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Freedom in the World 2009 - Iran

Capital: Tehran

Population: 72,200,000

Political Rights Score: 6

Civil Liberties Score: 6

Status: Not Free

Trend Arrow ↓

Iran received a downward trend arrow due to the mass disqualification of candidates for elected office and the closure of numerous media outlets under President Mahmoud Ahmadinejad.

Overview

Conservative candidates dominated the March 2008 parliamentary elections after most reformist candidates were disqualified, though many of the conservatives elected were considered to be critics of President Mahmoud Ahmadinejad. Also during the year, the regime continued its crackdown on critical journalists, human rights activists, and other components of civil society, even as the troubled economy began to suffer the effects of a global economic crisis.

In 1979, a revolution ousted Iran's 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, but under the leadership of the previously exiled Ayatollah Ruhollah Khomeini, democratic and secular elements were largely subsumed. The constitution drafted by Khomeini's disciples provided for a president and parliament elected through universal adult suffrage, but an unelected body, the Council of Guardians, was empowered to approve candidates and certify that the decisions of elected officials were in accord with Sharia (Islamic law). Khomeini was named supreme leader and vested 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 Mohammad 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, with student activists playing a major role in the success of reformist politicians.

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 pleas by reformist lawmakers to call a referendum to approve vetoed legislation, and implored citizens to refrain from demonstrating in public.

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 2003 municipal and February 2004 parliamentary elections. Emboldened by the victories, the clerical establishment moved to further restrict public freedom and attacked the country's last refuge of free expression – the internet. In October, the head of the judiciary 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," deploying thousands of morality police and vigilantes to enforce dress codes and prevent public mingling of men and women.

The Council of Guardians ensured a reactionary outcome to the June 2005 presidential election by rejecting the candidacies of popular reformists, but the victory of Tehran mayor Mahmoud Ahmadinejad over other approved candidates 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 awarded the powerful ministries of Information and the Interior to hard-liners who had 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 president and many of the new appointees were veterans of the Iran-Iraq War.

His government also 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 more strictly enforced than under Khatami.

The new administration similarly struck a more confrontational tone on foreign policy matters. In addition to continuing Iran's support for terrorist and other militant groups in Lebanon, the Palestinian territories, and Iraq, it resumed and expanded the country's uranium-enrichment program, drawing condemnation from the international community

and rebukes from the International Atomic Energy Agency (IAEA). Ahmadinejad himself made remarks that stoked fears of nuclear proliferation, and his repeated calls for the destruction of Israel and expressions of doubt about the reality of the Holocaust fed suspicions that Iran's nuclear program, ostensibly devoted to generating electricity, was in fact aimed at weapons production.

As a result of critical IAEA reports and faltering diplomatic efforts to halt Iran's uranium enrichment, the UN Security Council in December 2006 voted to impose sanctions and ban the sale to Iran of materials that could be used for nuclear or missile programs. The United States announced its own new sanctions after another negative assessment by the IAEA in February 2007. The UN sanctions were expanded in March 2008 as negotiations remained at an impasse, and a multilateral meeting in July that included U.S. Under Secretary of State for Political Affairs William Burns – marking the highest-level encounter between U.S. and Iranian officials in several years – failed to produce a breakthrough.

In the December 2006 municipal and Assembly of Experts elections, voters signaled their disapproval of the administration's performance by supporting far more moderate officials. Carefully vetted conservative candidates won nearly 70 percent of the seats in the March 2008 parliamentary elections, but many of those were considered to be critics of Ahmadinejad, and particularly of his economic policies. The economy had deteriorated in the face of sanctions, mismanagement, and rampant inflation, and it faced new challenges in 2008 as oil prices soared to \$147 per barrel in July before plummeting to \$67 per barrel by October amid a global economic crisis.

The regime continued to crack down on reformists in 2008. The authorities particularly targeted women's rights defenders, reformist scholars, and others from the Iranian community abroad, accusing them of being agents for foreign powers and seeking to destabilize the country.

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 Iranian Revolutionary Guard Corps (IRGC), the Expediency Council, and half of the Council of Guardians. Although the president and the 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). International bodies that monitored the March 2008 parliamentary elections concluded that the majority of reformist candidates, particularly those close to former president Mohammad Khatami, were barred from running for office by the Council of Guardians. This drew criticism even from Hassan Khomeini, the conservative grandson of the late Ayatollah Ruhollah Khomeini. One reformist parliamentarian, Nouradin Pirmoazen, was accused of treason for granting Voice of America an interview in which he criticized the vetting process.

The Council of Guardians also has the power to reject legislation approved by the 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.

The IRGC's influence within Iran continues to mount, as it now wields military, political, and economic power. The Ministry of the Interior may have passed a regulation in 2007 that formally incorporates the IRGC into the vetting process for political candidates, but regardless, the informal interference of the security force in elections remains influential. Former members of the IRGC, including Ahmadinejad, hold key positions within the government, and it has been awarded the right of first refusal for government contracts, some of which have been extremely lucrative.

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 141 out of 180 countries surveyed in Transparency International's 2008 Corruption Perceptions Index.

Freedom of expression is severely limited. The government directly controls all television and radio broadcasting. Satellite dishes are illegal, and while they are generally tolerated, there have been increasing reports of 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 is illegal.

Press freedom remains extremely limited. 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 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 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. In the first quarter of 2008 alone, 17 newspapers were banned by the Commission for Press Authorization and Surveillance.

The Ahmadinejad government holds that the duty of the media is to report and support government actions, not comment on them. Fear of stepped-up penalties has reinforced a trend toward self-censorship and inhibited public criticism of the president. The use of "suspicious sources" or sources that criticize the government are forbidden. The Association of Iranian Journalists (AIJ) reported in 2007 that the profession had suffered in quality and investment due to the government's crackdown on independent newspapers. The organization has been systematically harassed by the government and pressured to include pro-government journalists within its ranks, and in June 2008 the labor minister accused it of being an illegal organization that could face closure.

Journalists are subject to arbitrary detention and criminal penalties including the death sentence, and ethnic minority journalists appear to be particularly vulnerable. In 2007, two Iranian Kurdish journalists were sentenced to death for being "enemies of God" and endangering national security. Those arrested or sentenced to prison in 2008 included Kurds, Arabs, and Azeris. Journalists and bloggers who supported women's rights were also targeted, as were those with real or suspected connections abroad. In one case, Esha Momeni, an Iranian American graduate student filming a documentary as part of her master's thesis was arrested for a traffic violation on October 15 and then held incommunicado in Evin prison. She was released in November but was prohibited from leaving Iran through the year's end.

Internet use in Iran has skyrocketed in recent years, increasing from 7.5 million users in 2005 to 23 million in 2008 – an increase of 25 percent of the population. Recognizing the influence of this medium, 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. In 2006, the authorities announced the creation of a central filtering facility that would block unauthorized websites, identify internet users, and

keep a record of sites visited. As of January 2007, Iranian bloggers were also required to register with the Guidance Ministry, although measure has proven largely ineffective. The number of blocked websites rose sharply ahead of the March 2008 parliamentary elections, and both reformists and anti-Ahmadinejad conservatives were affected. Sites associated with women's rights advocacy were also targeted during the year. In May 2008 alone, 18 websites were blocked, 14 of which belonged to women's rights activists. In July 2008, a bill legalizing the death penalty for "the creation of weblogs and websites promoting corruption, prostitution and apostasy" was passed by the parliament. Popular Iranian-Canadian blogger Hussein Derakhshan was arrested in Tehran on November 1 during a visit home. This controversial and influential blogger was charged with "insulting religious figures" in late December and remains in custody.

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. The Special Court of the Clergy investigates religious figures for alleged crimes and has generally been used to persecute clerics who stray from the official interpretation of Islam. Ayatollah Seyd Hussain Kazemeini Boroujerdi, a cleric who believes in separation of religion and politics, is currently serving 11 years in prison for his beliefs and has been unable to obtain treatment for his multiple ailments. Another reformist cleric, Hadi Qabel, was defrocked by the Special Court and sentenced to 40 months in jail beginning in April 2008 for his involvement with a reformist political party.

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. In late December 2008, a suicide bomber drove into the headquarters of security forces in Saravan, killing 4 people and wounding 12 others. The Sunni militant group Jundallah allegedly claimed responsibility for the attack, and Iranian authorities accuse the U.S. and Britain of supporting the group.

Sufi Muslims have also faced persecution 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. Seven Baha'i leaders were arrested in 2008, and after prominent human rights lawyer Shirin Ebadi became involved in their case, state-controlled media outlets accused her daughter of converting to the Baha'i faith.

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. Student organizations have been sidelined since the election of Ahmadinejad, and even peaceful protesters are attacked and arrested. Three members of the organization Students Seeking Freedom and Equality who were arrested in December 2007 remained in custody during 2008 for their alleged intent to stage a protest, and a fourth member, Ali Kantouri, was arrested in January. He was hospitalized after his arrest and transferred to several different prisons within Iran, but was released in May on bail. His trial was held in August, but the court had not returned its verdict by year's end. More than 40 members of the student organization have been arrested in recent years and allegedly subjected to mistreatment and torture. Among other students detained during 2008, two Isfahan University students were arrested in June and sentenced to three and six years of prison and internal exile to a prison in a small village for allegedly contacting Kurdish opposition groups. Separately, legal scholar Mehdi Zakerian was arbitrarily detained weeks before his scheduled departure to teach at the University of Pennsylvania in the United States.

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. 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 demonstrations. In February 2008, the Tehran University chancellor was replaced after students protested his administration for nearly two weeks, and in March, 12 students from Shiraz University were arrested for taking part in a protest against administration policies and living conditions in dormitories.

Under the pretense of "countering immoral behavior," the government also disrupts private gatherings. The Basij 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. In February 2008, over 30 men were arrested after a raid on a private party. Detained for weeks without charge, they were subjected to medical examinations aimed at detecting homosexual activity.

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. Reflecting this practice, the offices of Human Rights Defenders Centre, run by Shirin Ebadi, were closed and raided by authorities in December 2008 for allegedly operating without a license for its activities. Ebadi, an outspoken critic of the regime's human rights abuses and the 2003 Nobel Peace Prize laureate, argues that the organization has permission to operate but that the authorities have refused to hand over the proper documentation.

Iranian law does not allow independent labor unions, though workers' councils are represented in the Workers' House, the only legal labor federation. Mansour Osanloo, head of the bus drivers' association, was sentenced to five years in prison in 2007 for his alleged involvement in a 2006 strike. In October 2008, a strike by bazaar merchants spread through Iran's larger cities in response to Ahmadinejad's imposition of a value-added tax. Even after the tax was temporarily suspended, the bazaar's jewelry, textile, and carpet shops remained shuttered in solidarity. The strike, which lasted over a week, was viewed as a protest against Ahmadinejad's economic policies, international sanctions, and the inflation rate of nearly 30 percent. Several people in Isfahan were reportedly arrested for their participation. In November 2008, hundreds of workers reportedly walked out on their jobs at Pars Khodro, a domestic automobile manufacturer, to protest the company's failure to pay their wages and other benefits.

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. 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.

During Ahmadinejad's term as president, Iran's execution rate has increased by nearly 300 percent, and those convicted of adultery again face the death sentence. On July 27, 2008, alone, 29 men were hanged, although the government claimed responsibility for 10 deaths that day. In March 2008, women's rights activists welcomed the release of Mokarrameh Ebrahimi, who had spent 11 years on death row awaiting execution by stoning for adultery.

Iran is responsible for 26 of the 32 juvenile executions worldwide between 2005 and 2008. Although it has ratified two treaties on children's rights, well over 100 juvenile offenders currently await execution in the country. In October 2008, the government announced that it would no longer execute juveniles, but it later clarified that the death penalty remained an option under the parallel "retribution" system, in which the sentence is imposed by the victim's family rather than the state. This would be allowed for male offenders over the age of 15 and female offenders as young as nine. Juveniles convicted of offenses related to narcotics, however, are now prohibited from facing the death penalty. Eight juvenile offenders were allegedly executed in Iran in 2008, while 130 remain on death row.

Although the constitution prohibits arbitrary arrest and detention, such abuses are increasingly routine, often in the form of temporary disappearances in which the family members of persons detained are not notified for days or weeks. Such arbitrary detention is a tool used by the regime to intimidate and silence dissidents and encourage self-censorship. Suspected dissidents are often held in unofficial, illegal detention centers, and allegations of torture are common there and in the notorious Evin prison. A 2004 law banned torture in interrogations, but reports of the practice persisted in 2008. Political prisoners are held under deplorable conditions, and those who take up their cause are also prosecuted. Prison conditions in general are notoriously poor, and there are regular allegations of abuse and death in custody. Two doctors, Arash and Kamyar Alaei, were arbitrarily arrested in 2008 and held at an unknown location. The brothers, HIV/AIDS specialists with no known political agenda, were reportedly being pressured to implicate themselves in a plot to overthrow the government. Emadeddin Baghi, a human rights advocate, was released in October 2008 after spending nearly a year in Evin prison. Charged with violating national security after he published the book *The Tragedy of Democracy in Iran*, he suffered two heart attacks while in prison and was held in solitary confinement despite doctor recommendations that he be released for medical treatment. New charges were brought against him while imprisoned for criticizing the treatment of another jailed human rights advocate. In July 2008, an appeals court upheld the death sentence against Farzad Kamangar for his alleged membership in the Party for Free Life in Kurdistan (PJAK), a separatist group linked to the Kurdistan Workers' Party (PKK) of Turkey, although the prosecution offered no evidence of this during his five-minute trial.

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. PJAK conducted a number of guerrilla attacks in 2007, and four members of PJAK were reportedly killed by the Basij near the Iraq-Iran border in October 2008.

Freedom of movement is routinely restricted in Iran. Political activists are often banned from leaving the country after completing prison sentences or being released on suspended sentences. In March 2008, feminist journalist Parvin Ardalan was prevented from traveling to Sweden to collect the Olof Palme Prize. Security services have been known to confiscate passports or interrogate 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 are barred from serving as judges and are routinely excluded from running for office. 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; some of these inequalities are accompanied by greater familial and fiscal responsibilities for men. A woman's testimony in court is given only half the weight of a man's, and the monetary damages (blood money) awarded to a female victim's family upon her death is half that owed to the family of a male victim. Women must conform to strict dress codes and are segregated from men in some public places, and there has been a crackdown in recent years on women deemed to be dressed immodestly. A bill

under consideration in 2008 would have ended the need for a husband to seek the permission of his current wife before taking another and would have increased penalties for women who married foreigners without government permission, among other provisions. However, the bill was tabled indefinitely after intense protests by women's rights activists.

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