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Iran

Country Reports on Human Rights Practices - 2002

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The United States does not have an embassy in Iran. This report draws heavily on non-U.S. Government sources.

The Islamic Republic of Iran was established in 1979 after a populist revolution toppled the Pahlavi monarchy. The Constitution, ratified after the revolution by popular referendum, established a theocratic republic and declared as its purpose the establishment of institutions and a society based on Islamic principles and norms. The Government is dominated by Shi'a Muslim clergy. The Head of State, Ayatollah Ali Khamene'i, was the Supreme Leader of the Islamic Revolution and has direct control over the armed forces, the internal security forces, and the judiciary. Mohammad Khatami was elected to a second 4-year term as President in a popular vote in June 2001, with 77 percent of the vote. A popularly elected 290-seat unicameral Islamic Consultative Assembly, or Majles, develops and passes legislation. Reformers and moderates won a landslide victory in the February 2000 Majles election, and constituted a majority of that body; however, the Council of Guardians and other elements within the Government blocked much of the early reform legislation passed by the Majles. A Council of Guardians reviewed all legislation passed by the Majles for adherence to Islamic and constitutional principles. The Council consisted of six clerical members, who are appointed by the Supreme Leader, and six lay jurists (legal scholars), who are nominated by the head of the judiciary and approved by the Majles. The Constitution provides the Council of Guardians the power to screen and disqualify candidates for elective offices based on an ill-defined set of requirements, including candidates' ideological beliefs. According to Human Rights Watch (HRW), the Council of Guardians rejected the candidacy of 145 out of the 356 candidates who filed to run for 17 seats in the special Majles election held concurrently with the Presidential election in June 2001. This constituted a far higher percentage than were rejected in the February 2000 Majles elections. The judiciary was subject to government and religious influence.

Several agencies shared responsibility for internal security, including the Ministry of Intelligence and Security, the Ministry of Interior, and the Revolutionary Guards, a military force that was established after the revolution. Paramilitary volunteer forces known as Basijis, and gangs of men known as the Ansar-e Hezbollah (Helpers of the Party of God), acted as vigilantes, and intimidated and physically threatened demonstrators, journalists, and persons suspected of counterrevolutionary activities. The Ansar-e Hezbollah often were aligned with particular members of the leadership. Both the regular and the paramilitary security forces committed numerous serious human rights abuses.

The country had a mixed economy that was heavily dependent on export earnings from the country's extensive petroleum reserves. The country had a population of approximately 66,000,000. The Constitution mandates that all large-scale industry be publicly owned and administered by the State. Large charitable foundations called bonyads, most with strong connections to the Government, controlled the extensive properties and business expropriated from the Pahlavi family and from other figures associated with the monarchy. The bonyads exercised considerable influence on the economy, but neither accounted publicly for revenue nor paid taxes. Legislation was introduced in the Majlis during the year, which would require the bonyads to pay taxes at the rate of 25 percent. It was not yet clear if this legislation became law. The Government heavily subsidized basic foodstuffs and energy costs. Private property rights were largely respected. Economic performance was generally tied to the price of oil, whose exports accounted for nearly 80 percent of foreign exchange earnings. Government mismanagement and corruption also negatively affected economic performance. Unemployment was estimated to be between 20 and 25 percent, and inflation at approximately 18 to 20 percent.

The Government's human rights record remained poor, and deteriorated substantially during the year, despite continuing efforts within society to make the Government accountable for its human rights policies. The

Government denied citizens the right to change their government. Systematic abuses included summary executions; disappearances; widespread use of torture and other degrading treatment, reportedly including rape; severe punishments such as stoning and flogging; harsh prison conditions; arbitrary arrest and detention; and prolonged and incommunicado detention.

On occasion there were judicial proceedings against government officials for misconduct; however, perpetrators usually remained unpunished. The influence of conservative government clerics, which pervaded the judiciary, often prevented citizens from receiving due process or fair trials. The Government used the judiciary to stifle dissent and obstruct progress on human rights. The Government infringed on citizens' privacy rights, and restricted freedom of speech, press, assembly, and association.

The Government restricted freedom of religion, particularly for Baha'is. The Government controlled the selection of candidates for elections. An intense political struggle continued during the year between a broad popular movement that favored greater liberalization in government policies, particularly in the area of human rights, and certain hard-line elements in the Government and society, which viewed such reforms as a threat to the survival of the Islamic republic. In many cases, this struggle was played out within the Government itself, with reformists and hard-liners squaring off in divisive internal debates. In August President Khatami introduced two bills in the Majles designed to enhance his Presidential powers. One would remove the right of the Guardian Council to veto candidates running for elections. The bills were passed and awaited ratification by the Guardian Council at year's end. As in the past, reformist members of Parliament were harassed, and for the first time, were prosecuted and jailed for statements made under cover of parliamentary immunity. Khatami's June 2001 reelection did not appear to have resulted in meaningful reform. On the contrary, the repression of reformers, including parliamentarians, continued and intensified.

The Government restricted the work of human rights groups and denied entry to the U.N. Special Representative for Iran of the Commission on Human Rights (UNSR) during the period of his mandate. The UNSR's mandate ended during the year with the defeat of the resolution at the Commission on Human Rights (CHR) in April. Violence against women occurred, and women faced legal and societal discrimination. The Government discriminated against religious and ethnic minorities and severely restricted workers' rights, including freedom of association and the right to organize and bargain collectively. Child labor persisted. Vigilante groups, with strong ties to certain members of the Government, enforced their interpretation of appropriate social behavior through intimidation and violence. There were reports of trafficking in persons.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The Government has been responsible for numerous killings, and during the year there were reportedly executions that took place following trials in which there was a lack of due process. As in the past, there were incidents of security forces using excessive force while suppressing demonstrations.

In January two teachers were arrested during a demonstration against low wages and poor working conditions. After they were hospitalized due to injuries they received at the demonstration, their families believed that they died while in custody (see Section 2.b.).

There were anecdotal reports of security forces killing persons during the October 2001 "soccer riots." The Government acknowledged that it arrested hundreds of persons, but denied that anyone was killed (see Sections 1.f., 2.a., and 2.b.).

The controversy around the killings of several prominent dissidents and intellectuals in late 1998 continued. The case involved the killings, over a 2-month period from October to December 1998, of prominent political activists Darioush Forouhar and Parvaneh Forouhar and writers Mohammad Mokhtari and Mohammad Pouandeh. Political activist Pirouz Davani disappeared in the same time period and has never been found (see Section 1.b.). Human Rights Watch (HRW) reported that in January 2001, a court convicted fifteen out of the eighteen defendants for the killings. However, HRW also reported that the trial did not clarify who actually ordered the murders. Several Ministry of Intelligence officials were mentioned as possible suspects in the press, but they were not charged, and the trial did not produce any incriminating information regarding their involvement. In August 2001, the Supreme Court reversed the convictions of the fifteen officials and sent the case back to the Judicial Organization of the Armed Forces (JOAF) for further review. In May, the JOAF withdrew two of the three death sentences after the families of the victims pardoned the murderers. However, the court sentenced them to ten years in prison and banned them from service in the Intelligence Ministry. The court reduced the prison sentences of several other defendants believed to be complicit in the case while leaving the rest intact. None of the original fifteen were pardoned or set free by year's end. There was no

further information, but all of the defendants were likely appealing the May verdicts.

The UNSR reported in August 2001 that these extrajudicial killings continued to cause controversy about what is perceived to be the Government's cover-up of involvement of high-level officials in the affair. Several citizens, including prominent investigative journalist Akbar Ganji, were arrested in connection with statements they made about the case (see Sections 1.d. and 1.e.). The UNSR also reported rumors suggesting that there were more than 80 killings or disappearances over a 10-year period as part of a wider campaign to silence dissent.

Many members of religious minority groups, including the Baha'is, evangelical Christians, and Sunni clerics were killed in recent years, allegedly by government agents or directly at the hands of authorities.

The Government announced in September 1998 that it would take no action to threaten the life of British author Salman Rushdie, or anyone associated with his work, *The Satanic Verses*, despite the issuance of a fatwa against Rushdie's life in 1989. The announcement came during discussions with the United Kingdom regarding the restoration of full diplomatic relations. Several revolutionary foundations and a number of Majles deputies within the country repudiated the Government's pledge and emphasized the "irrevocability" of the fatwa, or religious ruling, by Ayatollah Khomeini in 1989, calling for Rushdie's murder. The 15 Khordad Foundation raised the bounty it earlier had established for the murder of Rushdie.

A November 1995 law criminalized dissent and applied the death penalty to offenses such as "attempts against the security of the State, outrage against high-ranking officials, and insults against the memory of Imam Khomeini and against the Supreme Leader of the Islamic Republic." Citizens continued to be tried and sentenced to death in the absence of sufficient procedural safeguards. Although domestic press stopped reporting most executions, according to international reports they continued in substantial numbers. No figures were available for the year. The UNSR, based on media reports, cited an estimated 60 executions from January through July 2001, a decrease from 130 during the same period the year before. The Government did not cooperate in providing the UNSR with a precise number of executions carried out in 2001.

During the period on which he reported, the UNSR reported that approximately two thirds of the executions took place in public, contrary to regulations, and that state television broadcasted scenes from hangings on at least two occasions during 2001. He also noted that a woman was hanged publicly in March 2001. Exiles and human rights monitors alleged that many of those executed for criminal offenses, such as narcotics trafficking, actually were political dissidents. Supporters of outlawed political organizations, such as the Mujahedin-e-Khalq organization, were believed to make up a large number of those executed each year.

Press reports indicated that three men were publicly hanged in January for the crimes of murder and rape. Reportedly, five men convicted of a series of attacks on women in Tehran were publicly executed during the year, and their bodies driven through the city on mobile cranes.

The Democratic Party of Iranian Kurdistan (PDKI), an opposition party, alleged that the Government arrested Habibullah Tanhaeyan from the city of Sanandaj on December 11, and executed him on December 15 after four days of interrogation and torture. The PDKI also reported the execution of one of its members, Karim Toujali, in January, and of four Kurdish political prisoners in October. Other sources claimed the number executed in October was three or five. The party said that the prisoners were tortured before they were executed. The Society for the Defense of Human Rights in Iran (SDHRI) claimed that the families of the executed prisoners were not informed of either their trials or their convictions, and that the prisoners were tortured before they were executed. SDHRI confirmed the PDKI's report that the bodies were turned over to them only on condition that they be buried at night and without ceremony. The PDKI claimed that 12 of the 110 party members remaining in jail at the end of the year were sentenced to death.

b. Disappearance

No reliable information was available regarding the number of disappearances during the year.

Siamak Pourzand, husband of human rights lawyer Mehrangiz Kar and the manager of the Tehran Cultural Center, disappeared in Tehran in November 2001. He was held incommunicado for several months before his disappearance.

Pirouz Davani, a political activist who disappeared in late 1998 along with several other prominent intellectuals and dissidents who were later found killed, remained unaccounted for, and was believed to have been killed for his political beliefs and activism (see Section 1.a.).

According to the National Spiritual Assembly of the Baha'is of the United States, since 1979 more than 200 Baha'is have been killed and 15 have disappeared and are presumed dead.

The group "Families of Iranian Jewish Prisoners:" (FIJP) publicized the names of twelve Iranian Jews who disappeared while attempting to escape from the country in the 1990s. They disappeared while being smuggled out of the country during a period when Jews were not being issued passports to be able to travel freely. Babak Shaoulouian Tehrani and Shaheen Nikkhoo disappeared in June 1994; Behzad (Kamran) Sakaru and Farhad Ezzati in September 1994; Homayoun Balazadeh, Omid Solouki, Reuben Cohan-Masliah, and Ibrahim Cohan-Masliah in December 1994; Cyrus Gaharamany, Ibrahim Gaharamany, and Norallah Rbizadeh (Felfeli) in February 1997, and Es-haagh Hassid (Hashid) in February 1997. Their families have had no contact with them since the dates of their disappearance, but have heard anecdotal stories that some of them were alive and being held in prison. The Government has not given out any information on their whereabouts and has not charged any of them with crimes. FIJP believes that the Government dealt with these cases differently than with other cases of persons being captured while trying to escape from the country because these twelve persons were Jewish (see Section 2.c.).

A Christian group reported that between 15 and 23 Iranian Christians disappeared between November 1997 and November 1998 (see Section 2.c.). Those who disappeared were reportedly Muslim converts to Christianity whose baptisms had been discovered by the authorities. The group that reported the figure believes that most or all of those who disappeared were killed.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution forbids the use of torture; however, there were numerous credible reports that security forces and prison personnel continued to torture detainees and prisoners. Some prison facilities, including Tehran's Evin prison, were notorious for the cruel and prolonged acts of torture inflicted upon political opponents of the Government. Common methods included suspension for long periods in contorted positions, burning with cigarettes, sleep deprivation, and most frequently, severe and repeated beatings with cables or other instruments on the back and on the soles of the feet. Prisoners also reported beatings about the ears, inducing partial or complete deafness, and punching in the eyes, leading to partial or complete blindness. Stoning and flogging are prescribed expressly by the Islamic Penal Code in the country as appropriate punishments for adultery.

In March the Majlis passed a bill to end torture and forced confessions. However, the Council of Guardians reportedly vetoed the bill in June, arguing that the bill would limit the authority of judges to adjudicate on the admissibility of confessions and therefore was against the principles of Islam.

In July in a new effort to combat "un-Islamic behavior" and social corruption among the young, the Government announced the formation of a new "morality force." The force was meant to enforce the Islamic Republic's strict rules of moral behavior. Press reports indicated that members of this force chased and beat persons in the streets for offenses such as listening to music, or in the case of women, wearing makeup or clothing that was not modest enough (see Section 1.f.).

In early December, all eleven female parliamentarians indicated that they would present a bill that would outlaw stoning as punishment for adultery. Stoning in the country was widespread after the revolution, but has been rare in recent years. A few persons were sentenced to death by stoning this year, while at least two persons were stoned in 2001.

In December authorities informed European Union human rights negotiators during their visit to begin a human rights dialog that stoning was to be abolished as a form of capital punishment. According to press reports, the judiciary chief issued an internal directive instructing judges to use prison terms and other forms of punishment in place of stoning for the crime of adultery. It was not clear at year's end if this new directive will be implemented.

Harsh punishments were carried out, including stoning and flogging. The UNSR reported the stoning deaths of two women and the sentencing to death by stoning of at least one other during 2001. He cited press reports of the May stoning death of an unnamed 35-year-old woman at Evin Prison in Tehran, who was arrested 8 years earlier on charges of appearing in pornographic films. The UNSR reported that a woman was sentenced in June to death by stoning for the murder of her husband. He also reported that the Supreme Court upheld the sentence of death by public stoning of 38-year-old Maryam Ayoubi, who was convicted for the murder of her husband. Her sentence was carried out in Evin Prison in July. The law also allows for the relatives of murder victims to take part in the execution of the killer.

Siamak Pourzand, the husband of human rights lawyer Mehrangiz Kar, was tried in March behind closed doors, charged with "undermining state security through his links with monarchists and counter-revolutionaries." In May he was sentenced to 11 years in prison. Press reports said that he had confessed to his crimes at his trial, but his wife claimed that the confession was extracted under duress. Pourzand was provisionally released from prison in November, but it was still unclear at year's end if he was granted unconditional freedom. Pourzand suffered severe health problems while held incommunicado, reportedly including a heart attack, and was allegedly denied proper medical treatment.

According to press reports, in July, a court in Khuzestan Province sentenced a woman "to be made blind in public" after she blinded a man she had alleged was harassing her by throwing acid at him. She appealed the sentence. There was no information available as to the outcome of the case at year's end.

In October two thieves convicted of more than thirty robberies each reportedly had four fingers amputated in a public ceremony.

During 2001 HRW reported that public floggings were increasingly used for a wide range of social offenses, including breaches of the dress code. As an example, eight men convicted of drinking alcohol and causing public disturbance were reportedly flogged publicly in Tehran, with each man receiving seventy to eighty lashes. HRW also reported that clashes between police and demonstrators broke out at public floggings and executions in Tehran in July and August 2001 when protesters demonstrated against these forms of punishment.

In November 2000, investigative journalist Akbar Ganji went on trial for statements he allegedly made during an April 2000 conference in Berlin regarding the country's politics (see Sections 1.a. and 1.e.). He was arrested upon his return to the country and held over the next 6 months for long periods in solitary confinement. Ganji told the court that he was beaten and tortured in prison. Ganji previously had written articles implicating former President Rafsanjani in a series of killings of dissidents and intellectuals, apparently carried out by security forces.

In July 1999, the Government and individuals acting with the consent of the authorities used excessive force in attacking a dormitory during student protests in Tehran, including reportedly throwing students from windows. Approximately 300 students were injured in the incident. The UNSR noted numerous credible reports that students arrested following the demonstration were tortured in prison (see Section 2.b.). Prison conditions were harsh. Some prisoners were held in solitary confinement or denied adequate food or medical care in order to force confessions. Female prisoners reportedly have been raped or otherwise tortured while in detention. Prison guards reportedly intimidated family members of detainees and tortured detainees in the presence of family members.

In his August 2001 report, the UNSR noted that the head of the National Prisons Organization (NPO) had told him that the prison population had risen 40 percent over the previous year. Previously, the UNSR had received reports about prisoner overcrowding and unrest, along with little space available for each prisoner.

The UNSR reported that much of the prisoner abuse occurred in unofficial detention centers run by the secret service and military. The UNSR further reported that according to the head of the NPO, the unofficial detention centers officially were brought under the control of the NPO during 2001. In the UNSR's 2001 report, the UNSR was unable to determine whether the change actually had taken place, and whether it had impacted the number of cases of prisoner abuse. HRW has reported that Prison 59 in Tehran, which is located in a Revolutionary Guard compound, was the only remaining prison not brought under the jurisdiction of the NPO. Access to Prison 59 was denied, including to Members of Parliament and the President's staff.

The Iranian Human Rights Working Group (IHRWG), an Internet-based human rights NGO, reported that conditions for political prisoners deteriorated during the year.

In August 2001, a parliamentary group investigating abuses committed by state institutions reportedly cited a large increase in the number of persons being imprisoned, more than two-thirds of them for drug-related offenses. It also noted that HIV/AIDS and other diseases were spreading rapidly throughout the prison population.

Other than the International Committee of the Red Cross (ICRC), the Government did not permit visits to imprisoned dissidents by human rights monitors (see Section 4).

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, these practices remained

common. There was reportedly no legal time limit for incommunicado detention, nor any judicial means to determine the legality of detention. In the period immediately following arrest, many detainees were held incommunicado and denied access to lawyers and family members. Suspects may be held for questioning in jails or in local Revolutionary Guard offices.

The security forces often did not inform family members of a prisoner's welfare and location. Prisoners often were denied visits by family members and legal counsel. In addition, families of executed prisoners did not always receive notification of the prisoners' deaths. Those who did receive such information reportedly were forced on occasion to pay the Government to retrieve the body of their relative. In May as part of an effort to combat the supposed "decline in public morality," Iranian-American dancer Mohammad Khordadian was arrested for "corrupting the morals of Iranian youth" when he attempted to leave the country at the end of his first visit there. He was imprisoned and then sentenced to a 10-year suspended sentence, a 10-year travel ban, a 3-year ban on attending weddings other than those of close family members and any other public celebrations, and a permanent ban on teaching dance classes. After the verdict was issued, he was released from prison and acquitted of all charges on appeal.

In July the Government permanently dissolved the Freedom Movement, the country's oldest opposition party, and sentenced over thirty of its members to jail terms ranging from 4 months to 10 years on charges of trying to overthrow the Islamic system. Other members were barred from political activity for up to 10 years, and ordered to pay fines in amounts up to more than \$6,000.

In September a noted actress who publicly kissed a student of a famous film director at a film festival was also arrested for corrupting public morals.

In March 2001, the authorities provisionally closed the 50-year-old Iran Freedom Movement for "attempting to overthrow the Islamic regime." HRW reported that the initial closure came after the arrest of 21 independent political activists, including a former chancellor of Tehran University. The activists were associated with religious-nationalism, which advocates constitutional Islamic rule and a respect for democratic principles (see Section 1.e.). Among those arrested for association with the Freedom Movement was one of its founders, the prominent legal scholar Dr. Seyed Ahmad Sadr Haj Seyed Javadi, and its Secretary General and former government minister Ibrahim Yazdi. Security forces also reportedly ransacked the offices of the Bazargan Cultural Foundation and the Society of Islamic Engineers while searching for suspects. Mohammed Chehrangi, an advocate for the cultural rights of Azeris, was arrested in December 1999. Azeri groups claimed that Chehrangi was arrested to prevent his registration as a candidate in the February 2000 Majles elections (see Section 5). Numerous publishers, editors, and journalists were either detained, jailed, and fined, or were prohibited from publishing their writings during the year (see Section 2.a.). The Government appeared to follow a policy of intimidation toward members of the media whom it considered to pose a threat to the current system of Islamic government.

Adherents of the Baha'i Faith continued to face arbitrary arrest and detention. According to Baha'i sources, four Baha'is remained in prison at the end of the year, including two who were convicted of either apostasy or "actions against God" and sentenced to death, but whose sentences were commuted to life in prison. The Government adhered to a practice of keeping a small number of Baha'is in detention at any given time. Sources claimed that such arrests were carried out to "terrorize" the community and to disrupt the lives of its members. Most of those arrested were charged and then quickly released. However, the charges against them were often not dropped, forcing them to live in a continuing state of uncertainty and apprehension (see section 2.c.). In October 2001 authorities released two Baha'is from prison in Mashad. One of those, whose original death sentence was reduced to 5½ years, was released after serving 5 years. The other was released after completing his 4-year sentence, which had been reduced from his original sentence of ten years (see Section 2.c.).

The Government enforced house arrest and other measures to restrict the movements and ability to communicate of several senior religious leaders whose views regarding political and governance issues were at variance with the ruling orthodoxy. Several of these figures disputed the legitimacy and position of the Supreme Leader, Ayatollah Ali Khamenei. These clerics included Ayatollah Seyyed Hassan Tabataei-Qomi, who has been under house arrest in Mashad for more than fifteen years, Ayatollah Ya'asub al-Din Rastgari, who has been under house arrest in Qom since late 1996, and Ayatollah Mohammad Shirazi, who died in December 2001 while under house arrest in Qom. Ayatollah Hossein Ali Montazeri, the former designated successor of the late Spiritual Leader, Ayatollah Khomeini, and an outspoken critic of the Supreme Leader, remained under house arrest and heightened police surveillance at year's end (see Sections 1.e. and 2.a.). The followers of these and other dissident clerics, many of them junior clerics and students, reportedly were detained in recent years and tortured by government authorities.

Although reliable statistics were not available, international observers believed that hundreds of citizens were detained for their political beliefs.

The Government continued to exchange with Iraq prisoners of war (POWs) and the remains of deceased fighters from the 1980-88 Iran-Iraq war. However, a final settlement of the issue between the two governments was not achieved by year's end.

The Government did not use forced exile, and no information was available regarding whether the law prohibits forced exile; however, the Government used internal exile as a punishment. Many dissidents and ethnic and religious minorities left and continue to leave the country due to a perception of threat from the Government.

e. Denial of Fair Public Trial

The court system was not independent and was subject to government and religious influence. It served as the principal vehicle of the Government to restrict freedom and reform in the society. U.N. representatives, including the UNSR, and independent human rights organizations continued to note the absence of procedural safeguards in criminal trials.

There are several different court systems. The two most active are the traditional courts, which adjudicate civil and criminal offenses, and the Islamic Revolutionary Courts. The latter were established in 1979 to try offenses viewed as potentially threatening to the Islamic Republic, including threats to internal or external security, narcotics crimes, economic crimes (including hoarding and overpricing), and official corruption. A special clerical court examines alleged transgressions within the clerical establishment, and a military court investigates crimes committed in connection with military or security duties by members of the army, police, and the Revolutionary Guards. A press court hears complaints against publishers, editors, and writers in the media. The Supreme Court has limited authority to review cases.

The judicial system was designed to conform, where possible, to an Islamic canon based on the Koran, Sunna, and other Islamic sources. Article 157 provides that the head of the judiciary shall be a cleric chosen by the Supreme Leader. Ayatollah Mohammad Yazdi resigned as the head of the judiciary in August 1999, and was replaced by Ayatollah Mahmoud Hashemi Shahroudi. The head of the Supreme Court and Prosecutor General also must be clerics.

Many aspects of the prerevolutionary judicial system survived in the civil and criminal courts. For example, defendants have the right to a public trial, may choose their own lawyer, and have the right of appeal. Trials are adjudicated by panels of judges. There is no jury system in the civil and criminal courts. If a situation was not addressed by statutes enacted after the 1979 revolution, the Government advised judges to give precedence to their own knowledge and interpretation of Islamic law, rather than rely on statutes enacted during the Pahlavi monarchy.

Trials in the Revolutionary Courts, in which crimes against national security and other principal offenses are heard, were notorious for their disregard of international standards of fairness. Revolutionary Court judges acted as both prosecutor and judge in the same case, and judges were chosen in part based on their ideological commitment to the system. Pretrial detention often was prolonged and defendants lacked access to attorneys. Indictments often lacked clarity and included undefined offenses such as "antirevolutionary behavior," "moral corruption," and "siding with global arrogance." Defendants did not have the right to confront their accusers. Secret or summary trials of 5 minutes duration occurred. Others were shown trials that were intended merely to highlight a coerced public confession.

The legitimacy of the Special Clerical Court (SCC) system continued to be a subject of debate. The clerical courts, which were established in 1987 to investigate offenses and crimes committed by clerics, and which are overseen directly by the Supreme Leader, were not provided for in the Constitution, and operated outside the domain of the judiciary. In particular, critics alleged that the clerical courts were used to prosecute certain clerics for expressing controversial ideas and for participating in activities outside the sphere of religion, such as journalism.

No estimates were available regarding the number of political prisoners. However, the Government often arrested, convicted, and sentenced persons on questionable criminal charges, including drug trafficking, when their actual "offenses" were political.

The Government frequently charged members of religious minorities with crimes such as "confronting the regime" and apostasy, and conducted trials in these cases in the same manner as threats to national security.

In March after a trial behind closed doors but with his lawyer present, Nasser Zarafshan, the attorney representing the families of the victims of the 1998 extrajudicial killings of dissidents by intelligence ministry

officials, was sentenced to five years in prison and seventy lashes. He was charged with leaking confidential information pertaining to the trial. HRW reported that he was also charged with "having weapons and alcohol at his law firm." Zarafshan was originally arrested in October 2000 but released after a month pending trial. HRW stated that Zarafshan never discussed the contents of the investigation openly, but did criticize problems with the investigation of the killings and noted that important information was missing from the court files (see Section 1.a.).

In November reformist professor Hashem Aghajari was sentenced to death at a closed trial for the crime of blaspheming against Islam in a speech he gave in Hamedan in June. In addition to the death sentence, he was sentenced to 74 lashes, exile to a remote desert location, eight years in jail, and a ban on teaching for ten years. His attorney appealed the verdict. The death sentence was widely denounced across the political spectrum. President Khatami and hundreds of Majlis members questioned the verdict, noting that the death sentence should not be applied. As a result of protests caused by the case, Supreme Leader Khamenei instructed the Hamedan court to reexamine the case. No decision had been made by the court by the end of the year (see Section 2.b.).

There have been unconfirmed reports that Abbas Amir-Entezam, former Deputy Prime Minister and longtime political dissident, was released by year's end. In December 1999, authorities rearrested Amir-Entezam after an interview with him was published in a local newspaper. Amir-Entezam spent much of the past 20 years in and out of prison. Amir-Entezam appealed for a fair and public trial, which has been denied to him. He was a frequent victim of torture in prison and has had numerous medical problems as a result of his torture. Amir-Entezam suffered a ruptured eardrum due to repeated beatings, kidney failure resulting from denial of access to toilet facilities, and an untreated prostate condition. He reported having been taken on numerous occasions before a firing squad and told to prepare for death, only to be allowed to live.

Several other lawyers known for their defense of human rights were also reportedly subjected to persecution, among them Mohammad Dadkhah, who participated in the defense of members of the Iran Freedom Movement. Dadkhah was sentenced to 5 months in jail and banned from practicing law for 10 years (see Section 1.d.).

In January 2001, the Revolutionary Court sentenced 7 of 17 writers, intellectuals, and political figures who took part in an April conference in Berlin regarding the implications of the February 2000 Majles' elections (see Section 3). The Court reportedly convicted seven of them on the vague charge of "having conspired to overthrow the system of the Islamic Republic."

The 17 defendants included 12 persons who attended the conference and were arrested upon their return to the country. They were charged with taking part in antigovernment and anti-Islamic activities, and included investigative journalist Akbar Ganji, (see Sections 1.a. and 1.c.) newspaper editor Mohammed Reza Jalaipour, Member of Parliament Jamileh Kadivar, women's rights activists Mehrangiz Kar and Shahla Lahidji, opposition politician Ezzatollah Sahabi, student leader Ali Afshari, and others, including two translators for the German Embassy in Tehran. The Court convicted three other defendants on lesser charges, imposing fines and suspended sentences, and acquitted seven others. The trial reportedly was closed, and HRW claimed that it violated recognized international free trial standards because several of the defendants were held for months without access to legal counsel. One of the defendants, Sahabi, was provisionally released, but rearrested following public remarks he made in March 2001, and remained in detention without new charges being filed against him at year's end.

During the latter part of 2000, SCC began the trial of Hojatoleslam Hassan Yousefi Eshkevari, a cleric who participated in the Berlin conference, on charges of apostasy and "corruption on earth," which potentially carry the death penalty. Eshkevari had called for more liberal interpretations of Islamic law in certain areas. He was sentenced to death, but the sentence was overturned on appeal in May 2001. He was permitted a 2 day furlough from prison in September 2000. In October, the Special Court for the Clergy commuted his sentence to 7 years, of which he had already served 2 years.

In November 1999, former Interior Minister and Vice President Abdollah Nouri was sentenced by a branch of the SCC to a 5-year prison term for allegedly publishing "anti-Islamic articles, insulting government officials, promoting friendly relations with the United States," and providing illegal publicity to dissident cleric Ayatollah Hossein Ali Montazeri in Khordad, a newspaper that Nouri established in late 1998 and that closed at the time of his arrest. Nouri used the public trial to attack the legitimacy of the SCC. He was released on November 5 (see Section 2.a.).

Ayatollah Mohammed Yazdi, who resigned as head of the judiciary in August 2000, stated in 1996 that the Baha'i faith was an espionage organization. Trials against Baha'is have reflected this view (see Section 2.c.).

The trials in 2000 and 2001 of 13 Jewish citizens on charges related to espionage for Israel were marked throughout by a lack of due process. The defendants were held for more than 1 year without being charged formally or given access to lawyers. The trial was closed, and the defendants were not allowed to choose their own lawyers. Following the trial, defense lawyers told news reporters that they were threatened by judiciary officials and pressured to admit their clients' guilt (see Section 2.c.).

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution states that "reputation, life, property, (and) dwelling(s)" are protected from trespass except as "provided by law;" however, the Government infringed on these rights. Security forces monitored the social activities of citizens, entered homes and offices, monitored telephone conversations, and opened mail without court authorization.

Organizations such as the Ansar-e Hezbollah, an organization of hard-line vigilantes who seek to enforce their vision of appropriate revolutionary comportment upon the society, harassed, beat, and intimidated those who demonstrated publicly for reform or who did not observe dress codes or other modes of correct "revolutionary" conduct. This included women whose clothing did not cover their hair and all parts of their body except the hands and face, or those who wore makeup or nail polish.

Ansar-e Hezbollah gangs were used to destroy newspaper offices and printing presses, intimidate dissident clerics, and disrupt peaceful gatherings (see Sections 2.a. and 2.b.). Ansar-e Hezbollah cells were organized throughout the country and some were reportedly linked to individual members of the country's leadership.

Vigilante violence included attacking young persons considered too "un-Islamic" in their dress or activities, invading private homes, abusing unmarried couples, and disrupting concerts or other forms of popular entertainment. Authorities occasionally entered homes to remove television satellite dishes, or to disrupt private gatherings in which unmarried men and women socialized, or where alcohol, mixed dancing, or other forbidden activities were offered or took place. For example, more than 1,000 satellite dishes were confiscated after the October 2001 soccer riots, according to press reports (see Sections 1.a., 2.a., and 2.b.), and the Government continued its campaign against satellite dishes this year. Enforcement appeared to be arbitrary, varying widely with the political climate and the individuals involved. Authorities reportedly were bribed to avoid enforcement in some of these circumstances. Prison guards intimidated family members of detainees (see Section 1.c.). Opposition figures living abroad reported harassment of their relatives in the country.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of the press, except when published ideas are "contrary to Islamic principles, or are detrimental to public rights;" however, the Government restricted freedom of speech and of the press in practice. After the election of President Khatami in 1997, the independent press, especially newspapers and magazines, played an increasingly important role in providing a forum for an intense debate regarding reform in the society. However, basic legal safeguards for freedom of expression did not exist, and the independent press was subjected to arbitrary enforcement measures by elements of the Government, notably the judiciary, which treated such debates as a threat.

The Government carefully monitored the statements and views of the country's senior religious leaders to prevent dissent within the clerical ranks. Ayatollah Hossein Ali Montazeri, a cleric formerly designated as the successor to the late Spiritual Leader Ayatollah Khomeini, remained under house arrest at the end of the year. In November 1997, he called into question the authority of the Supreme Leader, Ali Khamenei, criticizing his increasing intervention in government policy. The comments sparked attacks by Ansar-e Hezbollah mobs on Montazeri's residence and on a Koranic school in Qom run by Montazeri. The promotion of Montazeri's views were among the charges brought against clerics Mohsen Kadivar and former Interior Minister Abdollah Nouri in hearings of the Special Clerical Court in 1999 (see Section 1.e.). HRW reported a number of protests against Montazeri's detention in 2001, including a letter circulated by his children asking that the Government lift restrictions on him, and a petition signed on Montazeri's behalf by 126 out of the 290 members of Parliament. In 2000 the press reported that several persons were jailed for expressing support for Grand Ayatollah Montazeri.

In July the Friday prayer leader of Isfahan, Taheri, resigned, stating that he could no longer tolerate the corruption and repression of the country's clerical leadership. Friday prayer leaders are appointed by the Senior Leader of the Islamic Republic, and are the senior religious authorities in their districts. According to HRW, the conservative establishment attempted to limit the damage by restricting coverage of Taheri's statement since he was appointed by Ayatollah Khomeini, and has impeccable religious credentials.

The Government reportedly continued to persecute senior Shi'a religious leaders and their followers who dissented from the ruling religious establishment. In Qom in 2001, the body of Grand Ayatollah Mohammad Shirazi, a leading dissident cleric, was seized by security forces during his funeral and buried in a mosque, rather than on the grounds of his house as he had requested.

During the year, at least 17 Majles members were called before the courts for criticizing the Government in one form or another; 1 was sentenced to 40 lashes and another fined. At year's end, there was no information available on whether either sentence was carried out. During 2001 approximately 60 reformist Majles members were reportedly brought to court for a variety of alleged offenses, and although no precise figures were available, that trend continued during the year.

In January reformist members of Parliament staged a walkout to protest pro-reform Parliamentarian Hossein Loqmanian's imprisonment, which led the Supreme Leader to pardon him after he had spent several weeks in prison. In December 2001, Loqmanian began serving a 13-month sentence for insulting the judiciary. He became the first Majles member to serve a jail sentence. Two other Majles members resigned their seats to protest Loqmanian's imprisonment. These cases resulted from the ongoing conflict between reformist Parliamentarians and the hard-line judiciary over precisely what type of speech is protected by parliamentary immunity. Furthermore, Parliamentarians convicted of crimes could be barred from running for the Majles again, since the law prohibits persons with criminal records from running for office.

In October the judicial authorities closed down the National Institute for Research Studies and Opinion Polls, which found in a poll commissioned by the Parliament that approximately three quarters of the population supported dialogue with the U.S., and close to half approved of U.S. policy towards their country. According to press reports, Institute director Behrouz Geranpayeh was interrogated and held incommunicado for more than a month. Managing Director Hussein Qazian of the private Ayandeh polling institute that participated in the poll was also arrested. Abbas Abdi, one of the organizers of the student takeover of the U.S. Embassy in Tehran in 1979, and now a prominent journalist and member of the board of Ayandeh, was arrested in November. All were charged with a combination of spying for the U.S., illegal contacts with foreign embassies, working with anti-regime groups, and carrying out research on the order of the foreign polling organization; although government intelligence officials had publicly stated that the accused were not spies. According to press reports, President Khatami's executive branch also rejected the charges, stating that the pollsters were doing legitimate work cleared by the Intelligence and Foreign Ministries. Reformist Parliamentarians were barred from the court, and press reports indicated that the defendants were not allowed to see their families or their attorneys.

In spring 2001, authorities reportedly arrested Fatima Haghighatjoo for inciting public opinion and insulting the judiciary when she criticized the arrest of a female journalist, and claimed that the Government tortured and mistreated prisoners. She was the first sitting Majles member to face prosecution for statements made under cover of immunity. Authorities released her on bail immediately after her arrest, but eventually sentenced her to 22 months in prison. In December 2001 her sentence was reduced to 17 months. Her sentence was upheld by the courts, but at year's end, she had not served time in prison. As with the case of Mohsen Mirdamadi, there was press speculation that she would only go to prison when she leaves the Majles. Another Majles Deputy, Mohammad Dadfar, whose jail sentence was upheld by the courts, had not been sent to prison at year's end.

In 2001 approximately 60 parliamentarians were arrested and charged with "inciting public opinion." The cases were a result of the ongoing conflict between reformist parliamentarians and the conservative judiciary over precisely what type of speech is protected by parliamentary immunity (see Section 1.d.). The harassment of Majles members continued throughout the year.

Newspapers and magazines represented a wide variety of political and social perspectives, some allied with members of the Government. Many subjects of discussion were tolerated, including criticism of certain government policies. However, the 1995 Press Law prohibits the publishing of a broad and ill-defined category of subjects, including material "insulting Islam and its sanctities" or "promoting subjects that might damage the foundation of the Islamic Republic." Prohibited topics include fault-finding comments regarding the personality and achievements of the late Leader of the Revolution, Ayatollah Khomeini; direct criticism of the Supreme Leader; assailing the principle of velayat-e faqih, or rule by a supreme religious leader; questioning the tenets of certain Islamic legal principles; publishing sensitive or classified material affecting national security; promotion of the views of certain dissident clerics, including Grand Ayatollah Ali Montazeri; and advocating

rights or autonomy for ethnic minorities.

The 1995 Press Law established the Press Supervisory Board, which is composed of the Minister of Islamic Culture and Guidance, a Supreme Court judge, a Member of Parliament, and a university professor appointed by the Minister of Islamic Culture and Guidance. The Board is responsible for issuing press licenses and for examining complaints filed against publications or individual journalists, editors, or publishers. In certain cases, the Press Supervisory Board may refer complaints to the courts for further action, including closure. The Press Court heard such complaints. Its hearings were conducted in public with a jury composed of clerics, government officials, and editors of government-controlled newspapers. The jury was empowered to recommend to the presiding judge the guilt or innocence of defendants and the severity of any penalty to be imposed, although these recommendations were not legally binding.

In the past, recommendations made by Press Court juries for relatively lenient penalties often were disregarded by the presiding judge in favor of harsher measures, including closure. In the last two years, some human rights groups asserted that the increasingly conservative Press Court assumed responsibility for cases before they were considered by the Press Supervisory Board, thus resulting in harsher judgments in many cases.

In March 2000, after the success of reformers in capturing a majority of seats in the February 2000 parliamentary elections, the outgoing Parliament passed amendments to the Press Law that gave the Press Court increased procedural and jurisdictional power. The amendments allowed prosecution of individual journalists, in addition to their editors and publishers, for a broad range of ill-defined political offenses. The incoming Parliament, which was seated in May 2000, introduced a bill in August 2000 to reverse the restrictive amendments. However, Supreme Leader Khamenei intervened with a letter to the Speaker demanding that the bill be dropped from consideration, and despite some strongly worded objections from members, the bill was withdrawn. Semiofficial vigilante groups then appeared outside the Parliament, creating an atmosphere of intimidation.

Public officials frequently lodged complaints against journalists, editors, and publishers. The practice of complaining about the writings of journalists crossed ideological lines. Offending writers were subject to lawsuits and fines. Suspension from journalistic activities and imprisonment were common punishments for guilty verdicts for offenses ranging from "fabrication" to "propaganda against the State" to "insulting the leadership of the Islamic Republic." The police raided newspaper offices, and Ansar-e Hezbollah mobs attacked the offices of liberal publications and bookstores without interference from the police or prosecution by the courts.

The Government's record regarding freedom of expression continued to deteriorate. It remained a central issue in the struggle between hardliners and political reformers. The Government continued its policy of issuing licenses for new publications, some of which openly criticized certain of its policies, until they were shut down. However, these licenses were issued at a much slower rate than in past years. By the end of the year, approximately 85 had been closed down. Several dozen pro-reform newspapers continued to form and publish, most with heavy self-censorship. When they were shut down, others opened to take their place.

Dozens of individual editors and journalists have been charged and tried by the Press Court, and several prominent journalists were jailed for long periods without trial. Others have been sentenced to prison terms or exorbitant fines. As of November 2001, more than 20 journalists, editors, and publishers reportedly remained in prison.

Freedom of the press continued to deteriorate during the year. Many newspapers and magazines were closed and many of their managers were sentenced to jail and lashings. The judiciary reportedly threatened to prosecute the official Islamic Republic News Agency for printing a statement by the recently banned Freedom Movement (see Sections 1.d. and 2.b.). In July, Norouz, the leading reformist newspaper in the country, was banned for six months. Its director, Mohsen Mirdamadi, who headed the National Security and Foreign Policy Committee of the Majlis, was sentenced to six months in jail, a fine, and a 4-year ban on involvement in journalism. Press reports indicated that the charges against him were "publishing lies, disturbing public opinion, and taking action against national security." At year's end, Mirdamadi had not gone to jail, even though his sentence was upheld by the courts. According to some press reports, it was unclear when the sentence would be carried out, possibly when he leaves the Majlis.

According to press reports, other newspapers banned during the year included Golestan-e-Iran, which had been publishing for approximately 1-month, and was closed for "making propaganda against the system and spreading lies, and encouraging immorality through publishing pictures." Another newspaper, Vaqt, was also closed for "encouraging immorality through the publication of pictures."

In October 2000, Akbar Tajik-Saeeki, identified as the prayer leader at a Tehran mosque, reportedly was jailed by the SCC for signing a petition protesting the continued detention of Grand Ayatollah Montazeri. In December 2000, one of Montazeri's sons was arrested for distributing his father's writings.

The 134 signatories of the 1994 Declaration of Iranian Writers, which declared a collective intent to work for the removal of barriers to freedom of thought and expression, remained at risk. In the past, the Association of International Writers (PEN) noted that the authorities had not resolved the killings of some of its signatories or the disappearance of Pirouz in 1998 (see Sections 1.a. and 1.b.).

The Government directly controlled and maintained a monopoly over all television and radio broadcasting facilities; programming reflected the Government's political and socio-religious ideology. Because newspapers and other print media had a limited circulation outside large cities, radio and television served as the principal news source for many citizens. Satellite dishes that received foreign television broadcasts were forbidden; however, many citizens, particularly the wealthy, owned them. The Government confiscated many satellite dishes in the wake of the October 2001 soccer riots and during periodic crackdowns during the year (see Sections 1.a., 1.f., and 2.b.).

The Ministry of Islamic Culture and Guidance was in charge of screening books prior to publication to ensure that they did not contain offensive material. However, some books and pamphlets critical of the Government were published without reprisal. The Ministry inspected foreign printed materials prior to their release on the market.

The Government effectively censored domestic films, since they were the main source of funding for film producers. Those producers must submit scripts and film proposals to government officials in advance of funding approval. However, such government restrictions appeared to have eased since the 1997 election of President Khatami.

Academic censorship persisted. Government informers who monitored classroom material and activities reportedly were common on university campuses. Admission to universities was politicized; all applicants had to pass "character tests" in which officials screened out applicants critical of the Government's ideology. To obtain tenure, professors had to cooperate with government authorities over a period of years. Members of the Ansar-e Hezbollah disrupted lectures and appearances by academics whose views did not conform with their own.

b. Freedom of Peaceful Assembly and Association

The Constitution permits assemblies and marches "provided they do not violate the principles of Islam;" however, in practice the Government restricted freedom of assembly and closely monitored gatherings to ensure that they did not constitute uncontrolled antigovernment protest. Such gatherings included public entertainment and lectures, student gatherings, labor protests, funeral processions, and Friday prayer gatherings. A significant factor for groups in deciding whether to hold a public gathering is whether it would be opposed by the semiofficial Ansar-e Hezbollah, which used violence and intimidation to disperse such assemblies.

In January two teachers Mohammad-Ebrahim Ahmad-Nia and Akhtar Ghassem -Zadeh-Moin were hospitalized for injuries received at a demonstration. They were arrested during a demonstration against low wages and poor working conditions. Their families were not allowed to visit them. According to sources, the families were told to refrain from public comment on the cases if they wanted their loved-ones to live. By March, the families had heard nothing and believed that they might have died in custody. There was no further information available on these cases at the end of the year (see Section 1.a.).

In November the Aghajari (see Section 2.a.) verdict sparked large and ongoing student protests at universities throughout the country. Students boycotted classes for almost 2 weeks and in the largest pro-reform demonstrations in 3 years, crowds of up to 5,000 students at college campuses called for freedom of speech and major political reforms, and denounced the Aghajari death sentence as "medieval." Four student leaders who were arrested in the wake of the demonstrations by "plainclothes" forces working for the Intelligence Ministry were released after being held for one day. In late December, two students were given jail terms for their protests against the Aghajari sentence. Hojatollah Rahimi was sentenced to 2 years in prison and 70 lashes for "insulting religious sanctities and issuing an insulting declaration." Co-defendant Parviz Torkashvand was sentenced to 4 months in jail and forty lashes.

A government clampdown through the use of Basiji and other forces led to a quiet period of two weeks that

ended on December 7, when there was a large demonstration at the University of Tehran. It was attended by over 2,000 within the walls of the campus, with a larger crowd outside. The demonstrators demanded freedom for all political prisoners, a referendum, and the resignations of the President and the head of the judiciary. Press reports indicated that law enforcement officials and the "plainclothes" force broke up the demonstration using batons, whips, and belts, and arrested over 200 persons, many of whom were still being held at the end of the year. Demonstrations on December 9 and 10 were also broken up violently by Basiji forces.

In October 2001, riots and demonstrations broke out throughout the country after the national soccer team lost a match it had been heavily favored to win. The Government arrested hundreds of persons. There were anecdotal reports that some demonstrators were killed; however, the Government denied this (see Sections 1.a., 1.f., and 2.a.).

The UNSR reported that in December 2000, police forcibly disrupted a peaceful demonstration by Kurdish students at the University of Tehran, injuring and arresting a number of the demonstrators.

In July 1999, students at the University of Tehran who were protesting proposed legislation by the Majles that would limit press freedoms and protested the Government's closure of a prominent reform-oriented newspaper, were attacked by elements of the security forces and the Ansar-e Hezbollah. Police forces reportedly looked on and allowed repeated attacks against the students and their dormitory. HRW reported that, according to witnesses, at least 4 students were killed in the assault on the dormitory, 300 were injured, and 400 were detained. The demonstrations continued to grow in subsequent days to include many nonstudents. Looting, vandalism, and large-scale rioting began and spread to cities outside Tehran.

In September 1999, the head of the Tehran Revolutionary Court, Hojatoleslam Gholamhossein Rahbarpour, was quoted as saying that 1,500 students were arrested during the riots, 500 were released immediately after questioning, 800 were released later, and formal investigations were undertaken against the remaining 200. He also announced that four student leaders were sentenced to death by a Revolutionary Court for their role in the demonstrations. The death sentences reportedly were commuted to prison terms in 2000. The UNSR's 2000 report stated that about two-thirds of the students who initially were arrested subsequently were released, but noted that there has been no formal accounting of all the persons arrested in connection with the July 1999 demonstrations.

The Government arrested the leaders of the Iran Nations Party in the aftermath of the July 1999 demonstrations. The party was a secular nationalist movement that predates the revolution and was viewed as a threat by certain elements of the Government. The party was accused of inciting rioters and of encouraging disparaging slogans against "sacred values." Agents of the intelligence service in late 1998 killed the former head of the Iran Nations Party, Darioush Forouhar, along with his wife (see Section 1.a.).

In the aftermath of these events, the Government took action against members of the security forces for their assault on the student dormitory, and against student leaders, demonstrators, and political activists, whom it blamed for inciting illegal behavior. In August 1999, the commander of the security forces, General Hedayat Lotfian, was summoned before the Parliament to explain the role of his officers in the dormitory raid. He reportedly announced that 98 officers were arrested for their actions.

In February 2000, 20 police officers and officials were tried on charges of misconduct in connection with the demonstrations. The court found that misconduct had occurred, and ordered compensation for 34 injured students. However, the court then released all but two of the accused officers. The Government limited freedom of association. The Constitution provides for the establishment of political parties, professional associations, Islamic religious groups, and organizations for recognized religious minorities, provided that such groups do not violate the principles of "freedom, sovereignty, and national unity," or question Islam as the basis of the Islamic Republic. However, President Khatami repeatedly has declared as a major goal the rule of law and development of civil society.

The Government permanently banned the Iran Freedom Movement during the year. In March 2001 the Government provisionally closed the 50-year-old Iran Freedom Movement for "attempting to overthrow the Islamic regime." In response to the permanent dissolution of the movement in July, President Khatami warned against the banning of political groups, saying that suppression did not eliminate ideas; they are simply forced underground and continue to grow (see Section 1.e.).

c. Freedom of Religion

The Government restricted freedom of religion. The Constitution declares that the "official religion of

Iran is Islam and the sect followed is that of Ja'fari (Twelver) Shi'ism," and that this principle is "eternally immutable." Article 144 of the Constitution states that "the Army of the Islamic Republic of Iran must be an Islamic army," which is "committed to an Islamic ideology," and must "recruit into its service individuals who have faith in the objectives of the Islamic Revolution and are devoted to the cause of achieving its goals." However, members of religious minority communities sometimes served in the military. It also states that "other Islamic denominations are to be accorded full respect," and recognizes Zoroastrians, Christians, and Jews, the country's pre-Islamic religions, as the only "protected religious minorities." Religions not specifically protected under the Constitution did not enjoy freedom of religion. Members of the country's religious minorities, including Baha'is, Jews, Christians, and Sufi Muslims reported imprisonment, harassment, and intimidation based on their religious beliefs. This situation most directly affected the nearly 350,000 followers of the Baha'i Faith, who effectively had no legal rights either as individuals or as a community.

The central feature of the country's Islamic republican system was rule by a "religious jurisconsult." Its senior leadership, including the Supreme Leader of the Revolution, the President, the head of the Judiciary, and the Speaker of the Islamic Consultative Assembly (Parliament) was composed principally of Shi'a clergymen.

Religious activity was monitored closely by the Ministry of Intelligence and Security (MOIS). Adherents of recognized religious minorities were not required to register individually with the Government. However, their community, religious, and cultural organizations, as well as schools and public events, were monitored closely. Baha'is were not recognized by the Government as a legitimate religious community; they were considered heretics belonging to an outlawed political organization. Registration of Baha'is was a police function. Evangelical Christian groups were pressured by government authorities to compile and hand over membership lists for their congregations; however, evangelicals resisted this demand. Non-Muslim owners of grocery shops were required to indicate their religious affiliation on the fronts of their shops.

The population was approximately 99 percent Muslim, of which 89 percent were Shi'a and 10 percent Sunni (mostly Turkomans, Arabs, Baluchis, and Kurds living in the southwest, southeast, and northwest). Baha'i, Christian, Zoroastrian, and Jewish communities constituted less than 1 percent of the population. Sufi brotherhoods were popular, but there were no reliable statistics on their number. All religious minorities suffered varying degrees of officially sanctioned discrimination, particularly in the areas of employment, education, and housing.

The Government generally allowed recognized religious minorities to conduct religious education of their adherents, although it restricted this right considerably in some cases. Members of religious minorities were allowed to vote, but they could not run for President.

Recognized religious minorities were allowed by the Government to establish community centers and certain cultural, social, sports, or charitable associations that they financed themselves. This did not apply to the Baha'i community, which has been denied the right to assemble officially or to maintain administrative institutions since 1983. Since the Baha'i faith has no clergy, the denial of the right to form such institutions and elect officers threatened its very existence in the country. Broad restrictions on Baha'is appeared to be geared to destroying them as a community.

In September 2001, in conjunction with an appeal connected to the 1998 raids and property confiscations against the Baha'i community's higher education institution, the Ministry of Justice issued a report that reiterated that government policy continued to be implemented in such a manner as to eliminate the Baha'is as a community. The report stated in part that Baha'is could only be enrolled in schools provided they did not identify themselves as Baha'is, and that they preferably should be enrolled in schools with a strong Muslim religious ideology. The report also stated that all those identified as Baha'is must be expelled from universities, either in the admission process or during the course of their studies whenever their identity as Baha'is becomes known.

University applicants were required to pass an examination in Islamic theology. Although public school students received instruction in Islam, this requirement limited the access of most religious minorities to higher education. Applicants for public sector employment similarly were screened for their knowledge of Islam.

The legal system discriminated against religious minorities, awarding lower monetary compensation in injury and death lawsuits for non-Muslims than for Muslims and imposing heavier punishments on non-Muslims than on Muslims. A bill was passed by the Majlis early in the year which would equalize the "blood money" paid to the families of crime victims. The Guardian Council had not ruled on whether to ratify the bill, but there were reports that the Supreme Leader supported it. Since Baha'is were not a recognized religious minority, a change in the law would not apply to them.

The Government was highly suspicious of proselytizing of Muslims by non-Muslims and was harsh in its response, in particular against Baha'is and Evangelical Christians. The Government regarded Baha'is, whose faith originally derives from a strand of Islam, as a heretical sect, and has fueled anti-Baha'i and anti-Semitic sentiment in the country for political purposes.

The Government did not ensure the right of citizens to change or recant their religion. Apostasy, specifically conversion from Islam, may be punishable by death.

Although Sunni Muslims are accorded full respect under the terms of the Constitution, some Sunni groups claimed to be discriminated against by the Government. In particular, Sunnis cited the lack of a Sunni mosque in Tehran and claimed that authorities refused to authorize construction of a Sunni place of worship in the capital. Sunnis also accused the state broadcasting company of airing programs insulting to Sunnis. Numerous Sunni clerics were reported to have been killed in recent years, some allegedly by government agents. Sufi organizations outside the country remained concerned about repression by the authorities of Sufi religious practices.

The largest religious minority was the Baha'i faith, estimated at 350,000 adherents throughout the country. Baha'is were considered apostates because of their claim to a religious revelation subsequent to that of the Prophet Mohammed. The Baha'i Faith was defined by the Government as a political "sect" linked to the Pahlavi monarchy and, therefore, as counterrevolutionary. Historically at risk, Baha'is often have suffered increased levels of mistreatment during times of political unrest.

Baha'is may not teach or practice their faith or maintain links with co-religionists abroad. The fact that the Baha'i world headquarters (established by the founder of the Baha'i Faith in the 19th century in what was then Ottoman-controlled Palestine) is situated in what is now the state of Israel exposed Baha'is to government charges of "espionage on behalf of Zionism."

According to the National Spiritual Assembly of the Baha'is of the U.S., since 1979, more than 200 Baha'is have been killed, and 15 disappeared and presumed dead. The Government continued to imprison and detain Baha'is based on their religious beliefs.

The property rights of Baha'is generally were disregarded. Properties belonging to the Baha'i community as a whole, such as places of worship and graveyards, were confiscated by the Government in the years after the 1979 revolution and, in some cases, defiled. The Government's seizure of Baha'i personal property, as well as its denial of access to education and employment, continued to erode the economic base of the Baha'i community.

Baha'i group meetings and religious education, which often took place in private homes and offices, were severely curtailed. Public and private universities continued to deny admittance to Baha'i students. The use of suspended sentences appears to be a government tactic to discourage Baha'is from taking part in monthly religious gatherings.

In September 1998, authorities conducted a nationwide raid of more than 500 homes and offices owned or occupied by Baha'is to disrupt the activities of the Baha'i Institute of Higher Learning. The Institute employed Baha'i faculty and professors, many of whom had been dismissed from teaching positions by the Government as a result of their faith, and conducted classes in homes or offices owned or rented by Baha'is. During the operation, which took place in at least 14 different cities, 36 faculty members were arrested, and a variety of personal property, including books, papers, and furniture, either were destroyed or confiscated. Government interrogators sought to force the detained faculty members to sign statements acknowledging that the Open University was defunct and pledging not to collaborate with it in the future. Baha'is outside the country reported that none of the 36 detainees would sign the document. All but 4 of the 36 persons detained during the September 1998 raid on the Baha'i Institute were released by November 1998.

In March 1999, Dr. Sina Hakimian, Farzad Khajeh Sharifabadi, Habibullah Ferdosian Najafabadi, and Ziaullah Mirzapanah, the four remaining detainees from the September 1998 raid, were convicted under Article 498 of the Penal Code and sentenced to prison terms ranging from 3 to 10 years. In July 1999, Mirzapanah, who had been sentenced to 3 years in prison, became ill and was hospitalized. Prison authorities allowed him to return home upon his recovery on the understanding that they could find him whenever necessary. The other three were released in December 1999.

The Government reportedly kept a small number of Baha'is in arbitrary detention, some at risk of execution, on an ongoing basis. With the release earlier this year of a prisoner originally sentenced to death in 1997, there were four Baha'is reported to be in prison for practicing their faith at year's end, two of them facing life

sentences. In addition, the Government harassed the Baha'i community by arresting persons arbitrarily, charging and then releasing them, often without dropping the charges against them. According to credible foreign Baha'i sources, persecution of the community in general, and these practices in particular, seem to have intensified since the U.N. Commission on Human Rights ended formal monitoring of the human rights situation in the country via the UNSR in the spring.

Baha'is regularly were denied compensation for injury or criminal victimization. Government authorities claimed that only Muslim plaintiffs were eligible for compensation in these circumstances. Baha'is continued to be denied most forms of government employment. Thousands of Baha'is dismissed from government jobs in the early 1980s received no unemployment benefits and were required to repay the Government salaries or pensions from their first day of employment. Some of those unable to do so faced prison sentences.

The Government often prevented Baha'is from traveling outside the country.

However, over the past several years, the Government has taken some positive steps in recognizing the rights of Baha'is, as well as other religious minorities. In November 1999, President Khatami publicly stated that no one in the country should be persecuted because of his or her religious beliefs. He added that he would defend the civil rights of all citizens, regardless of their beliefs or religion. Subsequently the Expediency Council approved the "Right of Citizenship" bill, affirming the social and political rights of all citizens and their equality before the law. In February 2000, following approval of the bill, the head of the judiciary notified all registry offices in the country that they should permit couples to be registered as husband and wife without being required to state their religious affiliation. This measure effectively permitted the registration of Baha'i marriages in the country. Previously Baha'i marriages were not recognized by the Government, leaving Baha'i women open to charges of prostitution. Consequently, children of Baha'i marriages were not recognized as legitimate and were denied inheritance rights. At the end of the year, Baha'is could obtain ration booklets and send their children to public elementary and secondary schools. The UNSR estimated the Christian community at approximately 300,000. Of these the majority were ethnic Armenians and Assyro-Chaldeans. Protestant denominations and evangelical churches also were active, although nonethnically based groups report restrictions on their activities. The UNSR reported that Christians were emigrating at an estimated rate of 15,000 to 20,000 per year.

The authorities became particularly vigilant in recent years in curbing proselytizing activities by evangelical Christians, whose services were conducted in Persian. Government officials closed evangelical churches and arrested converts. Members of evangelical congregations were required to carry membership cards, photocopies of which must be provided to the authorities. Worshipers were subject to identity checks by authorities posted outside congregation centers. Meetings for evangelical services were restricted by the authorities to Sundays, and church officials were ordered to inform the Ministry of Information and Islamic Guidance before admitting new members to their congregations.

Mistreatment of evangelical Christians continued in recent years. Christian groups have reported instances of government harassment of churchgoers in Tehran, in particular of worshipers at the Assembly of God congregation in the capital. Cited instances of harassment included conspicuous monitoring outside Christian premises by Revolutionary Guards to discourage Muslims or converts from entering church premises and demands for presentation of identity papers of worshipers inside. Estimates of the size of the Iranian Jewish community varied from 25,000 to 30,000; a substantial reduction from the estimated 75,000 to 80,000 Iranian Jews prior to the 1979 revolution.

While Jews were a recognized religious minority, allegations of official discrimination were frequent. The Government's anti-Israel stance, and the perception among many citizens that Jewish citizens supported Zionism and the State of Israel, created a threatening atmosphere for the small community. Jews limited their contact with and did not openly express support for Israel out of fear of reprisal. Recent anti-American and anti-Israeli demonstrations included the denunciation of Jews, as opposed to the past practice of denouncing only Israel and Zionism, adding to the threatening atmosphere for the community. Jewish leaders reportedly were reluctant to draw attention to official mistreatment of their community due to fear of government reprisal.

Some Jewish groups outside the country reported an increase in anti-Semitic propaganda in the official and semiofficial media. One example was the periodic publication of the anti-Semitic and fictitious "Protocols of the Elders of Zion," both by the Government and by periodicals associated with hard line elements of the Government.

The Government allowed the practice of Judaism, but restricted and interfered with it in practice. Education of Jewish children has become more difficult in recent years. The Government allowed the teaching of Hebrew, recognizing its necessity for the practice of Judaism. However, it strongly discouraged teachers from distributing Hebrew texts to students, making it difficult to teach the language in practice. The Government also

required that several Jewish schools remain open on Saturdays, the Jewish Sabbath, to conform with the schedule of other schools in the school system.

Jews were gradually dismissed from most government positions after 1979. Members of the community are permitted to obtain passports and to travel outside the country; however, with the exception of certain business travelers, they were required by the authorities to obtain government clearance (and pay additional fees) before each trip abroad. The Government appeared concerned about the emigration of Jews. Permission generally was not granted for all members of Jewish families to travel outside the country at the same time (see Section 2.d.).

In February and March 1999, 13 Jews were arrested in the cities of Shiraz and Isfahan. Among the group were several prominent rabbis, teachers of Hebrew, and their students. The charges centered on alleged acts of espionage on behalf of Israel, an offense punishable by death. The 13 were jailed for more than a year before trial, largely in solitary confinement, without official charges or access to lawyers. In April 2000, the defendants were appointed lawyers, and a closed trial commenced in a revolutionary court in Shiraz. Human rights groups and governments around the world criticized the lack of due process in the proceedings. The UNSR characterized them as "in no way fair." In July 2000, 10 of the 13, along with 2 Muslim defendants, were convicted on charges of illegal contact with Israel, conspiracy to form an illegal organization, and recruiting agents. They received prison sentences ranging from 4 to 13 years. Three were acquitted. The lawyers of those convicted filed an appeal and in September 2000, an appeals court overturned the convictions for forming an illegal organization and recruiting agents, but upheld the convictions for illegal contacts with Israel. Their sentences were reduced to between 2 and 9 years imprisonment. In January 2001, the Supreme Court rejected a final appeal. One of the ten convicted was released in February 2001 upon completion of his prison term, and another was released in January of this year at the end of his term. Three additional prisoners were released in October, leaving five remaining in prison at year's end.

Jewish groups outside the country noted that the March 1999 arrest of the 13 Jewish individuals coincided with an increase in anti-Semitic propaganda in newspapers and journals associated with hardline elements of the Government. Since the beginning of the trial, Jewish businesses in Tehran and Shiraz have been targets of vandalism and boycotts, and Jews have reportedly suffered personal harassment and intimidation.

The group "Families of Iranian Jewish Prisoners" (FIJP) has gone public with the names of twelve Iranian Jews who disappeared while attempting to leave the country in the 1990s. FIJP believes that the government has dealt with these cases differently than it dealt with other cases of people being captured while trying to escape from the country because these individuals were Jewish (see Section 1.b.).

According to the U.N. High Commissioner for Refugees (UNHCR), Mandaean were regarded as Christians, and were included among the country's three recognized religious minorities. However, Mandaeans regarded themselves as adherents of a religion that practices Christianity in both belief and practice. The small community faced discrimination similar to that experienced by the country's other pre-Islamic religious minorities.

The Government restricted the movement of several senior religious leaders, some of whom had been under house arrest for years (see Sections 1.d. and 2.d.).

For a more detailed discussion see the 2002 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Government placed some restrictions on these rights. Citizens may travel within the country, although there were restrictions on travel to Kurdish areas during times of occasional heavy fighting. Roadblocks and security checks were common on routes between major cities. Citizens may change their place of residence without obtaining official permission. The Government required exit permits (a validation stamp in the passport) for draft-age men and citizens who were politically suspect. Some citizens, particularly those whose skills were in short supply and who were educated at government expense, must post bonds to obtain exit permits. The Government restricted the movement of certain religious minorities and several religious leaders (see Sections 1.d. and 2.c.).

Citizens returning from abroad sometimes were subjected to searches and extensive questioning by government authorities for evidence of antigovernment activities abroad. Cassette tapes, printed material, personal correspondence, and photographs were subject to confiscation.

The Government permitted Jews to travel abroad, but often denied them multiple-exit permits issued to other citizens. Baha'is often experienced difficulty in obtaining passports.

Women must obtain the permission of their husband, father, or other male relative to obtain a passport. Married women must receive written permission from their husbands before being allowed to leave the country.

The law contains provisions for granting refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government generally cooperated with the UNHCR and other humanitarian organizations in assisting refugees. Although the Government generally provided first asylum, it sometimes increased pressure on refugees to return to their home countries, particularly when the economy worsened.

The country hosted a large refugee population, mostly Afghans. At the end of the year, there were approximately one million refugees from Afghanistan, a decrease from the 2 million estimated by the UNHCR in 2001. Hundreds of thousands of Afghan refugees returned to Afghanistan during the year. The UNHCR expressed concern that the Government was pressing them to leave, a contention the Government denied. Most refugees subsisted on itinerant labor. The Government accused many Afghans of involvement in drug trafficking; as a result, there were reports that many of them were arrested and executed. With the conflict in Afghanistan after the September 2001 terrorist attack in the U.S., many more Afghans attempted to enter the country across the Iranian border. However, the Government had sealed its border in anticipation of a war in Afghanistan. The Government set up several refugee camps just inside Afghanistan to deal with the crisis.

The UNHCR estimated that there were approximately 450,000 to 510,000 Iraqi Kurdish refugees in the country at the end of 2001, of whom approximately 83 percent were Shi'a and 17 percent non-Shi'a. An additional 70,000 refugees were Shi'a Arabs. Many of the Iraqi refugees were expelled by Iraq at the beginning of the Iran-Iraq war because of their suspected Iranian origin. In numerous instances, both the Iraqi and Iranian Governments disputed their citizenship, rendering many of them stateless. Other Iraqi refugees arrived following Iraq's invasion of Kuwait in 1990.

Although the Government claimed to host more than 30,000 refugees of other nationalities, including Tajiks, Bosnians, Azeris, Eritreans, Somalis, Bangladeshis, and Pakistanis, it did not provide information about them or allow the UNHCR or other organizations access to them.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The right of citizens to change their government is restricted significantly. The Supreme Leader, the recognized Head of State, is selected for a life term by the Assembly of Experts. The Assembly of Experts may also remove the Supreme Leader. The Assembly itself is restricted to clerics, who serve an 8-year term and are chosen by popular vote from a list approved by the Government. There is no separation of state and religion, and clerics dominate the Government. The Government repressed attempts to separate state and religion or to alter the State's theocratic foundation. The Government effectively controlled the selection of candidates for elections, although a bill approved by the Parliament and now awaiting approval by the Guardian Council would weaken its control. The Constitution provides for a Council of Guardians, composed of six Islamic clergymen and six lay members, who review all laws for consistency with Islamic law and the Constitution. The Council also screens political candidates for ideological, political, and religious suitability. It accepts only candidates who support a theocratic state; clerics who disagree with government policies also have been disqualified.

Regularly scheduled elections are held for the President, members of the Majles, and the Assembly of Experts. Mohammad Khatami, a former Minister of Culture and Islamic Guidance who was impeached in 1992 by the Majles for "liberalism" and "negligence," was reelected President in 2001 with 77 percent of the vote. The UNSR reported that the Guardian Council significantly limited the number of candidates permitted to run and noted that the Interior Minister denounced the "unprincipled disqualification" of candidates.

Elections were held in the fall of 1998 for the 86-member Assembly of Experts. The Council of Guardians disqualified numerous candidates, which led to criticism from many observers that the Government improperly predetermined the election results.

Elections were held for the 290-seat Majles in February 2000. Of more than 6,000 candidates, 576 were disqualified before the elections by the Council of Guardians, which represented a substantial decrease from the 44 percent who were disqualified before the 1996 elections. Most of those disqualified were outspoken advocates of political reform, including some of the most prominent supporters of President Khatami. However, candidates with a wide range of views were permitted to run. The elections resulted in a landslide victory for moderate and reform candidates, who constituted a large majority in the Majles. In June 2001, elections were held for Majles seats. The Council of Guardians reportedly disqualified 100 potential candidates, more than one-quarter of those wishing to run. Largely due to the disqualification of reform candidates, conservative

candidates or conservatives running as independents won all six seats up for election. Vigorous parliamentary debates took place regarding various issues. However, the Supreme Leader and other conservatives within the Government used constitutional provisions to block much of the early reform legislation passed by the Majles.

In February 1999, elections for nationwide local councils were held for the first time since the 1979 revolution. Government figures indicated that roughly 280,000 candidates competed for 130,000 council seats across the nation. Women were elected to seats in numerous districts. The Councils did not appear to have been granted the autonomy or authority to make them effective or meaningful local institutions; doing so would have been viewed as a threat to the control of the central Government. The next local council elections will be held in February 2003.

Women held 9 out of 290 Majles seats. There were no female cabinet members, although several held high level positions and a woman served as Presidential Adviser for Women's Affairs.

Christians, Jews, and Zoroastrians elected deputies to Majles seats reserved for them. However, religious minorities, by law and practice, were barred from being elected to a representative body—except to the seats in the Majles reserved for them—and from holding senior government or military positions. Religious minorities were allowed to vote, but could not run for president.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government continued to restrict the work of local human rights groups. The Government denies the universality of human rights and has stated that human rights issues should be viewed in the context of a country's "culture and beliefs."

Various professional groups representing writers, journalists, photographers, and others attempted to monitor government restrictions in their fields, as well as harassment and intimidation against individual members of their professions. However, their ability to meet, organize, and effect change was curtailed severely by the Government. Although there were a few domestic NGOs, there was no information available on what type of groups they were or the services they provided.

International human rights NGOs such as HRW and Amnesty International (AI) were not permitted to establish offices in or conduct regular investigative visits to the country. Representatives of HRW and AI, who were asked by the European Union to attend EU-Iran human rights talks in December as part of the EU delegation, were barred by Government authorities from attending the talks. HRW and members of a European judicial monitoring NGO were permitted to send representatives to Shiraz for the trial of 13 Jewish citizens on espionage charges (see Section 2.c.). However, they were not permitted to monitor the trial proceedings.

After the defeat of the resolution criticizing the country and renewing the UNSR's mandate at the meeting of the Commission on Human Rights in the spring, press reports indicated that the country declared itself ready to welcome visits by thematic UN human rights rapporteurs from different fields. No such visits took place during the year. However, the country was engaged in discussions on human rights with the EU in connection with the Trade and Cooperation Agreement embarked upon by the two sides.

The ICRC and the UNHCR both operated in the country. However, the Government did not allow the UNSR for Human Rights in Iran to visit the country from 1997 to 2001, the last year his mandate to monitor human rights in the country was in effect. When the UNSR was last allowed entry into the country to gather information for his yearly report in 1996, he was able to correspond with government officials during the period of his mandate and often received replies to his inquiries.

The Islamic Human Rights Commission (IHRC) was established in 1995 under the authority of the head of the judiciary, who sits on its board as an observer. In 1996 the Government established a human rights committee in the Majles. However, most observers believed that these committees lacked independence and power.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

In general the Government did not discriminate on the basis of race, disability, language, or social status; however, it discriminated on the basis of religion and sex. In some instances, it discriminated on the basis of language, such as with the Kurds, Azeris, and Ahwazi Arabs.

Women

Although spousal abuse and violence against women occurred, statistics on such abuse were not available. Abuse in the family was considered a private matter and seldom was discussed publicly. Rape is illegal;

however, the law was rarely enforced and rape was a widespread problem. The UNSR published statistics provided by the IHRC indicating that at the end of 2001, of a total of approximately 3,000 currently active files, an estimated 1,000 were related to women's issues. However, the UNSR noted in his September 2000 report that media reporting on the situation of women diminished, in part due to the closure of the reform-oriented press (see Section 2.a.).

Prostitution was illegal. Accurate information regarding the extent of the problem was not widely available, although the issue received widespread attention during they year as a result of the public's greater interest in social problems. However, press reports described prostitution as a severe problem. There was a growing understanding of the need to deal with the problem, especially because of its role in the spread of AIDS. Press reporting indicated that the Government acknowledged that prostitution had become very widespread, and was conducting a crackdown. In July two well-known soccer players were sentenced to 170 lashes after being arrested at a brothel. The Government closed many brothels around the country during the year and the police reportedly arrested 243 persons involved in prostitution networks. There was a report that a man was executed in April in Mashad for killing sixteen prostitutes. He claimed that he considered the killings to be a religious obligation. In another instance, in the city of Karaj, a judge of a revolutionary court was sentenced to 10 years in prison and a lashing for forcing runaway girls into prostitution.

Reports indicated that due to the passage of persons across the border with Afghanistan, there was a rise in trafficking. There were also reports in 2001 that women were trafficked into the United Arab Emirates (UAE) for forced prostitution (see Section 6.f.).

Discrimination against women was reinforced by law through provisions of the Islamic Civil and Penal Codes, in particular those sections dealing with family and property law. Shortly after the 1979 revolution, the Government repealed the Family Protection Law, a hallmark bill adopted in 1967, that gave women increased rights in the home and workplace, and replaced it with a legal system based largely on Shari'a practices. In 1998 the Majles passed legislation that mandated segregation of the sexes in the provision of medical care.

Even though the law permits it, marriage at the minimum age of nine is rare. All women must have the permission of their father or a male relative in order to marry. The law allowed for the practice of temporary marriages based on a Shi'a custom in which a woman or a girl may become the wife of a married or single Muslim male after a simple and brief religious ceremony. The temporary marriage may last any length of time. According to Shi'a Islamic law, men may have as many temporary wives as they wish. Such wives are not granted rights associated with traditional marriage.

The Penal Code includes provisions that mandate the stoning of women and men convicted of adultery, although judges were instructed at the end of the year cease sentencing adulterers to stoning (see Section 1.c.). Women have the right to divorce. However, a husband is not required to cite a reason for divorcing his wife. In December a new law made the adjudication of cases in which women demand divorces less arbitrary and less costly.

Privileges accorded to men by custom and traditional interpretations of Islamic law are limited by a model contract which recognizes a divorced woman's right to a share in the property that couples acquire during their marriage and to increased alimony rights. Women who remarry are forced to give the child's father custody of children from earlier marriages. However, the law granted custody of minor children to the mother in certain divorce cases in which the father is proven unfit to care for the child. Muslim women may not marry non-Muslim men, and the testimony of a woman is worth half that of a man in court. The "blood money" paid to the family of a female crime victim is half the sum paid for a man, and will remain so even if the new law passed by the Majlis equalizing "blood money" for Muslims and non-Muslims is accepted by the Guardian Council (see section 2.c.). Any change would only pertain to men. A married woman must obtain the written consent of her husband before traveling outside the country (see Section 2.d.).

Women had access to primary and advanced education; however, social and legal constraints limited their professional opportunities. Women were represented in many fields of the work force, and the Government has not prevented women from entering many traditionally male-dominated fields. However, many women choose not to work outside the home. According to international organizations, there were 2 million women in the work force in 2001, of whom approximately 1.8 million were employed during the year. The law provides maternity, child care, and pension benefits.

The Government enforced gender segregation in most public spaces, and prohibited women from mixing openly with unmarried men or men not related to them. Women must ride in a reserved section on public buses and enter public buildings, universities, and airports through separate entrances. Women were prohibited from attending male sporting events, although this restriction did not appear to be enforced universally. While the enforcement of conservative Islamic dress codes varied, what women wore in public was not entirely a matter of personal choice. The authorities sometimes harassed women if their dress or behavior

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was considered inappropriate, and women may be sentenced to flogging or imprisonment for such violations (see Section 1.c.). The law prohibits the publication of pictures of uncovered women in the print media, including pictures of foreign women. There are penalties for failure to observe Islamic dress codes at work.

Children

Except in isolated areas of the country, children had access to free education through the 12th grade (compulsory to age 11), and to some form of health care.

There was not enough information available to reflect how the Government dealt with child abuse.

A girls' center in Karaj reportedly was involved in the trafficking of girls (see Section 6.f.).

Persons with Disabilities

There is no available information regarding whether the Government has legislated or otherwise mandated accessibility for persons with disabilities, or whether discrimination against persons with disabilities is prohibited. Film clips showed children tied or chained to their beds, in filthy conditions, and without appropriate care. It is not known to what extent this represents the typical treatment of persons with disabilities since from 1996.

National/Racial/Ethnic Minorities

The Kurds sought greater autonomy from the central Government and continued to suffer from government discrimination. The Kurds' status as Sunni Muslims is an aggravating factor in their relations with the Shi'a-dominated government. Such tensions predated the revolution. Kurds often were suspected by government authorities of harboring separatist or foreign sympathies. These suspicions have led to sporadic outbreaks of fighting between government forces and Kurdish groups. Sunni Kurds protested against the appointment of a Shi'a governor in the Kurdistan province, who was chosen over numerous Sunni Kurdish candidates.

The Democratic Party of Iranian Kurdistan (PDKI) claimed that the Government arrested and executed at least three of its members during the year. Other sources claimed the number executed in October was three or five.

According to the UNSR, President Khatami, who won an overwhelming percentage of the Kurdish vote in the recent Presidential election, has made several conciliatory gestures to the Kurdish population. He appointed the first Kurd to hold the position of Governor of Kurdistan, and the Governor appeared to be facilitating a "process of reconciliation." The UNSR reported that the Government appeared to be encouraging Kurdish cultural expression, and subsidizing some Kurdish language classes. The number of Kurdish publications increased, and discussion of limited Kurdish TV broadcasting began. However, there was still no public school education in the Kurdish language.

Azeris are well integrated into the Government and society, but complained of ethnic and linguistic discrimination. The Government traditionally viewed Azeri nationalism as threatening, particularly since the dissolution of the Soviet Union and the creation of an independent Azerbaijan. Mohammed Chehregani, an advocate for the cultural rights of Azeris, has been arrested, imprisoned, tortured, and released several times over the past five years. According to Azeri groups, Chehregani's December 1999 arrest was made to prevent his registration as a candidate for the February 2000 parliamentary elections (see Section 1.d.). They also claimed that there were a number of Azeri political prisoners jailed for advocating cultural and language rights for Iranian Azerbaijanis. The Government has charged several of them with "revolting against the Islamic state."

Foreign representatives of the Ahwazi Arabs of Khuzistan, whose numbers could range as high as 4 million or more, claimed that their community in the southwest of the country suffered from discrimination. They claimed that the Ahwazis were denied the right to study, speak, publish newspapers, and educate their children in Arabic, and that the use of Arabic names for babies was prohibited except for ordinary Shi'a religious names. They asserted that the Government has ignored their appeals to de-mine the vast stretches of Khuzistan which were mined during the Iran-Iraq War, and that consequently, many people, especially children, continued to be maimed by mines. They further stated that many Arabs, both Shi'a and Sunni, have been imprisoned and tortured for voicing opinions critical of Government policies. According to these sources, five Arab-Iranian men have been hanged in the past several years for opposing the Government's policy of confiscating Arab lands in Khuzistan province.

Section 6 Worker Rights

a. The Right of Association

The Labor Code grants workers the right to establish unions; however, the Government did not allow independent unions to exist. A national organization known as the Worker's House, founded in 1982, was the sole authorized national labor organization. It served primarily as a conduit for the Government to exert control over workers. The leadership of the Worker's House coordinated activities with Islamic labor councils, which were made up of representatives of the workers and one representative of management in industrial, agricultural, and service organizations of more than 35 employees. These councils also functioned as instruments of government control, although they frequently were able to block layoffs and dismissals.

According to the International Confederation of Free Trade Unions (ICFTU) Annual Survey of Violations of Trade Union Rights for the year, the role of the Worker's House changed in recent years, and there was more tolerance of workers' organizations, which included four nurses organizations, a health workers' union, and a textile workers' union. The report also notes that a February 2000 law exempted companies with up to 5 employees from the need to comply with labor legislation for 6 years. This law affected approximately 3 million workers, making them easier to hire and fire.

The Labor Code allows employers and employees to establish guilds. The guilds issued vocational licenses and helped members find jobs.

Instances of late or partial pay for government workers reportedly were common.

There were no known affiliations with international labor organizations.

b. The Right to Organize and Bargain Collectively

Workers did not have the right to organize independently and negotiate collective bargaining agreements. The ICFTU also noted that the presence of security/intelligence forces in the workplace, as well as increasing use of temporary contracts, acted as obstacles to organizing.

The Government did not tolerate any strike deemed to be at odds with its economic and labor policies. The law prohibits strikes by government workers. It also prohibits government workers from having contacts with foreigners and stipulates penalties for failure to observe Islamic dress codes and principles at work. Nevertheless, strikes did occur. In addition to strikes, there were also work stoppages and protests by oil, textile, electrical manufacturing, and metal workers, as well as by the unemployed.

Many of these protests were due to non-payment of wage arrears, according to the ICFTU. It cited a March 2001 demonstration by 4,500 workers of the Simin textile factory in Isfahan, which was forcibly broken up by security forces, resulting in injuries and arrests. Another demonstration in May 2001 by 1000 textile workers at the Baresh factory for the same grievance was also attacked by police. Another protest by textile workers outside the Parliament building in June resulted in satisfaction of their demands, but subsequent demonstrations by workers there in July and in Isfahan in October were violently repressed.

It is not known whether labor legislation and practice in the export processing zones differ from the law and practice in the rest of the country. According to the ICFTU's Annual Survey of Violations of Trade Union Rights for the year, labor legislation did not apply in the export processing zones.

c. Prohibition of Forced or Bonded Labor

The Penal Code provides that the Government may require any person who does not have work to take suitable employment; however, this did not appear to be enforced regularly. This provision has been criticized frequently by the International Labor Organization (ILO) as contravening ILO Convention 29 on forced labor. The law prohibits forced and bonded labor by children; however, this was not enforced adequately, and such labor by children was a serious problem.

d. Status of Child Labor Practices and Minimum Age for Employment

The law prohibits forced and bonded labor by children; however, it was a serious problem (see Section 6.c.). The Labor Law prohibits employment of minors under 15 years of age and places restrictions on the employment of minors under age 18; however, laws pertaining to child labor were not enforced adequately. The law permits children to work in agriculture, domestic service, and some small businesses. By law, women and minors may not be employed in hard labor or night work. Information regarding the extent to which these regulations were enforced was not available. In August the country ratified ILO Convention 182 on the worst forms of Child Labor.

e. Acceptable Conditions of Work

The Labor Code empowers the Supreme Labor Council to establish annual minimum wage levels for each industrial sector and region; however, no information was available regarding mechanisms used to set wages. It was not known if the minimum wages were adjusted annually or enforced. The Labor Code stipulates that the minimum wage should be sufficient to meet the living expenses of a family and should take inflation into account. Under poor economic conditions, many middle-class citizens must work two or three jobs to support their families. The daily minimum wage for an uneducated laborer was \$2.50 (2000 tomans), which was not sufficient to provide a decent standard of living for a worker and family.

The Labor Code establishes a maximum 6-day, 48-hour workweek, with 1 weekly rest day, normally Fridays, and at least 12 days of paid annual leave and several paid public holidays.

According to the Labor Code, a Supreme Safety Council, chaired by the Labor Minister or his representative, is responsible for promoting workplace safety and health. The Council reportedly issued 28 safety directives, and oversaw the activities of 3,000 safety committees established in enterprises employing more than 10 persons. Labor organizations outside the country have alleged that hazardous work environments have been common in the country and have resulted in thousands of worker deaths per year. It was not known how well the Ministry's inspectors enforced regulations. It was not known whether workers could remove themselves from hazardous situations without risking the loss of employment.

f. Trafficking in Persons

The law does not specifically prohibit trafficking in persons, and persons reportedly were trafficked to, through, and from the country during the year. Anecdotal reports indicated that during the year, there may have been a rise in trafficking due to the unsettled situation and passage of people across the border with Afghanistan. It was difficult to measure the extent of the Government's efforts to curb human trafficking, but national and international press reporting indicated that Tehran has taken action against bandits involved in abducting women and children. The regime has also reportedly arrested, convicted, and executed numerous human trafficking offenders. During the year, police reportedly arrested numerous members of prostitution rings and closed down brothels.

In May the police arrested 100 persons, including both citizens and foreigners, who had allegedly trafficked young girls to France, Britain, Turkey, and certain Gulf countries. There were three other large networks discovered in the investigation which sent girls to the UAE, Kuwait, Qatar, and Turkey.

In June senior judicial officials were implicated in a prostitution network in Tehran and in August, the judge of a revolutionary court in the Karaj was sentenced to 10 years in prison and a lashing for forcing runaway girls to work as prostitutes.

Also in August, authorities broke up a prostitution ring in Mashad that was responsible for trafficking many young women into Pakistan for forced prostitution.

The UNSR noted in his August 2001 report that a girl's shelter in Karaj, the Jasmine Center, was closed down after an investigation reportedly revealed that it had become involved in the trafficking of girls. The press focused on the high-level connections of the operators of the Center. The authorities subsequently charged a judge of the Revolutionary Court in the affair.

There were reports in 2001 that women were trafficked to the UAE for the purpose of forced prostitution. There

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also were reports in 2001 that young boys were trafficked through the country to be camel jockeys in the UAE.

There were reportedly three trials in 2001 related to the trafficking of persons; however, there was no information regarding the details of the trials or their outcomes.