

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	619
Land:	Iran
Kilde:	Amnesty International
Titel:	Annual Report 2015/16 - Iran
Udgivet:	24. februar 2016
Optaget på baggrundsmaterialet:	4. marts 2016

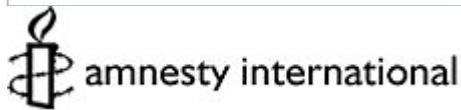
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- **Source:**
AI - Amnesty International
- **Title:**
Amnesty International Report 2015/16 - The State of the World's Human Rights - Iran
- **Publication date:**
24 February 2016
- **ecoi.net summary:** Annual report 2015/16 (covering 2015) [ID 319678]
- **Countries:**
Iran
- **Original link** <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iran/report-iran/>

Recommended citation:

AI - Amnesty International: Amnesty International Report 2015/16 - The State of the World's Human Rights - Iran, 24 February 2016 (available at [ecoi.net](http://www.ecoi.net))

http://www.ecoi.net/local_link/319678/445083_en.html (accessed 04 March 2016)



Amnesty International Report 2015/16 - The State of the World's Human Rights - Iran

The authorities severely curtailed the rights to freedom of expression, association and assembly, arresting and imprisoning journalists, human rights defenders, trade unionists and others who voiced dissent, on vague and overly broad charges. Torture and other ill-treatment of detainees remained common and was committed with impunity; prison conditions were harsh. Unfair trials continued, in some cases resulting in death sentences. Women and members of ethnic and religious minorities faced pervasive discrimination in law and in practice. The authorities carried out cruel punishments, including blinding, amputation and floggings. Courts imposed death sentences for a range of crimes; many prisoners, including at least four juvenile offenders, were executed.

Background

Negotiations between Iran and the five permanent member states of the UN Security Council, plus Germany, resulted with Iran agreeing in July to restrict its nuclear development programme in return for the lifting of international sanctions.

In March, the UN Human Rights Council renewed the mandate of the UN Special Rapporteur on the situation of human rights in Iran; the Iranian authorities continued to deny him entry to Iran and to prevent access by other UN experts. The Human Rights Council also formally adopted the outcome of its second UPR of Iran. Iran accepted 130 recommendations, partially accepted 59 others, and rejected 102. Those rejected included recommendations that Iran ratify the UN Convention against Torture and CEDAW, and cease using the death penalty against those aged under 18 at the time of the alleged crime.

Freedoms of expression, association and assembly

The authorities continued to severely restrict freedoms of expression, association and assembly. They blocked Facebook, Twitter and other social media websites, closed or suspended media outlets including the *Zanan* monthly women's magazine, jammed foreign satellite television stations, arrested and imprisoned journalists and online and other critics, and suppressed peaceful protests.

In August, the Ministry of Communications and Information Technology announced the second phase of "intelligent filtering" of websites deemed to have socially harmful consequences, with the support of a foreign company. The authorities continued efforts to create a "national internet" that could be used to further impede access to information via the internet, and arrested and prosecuted those who used social media to express dissent.¹ In June, a spokesperson for the judiciary said that the authorities had arrested five people for "anti-revolutionary" activities using social media, and five others for "acts against decency in cyber-space".

Opposition leaders Mir Hossein Mousavi, Zahra Rahnava and Mehdi Karubi remained under house arrest without charge or trial. Scores of prisoners of conscience continued to be detained or were serving prison

sentences for peacefully exercising their human rights. They included journalists, artists, writers, lawyers, trade unionists, students, women's and minority rights activists, human rights defenders and others.

Under the 2013 Islamic Penal Code, individuals convicted of multiple charges must serve only the lengthiest single sentence, but judges are required to impose sentences that exceed the statutory maximum for any single offence when they convict defendants of more than three crimes. This has resulted in the authorities bringing multiple spurious charges against some peaceful critics as a means to ensure a lengthy prison term.²

The authorities continued to suppress peaceful protests. On 22 July, police temporarily arrested scores and dispersed thousands of teachers who gathered outside Parliament in the capital, Tehran, to protest against the authorities' harassment of teachers engaged in trade union activities and related protests, and demand the release of prominent trade unionists, including Ismail Abdi, who remained in detention.³

Torture and other ill-treatment

Detainees and prisoners continued to report acts of torture and other ill-treatment, particularly during primary investigations mainly to force "confessions" or gather other incriminatory evidence.

A new Code of Criminal Procedures, which entered into force in June, introduced some safeguards including central electronic registers of detainees held in each province. However, the new Code did not provide adequate protection against torture and failed to bring Iranian law into conformity with international law and standards. The Code failed to guarantee individuals adequate access to an independent lawyer from the time of arrest, a legal requirement for protection against torture and other ill-treatment. No specific crime of torture is defined in Iranian law and the new Code failed to establish detailed procedures for investigating torture allegations. Moreover, while the Code excludes statements obtained through torture as admissible evidence, it does so only in general terms, without providing detailed provisions.

Detainees and sentenced prisoners were denied adequate medical care; in some cases, the authorities withheld prescribed medications to punish prisoners, or failed to comply with medical doctors' recommendations that prisoners should be hospitalized for treatment.⁴ The authorities also frequently subjected detainees and prisoners to prolonged solitary confinement amounting to torture or other ill-treatment.

Prisoners were kept in severely overcrowded and insanitary conditions with inadequate food and exposed to extreme temperatures. This included prisoners in Dizel Abad Prison in Kermanshah, Adel Abad Prison in Shiraz, Gharchak Prison in Varamin, and Vakilabad Prison in Mashhad. According to some former detainees, in Tabriz Central Prison, some 700 to 800 prisoners were held in three poorly ventilated, insanitary cells with access to only 10 toilets. The authorities often disregarded prison regulations which required that different categories of detainees and prisoners be held in separate prison sections, prompting hunger strikes by some political prisoners, including prisoners of conscience. The death of at least one prisoner of conscience, Shahrokh Zamani, was reported, possibly attributable to poor prison conditions and inconsistent medical care.

Cruel, inhuman or degrading punishment

Courts continued to impose, and the authorities continued to carry out, punishments that violate the prohibition of torture and other cruel, inhuman or degrading punishment. These were sometimes carried out in public and included flogging, blinding and amputations. On 3 March the authorities in Karaj deliberately blinded a man in his left eye after a court sentenced him to "retribution-in-kind" (*qesas*) for throwing acid into the face of another man. He also faced blinding of his right eye. The authorities postponed punishment of another prisoner scheduled for 3 March; he was sentenced to blinding and being made deaf.⁵

On 28 June, authorities at the Central Prison in Mashhad, Khorasan Province, amputated four fingers from the right hands of two men sentenced for theft, apparently without anaesthetic.⁶

Sentences of flogging were also carried out. In June, a Deputy Prosecutor General in Shiraz announced that 500 people had been arrested and 480 of them had been tried and convicted within 24 hours for publicly breaking their fast during Ramadan. Most received flogging sentences administered by the Office for Implementation of Sentences. Some floggings were reportedly carried out in public.

Unfair trials

Many trials, including some that resulted in death sentences, were grossly unfair. Prior to trial, the accused were frequently detained for weeks or months during which they had little or no access to lawyers or their families, and were coerced into writing or signing "confessions" that were then used as the main evidence

against them in unfair proceedings. Judges routinely dismissed defendants' allegations of torture and other ill-treatment in pre-trial detention without ordering investigations.

After years of deliberation, the new Code of Criminal Procedures took effect in June. It brought about some improvements, including stricter regulation of interrogations and the requirement that detainees be informed of their rights, but it was seriously weakened by amendments approved only days before its entry into force. These included an amendment that restricted the right of detainees in national security cases to be represented by lawyers of their own choosing during the often lengthy investigation phase; instead, they can only choose a lawyer approved by the Head of the Judiciary. The Code applied the same restriction to suspects in cases of organized crime, which can result in sentences of death, life imprisonment or amputation.⁷ Responding to criticism of the amendments, a senior judiciary official said, "the issue is that there are individuals among lawyers who could be trouble makers". In some cases, it appeared that courts had extended the restriction on defendants' right to a lawyer of their own choosing to the trial phase.

Special courts, including the Special Court for the Clergy which was effectively established outside the law, and the Revolutionary Courts, continued to function without observing international fair trial standards. The judiciary was not independent and courts remained susceptible to pressure from security authorities, such as the Ministry of Intelligence and Revolutionary Guards, to convict defendants and impose harsh penalties.⁸

Freedom of religion and belief

Members of religious minorities, including Baha'is, Sufis, Yaresan (Ahl-e Haq), Christian converts from Islam, Sunni Muslims, and Shi'a Muslims who became Sunni, faced discrimination in employment and restrictions on their access to education and freedom to practise their faith. There were reports of arrest and imprisonment of dozens of Baha'is, Christian converts and members of other religious minorities, including for providing education for Baha'i students who are denied access to higher education.

The authorities continued to destroy sacred sites of Baha'is, Sunnis and Sufis including their cemeteries and places of worship.

In August, a Revolutionary Court in Tehran convicted Mohammad Ali Taheri of "spreading corruption on earth" for establishing a spiritual doctrine and group called Erfan-e Halgheh, and sentenced him to death. He had previously received a five-year prison term and been sentenced to 74 lashes and a fine in 2011 for allegedly "insulting Islamic sanctities".⁹ Prison sentences were also issued against several of his followers. In December, the Supreme Court overturned his sentence due to "incomplete investigations" and remanded the case to the Court of First Instance.

Discrimination – ethnic minorities

Iran's disadvantaged ethnic groups, including Ahwazi Arabs, Azerbaijani Turks, Baluchis, Kurds and Turkmen, continued to report that the state authorities systematically discriminated against them, particularly in employment, housing, access to political office, and the exercise of cultural, civil and political rights. They remained unable to use their own language as a medium of instruction for primary education. Those who called for greater cultural and linguistic rights faced arrest, imprisonment, and in some cases the death penalty.

Security forces disproportionately repressed protests by ethnic minorities including Ahwazi Arabs, Azerbaijani Turks and Kurds. Between March and April, the authorities were reported to have carried out many arrests in the Arab-populated Khuzestan province, including after a football match in March where Ahwazi Arab young men displayed a banner in solidarity with Younes Asakereh, an Ahwazi Arab street vendor who died on 22 March after setting himself alight in a protest against the city authorities. He was apparently left without emergency medical treatment due to lack of funds. The arrests took place in the lead-up to the 10th anniversary of mass anti-government demonstrations in Khuzestan in April 2005 following the publication of a letter that referred to government plans to implement policies that would reduce the population of Arabs in Khuzestan. During the protest, police were reported to have particularly targeted men wearing traditional Arab clothing for arrest and beatings.¹⁰

In November, several individuals belonging to the Azerbaijani Turk ethnic group were reported to have been arrested, after largely peaceful demonstrations erupted in several cities in protest against a television programme that members of the Azerbaijani Turk community considered offensive.

On 7 May, riot police were reported to have used excessive or unnecessary force to disperse demonstrators in Mahabad, a city in West Azerbaijan province largely populated by members of the Kurdish minority, who were protesting after a Kurdish woman fell to her death in unclear circumstances.

Women's rights

Women remained subject to discrimination under the law, particularly criminal and family law, and in practice. Women and girls also faced new challenges to their sexual and reproductive health and rights. Parliament debated several draft laws that would further erode women's rights, including the Bill to Increase Fertility Rates and Prevent Population Decline, which would block access to information about contraception and outlaw voluntary sterilization. The general principles of another draft law, the Comprehensive Population and Exaltation of Family Bill, were passed in Parliament on 2 November. If enacted, the law would require all private and public entities to prioritize, in sequence, men with children, married men without children and married women with children when recruiting staff. The law also risks further entrenching domestic violence as a private "family matter".

In practice, women continued to have reduced access to affordable modern contraception as the authorities failed to restore the budget of the state family planning programme cut in 2012.

Women and girls remained inadequately protected against sexual and other violence, including early and forced marriage. The authorities failed to adopt laws criminalizing these and other abuses, such as marital rape and domestic violence. Compulsory "veiling" (*hijab*) laws also continued to empower police and paramilitary forces to target women for harassment, violence and imprisonment.

The authorities came under local and international pressure to allow women access as spectators to international men's volleyball matches in Tehran's Azadi Stadium but continued to exclude them in the face of opposition from ultra-conservative groups, such as Ansar Hezbollah.

Death penalty

The authorities continued to use the death penalty extensively, and carried out numerous executions, including of juvenile offenders. Some executions were conducted in public.

The courts imposed numerous death sentences, often after unfair trials and for offences such as drugs offences that did not meet the threshold of most serious crimes under international law. The majority of those executed during the year were sentenced on drugs charges; others were executed for murder or after being convicted on vague charges such as "enmity against God".

Many detainees accused of capital offences were denied access to legal counsel during the investigative phase when they were held in detention. The new Code of Criminal Procedures repealed Article 32 of the 2011 Anti-Narcotics Law, which had denied prisoners sentenced to death on drugs charges a right of appeal. It remained unclear, however, whether those sentenced before the Code took effect would be eligible to appeal.

Scores of juvenile offenders remained on death row. Several juvenile offenders were re-sentenced to death after receiving a retrial pursuant to the new juvenile sentencing guidelines of the 2013 Islamic Penal Code. Amnesty International was able to confirm the execution of at least three juvenile offenders: Javad Saberi, hanged on 15 April, Samad Zahabi, hanged on 5 October, and Fatemeh Salbehi, hanged on 13 October. Human rights groups reported that another juvenile offender, Vazir Amroddin, an Afghan national, was hanged in June or July. In February, the authorities transferred Saman Naseem, sentenced in 2013 for a crime that was committed when he was aged 17, to an undisclosed location prompting fears and wide international concern that he was about to be executed. He was subjected to enforced disappearance for five months; the authorities ultimately permitted him to phone his family in July, and confirmed to his lawyer that the Supreme Court had ordered his retrial in April.¹¹

The Islamic Penal Code continued to provide for stoning as a method of execution; at least two stoning sentences were issued but no executions by stoning were reported during the year.

1. Iran: Film producer given jail term after unfair trial: Mostafa Azizi ([MDE 13/2272/2015](#)); Iran: Couple sentenced to jail on security charges ([MDE 13/2520/2015](#))
2. Iran: Harsh prison sentences for two female activists highlight rampant injustice ([News story, 2 June](#))
3. Iran: Prominent trade unionist unlawfully detained: Ismail Abdi ([MDE 13/2208/2015](#))
4. Iran: Death of trade unionist must trigger action to tackle appalling prison conditions ([MDE 13/2508/2015](#))
5. Iran: Man forcibly blinded in one eye in "unspeakably cruel" retribution punishment ([News story, 5 March](#))
6. Iran amputates fingers of two men in shocking act of cruelty ([MDE 13/1998/2015](#))
7. Iran: Draconian amendment further erodes fair trial rights ([MDE 13/1943/2015](#))
8. Iran: Activists tortured for alleged "flag-burning" ([MDE 13/2110/2015](#))
9. Iran: Mohammad Ali Taheri sentenced to death ([MDE 13/2245/2015](#))
10. Iran: Sweeping arrests of Ahwazi Arab activists ([News story, 28 April](#))

11. Iran: Whereabouts of juvenile offender on death row emerge five months after scheduled execution
([News story, 13 July](#))

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published on  European Country of Origin Information Network