limited. Scholars are frequently detained, threatened, and forced to retire for expressing political views, and students involved in organizing protests face suspension or expulsion by university disciplinary committees. Student organizations have been sidelined since the election of Ahmadinejad, and even peaceful protesters are attacked and arrested. In July 2007, a group of students at Amir Kabir University held a sit-in that was broken up by security forces. Students were beaten by police and detained without charge. Student publications and groups, even student Islamic Associations, were shut down during the year. The Alumni Association of Iran was also raided by security officials, who arrested 10 members, ransacked their homes, and confiscated their belongings. In September, three leaders of the Office for the Consolidation of Unity, Iran's leading student organization, and five other students were charged with endangering national security and insulting Islam.

The authorities in 2007 particularly targeted U.S.-based academics with dual citizenship who were conducting scholarship or traveling in Iran. In the most prominent case, Iranian American scholar Haleh Esfandiari was accused of working for a foreign government to destabilize the Iranian regime. She was jailed in May but released in August after international pressure was brought to bear. Three other Iranian Americans—Kian Tajbakhsh, a New York social scientist; Ali Shakeri, a California businessman; and Parnaz Azima of Radio Farda—were also detained and accused of using civil society organizations to overthrow the government. All were eventually released and allowed to leave the country.

The year's high-profile arrests were not limited to dual nationals. In April, Hussein Musavian, a former Iranian ambassador to Germany and member of Iran's nuclear negotiating team who currently headed Iran's Center for Strategic Research, was arrested on espionage charges. He later was released on bail, but the circumstances of his arrest and detention were unknown.

The 1979 constitution prohibits public demonstrations that "violate the principles of Islam," a vague provision used to justify the heavy-handed dispersal of assemblies and marches. Hard-line vigilante and paramilitary organizations that are officially

or tacitly sanctioned by the conservative establishment—most notably the Basij militia and Ansar-i Hezbollah—play a major role in breaking up public demonstrations. In 2007, the government banned street protests during the anniversary of the July 9, 1999, student demonstrations at Tehran University.

Under the pretense of “countering immoral behavior,” the Iranian government has also disrupted private gatherings. The Basij militia carried out thousands of home raids in 2007, arresting more than 150,000 people and forcing them to sign commitment letters promising to observe official dress codes and adhere to moral standards. Separately, six Basij members were acquitted after they admitted to killing five individuals who they accused of being morally corrupt.

The constitution permits the establishment of political parties, professional syndicates, and other civic organizations, provided they do not violate the principles of “freedom, sovereignty, and national unity” or question the Islamic basis of the republic. Human rights discourse and grassroots activism are integral parts of Iranian society. However, the security services routinely arrest and harass secular activists as part of a wider effort to control and regulate the activities of nongovernmental organizations (NGOs). Although permits are not required by law, the Ministry of the Interior has been imposing them and shutting down organizations that do not seek or qualify for them. Emadeddin Baghi, a human rights advocate, was arrested in October 2007 and charged with violating national security after he published *The Tragedy of Democracy in Iran*. He and his family were accused of participating in opposition meetings, spreading propaganda, and publishing secret government documents. Human rights lawyers have also been targeted, including Abdolfattah Soltani, who was arrested for espionage in August 2005 and spent seven months in prison before being acquitted by an appeals court in May 2007.

Iranian law does not allow independent labor unions, though workers’ councils are represented in the government-sanctioned Workers’ House, the only legal labor federation. The head of the bus driver association, who was arrested over a bus workers’ strike in 2006, received a five-year prison sentence in 2007 for “acting against national security” and “propaganda against the system.” Union workers used the occasion of International Labor Day in May 2007 to protest and call for the resignation of Labor Minister Mohammed Jahromi. Protesting workers clashed with security services during their demonstration. Also during the year, educators from the Teacher’s Guild Association staged six protests outside the parliament building to demand that teachers’ salaries be equivalent to those of other civil servants. The government arrested the organizers and at least 50 other protesters, and the media were prohibited from covering the strikes.

The judicial system is not independent, as the supreme leader directly appoints the head of the judiciary, who in turn appoints senior judges. General Courts ostensibly safeguard the rights of defendants, but in practice, suspects are frequently tried in closed sessions without access to legal counsel. Political and

other sensitive cases are tried before Revolutionary Courts, where due process protections are routinely disregarded and trials are often summary, lasting as little as five minutes. Dissident clerics are tried before the Special Court for the Clergy. The country's penal code is based on Sharia and provides for flogging, stoning, amputation, and hanging for a range of social and political offenses; these punishments are carried out in practice.

Iran is a world leader in juvenile executions. Even though it has ratified two treaties on children's rights, it has executed more juveniles in the last five years than any other country. In July 2007, Makwan Mouloudzadeh was sentenced to death for crimes he allegedly committed when he was 13, even though the accusers recanted their testimony and the trial was filled with irregularities. Executions of prisoners overall have increased since Ahmadinejad's election, and those convicted of adultery are again being sentenced to death by stoning. In 2007, a man was executed by stoning after being convicted of adultery some 11 years earlier.

Although the constitution prohibits arbitrary arrest and detention, such abuses are increasingly routine. Suspected dissidents are often held in unofficial, illegal detention centers run by a security apparatus consisting of the intelligence services, the IRGC, judicial officials, and the police. Allegations of torture are common in such centers and in the notorious Evin prison. Although legislation banning the use of torture in interrogations was promulgated in 2004, reports of torture persisted in 2007. Political prisoners are held under deplorable conditions, and supporters who protest their detention or defend their cause are also prosecuted. Prison conditions in general are notoriously poor, and there are regular allegations of abuse and death in custody.

The constitution and laws call for equal rights for all ethnic groups, allowing considerable cultural and linguistic freedom, but in practice these rights are restricted by the authorities. Ethnic Kurds, Arabs, Baluchis, and Azeris complain of political and economic discrimination. Kurdish opposition groups suspected of separatist aspirations, such as the Democratic Party of Iranian Kurdistan (KDPI), are brutally suppressed. The autonomy of Kurds in neighboring Iraq has inspired agitation for greater rights among Iran's roughly five million Kurds. The Party for a Free Life in Kurdistan (PJAK), a militant separatist group, conducted a number of guerrilla attacks in 2007.

The government restricts freedom of movement through travel bans on activists and journalists, particularly those seeking to attend international forums. Security services have confiscated passports or interrogated travelers on their return from conferences abroad.

Women are widely educated; 94 percent of secondary-school-aged girls attend school, compared to only 80 percent of boys, and a majority of university students are female. Although Iranian women currently hold seats in parliament, they do

not enjoy the same political rights as men. They are barred from serving as judges and are routinely excluded from running for public office. Women also face systematic discrimination in legal and social matters. A woman cannot obtain a passport without the permission of her husband or a male relative, and women do not enjoy equal rights under Sharia statutes governing divorce, inheritance, and child custody. A woman's testimony in court is given only half the weight of a man's. Women must conform to strict dress codes and are segregated from men in most public places. Dozens of women's rights advocates were arrested in 2007 for endangering national security and sentenced to prison terms. They were all part of a campaign to collect one million signatures to protest discriminatory laws.