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Country Information and Guidance

Iran: Kurds

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Preface

This document provides country of origin information (COI) and guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained within this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), dated July 2012.

Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please [e-mail us](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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Guidance

Updated 18 August 2015

1. Introduction

1.1 Basis of Claim

- 1.1.1 Fear of persecution or serious harm by the Iranian authorities because the person is of Kurdish ethnicity and/or because of their perceived or actual political affiliation.

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2. Consideration of Issues

2.1 Is the person's account credible?

- 2.1.1 For further information on assessing credibility, see sections 4 and 5 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous UK visa or other application for leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Is the person at risk of persecution or serious harm?

- 2.2.1 Kurds in Iran face institutional discrimination which affects their access to basic services such as housing, water and sanitation, employment and education, access to economic aid, business licenses, university admissions, permission to publish books and land rights. For example, it is harder for a Kurd to get a job compared to a Persian Iranian; Kurds are not allowed to register certain names for their children in official registries; and although the Kurdish language is not prohibited, schools do not teach it (see [Treatment of Kurds in Iran](#)).
- 2.2.2 The government has reportedly banned Kurdish-language newspapers, journals, and books and punished publishers, journalists, and writers for opposing and criticizing government policies. The authorities are also reported to have suppressed legitimate activities of Kurdish NGOs by denying them registration permits or bringing security charges against persons working with such organizations. There are no schools in Iran that teach Kurdish and attempts by community organizations to develop extra-curricular programs have been looked upon with suspicion by authorities, with programs shut down and instructors arrested (see [Treatment of Kurds in Iran](#)).
- 2.2.3 However, in general, the level of discrimination faced by Kurds in Iran is not such that it will reach the level of being persecutory or otherwise inhuman or degrading treatment.

- 2.2.4 The situation is different for those who become or are perceived to be involved in Kurdish political activities. The Iranian authorities react disproportionately towards political activities, including social welfare and cultural activities conducted by Kurds (see [Treatment of political activists and perceived activists/family members](#)).
- 2.2.5 The authorities have no tolerance for any activities connected to Kurdish political parties and those involved are targeted for arbitrary arrest, prolonged detention, and physical abuse. Even those who express peaceful dissent are at risk of being accused of being a member of a banned Kurdish political group (see [Treatment of political activists and perceived activists/family members](#)). The authorities also use security law, media law, and other legislation to arrest and prosecute Kurds for exercising their rights to freedom of expression and association. (see [Treatment of Kurds in Iran](#)). Those involved Kurdish political activities also face a high risk of prosecution on vague charges such as “enmity against God” and “corruption on earth” (see [Treatment of political activists and perceived activists/family members](#)).
- 2.2.6 Those arrested by the Iranian regime for political activities are at real risk of being subjected to serious human rights violations including torture and the death penalty. Ethnic minorities are disproportionately the victims of deaths that occur as a result of torture or other physical abuse or after denying detainees medical treatment (see [Treatment of political activists and perceived activists/family members](#)).
- 2.2.7 Persons with a high political profile as well as human rights activists and those seeking greater recognition of their cultural and linguistic rights are targeted by the authorities because of their political opinion. However even a person speaking out about Kurdish rights can be seen as a general threat. If the Iranian regime catches a perceived sympathizer carrying out an activity perceived to be against the government, the consequences for him and his family can be serious. For example a person simply caught with a leaflet, would most likely be arrested and tortured as well as forced to confess to being a member of whatever group could have been behind such a publication (see [Treatment of political activists and perceived activists/family members](#)).
- 2.2.8 Family members of persons associated with a Kurdish party are also harassed and detained. In pre-trial detention in Evin Prison, members of minority ethnicities and religions reportedly were repeatedly subjected to more severe physical punishment or torture than other prisoners, regardless of the type of crime accused. Those perceived to be involved in Kurdish political activities are, following summary trials, usually sentenced to imprisonment and in some cases sentenced to death, including on vaguely worded national security offences. The execution rate is disproportionately high among Kurds in Iran. A large proportion of these executions are based on accusations of drug smuggling, but sometimes political activists are executed under the pretext of being drug smugglers. Detainees protesting against poor conditions have been threatened with new charges, transfer to solitary confinement and having their execution sentences expedited (see [Treatment of political activists and perceived activists/family members](#)).

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2.3 Does the person fall to be excluded from a grant of protection?

- 2.3.1 The Party of Free Life of Kurdistan (PJAK) has often carried out attacks in the north-west of the country, sometimes on civilians. PJAK shares the same leadership and logistics of the Turkish PKK terrorist group (see Party of Free Life for Kurdistan (PJAK)). The PKK has been proscribed in the UK under the Terrorism Act 2000 since March 2001 and are also on the EU list of terrorist organisations.
- 2.3.2 Decision makers must consider if there are serious reasons for considering that the person was involved in or associated with such acts, or with the groups concerned and, if so, whether one or more of the exclusion clauses apply.
- 2.3.3 Where a person is excluded from protection under the Refugee Convention they are also excluded from Humanitarian Protection. However, if there is a real risk of a breach of Article 3 ECHR or Article 15(c) of the Qualification Directive, they may be entitled to Discretionary Leave or Restricted Leave.
- 2.3.4 See the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#), the [Asylum Instruction on Discretionary Leave](#) and the [Asylum Instruction on Restricted Leave](#).

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2.4 Are those at risk able to seek effective protection?

- 2.4.1 As the person's fear is of persecution or serious harm at the hands of the state they would not be able to avail themselves of the protection of the authorities.
- 2.4.2 For further information on assessing the availability or not of state protection, see section 8.1 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.4.3 See also the country information and guidance on [Iran: Background information, including actors of protection, internal relocation and illegal exit](#).

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2.5 Are those at risk able to internally relocate?

- 2.5.1 As the person's fear is of persecution or serious harm at the hands of the state they would not be able to relocate to escape that risk.
- 2.5.2 For further information on considering internal relocation, see section 8.2 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.5.3 See also the country information and guidance on [Iran: Background information, including actors of protection, internal relocation and illegal exit](#).

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2.6 If refused, is the claim likely to be certifiable as 'clearly unfounded'?

- 2.6.1 Where a claim falls to be refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

- 2.6.2 For further information on certification, see the [Asylum Instruction on Non-Suspensive Appeals: Certification Under Section 94 of the NIA Act 2002](#).

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Country Information: Iran

Updated 18 August 2015

3. Background

3.1 Demography

- 3.1.1 The CIA world fact book estimates the population to be approximately 80,840,713.¹ Iran is a multi-ethnic country. The largest ethnic community comprises Persians who constitute about 50-55% of the population. The rest of the population is made up of Kurds, Lurs, Azeris, Arabs, Armenians, and a host of other small ethnicities.² According to the CIA world fact book 10% of the population of Iran is of Kurdish ethnicity.³ The Unrepresented nations and peoples organisation website estimates the Kurdish population figures in Iran to be between 8- 10 million, or 11-15% of the population as of 2008.⁴

3.2 Legal and Constitutional Framework

- 3.2.1 The 2014 US State Department Human Rights report for Iran published in June 2015 states that:

‘While the constitution grants equal rights to all ethnic minorities and allows for minority languages to be used in the media and in schools, minorities did not enjoy equal rights, and the government consistently denied their right to use their languages in school. In addition, the Gozinesh (selection) law prohibits non-Shia ethnic minorities from fully participating in civic life. The law and its associated provisions make full access to employment, education, and other areas conditional on devotion to the Islamic republic and the tenets of Shia Islam’.⁵

3.3 History

- 3.3.1 According to the Kurdish project website:

‘The Kurdish region of Iran is a geographical area in eastern Iran that has been historically and is presently inhabited by a predominantly Kurdish population. This region includes parts of three Iranian provinces; the Kordestan Province, the Kermanshah Province, and the West Azerbaijan Province. These three Iranian provinces share borders with parts of Iraq and Turkey that are also inhabited by the Kurds.

¹ CIA World Factbook, Iran - people and society, regularly updated, <https://www.cia.gov/library/publications/the-world-factbook/geos/ir.html>. Date Accessed: 2 June 2015.

² Jane's 'Sentinel Security Assessment' Iran; Demography. 23 May 2014. Subscription source. Date Accessed: 18 May 2015.

³ CIA world factbook, Iran- people and society, updated 15 May 2015 <https://www.cia.gov/library/publications/the-world-factbook/geos/ir.html>. Date Accessed: 2 June 2015.

⁴ Unrepresented nations and peoples organization, Iranian Kurdistan, 25 March 2008, <http://www.unpo.org/members/7882>. Date Accessed: 22 June 2015.

⁵ United States Department of State, 2014 Country Reports on Human Rights Practices - Iran, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> (section 6). Date Accessed: 6 July 2015.

‘The Kurdish people have inhabited the north-western region of Iran for centuries – dating back before the Islamic conquests of the 7th century. It is believed that the Kurdish language was derived from Persian dialects in the early centuries AD, and that the Kurdish people represent a diverse range of tribal and ethnic groups from the region.

‘The establishment of an early Kurdish state resembling modern-day “Kurdistan” occurred when the first Kurdish dynasties emerged in the 10th-12th centuries AD. By the mid 1500’s, however, these early Kurdish principalities became caught between the rise of the Safavid and Ottoman empires and were displaced and marginalized during the ensuing wars between these two empires.

‘During the early 20th century, there was a growing sentiment of Kurdish nationalism and political activism. While Kurdish leaders were unable to secure independence after World War I, a Kurdish state was created with support from the Soviet Union in the city of Mahabad after WWII. However, the so-called Kurdish Republic of Mahabad collapsed after the Soviets pulled out of Iran.

‘The rule of the Pahlavi dynasty in Iran was particularly brutal for the Kurds, and Kurdish activists were active supporters of a regime change during the 1979 revolution. After the revolution, however, the new Islamic regime of Ayatollah Khomeini viewed the Kurds, with their different language and traditions, as outsiders, as dangerous to the new republic. Armed conflict between the new republic and the Kurds broke out as Khomeini tried to establish governmental control in the Kurdish regions.

‘To this day, the relationship between the Kurds of western Iran and the Iranian government remains tense. As of 2015, the Party for Free Life in Kurdistan (PJAK) is an active political and militant organization, based on the Iraq-Iran border, that is pushing for Kurdish autonomy in the Iranian provinces of Kordestan, Kermanshah and West Azerbaijan.’⁶

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4. Treatment of Kurds in Iran

4.1.1 According to the 2014 US State Department Human Rights report for Iran:

‘The government disproportionately targeted minority groups, including Kurds, Arabs, Azeris, and Baluchis, for arbitrary arrest, prolonged detention, and physical abuse. ... These groups reported political and socioeconomic discrimination, particularly in their access to economic aid, business licenses, university admissions, permission to publish books, and housing and land rights. Human rights organizations, including the ICHRI [International Campaign for Human Rights in Iran] and the IHRDC [Iran Human Rights Documentation Center], observed that the government’s application of the death penalty disproportionately affected ethnic minorities.

⁶ The Kurdish project, Kurdish region of Iran, undated, <http://thekurdishproject.org/kurdistan-map/iranian-kurdistan/>. Date Accessed: 22 June 2015.

‘In pre-trial detention in Evin Prison, members of minority ethnicities and religions reportedly were repeatedly subjected to more severe physical punishment or torture than other prisoners, regardless of the type of crime accused. A former prisoner noted, for example, he had witnessed on numerous occasions minority prisoners being given 20 to 30 lashes for every one that he or other Shia prisoners received. The estimated eight million Sunni ethnic Kurds in the country frequently campaigned for greater regional autonomy. The government continued to use security law, media law, and other legislation to arrest and prosecute Kurds for exercising their rights to freedom of expression and association. The government reportedly banned Kurdish-language newspapers, journals, and books and punished publishers, journalists, and writers for opposing and criticizing government policies. Although speaking the Kurdish language was not prohibited, schools were prohibited from teaching it. Authorities suppressed legitimate activities of Kurdish NGOs by denying them registration permits or bringing security charges against persons working with such organizations. Kurds were not allowed to register most Kurdish names for their children in official registries. The Gozinesh law impaired the ability of Sunni Kurds to integrate into civic life’.⁷

- 4.1.2 Freedom House reports that ‘Ethnic minorities complain of various forms of discrimination, including restrictions on the use of their languages. Some of the provinces with large ethnic minorities remain underdeveloped.’⁸ The March 2015 Child Rights Information Network Joint alternative report by civil society organizations on the implementation of the Convention on the Rights of the Child states that ‘Attempts by community organizations to develop extra-curricular programs have been looked upon with suspicion by authorities, with programs shut down and instructors arrested.’⁹
- 4.1.3 The UN Secretary-General on the situation of human rights reported in February 2015 that ‘discrimination against ethnic and religious groups persists in law and practice. Members of ethnic and religious minority groups continue to face persecution, including arrest and imprisonment, the denial of economic opportunities, expulsion from educational institutions, deprivation of the right to work, and closure of businesses and the destruction of religious sites, such as cemeteries and prayer centres.

⁷ United States Department of State, 2014 Country Reports on Human Rights Practices - Iran, 25 June 2015, (section 6).

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dldid=236598> Date Accessed: 6 July 2015.

⁸ Freedom House, Freedom in the World 2015 - Iran, 16 March 2015, <https://freedomhouse.org/report/freedom-world/2015/iran#.VW26oPmMOmw>. Date Accessed: 15 July 2015.

⁹ Child Rights Information Network: Abdorrahman Boroumand Foundation; Advocates for Human Rights; Article 19; Arseh Sevom; Association of Human Rights in Kurdistan of Iran-Geneva; Centre for Supporters of Human Rights; CRIN - Child Rights International Network; et al., Rights of the Child in Iran; Joint alternative report by civil society organizations on the implementation of the Convention on the Rights of the Child by the Islamic Republic of Iran, March 2015, (Executive summary, p.4). https://www.crin.org/sites/default/files/iran_joint_submission_to_crc_committee_0.pdf Date Accessed: 17 July 2015.

Individuals seeking greater recognition for their cultural and linguistic rights risk facing harsh penalties, including capital punishment.¹⁰

- 4.1.4 The Danish Immigration Service, the Norwegian LANDINFO and Danish Refugee Council's fact-finding mission to Tehran, Iran, Ankara, Turkey and London, United Kingdom, 9 November to 20 November 2012 and 8 January to 9 January 2013 consulted a Western embassy who stated that "If the Kurdish people are organizing cultural activities and a number of people gather, the authorities will fear that it is a cover for political activities for which reason they are also suppressing cultural activities and expression".
- 4.1.5 The same fact-finding mission reported that:
'It was considered that generally, no matter what ethnic or religious background, an individual has, if he or she plainly accepts and lives by the Islamic regime, he or she will be left alone. However, there is institutional discrimination in Iran and it would for example be harder for a Kurd to get a job compared to a Persian Iranian. While it was considered that Kurds would be subject to harsher treatment from the authorities than ethnic Persians, one cannot say that there would be differences between how Kurds are treated in different areas of Iran. In the border areas where there could be some interactions and activities between armed groups, it is however, a different story'.¹¹
- 4.1.6 The same source reported that 'The activities that Kurds conduct that can be perceived as political activities include social welfare and solidarity activities'.¹²
- 4.1.7 The Danish Refugee Council and Danish Immigration service fact finding mission on Iranian Kurds and Conditions for Iranian Kurdish Parties in Iran and KRI, Activities in the Kurdish Area of Iran, Conditions in Border Area and Situation of Returnees from KRI to Iran 30 May to 9 June 2013, dated 30 September 2013 consulted a western diplomat and expert on Iran in Erbil who stated that; "being a Kurd in Iran does not necessarily mean getting into

¹⁰ UN Human Rights Council, Situation of human rights in the Islamic Republic of Iran, 20 February 2015, (paragraph 45). http://www.ecoi.net/file_upload/1930_1425383716_a-hrc-28-26-eng.doc Date Accessed: 17 July 2015.

¹¹ Landinfo, Iran – On Conversion to Christianity, Issues concerning Kurds and Post-2009 Election Protestors as well as Legal Issues and Exit Procedures, Joint report from the Danish Immigration Service, the Norwegian LANDINFO and Danish Refugee Council's fact-finding mission to Tehran, Iran, Ankara, Turkey and London, United Kingdom, 9 November to 20 November 2012 and 8 January to 9 January 2013, February 2013, (3.1 Kurdish political activities, p. 40-42). <https://www.nyidanmark.dk/NR/rdonlyres/A8C2C897-1CA9-49D1-BA32-EC3E599D646D/0/Iranendeligudgave.pdf> Date Accessed: 3 June 2015.

¹² Landinfo, Iran – On Conversion to Christianity, Issues concerning Kurds and Post-2009 Election Protestors as well as Legal Issues and Exit Procedures, Joint report from the Danish Immigration Service, the Norwegian LANDINFO and Danish Refugee Council's fact-finding mission to Tehran, Iran, Ankara, Turkey and London, United Kingdom 9 November to 20 November 2012 and 8 January to 9 January 2013, February 2013, (3.2 Prevalence of written Kurdish political materials p. 44). <https://www.nyidanmark.dk/NR/rdonlyres/A8C2C897-1CA9-49D1-BA32-EC3E599D646D/0/Iranendeligudgave.pdf> Date Accessed: 3 June 2015.

trouble with the authorities as has been the case in Syria. Troubles will start as soon as a person gets involved in political activities”.¹³

- 4.1.8 The Amnesty International Human Rights Report 2014/15 reported that: ‘President Rouhani’s appointment of a special adviser on ethnic and religious minorities did not result in a reduction in the pervasive discrimination against Iran’s ethnic minority communities, including Ahwazi Arabs, Azerbaijanis, Baluchis, Kurds and Turkmen, or against religious minorities, including Ahl-e Haq, Baha’is, Christian converts, Sufis and Sunni Muslims.

‘Discrimination against ethnic minorities affected their access to basic services such as housing, water and sanitation, employment and education. Ethnic minorities were not permitted to use their minority language as a medium of instruction in education and were denied adequate opportunities to learn it.

‘Members of ethnic minority groups also faced a high risk of prosecution on vague charges such as “enmity against God” and “corruption on earth”, which could carry the death penalty. The authorities secretly executed at least eight Ahwazi Arabs after they were convicted on charges that included “enmity against God” after grossly unfair trials, and refused to hand over their bodies to their families. By October, the authorities held at least 33 Sunni men, mostly members of the Kurdish minority, on death row on charges of “gathering and colluding against national security”, “spreading propaganda against the system”, “membership of Salafist groups”, “corruption on Earth” and “enmity against God”. Converts from Shi’a to Sunni Islam faced increased persecution. ...

‘Torture and other ill-treatment, particularly during pre-trial detention, remained common, facilitated by routine denial of access to lawyers and the virtual impunity of perpetrators.’

‘... The authorities systematically denied detainees and prisoners access to adequate medical care, including for injuries resulting from torture or health problems exacerbated by harsh prison conditions.’¹⁴

- 4.1.9 The 2014 U.S. Department of State report notes that ‘The government and its agents reportedly committed arbitrary or unlawful killings, including, most commonly, by execution after arrest and trial without due process. The government made few and limited attempts to investigate allegations of deaths that occurred after or during reported torture or other physical abuse

¹³ Danish Refugee Council Iranian & Danish Immigration Service, Iranian Kurds: On Conditions for Iranian Kurdish Parties in Iran and KRI, Activities in the Kurdish Area of Iran, Conditions in Border Area and Situation of Returnees from KRI to Iran 30 May to 9 June 2013, 30 September 2013, (1.3. Consequences of conducting activities for the Kurdish political parties, p. 15)http://www.nyidanmark.dk/NR/rdonlyres/D82120CB-3D78-4992-AB57-4916C4722869/0/fact_finding_iranian_kurds_2013.pdf. Date Accessed: 27 May 2015.

¹⁴ Amnesty International, Amnesty International Report 2014/15- Iran, 25 February 2015, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iran/report-iran/>. Date Accessed: 6 July 2015.

or after denying detainees medical treatment. Members of ethnic minority communities were disproportionately victims of such abuses.¹⁵

4.1.10 In a March 2015 report the Iran Human Rights Documentation Center (IHRDC) noted that a Kurdish Sunni prisoner held at Rajaeeshahr described the conditions inside the prison. He indicated that ‘several Kurdish Sunni prisoners were suffering from serious medical conditions and were not provided adequate medical care. In addition, this source told IHRDC that due to a lack of access to clean drinking water, the majority of inmates in the ward, including many who were previously healthy, have developed kidney stones. Another Kurdish Sunni prisoner in Rajaeeshahr told IHRDC that the prison authorities often threaten death row prisoners with the implementation of their sentences in response to alleged contacts with the media or requests for better conditions.’¹⁶

4.1.11 The UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, published on 12 March 2015 noted that;

‘Individuals including lawyers, journalists, religious and ethnic minorities who peacefully exercise internationally recognized rights, are frequently convicted of national security offenses.

‘On 20 November 2014, at least 24 Kurdish prisoners in Ward 12 of Urumia Central Prison (in the West Azerbaijan Province) reportedly embarked on hunger strikes to protest insufficient prisoner segregation and inadequate access to medical treatment. Some of the prisoners are convicted of vaguely defined national security charges. An example of a few of the security charges are distributing pamphlets and statements to commemorate International Mother Language Day, posting articles on social networks, contacting Kurdish opposition websites, distributing political pamphlets and cooperating with or joining opposition parties. Allegedly, on 9 December 2014, the security forces of Urumia Central prison surrounded Ward 12 and threatened to attack protestors if they continued their hunger strike. In response to the hunger strike, several protestors were reportedly summoned to the Intelligence Office and subjected to various threats, such as new charges, transfer to solitary confinement, imprisonment in “exile,” and the arrest of family members. Others engaged in the hunger strikes were threatened with having their execution sentences expedited (including the death sentences of Messrs. Ali Afshari, Mohammad Abdollahi, and Saman Nasim, an alleged juvenile offender). On 10 December, intelligence officials allegedly demanded that Mr Saman Nasim’s family encourage him to end his hunger strike, or his execution sentence would be imminently implemented.

¹⁵ United States Department of State, 2014 Country Reports on Human Rights Practices - Iran, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dld=236598> (section 1a). Date Accessed: 15 July 2015.

¹⁶ Iran Human Rights Documentation Center, Rights Disregarded: Prisons in the Islamic Republic of Iran, 18 March 2015, (2.1.2. Rajaeeshahr/Gohardasht Prison, p.19). [http://www.iranhrdc.org/files.php?force&file=reports_en/Rights Disregarded Prisons in the Islamic Republic of Iran_385808221.pdf](http://www.iranhrdc.org/files.php?force&file=reports_en/Rights%20Disregarded%20Prisons%20in%20the%20Islamic%20Republic%20of%20Iran_385808221.pdf) Date Accessed: 17 July 2015.

On 22 December 2014, 26 prisoners reportedly ended their strike after authorities committed to stop harassing family members and to investigate these concerns.¹⁷

- 4.1.12 Jane's Sentinel Security Assessment on the Iranian Army updated on 13 May 2015 states that 'there is growing anger in Iran's Kurdish community over the number of Kurds executed in Iran amid allegations that torture is widespread'.¹⁸ The February 2015 UN reported on the situation of human rights noted that 'At the end of the period under review, 33 members of the Kurdish community were reportedly on death row after having been sentenced to death on national security-related offences, including spreading propaganda against the system, gathering and colluding against national security, "corruption on earth" and "enmity against God". Serious concerns remained with regard to their guarantees of due process, given that, during pretrial detention, they were allegedly torture and ill-treated, held for several months in solitary confinement and denied access to counsel or family members. ... It is feared that these individuals might have been jailed for their promotion of the Sunni religion by taking part in seminars and distributing religious reading material.'¹⁹
- 4.1.13 In May 2015 Amnesty International urged Iranian security forces to refrain from using excessive and unnecessary force in the policing of protests, after police in riot gear dispersed a demonstration in the Kurdish-populated city of Mahabad, West Azerbaijan province, on 7 May [2015].
- 4.1.14 The same source continued;
- 'Officials confirmed that at least 25 people, including seven police officers, were injured in the ensuing clashes.... There are fears of a renewed police crackdown amid reports of arrests and after further demonstrations were called. ... A large group of protesters gathered outside Mahabad's Tara Hotel on 7 May to express their anger after a 25-year-old Kurdish woman, Farinaz Khosravani, fell to her death from the hotel's fourth storey several days earlier. The circumstances surrounding her death are unexplained, but the incident sparked anguish among some residents in Mahabad who alleged that a member of Iran's intelligence and security forces had threatened to rape her in the run-up to this incident. A provincial official has publicly disputed that allegation. ... According to Kurdish rights activists outside Iran, the violence started after riot police resorted to batons, tear gas and possibly live ammunition to disperse the crowd, injuring multiple people. The activists told Amnesty International that Ministry of Intelligence officials have since arrested at least 20 people, and some wounded protesters have avoided going to hospital due to fears of being arrested. ... According to

¹⁷ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 12 March 2015, A/HRC/28/70, (paragraphs 18, 28 and 29). <http://www.refworld.org/docid/550ff19c4.html> Date Accessed: 15 June 2015.

¹⁸ Jane's 'Sentinel Security Assessment', Iran; Army, 13 May 2015. Subscription). Date Accessed: 18 May 2015.

¹⁹ UN Human Rights Council, Situation of human rights in the Islamic Republic of Iran, 20 February 2015, (paragraph 48). http://www.ecoi.net/file_upload/1930_1425383716_a-hrc-28-26-eng.doc Date Accessed: 17 July 2015.

international human rights law and standards, police may use force only when strictly necessary and proportionate to a legitimate purpose. Firearms may only be used as a last resort in defence against an imminent threat of death or serious injury, and intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life'.²⁰

4.1.15 Amnesty International Submission to the UN Universal Periodic Review, October-November 2014 stated that;

'Sunni Muslims, particularly members of the Kurdish minority, have been increasingly targeted in recent years. In November 2010, Branch 28 of the Revolutionary Court in Tehran imposed death sentences of four Sunni Kurds - brothers ... after it convicted them on vaguely worded offences including "enmity against God" (moharebeh) and "corruption on earth" (ifsad fil-arz). Authorities arrested all four defendants in June and July 2009 and then held them in prolonged solitary confinement while denying them access to a lawyer. They are believed to have been tortured and otherwise ill-treated during their detention. Together with six others, they were charged with participation in the assassination of a senior Sunni cleric considered close to the authorities who was assassinated on 17 September 2009. They deny any involvement in the assassination, which occurred some months after their arrest and detention. Nonetheless, in September 2013 the four men learnt that the Supreme Court had confirmed their death sentences. On 14 June 2014, authorities moved them from Raja'i Shahr Prison to an undisclosed location, prompting fears that their executions were imminent. However, on 18 June 2014, officials reportedly told relatives of the condemned men who had gathered to protest outside Ghezel Hesar Prison that their executions were not imminent. However, they are reported to have been subjected to mock executions. They went on hunger strike to protest their death sentences and, in June 2014, remained on death row.'²¹

4.1.16 The same source continued;

'In early June 2014, at least 29 other Sunni men, mostly from Iran's Kurdish minority are reported to be held on death row. At least 25 of them are awaiting the outcome of appeals to the Supreme Court. All or most of them are believed to have been convicted on vaguely worded national security offenses including "gathering and colluding against national security," "spreading propaganda against the system," "membership in Salafist groups," "corruption on earth," and "enmity against God" following unfair trials. The men maintain that they have been sentenced to death in connection with their religious beliefs and activities'.

²⁰ Amnesty International, Iran: Police must exercise restraint amid Kurdish protests, 8 May 2015, <http://www.amnesty.ca/news/news-releases/iran-police-must-exercise-restraint-amid-kurdish-protests>. Date Accessed: 15 June 2015.

²¹ Amnesty International, Iran- No progress on Human Rights, Amnesty International Submission to the UN Universal Periodic Review, October-November 2014, Persecution of ethnic and religious minorities p.9-10 <http://www.amnesty.org/en/documents/MDE13/034/2014/en/>. Date Accessed: 15 June 2015.

'Members of ethnic minorities, including Ahwazi Arabs, Azerbaijanis, Baluchis, Kurds, and Turkmen, continue to face a range of discriminatory laws and practices despite constitutional guarantees of equality. Members of minority groups, particularly those who seek greater recognition of their cultural and linguistic rights, are likely to experience persecution, including arrest and imprisonment'.²²

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5. Kurdish political groups

5.1 Overview

- 5.1.1 The Iran section in Freedom House's report on Freedom in the World 2015 published on 16 March 2015 states that; 'Only political parties and factions loyal to the establishment and to the state ideology are permitted to operate. Reformist parties and politicians have come under increased pressure and state repression, especially since 2009. ... The parliament grants five seats to recognized non-Muslim minorities: Jews, Armenian Christians, Assyrian and Chaldean Christians, and Zoroastrians. However, ethnic and especially religious minorities are rarely awarded senior government posts, and their political presence remains weak'.²³
- 5.1.2 For further background information on Kurdish political groups, see [ACCORD, Iran: Political Opposition Groups, Security Forces, Selected Human Rights Issues, Rule of Law, July 2015](#)

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5.2 Kurdish Democratic Party of Iran (KDPI also known as PDKI, KDP-I and DPIK)

- 5.2.1 The KDPI was founded in the city of Mahabad in Iranian Kurdistan on August 16, 1945.²⁴ The KDPI was the largest and best organized of the Kurdish opposition groups, and sought autonomy for the Kurds in Iran. ... Kurdish opposition groups suspected of separatist aspirations, such as the Democratic Party of Iranian Kurdistan (KDPI), are brutally suppressed. At least 28 Kurdish prisoners convicted of national security charges remained on death row at the end of 2012.²⁵
- 5.2.2 The Danish Refugee Council and Danish Immigration Service published a report in September 2013 following their joint fact finding mission on the

²² Amnesty International, Iran- No progress on Human Rights, Amnesty International Submission to the UN Universal Periodic Review, October-November 2014, Persecution of ethnic and religious minorities p.9-10 <http://www.amnesty.org/en/documents/MDE13/034/2014/en/>. Date Accessed: 15 June 2015.

²³ Freedom House, Freedom in the World 2015 - Iran, 16 March 2015 <https://freedomhouse.org/report/freedom-world/2015/iran#.VW26oPmMOmw>. Date Accessed: 15 June 2015.

²⁴ Democratic Party of Iranian Kurdistan- about undated <http://pdki.org/english/about/>. Date Accessed: 2 June 2015.

²⁵ Global Security, Kurdish Democratic Party of Iran, undated <http://www.globalsecurity.org/military/world/para/kdpi.htm>. Date Accessed: 22 June 2015.

conditions for Iranian Kurds and Iranian Kurdish Parties in Iran. They state that;

‘Concerning the organization of members of KDPI in Iran, KDPI’s representative in Paris informed the delegation that there are three categories of persons affiliated with KDPI: members, sympathizers and ‘friends’. As regards how members are organized KDPI’s representative in Paris explained that they are organized in cells. Each cell consists of one or more members.’

‘KDPI’s representative in Paris further said that if the identity of a party member in Iran is revealed to the authorities, KDPI will tell this so called ‘red member’ to leave the country immediately for security reasons. Most KDPI members who leave Iran are typically settling in KRI or in Europe.’

5.2.3 The report went on to note:

‘With regards to high profiled members who leave Iran due to their identity being revealed to the Iranian authorities, they will mostly go to Europe. As regards the party’s sympathizers, KDPI’s representative in Paris stated that the party’s sympathizers in Iran are all connected to a party cell in their area. The identity of KDPI’s sympathizers in Iran is only known to their respective local cells. Normally, the authorities do not know of the individual sympathizers of the party. In case a person is revealed as a sympathizer, he or she must leave the country for security reasons.’

‘Apart from members and sympathizers, KDPI’s representative in Paris described a third category of people connected to the party as ‘friends’. KDPI’s friends are characterized as ones who participate in different activities that are encouraged by the party, such as participating in demonstrations, closing their shops during announced strikes, or writing articles about the situation of the Kurds in Iran in newspapers. The KDPI friends are not in all cases of Kurdish ethnicity’.²⁶

‘Mohammad Nazif Qadiri (KDPI) stated that KDPI strives to keep their members inside Iran to work for Kurdish rights. However, if they face a life threatening situation, they are forced to leave and apply for asylum outside of Iran’.²⁷

Reporting on consequences for party sympathizers, the same source noted that ‘UNHCR added that if a person who actively assists and supports KDPI is arrested by the authorities, the person will face serious difficulties. UNHCR Erbil further stated that low profile supporters of KDPI will be taken to

²⁶ Danish Refugee Council and Danish Immigration Service, Iranian Kurds: On Conditions for Iranian Kurdish Parties in Iran and KRI, Activities in the Kurdish Area of Iran, Conditions in Border Area and Situation of Returnees from KRI to Iran 30 May to 9 June 2013, 30 September 2013 2.1. 1. Party organisation of KDPI p.26-27 http://www.nyidanmark.dk/NR/rdonlyres/D82120CB-3D78-4992-AB57-4916C4722869/0/fact_finding_iranian_kurds_2013.pdf. Date Accessed: 27 May 2015.

²⁷ Danish Refugee Council and Danish Immigration Service, Iranian Kurds On Conditions for Iranian Kurdish Parties in Iran and KRI, Activities in the Kurdish Area of Iran, Conditions in Border Area and Situation of Returnees from KRI to Iran 30 May to 9 June 2013, 30 September 2013, 2.1. 1. Party organisation of KDPI p.27 http://www.nyidanmark.dk/NR/rdonlyres/D82120CB-3D78-4992-AB57-4916C4722869/0/fact_finding_iranian_kurds_2013.pdf. Date Accessed: 27 May 2015.

detention and be kept there for few days. Sometimes, they are tortured during the interrogation to confess. Later on they will be taken to court and they sign a statement indicating that they will not be involved in any political parties in the future. ... Asked to elaborate about the typical consequences for sympathizers caught while for instance distributing leaflets Mohamed Sahebi, Member of Central Committee (KDPI) told the delegation that it does not make any difference whether a person is a sympathizer or a member, the consequences can be imprisonment and torture. If a person believes in freedom and performs activities in this regard he or she will be under pressure and the consequences can be harsh.’²⁸

5.2.4 Jane’s Sentinel Security assessment on the army in Iran states that;

‘the Kurdish media outlet Rudaw reported in October 2013 that Iraq-based Kurdistan Democratic Party of Iran (KDPI) head Khaled Azizi warned in an interview that he was facing growing internal calls for a resumption of armed struggle. The latest confirmed incident of a growing trend of attacks by Kurdish fighters on Iranian security forces occurred in October 2013, when five members of the IRGC were killed by unknown gunmen near Baneh town in the north-western Kordestan Province. No group claimed responsibility, although Kurdish media reported that it was either members of the militant Partiya Jiyana Azad a Kurdistanê (PJAK) or fighters affiliated to the KDPI. The KDPI later released a statement claiming that the IRGC soldiers killed were all members of Iran’s Kurdish minority. The KDPI also claimed that another member of the IRGC was later killed in the West Azerbaijan province, close to the border with Iraqi Kurdistan. However, this has yet to be verified. Sardasht was the site of deadly violence between PJAK and the Iranian army in August 2013, in which PJAK claimed to have killed seven soldiers’.²⁹

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5.3 Komala (Komaleh/Komalah)

5.3.1 Jane’s Sentinel Security assessment on non-state armed groups stated the following regarding Komala;

‘There are two distinct wings of Komaleh: the Komalah Communist Party of Iran (Komalah-CPI); and the Komala Party of Iranian Kurdistan (Komala-PIK).’

‘Komaleh was founded as a Marxist-Leninist nationalist organisation in Iranian Kurdistan in 1969. The group regarded itself as the vanguard of the proletariat and the guardian of Kurdish rights, and provided political opposition to the autocratic reign of the Shah.’

²⁸ Danish Refugee Council and Danish Immigration Service, Iranian Kurds On Conditions for Iranian Kurdish Parties in Iran and KRI, Activities in the Kurdish Area of Iran, Conditions in Border Area and Situation of Returnees from KRI to Iran 30 May to 9 June 2013, 30 September 2013, 1.3.2. Consequences for party sympathizers p.17http://www.nyidanmark.dk/NR/rdonlyres/D82120CB-3D78-4992-AB57-4916C4722869/0/fact_finding_iranian_kurds_2013.pdf. Date Accessed: 17 July 2015.

²⁹ Jane’s ‘Sentinel Security Assessment’, Iran; Army, 13 May 2015. Subscription source. Date Accessed: 18 May 2015.

‘Following the 1979 Islamic revolution, it took up arms against the new Islamic Republic of Iran, but was forced to relocate to Iraqi Kurdistan in 1983 following a concerted counter-terrorism operation. In 1984, it participated in the creation of the Communist Party of Iran (CPI), a move that alienated many Komaleh cadres, and in the late 1980s and early 1990s Komaleh evolved into two distinct organisations.’

‘The Komalah Communist Party of Iran (Komalah-CPI), led by Komaleh founder Ebrahim Alizadeh, retained the group’s original Marxist-Leninist outlook, and operates as an autonomous Kurdish arm of the CPI; while the breakaway Komala Party of Iranian Kurdistan (Komala-PIK), led by Abdullah Mohtadi, adopted a more moderate socialist ideology, and emerged as the larger faction. Despite their ideological and doctrinal differences, their objectives remain broadly aligned, namely replacing the theocratic central government with a secular, federal, and democratic republic that provides autonomy for Iran’s ethnic minorities. However, the two wings do not co-operate, and the last major offensive carried out by Komaleh came in 2005 when Komala-PIK participated in a series of abortive uprisings throughout Iranian Kurdistan.’

‘Since then, both wings of Komaleh have focused on carrying out political and civil activism in Iranian Kurdistan. However, Komaleh still retains a military capacity and carries out sporadic cross-border attacks, but currently it poses only a limited and localised threat to Iranian security forces, and poses little or no threat to the Iranian state itself.’³⁰

- 5.3.2 The Danish Refugee Council and Danish Immigration Service published a report in September 2013 following their joint fact finding mission on the conditions for Iranian Kurds and Iranian Kurdish Parties in Iran. They state that;

‘Regarding the party’s mode of organization in Iran, Ebrahim Alizadeh, General Secretary of the Kurdistan Organization of the Communist Party of Iran, Komala (Komala, SKHKI) explained that Komala members in Iran are either individuals having no connection to other members and reporting directly to Komala SKHKI in KRI, or they are organized in cells where each cell comprises three to five members. In the cells, members divide the work between them and only one member has direct contact to Komala SKHKI in KRI. According to Alizadeh, besides party members, there are party sympathizers who are Kurds active for Komala without being members or without having any direct connection to the party. These people listen to the party’s radio programs and watch Komala TV and conduct the activities which Komala encourages Kurds to do through these programmes.’

³⁰ Jane’s ‘Sentinel Security Assessment’, Iran; Non- state armed groups. 23 May 2014. Subscription source. Date Accessed: 18 May 2015]

‘Ebrahim Alizadeh (Komala, SKHKI) informed the delegation that Komala SKHKI does not allow its members in Iran to get together in groups of more than two to three persons.’³¹

The same report further notes that ‘Asked about the punishment of a Komala sympathizer arrested by the Iranian security forces, Ebrahim Alizadeh (Komala, SKHKI) stated that the punishment depends on the activity of the sympathizer. If the sympathizer gets caught carrying political materials, he may be sentenced to about two years imprisonment. The sources added that the law is arbitrarily enforced and the authorities will sometimes take decisions contrary to the law. However, the source emphasized that if the person caught is a member of the party, the punishment will be much harsher which means 10-15 years imprisonment or even execution.’³²

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5.4 Party of Free Life for Kurdistan (PJAK)

5.4.1 Terrorism Research and Analysis Consortium’s information on ‘Party of Free Life of Kurdistan’, which is undated stated that;

‘The Party of Free Life of Kurdistan (PJAK) is a militant Kurdish nationalist group with bases in the mountainous regions of northern Iraq that has perpetrated numerous attacks in western Iran, southern Turkey and the north-eastern parts of Syria where the Kurdish populations live. PJAK shares the same leadership and logistics of the PKK militants in Turkey, as well as allegiance to its leader, Abdullah Ocalan, but unlike the PKK PJAK fights Iranian government forces rather than the Turkish government forces. Half the members of PJAK are reportedly women that fight in Eastern Kurdistan. The group actively recruits female guerrillas and states that its "cruellest and fiercest fighters" are women drawn to the movement's "radical feminism". PJAK women fighters blame Sharia law for the oppression and murder of women, particularly in Eastern Kurdistan’.³³

5.4.2 According to an Iranian country report regarding Kurds compiled by Professor Joffé dated 30 September 2012, the PJAK movement is surprising for a Kurdish political movement as it is:

‘...highly supportive of women’s rights and of women’s participation in government. Its ideology appears to be based on democratic liberalism and

³¹ Danish Refugee Council and Danish Immigration Service Iranian Kurds: On Conditions for Iranian Kurdish Parties in Iran and KRI, Activities in the Kurdish Area of Iran, Conditions in Border Area and Situation of Returnees from KRI to Iran 30 May to 9 June 2013, 30 September 2013 3.1.1. Party organisation of Komala, SKHKI p.24 http://www.nyidanmark.dk/NR/rdonlyres/D82120CB-3D78-4992-AB57-4916C4722869/0/fact_finding_iranian_kurds_2013.pdf. Date Accessed: 27 May 2015.

³² Danish Refugee Council and Danish Immigration Service Iranian Kurds: On Conditions for Iranian Kurdish Parties in Iran and KRI, Activities in the Kurdish Area of Iran, Conditions in Border Area and Situation of Returnees from KRI to Iran 30 May to 9 June 2013, 30 September 2013 1.3.2. Consequences for party sympathizers p.18 http://www.nyidanmark.dk/NR/rdonlyres/D82120CB-3D78-4992-AB57-4916C4722869/0/fact_finding_iranian_kurds_2013.pdf. Date Accessed: 17 July 2015.

³³ Terrorism Research and Analysis Consortium, Party of Free Life of Kurdistan, undated [subscription source] <http://www.trackingterrorism.org/group/party-free-life-kurdistan-pjak>. Date Accessed: 16 June 2015.

is wishes to see the current Iranian regime replaced by democratic federal system in order to allow for minority rights. The PJAK apparently traces its roots back to the non-violent student movements in Iran that developed in the wake of the 1999 demonstrations in Teheran’.

The report goes on to note that:

‘Observers have suggested that it is ideologically situated between the Kurdish Democratic Party and the Patriotic Union of Kurdistan in Iraqi Kurdistan, although others have suggested that it is linked to the PKK. Its main bases are also in Iraqi Kurdistan where it is said to maintain two camps and, even though it does not seek a military confrontation, the realities of Iranian control over Iranian Kurdistan have meant that it has had to engage in military actions against the Iranian security forces’.³⁴

5.4.3 In February 2009 the U.S. Treasury branded the Kurdish group PJAK, whose guerrillas fight against government forces in Iran’s Kurdish-populated areas, as a terrorist organization. The U.S. Treasury undersecretary for terrorism and financial intelligence; stated that “we are exposing PJAK’s (Free Life Party of Kurdistan) terrorist ties to the PKK”.³⁵

5.4.4 The underground Free Life Party of Kurdistan (PJAK) is the only Kurdish group still locked in armed struggle with the Iranian government. PJAK, which is linked to the Kurdistan Workers’ Party (PKK), began organising inside Iran in the late 1990s, and started launching attacks from the rugged Qandil Mountains in 2004. The group has the declared aim of establishing an autonomous Kurdish region in Iran. In October 2011, PJAK reached a ceasefire agreement with the Iranian authorities after a major Iranian offensive denuded their operational capabilities. However, small-scale clashes between PJAK and Iran’s forces have since continued.³⁶

5.4.5 According to the sources consulted in the Landinfo report of 2013;

‘It was considered that PJAK is the most active organization. PJAK has entered into a ceasefire agreement with the Iranian government and there had been no clear armed clashes recently. However, many cases have been reported regarding imprisonment, torture, terrible prison conditions and executions in Iran of PJAK members and supporters. It was further added that an individual does not need to be a member of PJAK in order to be pursued and that others somehow affiliated could face risks. Families to PJAK members can also be at risk and face arrest and interrogations by the authorities. It was added by the sources that they obtain information on the situation in Iran through the internet and publicly accessible sources as well as through refugees.’³⁷

³⁴ Country report on Kurds in Iran, Professor Joffé 30 September 2012, available on request.

³⁵ Reuters, U.S. brands anti-Iran Kurdish group terrorist, 4 February 2009 <http://www.reuters.com/article/2009/02/04/idUSN04297671>. Date Accessed: 16 June 2015]

³⁶ Jane’s ‘Sentinel Security Assessment’, Iran; security. 6 April 2015. Subscription source. Date Accessed: 16 June 2015.

³⁷ Landinfo, Iran – On Conversion to Christianity, Issues concerning Kurds and Post-2009 Election Protestors as well as Legal Issues and Exit Procedures, Joint report from the Danish Immigration

- 5.4.6 Shamal Bishir, Head of Foreign Affairs, Party of Free Life for Kurdistan (PJAK) informed the 2013 Danish fact finding mission that “PJAK is an illegal organization in Iran. The party’s headquarters is located in the Qandil Mountains from where there is a mass media section”.³⁸
- 5.4.7 Jane’s Sentinel Security Assessment of Iran stated that; ‘violent clashes have been rare since Iranian forces launched an offensive against PJAK in 2011, which culminated in then-foreign minister Ali Akbar Salehi claiming in October 2011 that the group had ceased to be a threat. The vast majority of PJAK fighters were forced over the border into Iraqi Kurdistan’.³⁹

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6. Treatment of Kurdish political or human rights activists and perceived activists/family members

- 6.1.1 According to Amnesty International, ‘The Iranian authorities have long been suspicious of Iran’s ethnic minorities, including Ahwazi Arabs, Azerbaijanis, Baluch, Kurds and Turkmen, many of which are situated in border areas. ... members of the Kurdish minority who express any form of peaceful dissent are vulnerable to accusations of participation in banned Kurdish political groups such as KDPI, Komala and PJAK. Such accusations put them at even greater risk of serious human rights violations including torture and the death penalty’.⁴⁰ It further notes that ‘Demands by ethnic minority rights activists for greater rights have, for many years, been suppressed, in the context of armed opposition from some groups, particularly from the Ahwazi Arab, Kurdish and Baluch communities. Activists from these communities who advocate for greater respect and protection of the rights of their communities – which face discrimination in law and practice in Iran – risk numerous human rights violations ranging from arbitrary arrest to the death penalty after unfair trial, as well as restrictions on movement and denial of other civil rights. This pattern continues in the context of a wide and generalized suppression of most forms of dissent over government policies’.⁴¹

Service, the Norwegian LANDINFO and Danish Refugee Council’s fact-finding mission to Tehran, Iran, Ankara, Turkey and London, United Kingdom 9 November to 20 November 2012 and 8 January to 9 January 2013, February 2013, 3.1 Kurdish political activities p.41
<https://www.nyidanmark.dk/NR/rdonlyres/A8C2C897-1CA9-49D1-BA32-EC3E599D646D/0/Iranendeligudgave.pdf>. Date Accessed: 3 June 2015.

³⁸ Danish Refugee Council and Danish Immigration Service Iranian Kurds On Conditions for Iranian Kurdish Parties in Iran and KRI, Activities in the Kurdish Area of Iran, Conditions in Border Area and Situation of Returnees from KRI to Iran 30 May to 9 June 2013, 30 September 2013 4.1. Party organisation of PJAK p.49 http://www.nyidanmark.dk/NR/rdonlyres/D82120CB-3D78-4992-AB57-4916C4722869/0/fact_finding_iranian_kurds_2013.pdf. Date Accessed: 27 May 2015]

³⁹ Jane’s ‘Sentinel Security Assessment’, Iran; Army, 13 May 2015. Subscription source. Date Accessed: 18 May 2015.

⁴⁰ Amnesty International, Iran: ‘We are ordered to crush you’: Expanding repression of dissent in Iran, 28 February 2012, MDE 13/002/2012, 4.12 Religious and ethnic minorities p.50.
<https://www.amnesty.org/en/documents/MDE13/002/2012/en/> Date Accessed: 3 June 2015.

⁴¹ Amnesty International, Iran: ‘We are ordered to crush you’: Expanding repression of dissent in Iran, 28 February 2012, MDE 13/002/2012, 4.4 Rights activists from minorities p.33-34

- 6.1.2 In an August 2014 report on political prisoners in Karaj Human Rights Watch notes that it 'compiled information regarding several dozen political opposition members, some of whom were members or supporters (or allegedly belonged to) of the Mojahedin-e Khalq Organization, and others who were members or supporters (or allegedly belonged to) Kurdish and Baluch political opposition groups such as the Democratic Party of Kurdistan (PDKI), Komala, or the Free Life Party of Kurdistan (PJAK). The judiciary has convicted many of these individuals of violence or involvement in terrorism-related activities and they are serving heavy prison sentences. Revolutionary courts have sentenced some of these prisoners to death. The charges against some of these individuals, the nature of their activities, and serious concerns regarding violation of their due process rights suggests that some may, in fact, qualify as peaceful political rights activists or peaceful opposition members, but because Human Rights Watch could not gather enough information regarding their cases, we could not make a conclusive determination in this regard.'⁴²
- 6.1.3 Freedom House reports that 'Activists campaigning for more ethnic rights and greater autonomy have come under pressure from authorities, and some have been jailed.'⁴³ The August 2014 Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran noted that 'Members of ethnic minority groups, in particular those espousing ethnocultural, linguistic or minority religious rights, appear to be disproportionately charged with moharebeh and mofsed fel-arz, sometimes seemingly for exercising their rights to peaceful expression and association. ... At least 58 Kurdish human rights activists were summoned to offices of the Ministry of Intelligence and Security between August 2013 and May 2014. The figure includes 30 labour activists, 21 of whom were summoned by the Intelligence Office in Sanandaj and the Governor of the city of Saqqez between 28 April and 1 May 2014, in relation to their participation in International Workers' Day on 1 May. Saqqez officials had allegedly suggested to some local labour activists that they should participate in the Government's official events instead of holding separate events.'⁴⁴ In a February 2015 submission to the Human Rights Council the International Educational Development, Inc reported that 'The number of Kurdish rights activists facing imprisonment, torture, and execution continues to rise. According to rights groups Iran holds at least 900 political prisoners and prisoners of conscience, including roughly 400 members of the Kurdish

<http://www.refworld.org/docid/4f50acd57e.html>. Date Accessed: 3 June 2015.

⁴² Human Rights Watch, Locked Up in Karaj: Spotlight on Political Prisoners in One Iranian City, 18 August 2014

<https://www.hrw.org/report/2014/08/18/locked-karaj/spotlight-political-prisoners-one-iranian-city>. Date Accessed: 17 July 2015.

⁴³ Freedom House, Freedom in the World 2015 - Iran, 16 March 2015

<https://freedomhouse.org/report/freedom-world/2015/iran#.VW26oPmMOMw>. Date Accessed: 15 July 2015.

⁴⁴ UN, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 27 August 2014 paragraphs 9 and 36

http://www.ecoi.net/file_upload/1226_1414752324_n1451883iran.pdf. Date Accessed: 17 July 2015.

community. Out of 93 political prisoners sentenced to death for crimes of “Mohareb”, enmity against god, 62 of them are of Kurdish ethnicity.⁴⁵

6.1.4 The Danish Refugee Council and Danish Immigration Service’s joint fact finding mission of September 2013 met with various sources who stated that;

“A Western diplomat and expert on Iran in Erbil explained that there is no tolerance on the Iranian regime’s side for any kind of activities with connection to the Kurdish political parties and any affiliation with one of these parties would be reason for arrest. The main reason for this is that these parties’ ultimate goal, despite their non-violent opposition, is a change in the regime of Iran which is much worse than support for the Green Movement which aims for reforms within the existing system”.⁴⁶

“The Western diplomat and expert on Iran in Erbil informed the delegation that the execution rate is high among Kurds in Iran. A large part of these executions are based on accusation of drug smuggling. Sometimes political activists are executed under the pretext of being drug smugglers”.⁴⁷

“Ammar Goli, a well-informed Kurdish journalist, stated that people work secretly for PJAK as they will be in grave danger if their activities are revealed to the authorities”.⁴⁸

“Mustafa Moloudi (KDP-Iran) explained that some of the (KDPI) party members who had been conducting secret activities in Iran were caught by the regime. While some of them were executed and some were freed after a period of detention, others were exchanged. However, those who were freed lost their public jobs, for instance if they were working as teacher, and they were not allowed to work anymore in the public sector”.⁴⁹

“Regarding punishment for being a member of Komala, Ebrahim Alizadeh (Komala, SKHKI) told the delegation that if a Komala cell member is arrested by the Iranian regime, he will be tortured, imprisoned for life or even executed. As regards the consequences for the cell member’s family, Alizadeh explained that his family members may be arrested, but they will be freed on bail after a while”.⁵⁰

“Ammar Goli, a well-informed Kurdish journalist, stated that at the moment, there are 200 cases involving persons arrested by the Iranian regime

⁴⁵ The International Educational Development, Inc, Written statement* submitted to the UN Human Rights Council by the International Educational Development, Inc., a non-governmental organization on the roster: Violations of Kurdish people rights in the Islamic Republic of Iran, 20 February 2015 http://www.ecoi.net/file_upload/1930_1425464248_g1503058.pdf. Date Accessed: 17 July 2015.

⁴⁶ Danish Refugee Council and Danish Immigration Service Iranian Kurds On Conditions for Iranian Kurdish Parties in Iran and KRI, Activities in the Kurdish Area of Iran, Conditions in Border Area and Situation of Returnees from KRI to Iran 30 May to 9 June 2013, 30 September 2013, 1.3. Consequences of conducting activities for the Kurdish political parties page 15 http://www.nyidanmark.dk/NR/rdonlyres/D82120CB-3D78-4992-AB57-4916C4722869/0/fact_finding_iranian_kurds_2013.pdf. Date Accessed: 27 May 2015,

⁴⁷ Ibid, 1.3. Consequences of conducting activities for the Kurdish political parties page 15

⁴⁸ Ibid, 1.3.1. Consequences for party members page 16

⁴⁹ Ibid, page 16

⁵⁰ Ibid, page 16

accused of being members or sympathizers of PJAK. In reality, many of these persons are not affiliated with PJAK, but are rather student activists, human rights activists, cultural activists etc. Since 2006, there have been 25 cases of persons sentenced to death accused of being connected to PJAK. Six out of these 25 persons have been executed. While three of them were PJAK members, the other three had no connection to PJAK". These were ... a teacher, a government employee and a Turkish citizen who was arrested in the border area between Iran and Turkey. The source emphasized that if PJAK members are sentenced to death, the party will make public statements about that... the government knows that these people have no connection to PJAK but it uses the allegation of affiliation with PJAK as an excuse to eliminate people whom it considers a threat".⁵¹

"According to Ziryan Roj Helaty (Tanupo Magazine), the Iranian regime is highly sensitive to the Kurdish population in Iran, and the regime always reacts disproportionately towards activities conducted by Kurds. As a result, if the Iranian regime for instance catches a sympathizer carrying out an activity against the government, the consequences for him and his family will be serious".⁵²

"Ziryan Roj Helaty also stated that anything related to KDPI, even talking about the Kurdish people and their rights could create a problem. Someone who talks directly about KDPI is, in the eyes of the regime, affiliated with KDPI, and a person speaking about Kurdish rights is seen as a general threat. ... Kurdish patriotism that has spread throughout the Middle East in recent years, may also reach Iran, and this is exactly what the regime in Iran fears".⁵³

"According to UNHCR in Erbil, persons with a high political profile as well as human rights activists are targeted. ... Members of KDPI will get approximately two to ten years of prison if they are arrested by the Iranian authorities. Based on information from asylum seekers, KDPI members will be tortured during pre-trial detention in order to confess and disclose names of other KDPI members. The duration of the detention will typically be from one to six months depending on the level of the detainee's engagement. The sentence which is imprisonment will depend on the level of the engagement of the person and the evidence that are presented against him".⁵⁴

Reporting on the treatment of family members of persons associated with a Kurdish party the same source notes that 'Asked how the regime treats the family of someone who has been caught with a flyer, UNHCR Erbil answered that the family will be harassed until the wanted person shows up. The regime will sometimes detain a family member and interrogate him for a few hours and then release him; or the regime will hold one of the family members in detention. When asked in which cases family members will be harshly or mildly punished, UNHCR Erbil answered that there is no basis in

⁵¹ Ibid, page 17

⁵² Ibid, 1.3. Consequences of conducting activities for the Kurdish political parties page 15

⁵³ Ibid, page 15/16

⁵⁴ Ibid, 1.3.1. Consequences for party members page 16

the Iranian law to detain a family member to a person whom the authorities has failed to arrest. However, in practice once the authorities find out that a person who has actively been working against the government has escaped from them, they would interrogate the family members and sometimes detain them for a while and use torture to make them confess about the whereabouts of the wanted person. As regards pressure on the families of Kurdish political activists and Kurdish political party members, a Western diplomat and expert on Iran informed the delegation that the Iranian authorities put the families under pressure. This can be done by removing them from their positions in the public sector, frequently calling them in and asking them questions, calling the families to threaten them with imprisonment and with depriving them of access to higher education or employment in public positions, investigating their computers, etc.⁵⁵

- 6.1.5 The Landinfo report of February 2013 regarding Conversion to Christianity, Issues concerning Kurds and Post-2009 Election Protestors as well as Legal Issues and Exit Procedures, reported that an international organization in Ankara said that “in the Kurdish areas, individuals who are suspected of connections to KDPI, Komala and Khabat may be called in by the security agencies. Individuals who organize cultural activities may also be called in for questioning. It was added that this is not a standard security control, but a way in which the authorities set pressure on such individuals by showing them that they are under surveillance”.

‘It was considered that the system targeted members of these groups, that is those who were documented members, and considered that in these cases, their family members, including women and children, may be pressured by the authorities as well. It was explained that the authorities, in order to target those individuals, may go directly to the family members of the active persons of those groups in search of these individuals as well as a means of putting pressure on them and their families.’

‘Asked about the situation in the Kurdish area, a Western embassy stated in the Landinfo report of February 2013 that; “it is difficult to obtain information on the ground. During the Khatami period, a dialogue started up between the central government and the Kurdish areas. However, nowadays, one hears more and more of ordinary persons being pursued by the authorities because of family members being members of PJAK, Komala or KDPI. It is considered that opposition is gradually increasing, but it is not possible to say anything about what kind of activity is going on”.’

The Landinfo report further noted that; ‘if an individual were caught with a leaflet, he would most likely be arrested and tortured as well as forced to confess to being a member of whatever group could have been behind such a publication. He or she would go through a five minute trial and the outcome such a trial could vary from many years imprisonment to a mild sentence. It is impossible to say’.

⁵⁵ Ibid, 1.3.4. Risks to family members of persons associated with a Kurdish party page 21

Asked about the consequences for family members of political activists, an international organization in Ankara informed that 'If a person is deemed to be affiliated to a separatist party, he would be at risk. Family members could be regarded as oppositional as well. In the Kurdish regions, families are larger and links are closer. If a person is affiliated to the KDPI, one would expect to find other activists within the family. It is the general trend of the authorities to seek out family members in the event that an activist is a fugitive. Going after families also creates an example as well as fear.'⁵⁶

6.1.6 Radio Free Europe, Radio Liberty report 'Iran Urged Not To Execute Kurd Over Crime Committed As Minor' dated 18 February 2015 stated;

'UN human rights experts and international rights watchdogs have appealed to Iran to halt its planned execution of a young Iranian Kurdish man who was sentenced to death over a crime he committed as a minor. Saman Naseem, 22, was scheduled to be executed on 19 February after being found guilty of membership of the rebel Party of Free Life of Kurdistan (PJAK) and involvement in armed confrontations with the Revolutionary Guards. He was 17 at the time of his arrest and was sentenced to death in April 2013, after allegedly being tortured. Ahmed Shaheed, special rapporteur on the situation of human rights in Iran, and Christof Heyns, the UN special rapporteur on extrajudicial executions, said in a statement February 18 that "the execution of juvenile offenders is clearly prohibited by international human rights law."⁵⁷

6.1.7 In February 2015 the International Federation for Human Rights (FIDH), reported that;

Saman Naseem's death sentence is illegal under international law: the International Covenant on Civil and Political Rights and the UN Convention on the Rights of the Child, both of which Iran has ratified, prohibit the death penalty for juvenile offenders. Nevertheless, Iran ignored international law and calls from international human rights groups, the United Nations, and the European Union to halt Naseem's illegal execution'.

The same source also noted that;

Saman's relatives had been 'contacted by the Iranian authorities... and told to collect his personal effects from prison.... and to keep quiet'.⁵⁸

⁵⁶ Landinfo, Iran – On Conversion to Christianity, Issues concerning Kurds and Post-2009 Election Protestors as well as Legal Issues and Exit Procedures, Joint report from the Danish Immigration Service, the Norwegian LANDINFO and Danish Refugee Council's fact-finding mission to Tehran, Iran, Ankara, Turkey and London, United Kingdom 9 November to 20 November 2012 and 8 January to 9 January 2013, February 2013, 3.1.1 Family members to activists p.43 <https://www.nyidanmark.dk/NR/rdonlyres/A8C2C897-1CA9-49D1-BA32-EC3E599D646D/0/Iranendeligudgave.pdf>. Date Accessed: 3 June 2015.

⁵⁷ Radio Free Europe, Radio Liberty, Iran Urged Not To Execute Kurd Over Crime Committed As Minor, 18 February 2015, <http://www.rferl.org/content/iran/26855383.html>. Date Accessed: 15 June 2015.

⁵⁸ FIDH, Iran: Illegal execution of juvenile offender, 20 February 2015, <https://www.fidh.org/International-Federation-for-Human-Rights/asia/iran/17023-iran-illegal-execution-of-jvenile-offender>,. Date Accessed: 15 June 2015.

- 6.1.8 However, Radio Free Europe, Radio Liberty reported in February that; 'the execution of Saman Naseem, who was due to be hanged in Iran on the morning of February 19, had reportedly not been carried out on schedule and that the reason was not immediately clear, nor was it clear if Naseem would be executed at a later date. The development followed international appeals to Iran to halt the planned execution of the 22-year-old Naseem, who was sentenced to death on charges filed against him when he was 17 years old'.⁵⁹
- 6.1.9 In March 2015, Amnesty International appeared to collaborate that Saman Naseem had not been executed; 'Saman Naseem was transferred from the Oroumieh Prison, western Iran, to an unknown location on 18 February, the day before his scheduled execution. A month of uncertainty followed for his family, who did not know whether he was alive or dead, until the authorities told Saman Naseem's lawyer that the death sentence had not been carried out. However, officials have refused to disclose Saman Naseem's whereabouts. His family members have not been permitted any visits or phone calls. He is being held in conditions amounting to enforced disappearance which is a crime under international law'.⁶⁰ In July 2015 Amnesty International further noted that Saman Naseem 'was able to call his relatives from prison over the weekend, ending five months of unbearable suffering by his loved ones, who did not know what had happened to him. ... The Supreme Court has also granted Saman Naseem's application for judicial review, which means that his conviction and death sentence are quashed and that he is entitled to a full retrial. ... "This story clearly illustrates the dysfunctional criminal justice system. During pre-trial interrogations Saman Naseem was kept in a small cell without access to a lawyer and repeatedly tortured to force a 'confession'. He was below 18 at the time of the alleged crime and should have never been sentenced to death in the first place.'⁶¹
- 6.1.10 In June 2015 the Unrepresented Nations and Peoples Organisation reported that 'A well-known Kurdish political prisoner was executed without notice to family earlier this week, sending shock and outrage through the opposition movement in the Islamic Republic of Iran. Mansour Arvand, a 39-year-old former wrestler from Mahabad, had been sentenced in 2011 for the capital crime of "Moharebeh," which has been translated from Farsi as "enemy of God." His death by hanging has angered Kurdish activists in Iran and abroad who had expressed hope that the new government of President

⁵⁹ Radio Free Europe, Radio Liberty, Iran Does Not Carry Out Scheduled Hanging Of Juvenile Kurdish Offender, 19 February 2015, <http://www.rferl.org/content/iran-execution-kurd-saman-naseem/26858744.html>. Date Accessed: 15 June 2015.

⁶⁰ Amnesty International, Iran: Scrap death sentence for juvenile offender to prove UN review more than a 'PR stunt', 18 March 2015, <https://www.amnesty.org/en/articles/news/2015/03/iran-un-review-scrap-death-sentence-for-juvenile-offender/>. Date Accessed: 15 June 2015]

⁶¹ Amnesty International, was able to call his relatives from prison over the weekend, ending five months of unbearable suffering by his loved ones, who did not know what had happened to him, 13 July 2015 <https://www.amnesty.org/en/latest/news/2015/07/iran-whereabouts-of-juvenile-offender-on-death-row-emerge-five-months-after-scheduled-execution/>. Date Accessed: 17 July 2015]

Hassan Rouhani would improve the situation of many Kurdish political prisoners."⁶²

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⁶² Unrepresented Nations and Peoples Organisation, Iranian Kurdistan: Political Prisoner Unexpectedly Executed, 18 June 2015 <http://unpo.org/article/18310>. Date Accessed: 17 July 2015]

Version Control and Contacts

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email [the Country Policy and Information Team](#).

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