



مرکز اسناد حقوق بشر ایران  
IRAN HUMAN RIGHTS  
Documentation Center



# EXTREME INEQUALITY

## THE HUMAN RIGHTS SITUATION OF IRAN'S BALUCH MINORITY

# **Extreme Inequality: The Human Rights Situation of Iran's Baluch Minority**

Iran Human Rights Documentation Center

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## **Executive Summary**

Iran's Baluch citizens, who mainly reside in Sistan and Baluchistan Province, face numerous discriminatory practices and human rights violations. The accounts of several witnesses interviewed by the Iran Human Rights Documentation Center (IHRDC) demonstrate that torture and abuse of due process rights, such as the right to adequate counsel, occur regularly in cases involving Baluchis charged with national security crimes. In many instances they receive harsh sentences, including the death penalty, in grossly unfair trials.

As Sunni Muslims, Baluch Iranians are both an ethnic and religious minority in the majority-Shia country. The Iranian Constitution explicitly states that Iran's official religion is Shia Islam, and that the president of the Islamic Republic must be a Shia male. In practice, however, the ban on Sunnis goes further, and they are barred from high-level posts such as minister or provincial governor. Furthermore, Iranian authorities curtail Sunnis' right to free exercise of religion through practices such as demolishing Sunni religious seminaries and prohibiting them from building new mosques in Tehran, Mashhad and many other major cities.

Sistan and Baluchistan is one of Iran's poorest provinces, with human development indicators lagging far behind the rest of the country. Scarcity of economic opportunity has contributed to proliferation of smuggling as a means for earning a livelihood. Drug offences are punishable by death under Iranian law, and Sistan and Baluchistan Province has one of the highest execution rates compared to other provinces. In addition, many Baluch citizens have been fatally shot by security forces while riding vehicles suspected of smuggling fuel. Statelessness is yet another human rights issue affecting many Baluch Iranians, contributing to their problems.

As a party to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), Iran is obligated to respect the rights of its Baluch citizens without discrimination. This report explains how the Iranian government has failed to comply with these international human rights commitments.

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## Introduction

On October 26, 2013, Zahedan General and Revolutionary Prosecutor Mohammad Marzieh announced that 16 members of armed opposition groups were executed in response to an attack on Iranian border guards on the previous night.<sup>1</sup> The retaliatory executions reflected the challenging human rights situation in Iran's Sistan and Baluchistan province. In a pattern that has been repeated over the years, the Iranian government responded to attacks on its forces by taking arbitrary action against individuals who have not been afforded due process rights. In the October 2013 incident, for example, the Iranian government executed individuals who had presumably been sentenced to death, though they were not involved in the attack that prompted the retaliatory executions. In addition, the Iranian government did not release the names of the executed individuals, nor did it explain the details of the crimes they had allegedly committed.



Figure 1. Zahedan General and Revolutionary Prosecutor Mohammad Marzieh

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<sup>1</sup> *Iran Hangs 16 Rebels 'in Reprisal for Border Deaths'*, BBC (Oct. 26, 2013), <https://www.bbc.com/news/world-middle-east-24682729>.

According to one study Baluchis constitute 2.6% of Iran's population.<sup>2</sup> As Sunnis, Iran's Baluch citizens face discriminatory policies and practices. Iran's Constitution declares Shia Islam as the official state religion and Iran's Supreme Leader and President must be Shia males. Although no explicit ban exists for other senior government positions, no Sunni individual is serving as either a cabinet level minister or a provincial governor. In 2013 Ali Younesi, President Rouhani's assistant on the affairs of ethnic and religious minorities, stated that President Rouhani had not been able to appoint a Sunni minister or provincial governor, suggesting that conservative forces within the Islamic Republic's establishment are strongly opposed to appointing Sunnis to high level posts.<sup>3</sup>

Sistan and Baluchistan is one of the least developed provinces in Iran. As this report explains, the province's human development indicators lag behind other regions in the country. Scarcity of economic opportunity has led to the proliferation of smuggling. Iran's harsh drug laws have given rise to a high execution rate in the province. Additionally, many Baluchi Iranians do not possess birth certificates and cannot enjoy many benefits associated with Iranian citizenship.

This report puts the human rights abuses committed against Iran's Baluch population in the context of the varied problems affecting the region. First, the report discusses the experiences of individuals interviewed by IHRDC and a number of other notable cases, demonstrating the extent of human rights abuses committed by the Iranian intelligence apparatus and judiciary against Baluch citizens. Next, the report examines other human rights issues impacting Iran's Baluch population. The report concludes with evaluating Iran's compliance with its international human rights obligations.

## 1. Experiences of Baluch Citizens

In this section the report draws on the accounts of several witnesses to demonstrate human rights abuses committed by Iranian authorities.

### 1.1. Hamed<sup>4</sup>

Hamed is a Baluchi Iranian who spoke with IHRDC regarding his experience. In 2016, as he was going home from work, he was arrested by several security agents.<sup>5</sup> Blindfolded and handcuffed, Hamed was placed in a privately tagged vehicle and taken to the Ministry of Intelligence (MOI) office. The agents asked him about the assassination of a judge in Saravan – the capital of Saravan County in Sistan and Baluchistan Province – as well as other incidents, none of which involved Hamed.<sup>6</sup> The MOI agents accused Hamed of being an accomplice in the assassination and other crimes, and they linked him to acquaintances involved in these incidents. Although Hamed insisted that he did not know anything about these incidents, MOI agents threatened him that he could lose his job and livelihood if he did not cooperate with them.

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<sup>2</sup> MIHDI IKHTIARIMIAB, *Tanavvu 'i Qumī Va Āyandihyi Dulat-Millathā Dar Farāyandi Jahānī Shudan Bā Ta 'kīd Bar 'Irān Dar Ufuqi Zamānī Bīst Sāli Āyandih (1397-1417)*, ACADEMIA.EDU (last visited June 24, 2019), <https://www.academia.edu/37697786/> - دولت آینده و قومی تنوع - ملت جهانی فرآیند در ها شدن زمانی افق در ایران بر تاکید با آینده سال بیست 7931 - 7171

<sup>3</sup> *Yūnisī: Dulat Natavānist Bih Aqaliyathāyi Qumī Va Mazhabī, Ustāndārī Va Vizārat Bidahad*, BBC PERSIAN (Dec. 4, 2013), [http://www.bbc.com/persian/iran/2013/12/131204\\_139\\_younesi\\_minorities\\_appointments](http://www.bbc.com/persian/iran/2013/12/131204_139_younesi_minorities_appointments).

<sup>4</sup> Pseudonym assigned to protect the witness.

<sup>5</sup> IHRDC Interview with Hamed (pseudonym), (July 3, 2018) (on file with IHRDC)

<sup>6</sup> Id.

On the third day of Hamed's detention MOI agents started to beat him. They slapped and kicked him, and they struck the soles of his feet with a metal rod.<sup>7</sup> After seven to eight strikes Hamed was knocked unconscious. When he woke up, he was lying on a blanket in a prison cell.<sup>8</sup> He was interrogated again, and he was told that next time he would be struck on his back and kidneys, and that he would not survive unless he confessed.<sup>9</sup> Hamed cried and repeated that he did not have the information they were seeking. After a few days he was taken to be tortured again. Hamed was tied to a bed and struck with a rod on his legs, back and buttocks.<sup>10</sup> Hamed eventually relented under torture and agreed to confess, and he signed a sheet of paper prepared by the interrogators in advance.<sup>11</sup> A few days later the interrogators returned and this time they accused Hamed of actually carrying out the assassination. When he asked them to contact an alibi to testify that he was somewhere else when the attack took place, the interrogators refused. According to Hamed, they were only interested in his signing the confessions they had prepared in advance.

Hamed was charged with *moharebeh*, or waging war against God. At his court hearing the investigating judge asked him whether he accepted the charges against him. Hamed asked whether he would be returned to the same detention facility as before. The investigating judge said no. Then he asked Hamed whether he was afraid of the guard accompanying him, and Hamed responded in the affirmative. The judge told the guard to leave the room. At that point Hamed described the torture he had endured and the manner in which his confessions were extracted.<sup>12</sup> Hamed was subsequently transferred to another prison. Before being sentenced, however, Hamed was released from prison due to a clerical error. Subsequently he left Iran.<sup>13</sup>

## 1.2. Emadeddin Molazehi

Emadeddin Molazehi, a resident of Sarbaz in Sistan and Baluchistan Province, spoke with IHRDC regarding his experience. Molazehi stated that plainclothes security forces arrested him in March 2010 as he was standing on a street at the bazaar of the city of Sarbaz.<sup>14</sup> He was handcuffed, blindfolded, and thrown in the backseat of a vehicle. He was subsequently taken to the MOI detention center in Zahedan. Molazehi indicated that he was known to local authorities for criticizing government policies, such as mistreatment of Sunni clerics. The head of the MOI office in Sarbaz, a man named Salehi, had summoned and warned Molazehi that he could be arrested.<sup>15</sup>

After his arrest, the agents briefly questioned Molazehi, and then they proceeded to beat him. According to Molazehi, they struck his face with a brick, breaking a number of his upper teeth. They punched and kicked him, and they also used a pipe and an electric baton to strike him. In Molazehi's estimation, this beating continued for 20 to 25 minutes.<sup>16</sup>

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<sup>7</sup> Id.

<sup>8</sup> Id.

<sup>9</sup> Id.

<sup>10</sup> Id.

<sup>11</sup> Id.

<sup>12</sup> Id.

<sup>13</sup> Id.

<sup>14</sup> IHRDC Interview with Emadeddin Molazehi (Sept. 17, 2018) (on file with IHRDC)

<sup>15</sup> Id.

<sup>16</sup> Id.

Molazehi was detained for 13 months. He described numerous methods of torture utilized against him during this period. He indicated that he was hung from his arms, and that his toenails were pulled out.<sup>17</sup> Molazehi discussed how he was tortured on what was known as the “miracle bed.”<sup>18</sup> The agents used the phrase “miracle bed” to indicate the efficacy of their torture methods in extract confessions from prisoner. They would tie prisoners to this steel bed in different positions and strike them. Molazehi stated that one night he was placed on this bed and tortured three separate times.<sup>19</sup> The agents demanded that Molazehi confess to what they were dictating to him. They struck the soles of his feet, causing excessive bleeding.<sup>20</sup> Molazehi stated that he was held in the detention facility for 13 months so that the signs of torture on his body would disappear before he was transferred to a prison. Molazehi indicated that he was held in solitary confinement for a total of eight months during his 13-month detention.<sup>21</sup>

MOI agents wanted Molazehi to admit to acts of armed resistance, including hostage-taking. The hostage-taking to which the agents referred, however, had occurred at a date on which Molazehi was in Kerman, visiting his father-in-law in a hospital.<sup>22</sup>

The authorities did not allow Molazehi to seek legal counsel during his 13-month detention.<sup>23</sup> Even when he was able to retain an attorney after his transfer to Zahedan prison, it was very difficult for Molazehi to meet him. According to Molazehi, prison officials prevented Molazehi from meeting his lawyer on various pretexts. As a result, Molazehi had no option but to speak with his lawyer on the phone. Nevertheless, as he was being held in a high-security ward, he could only speak to his attorney once every month.<sup>24</sup>

Molazehi’s trial was held over several sessions, but the authorities would not inform him or his attorney of the dates of the trial in advance. Instead, they would let him know on the previous evening that his trial was scheduled for the next day. His attorney would also be informed through a phone call or a text message.<sup>25</sup> Since this information was relayed to Molazehi after the prison’s lights-out hour, he would not have a chance to speak with his attorney before his trial sessions.<sup>26</sup> Likewise, his family did not know of the time of his trial and could not attend the proceedings.

At the first session of his trial, Molazehi met the individual he had been accused of kidnapping. This person stated that MOI had told him that his kidnapper had been arrested, and that he had confessed to his crime.<sup>27</sup> After hearing what Molazehi had to say, however, he indicated that there was a discrepancy between what MOI agents had told him and what Molazehi was saying. This individual added that he wanted the real culprit to be arrested, not a person targeted by the MOI for other reasons.<sup>28</sup>

Molazehi was held in Zahedan prison for approximately five years.<sup>29</sup> After several court sessions he was still imprisoned without being found guilty. After spending close to five years in Zahedan prison, a judge

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<sup>17</sup> Id.

<sup>18</sup> Id.

<sup>19</sup> Id.

<sup>20</sup> Id.

<sup>21</sup> Id.

<sup>22</sup> Id.

<sup>23</sup> Id.

<sup>24</sup> Id.

<sup>25</sup> Id.

<sup>26</sup> Id.

<sup>27</sup> Id.

<sup>28</sup> Id.

<sup>29</sup> Id.



asked him how long he was detained. When he responded that he had been held for five years without a guilty verdict, the judge issued a sentence of five years' imprisonment.<sup>30</sup> According to Molazehi, the judge then looked in the prison computer system and noticed that Molazehi's detention was a few months short of five years. He turned to Molazehi and stated that he would grant him a furlough for the remainder of the five-year sentence he had just issued.<sup>31</sup> The judge told Molazehi that he was cleared of the kidnapping charge, but the judiciary could not acquit him.<sup>32</sup> He added that he knew that Molazehi was innocent, and that he would issue a sentence that would result in his release.<sup>33</sup> Since Molazehi had spent five years in prison, the charge of acting against national security, which carries a maximum sentence of five years' imprisonment, was levelled against him. The judge issued the five-year sentence, and then proceeded to issue the furlough for the few months remaining until the conclusion of the sentence.<sup>34</sup> Molazehi told IHRDC that he could not risk appealing his sentence, because that would mean he had to stay in prison for two additional years until his appeal was heard.<sup>35</sup>

The manner in which Molazehi's sentence was issued shows demonstrable abuse of defendants' rights in the Islamic Republic of Iran. The fact that the judge privately admitted that Molazehi was innocent but could not officially acquit him indicates that the Iranian judiciary has not developed policies to address wrongful convictions and indemnify defendants impacted by them.

Molazehi stated that after his release in 2014 MOI agents kept following him.<sup>36</sup> He was again summoned to the MOI office in Sarbaz. While at the MOI office Molazehi was able to identify two local informants. He stated that later on he convened a meeting in which the two informants and town elders were present. In this meeting Molazehi confronted the two informants, and they admitted to providing the authorities with false information. Molazehi said that he put their statements in writing, and he collected 140 million toumans in damages from them.<sup>37</sup> Salehi, the MOI agent in Sarbaz, summoned Molazehi again, and asked him to return the sum he had obtained from the two informants, and to retract his accusations against them and the MOI, but Molazehi refused. Salehi was later transferred to Saravan and became the chief MOI agent there.<sup>38</sup>

In December 2016, while Molazehi was visiting Saravan, he was arrested again following a dramatic shooting. According to Molazehi, MOI agents in Saravan fatally shot an acquaintance of his who was driving Molazehi's car, believing him to be Molazehi.<sup>39</sup> Molazehi, who was sleeping in a different vehicle nearby, was arrested. Again, Molazehi was tortured in order to confess in front of a camera. Molazehi relented and confessed to what they were asking him. In particular, he was forced to confess that he was a member of the Islamic State (ISIS), and that he had entered Iran on a suicide mission. They also wanted him to confess that he previously had been a member of Iran's Islamic Revolutionary Guard Corps (IRGC) and Basij militia, and that he was a member of Jaish al-Adl.<sup>40</sup>

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<sup>30</sup> Id.

<sup>31</sup> Id.

<sup>32</sup> Id.

<sup>33</sup> Id.

<sup>34</sup> Id.

<sup>35</sup> Id.

<sup>36</sup> Id.

<sup>37</sup> Id. This amount equals approximately \$39,437 per the exchange rate in 2014.

<sup>38</sup> IHRDC Interview with Emadeddin Molazehi (Sept. 17, 2018) (on file with IHRDC)

<sup>39</sup> Id.

<sup>40</sup> IHRDC Interview with Emadeddin Molazehi (Sept. 17, 2018) (on file with IHRDC). Jaish al-Adl is an armed Islamist insurgent group that fights Iranian forces and engages in terrorist attacks in the Sistan and Baluchistan Province.

When Molazehi had the chance to meet the prosecutor in charge of his case, he told the prosecutor that the charges brought against him were baseless, and that his confessions were extracted under torture. Molazehi believes that the prosecutor knew that the charges were baseless, but he went along with the MOI agents. Molazehi also stated that the prosecutor insulted him, his family, and Sunnis in general.<sup>41</sup>

Molazehi was first sentenced to 15 years' imprisonment. On appeal, this sentence was reduced to ten years.<sup>42</sup> On further appeal to the Sistan and Baluchistan Province Court of Appeals, however, Molazehi was acquitted. Molazehi stated that a judge at the Court of Appeals told him that the MOI office in Saravan had had a personal vendetta against him.<sup>43</sup> The judge added that the MOI's allegation that Molazehi was transporting ammunitions in his car could not be true because his car was sprayed with several bullets, but it had not exploded.<sup>44</sup>

MOI agents continued to monitor Molazehi after his release from prison.<sup>45</sup> They also kept his vehicle in their possession despite the Court of Appeals' order to return it to him. Furthermore, the MOI agents summoned him on two separate occasions and warned him that if he continued his activism and public criticism of the regime he would face consequences. Considering their warnings as threats to his life, Molazehi decided to leave Iran.<sup>46</sup>

### 1.3. Qolamqader Bozorgzadeh

On June 15, 2018, the Friday Prayer Imam in Iranshahr announced that 41 women had been raped by a group of assailants in the town.<sup>47</sup> The news sparked outrage in the town, and a crowd gathered at the office of the provincial governor on June 17 to demand punishment of the rapists.<sup>48</sup> Iran's Attorney General stated that only two or three women had filed complaints, and that those who had spread false information could be prosecuted for the charge of disturbing public opinion.<sup>49</sup>

Qolamqader Bozorgzadeh's son, Abdollah, participated in this demonstration. As Abdollah was returning home from the gathering in front of the provincial governor's office, he was arrested by three or four plainclothes agents.<sup>50</sup>

Although the court ordered his release on bail, IRGC agents held him in custody.<sup>51</sup> Bozorgzadeh stated that he did not know where his son was being held. After three months, Bozorgzadeh decided to stage a peaceful protest in order to learn the whereabouts of his son. On July 18, 2018, Bozorgzadeh began his protest, holding signs that asked where his son was.<sup>52</sup> He staged his rally under an IRGC banner.<sup>53</sup>

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<sup>41</sup> IHRDC Interview with Emadeddin Molazehi (Sept. 17, 2018) (on file with IHRDC)

<sup>42</sup> Id.

<sup>43</sup> Id.

<sup>44</sup> Id.

<sup>45</sup> Id.

<sup>46</sup> Id.

<sup>47</sup> *Tajāvuz Bih 41 Dukhtar Az Zabāni 'Imām Jum 'ihyi 'Īrānshahr*, TABNAK (June 17, 2018, 04:33 PM), <https://www.tabnak.ir/fa/news/808940>.

<sup>48</sup> *Tajammu 'i Mardumi 'Īrānshahr Dar 'I'tirāz Bih 'Tajāvuzi Gurūhī' Bih Zanān*, BBC PERSIAN (June 17, 2018), <http://www.bbc.com/persian/iran-44512662>.

<sup>49</sup> *'Āmili 'Intishāri Khabrari Kizbi Tajāvuz Dar 'Īranshahr Taḥti Ta 'qīb Qarār Mīgīrad*, ISNA (June 18, 2018, 03:53 PM), <https://www.isna.ir/news/97032813369>.

<sup>50</sup> IHRDC Interview with Qolamqader Bozorgzadeh, (Sept. 18, 2018) (on file with IHRDC).

<sup>51</sup> Id.

<sup>52</sup> Id.

<sup>53</sup> Id.

Bozorgzadeh protested on three consecutive days. On the fourth day three vehicles occupied by plainclothes agents surrounded him. He was blindfolded, handcuffed and taken to an IRGC facility. He was told that he did not have the right to protest under an IRGC banner, and he was released by giving a written pledge not to protest there again.<sup>54</sup>

Since he could not protest at the previous location, Bozorgzadeh decided to stage a sit-in at a mosque. He took a video of himself every day and distributed it on social media.<sup>55</sup> On the third day a number of local elders came to persuade him to end his sit-in. In response, Bozorgzadeh invited the locals to a mass prayer to signal the end of his sit-in.<sup>56</sup> Following the conclusion of the sit-in Bozorgzadeh started to go to the office of the provincial governor in order to obtain information on his son's situation. After several visits to the governor's office, the authorities allowed Bozorgzadeh to meet his son in prison.<sup>57</sup> After 82 days in detention, Abdollah Bozorgzadeh was eventually released on a bail of 120 million toumans.<sup>58</sup> He was later charged with disturbing public order.<sup>59</sup>

#### 1.4. Habibollah Sarbazi

Habibollah Sarbazi, born in 1986 in Iranshahr, Sistan and Baluchistan Province, is a human rights activist. After graduating from high school, Sarbazi entered a Sunni religious seminary.

##### 1.4.1. Arrest

On the night of December 13, 2007, Sarbazi heard a loud knock on the door of his room.<sup>60</sup> When he opened the door a number of armed agents entered his room and told Sarbazi and two of his friends who were there to get dressed and go with them.<sup>61</sup> They were looking for Mohammad Yousef Sohrabzahi, one of the two friends in the room, but they detained all three and handcuffed them. As Sarbazi was about to board the agents' vehicle he saw that the director of the seminary was also arrested, along with his son and his son-in-law.<sup>62</sup>

They were seated in a Toyota pickup truck. Sarbazi and his friends were told to sit on the cargo bed.<sup>63</sup> The agents hit Sarbazi and his friends in the head using their gun stocks. They were kept on the cargo bed for about an hour.<sup>64</sup> Meanwhile, Sarbazi heard the sounds of a firefight from a distance not too far. After the firefight ended the agents threw Sarbazi and his friends on the ground and started to beat them.<sup>65</sup> They would call them "terrorist" as they kicked them. Then they brought a number of other people they had

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<sup>54</sup> Id.

<sup>55</sup> Id.

<sup>56</sup> Id.

<sup>57</sup> Id.

<sup>58</sup> *'Abdullāh Buzurgzādih, Mujaddadan Bih 'Ittihāmi 'Ikhlāl Dar Naẓmi 'Umūmī Bih Dādghāh 'Ihẓār Shud*, KALAMEH.TV (Sept. 17, 2018), <http://www.kalemeh.tv/2018/09/7339/>. This amount equals approximately \$8,571 per the exchange rate at the time.

<sup>59</sup> *'Abdullāh Buzurgzādih, Mujaddadan Bih 'Ittihāmi 'Ikhlāl Dar Naẓmi 'Umūmī Bih Dādghāh 'Ihẓār Shud*, KALAMEH.TV (Sept. 17, 2018), <http://www.kalemeh.tv/2018/09/7339/>.

<sup>60</sup> IHRDC Interview with Habibollah Sarbazi, (Jan. 20, 2018) (on file with IHRDC).

<sup>61</sup> Id.

<sup>62</sup> Id.

<sup>63</sup> Id.

<sup>64</sup> Id.

<sup>65</sup> Id.

detained to that area. One of those detained was an Imam from a local mosque. They asked him whether he knew Sarbazi and his friends. He said that he did not. At that point the agents threw the cleric on the ground and beat him.<sup>66</sup>

The agents subsequently blindfolded the detainees and took them to the MOI detention center in Iranshahr.<sup>67</sup> The agents continued to hit them as they disembarked from the vehicles and walked towards the building.<sup>68</sup> Sarbazi was taken to a cold cell that did not have a blanket, and they were forced to wear a thin prison uniform.<sup>69</sup>

#### **1.4.2. Interrogation**

During interrogations MOI agents asked Sarbazi about possession of weapons and his involvement in armed operations. Sarbazi told them that he did not know anything about armed activities. The interrogators punched and kicked Sarbazi in the head.<sup>70</sup> He was interrogated on three consecutive days. On the fourth day Sarbazi was handcuffed and blindfolded again and transferred to Zahedan.<sup>71</sup> During the drive to Zahedan Sarbazi was hit in the head when he wanted to change his posture.

Insults and torture continued in Zahedan. Sarbazi was tied to a bed. The agents poured cold water and accused of him being a terrorist. They flogged him using a cable, trying to force him to confess.<sup>72</sup> After several days of torture Sarbazi was taken to see an agent named Mohammadi. Offering Sarbazi tea, Mohammadi spoke in a soft tone.<sup>73</sup> Sarbazi asked him why he was being tortured, to which Mohammadi responded that he was not part of the team that was torturing Sarbazi. He added that if Sarbazi did not cooperate with him he would be transferred back to the team that was torturing him.<sup>74</sup> Mohammadi showed Sarbazi pictures of individuals killed during the firefight on the night of his arrest. That was the first time Sarbazi learned that several people were killed in that clash.<sup>75</sup>

Sarbazi did not confess, and the beatings continued. He was taken to see Mohammadi a few more times as well. Sarbazi was interrogated and tortured for 23 days. During the night the agents would bang on the doors of the cell and threaten him about what they had in store for him on the next day. Fearing what awaited him on the next day, Sarbazi could hardly sleep.<sup>76</sup> On one occasion Sarbazi asked to be taken outside to get some fresh air after being held indoors for 15 days. The guards obliged, but they hit him while they were taking him outside.<sup>77</sup>

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<sup>66</sup> Id

<sup>67</sup> Id

<sup>68</sup> Id.

<sup>69</sup> Id.

<sup>70</sup> Id.

<sup>71</sup> Id.

<sup>72</sup> Id.

<sup>73</sup> Id.

<sup>74</sup> Id.

<sup>75</sup> Id.

<sup>76</sup> Id.

<sup>77</sup> Id.



Figure 1. Habibollah Sarbazi

In his interview with IHRDC Sarbazi stated, “The interrogator tried to break your will step by step. He said, ‘Your friend Ebrahim has confessed and named you. Whether you confess or not you will be implicated. Look at what Ebrahim has written.’”<sup>78</sup>

Sarbazi’s account demonstrates the varied tactics that the Iranian intelligence apparatus uses to obtain confessions in national security cases. Particularly, it displays how intelligence agents try to place their targets in a plot they have devised in advance.

One interrogator told Sarbazi that he knew that Sarbazi was innocent; nevertheless, he asked Sarbazi to write down what he wanted to dictate to him. When Sarbazi refused to confess, the interrogator settled for a lesser demand and asked Sarbazi to just confess to going Afghanistan to receive training at a jihadi camp.<sup>79</sup> Sarbazi responded that joining a jihadi camp in Afghanistan would be a crime, and he would not confess to it. The interrogator replied that going to such a camp would not be a crime per se. Sarbazi asked him, “Then why do you insist that I confess to this?”<sup>80</sup> The interrogator told Sarbazi that several people had died in the attack that took place on the night of Sarbazi’s arrest, and that the agents were under pressure from the Minister of Intelligence. He added that they wanted to report back to the Minister that they had arrested those involved in the attack, and they wanted to show him the videos of the

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<sup>78</sup> Id.

<sup>79</sup> Id.

<sup>80</sup> Id.

detainees' confessions. Afterwards, the interrogator told Sarbazi, they would release the detainees.<sup>81</sup> Putting his hand on the Quran, the interrogator swore that he would release Sarbazi if he confessed.<sup>82</sup>

Sarbazi was eventually convinced to confess. He planned to make his confessions in a way that would not include the content the interrogators sought.<sup>83</sup> The agents seated Sarbazi on a chair and turned on large projectors in his direction. Mohammadi, the interrogator, would read out the statements and asked Sarbazi to repeat them. What Mohammadi was reading varied from what they had agreed.<sup>84</sup> When Sarbazi protested that this was different from what was stipulated before, Mohammadi would insist that Sarbazi must repeat what he was reading.<sup>85</sup> Sarbazi would change Mohammadi's sentences when he repeated them, but Mohammadi said that Sarbazi had not repeated the sentence correctly, and he would read the sentence again. When Sarbazi intentionally altered the sentences, a guard would hit Sarbazi from behind and would threaten further torture.<sup>86</sup>

### 1.4.3. Trial

Sarbazi's trial was held in January 2008. The trial started at about 9 pm, an unusual time for judicial proceedings in Iran.<sup>87</sup> Seven other persons were tried alongside Sarbazi. Sarbazi was blindfolded up to the very moment he entered the courtroom. When the blindfold was taken off, he realized that he did not know anyone among those attending the trial. Instead, the family members of those killed at the Tasouki massacre were present.<sup>88</sup> The term Tasouki Massacre refers to an operation carried out on March 16, 2006 by Jundallah, an armed group designated as a terrorist organization by the U.S. Department of State<sup>89</sup> Jundallah forces, dressed in police and military uniforms, set up a checkpoint and on the road between Zahedan and Zabol. They stopped the vehicles of government officials and other citizens and forced the passengers off. They shot at least 22 persons and took at least eight hostages.

Of the eight defendants only two were represented by counsel. Sarbazi was among the six who had not had the chance to retain an attorney.<sup>90</sup> In court, only one of the defendants, Yousef Sohrabzahi, admitted to being in contact with the perpetrators of the Tasouki massacre. He stated that he had not taken up arms

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<sup>81</sup> Id.

<sup>82</sup> Id.

<sup>83</sup> Id.

<sup>84</sup> Id.

<sup>85</sup> Id.

<sup>86</sup> Id.

<sup>87</sup> Id.

<sup>88</sup> Id.

<sup>89</sup> On November 3, 2010 the U.S. State Department designated Jundallah a terrorist organization. In the statement announcing the designation the State Department declared, "Since its inception in 2003, Jundallah has engaged in numerous attacks resulting in the death and maiming of scores of Iranian civilians and government officials, primarily in Iran's Sistan va Balochistan province. Jundallah uses a variety of terrorist tactics, including suicide bombings, ambushes, kidnappings and targeted assassinations. In May 2009, Jundallah attacked the crowded Shiite Amir al-Mo'menin mosque in Zahedan, destroying the mosque and killing and wounding numerous worshippers. An October 2009 bomb attack which killed more than 40 people was reportedly the deadliest terrorist attack in Iran since the 1980s. Following the February 2010 capture by Iranian authorities of Jundallah's ex-leader, Abdul Malik Rigi, the group selected a new leader, al-Hajj Mohammed Dhahir Baluch, and confirmed its commitment to continue its terrorist activities. In July 2010, Jundallah attacked the Grand Mosque in Zahedan, killing approximately 30 and injuring hundreds."

<sup>90</sup> Interview with Habibollah Sarbazi.

himself, but that he had been involved in coordinating the attack.<sup>91</sup> Yousef Sohrabzahi was executed in April 2008.<sup>92</sup>

A week after the trial the judge came to prison to meet Sarbazi and other defendants. The judge told them that they were receiving a suspended five-year sentence.<sup>93</sup> Sarbazi stated that he wanted to appeal the sentence. The judge told him that he would have to wait for two months until his appeal was addressed. Sarbazi decided not to pursue an appeal because he did not want to stay in prison for an additional two months.<sup>94</sup>

A week later Sarbazi and other defendants were taken to a room, where he saw several local clerics, the parents of the defendants, and a videographer. Abdolsamad Karimzayi, a Sunni cleric supportive of the Iranian government, asked Sarbazi about his involvement in suicide missions in a reproaching tone.<sup>95</sup> Sarbazi responded that what security agents had said about him was false, and that he was innocent. He then lifted his shirt and showed signs of torture on his body to Karimzayi. At that point the videographer turned his camera off.<sup>96</sup>

The authorities handed out sheets with pre-written pledges to fathers of the defendants, asking them to sign the documents. All the fathers signed, except for Sarbazi's.<sup>97</sup> Instead, he started to recite the text, asking Sarbazi whether each paragraph was true after reading it. Sarbazi, in turn, would deny every statement read by his father. MOI agents spoke to Sarbazi's father privately. Eventually, Sarbazi's father added a sentence to the document, saying that his son was innocent, and that he had been tortured.<sup>98</sup>

Sarbazi was released from prison, but he was required to appear at the MOI Information Office on a daily basis as a condition of his release.<sup>99</sup> After a while Sarbazi told them that if continued to appear at the MOI Information Office on a daily basis the local population would suspect that he was an informant. Afterwards, the MOI changed this condition from daily appearances to bi-weekly ones.<sup>100</sup>

#### 1.4.4. Activities after Release

After being released Sarbazi quit the seminary and enrolled in university. He also started a youth group, holding weekly meetings and discussing social issues. They assisted youth who were addicted to drugs and raised funds for university students in need.<sup>101</sup> MOI agents grew suspicious of the group's activities and summoned Sarbazi. They told him that if he continued the group's activity his five-year suspended sentence would be implemented.<sup>102</sup> Not wanting to go back to prison, Sarbazi ended the meetings. Instead, he created a library and invited the youth to go to the library and socialize there.<sup>103</sup>

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<sup>91</sup> IHRDC Interview with Habibollah Sarbazi, (Jan. 20, 2018) (on file with IHRDC).

<sup>92</sup> *Bizhan Yigānih, Rūhānīūni 'Ahli Sunnat Dar Mīānihyi Tab'iz Va Tirur*, RADIO FARDA (Jan. 23, 2012), [https://www.radiofarda.com/a/f3\\_sunni\\_imam\\_assasinated/24460427.html](https://www.radiofarda.com/a/f3_sunni_imam_assasinated/24460427.html).

<sup>93</sup> IHRDC Interview with Habibollah Sarbazi, (Jan. 20, 2018) (on file with IHRDC).

<sup>94</sup> Id.

<sup>95</sup> Id.

<sup>96</sup> Id.

<sup>97</sup> Id.

<sup>98</sup> Id.

<sup>99</sup> Id.

<sup>100</sup> Id.

<sup>101</sup> Id.

<sup>102</sup> Id.

<sup>103</sup> Id.

Despite canceling his youth group's meetings, MOI continued to summon Sarbazi, and they also asked him to cooperate with them.<sup>104</sup> Feeling restricted by the MOI, Sarbazi decided to leave Iran and advocate for the rights of Baluch citizens. He eventually left Iran in 2009.<sup>105</sup>

### 1.5. Hasan Karimi

Hasan Karimi is a Kurdish Iranian who traveled to Chabahar, Sistan and Baluchistan Province, for work. His experience in Sistan and Baluchistan provides another example of the approach taken by the Iranian security apparatus in the province. Karimi had a prior arrest record in Kurdistan for his activism on the issue of instruction in the mother tongue.<sup>106</sup> When he first traveled to Sistan and Baluchistan he was arrested after he boarded a bus going from Zahedan to Chabahar, his final destination.<sup>107</sup> The bus had only traveled a few kilometers when MOI agents stopped the bus and arrested Karimi. He did not know why he was being arrested. Later, however, he learned the reason. Iranian authorities had demolished a Sunni religious school in Zabol and arrested a number of seminary students just days before Karimi's arrival in the province.<sup>108</sup> Local residents had protested the arrests and the demolition of the religious school. According to Karimi, security officials had suspected Karimi, also a Sunni, of having ties to the protests.<sup>109</sup>

Karimi was detained in the MOI detention center in Zahedan for two and a half months.<sup>110</sup> He was beaten while in detention.<sup>111</sup> The authorities repeatedly asked him who had sent him there and why. Eventually MOI agents realized that there were no links between Karimi and the events in Zabol.<sup>112</sup> Describing the situation in the Zahedan MOI detention center as "dreadful," Karimi stated that during his detention he could not contact his family and they were completely unaware of his whereabouts.<sup>113</sup> When the MOI released Karimi they forced him to move back to Kurdistan and they made him sign a pledge stating that he would not return to Sistan and Baluchistan.<sup>114</sup>

### 1.6. The Case of Mohammad Baluchzahi

Hossein Raeesi, an Iranian lawyer who practiced in Iran for twenty years, discussed a particularly egregious case involving a young Baluch man. This case illustrates the extent of human rights abuses against marginalized persons and the general dysfunction of the Iranian judiciary.

In his interview with IHRDC Raeesi stated,

"I became the lawyer for a young Baluchi man by chance. He had come to Shiraz at the age of 17. When I took his case in 1995 he had been in prison for eight years. The Shiraz

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<sup>104</sup> Id.

<sup>105</sup> Id.

<sup>106</sup> IHRDC Interview with Hasan Karimi (July 23, 2018) (on file with IHRDC).

<sup>107</sup> Id.

<sup>108</sup> *Takhrībi Madrisihyi Dīnū Ahli Sunnat Dar Zābul*, BBC PERSIAN (Sept. 1, 2008), [http://www.bbc.com/persian/iran/story/2008/09/080901\\_mg\\_sunnies.shtml](http://www.bbc.com/persian/iran/story/2008/09/080901_mg_sunnies.shtml).

<sup>109</sup> IHRDC Interview with Hasan Karimi (July 23, 2018) (on file with IHRDC).

<sup>110</sup> Id.

<sup>111</sup> Id.

<sup>112</sup> Id.

<sup>113</sup> Id.

<sup>114</sup> Id.



Revolutionary Court had sentenced him to life in prison. He was from Zabol, and he had gone to the Shiraz Park-e Shahr [also known as Azadi Park] with a number of his friends. A number of Baluchis were arrested at that time, and he was arrested as well, just because he was wearing Baluchi clothes. He was not aware of anything. He had just been there for recreation. He was tried with the other Baluchis, and he had received a life sentence. After eight years a member of the Iranian parliament from the Sistan and Baluchistan Province met me in an airplane by chance and told me that his family had contacted him. I gave him my number and told him to ask them to call me. His father was very old, sick, and of very limited means. He came to see me in Shiraz. I studied the young man's case and I realized that his sentence had been unlawful. He had been tried without having an attorney. I filed an appeal. The Supreme Court reversed and remanded for review. I had another strange encounter with the judicial system at this point.<sup>115</sup>

“The judiciary was puzzled. They had kept him in prison for eight years, and now there was no reason in his case that would justify a prison sentence. There was no basis in the case for issuing the same verdict, and no logic could support keeping someone in jail for eight years. The young Baluchi said, ‘I have been in prison for eight years without having a single furlough. I never saw anything outside the prison. No one has come to see me.’ He didn’t have anyone. He was very unfortunate. When I became his attorney he had grown up. He was 25. Eventually he came to court. The judge had no choice but to exonerate him. But he did not do that. Instead, he changed the charges and gave him an 8-year sentence, which he had already served. The sentencing judge was known for being temperamental. At that time the sentencing judges were special judges within the Revolutionary Court system. This judge, whose name was Shahriari, is still active. When he issued the prison sentence, I immediately asked the court to order the implementation of the sentence. The verdict was final, and we did not want to appeal. At that time the General Courts were in the process of being established, and there was no prosecutor to appeal the decision. The verdict was final, and according to the law, after exoneration, even if someone wants to appeal the decision, the prisoner should be released immediately. Even if the defendant is given a sentence, the defendant should be released if he has already served more than half of his sentence. I submitted a request for his immediate release. The judge said, “No, you have to post bail.”<sup>116</sup>

“I said, “Mr. Shahriari, what you are doing is against the law. You are not allowed to ask him to post bail. The law does not say that you should ask for bail.” He said no, and he immediately called the judicial deputy. The judicial deputy called me and said, “Are you causing a disturbance in the Revolutionary Court again?” I said, “Sir, I am not here to cause a disturbance. I am here to state that our client has the right to be released. If you think that he should post bail, please confirm it, but tomorrow I will go to the Judges’ Disciplinary Prosecutor’s Office and I will file a complaint against you.”<sup>117</sup>

“As soon as I said that, they recorded it so that they could detain me. In fact, they kept that on my file. I said, ‘No problem. Go ahead, write it down.’ He said, ‘I will.’ He wrote it down. I was standing there. Finally he left to consult with a number of other judges. He returned. He realized that he had been wrong. He said, ‘I will not act on this record. Go

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<sup>115</sup> IHRDC Interview with Hossein Raeesi, (2012) (on file with IHRDC).

<sup>116</sup> Id.

<sup>117</sup> Id

home and come back tomorrow morning so that I can take care of this.’ When I returned in the morning I asked him to give me a copy of the opinion. I knew that his opinion was invalidated, and I wanted to have it documented. He did not give it to me, and he never let me access it. He never announced that verdict, nor did he let it leak out, because it had been invalidated. He could not do anything. Ultimately he was forced to release that young man after he had spent eight years in prison without having done anything wrong.”<sup>118</sup>

### 1.7. Yaqoub Mehrnahad

Yaqoub Mehrnahad, a journalist and a civil society activist, was executed on August 4, 2008.<sup>119</sup> His execution is considered one of the most notorious cases of human rights violations in Sistan and Baluchistan. Mehrnahad was well-known and had a public record of activism. Therefore, the Iranian government’s allegations about his links with extremist groups were unconvincing at best. In 2006 Mehrnahad had registered as a candidate for municipal elections in Zahedan, but he was disqualified and barred from running.<sup>120</sup> Reacting to his disqualification, Mehrnahad stressed the need for peaceful activism in his blog. He wrote,

“I believe that the right to freedom of expression and freedom of thought and defending human rights while respecting other people’s rights and dignity and while maintaining security and public order are my religious and legal duties ... Some expected that by rejecting [my] candidacy, they would attract young people into the arena of violent struggle...but they ignore the fact that young people are too aware and know how to fight for their ideals without violence. We will pursue a wide scale struggle against monopoly and tyranny by rejecting violence. We are convinced that the future is ours and we will succeed acting with wisdom and rejecting violence because if the oppressed use violence as do the oppressors, there is no difference between them.”<sup>121</sup>

Mehrnahad headed the Voice of Justice Young People’s Society, an officially recognized organization.<sup>122</sup> The organization held an annual event entitled “Questioning Youth, Accountable Authorities.”<sup>123</sup> Mehrnahad was first arrested in March or April 2007.<sup>124</sup> The reason for his arrest was reportedly a blog post in which he had criticized local officials and called for their resignation or dismissal.<sup>125</sup> He was released shortly afterwards; however, he was arrested again in May 2007 during the Questioning Youth, Accountable Authorities annual meeting.<sup>126</sup>

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<sup>118</sup> Id.

<sup>119</sup> *Ya’qūb Mihrnahād, Rūznamihniḡār Dar Zāhidān ‘I’dām Shud*, RADIO FARDA (Aug. 5, 2008), [https://www.radiofarda.com/a/f6\\_Iran\\_Execution\\_Zahedan/459275.html](https://www.radiofarda.com/a/f6_Iran_Execution_Zahedan/459275.html)

<sup>120</sup> *Ya’qub Mehrnahad*, OMID MEMORIAL (last visited June 25, 2019), <https://www.iranrights.org/memorial/story/40798/yaqub-mehrnahad>.

<sup>121</sup> Id.

<sup>122</sup> Id.

<sup>123</sup> Id.

<sup>124</sup> Id.

<sup>125</sup> Id.

<sup>126</sup> Id.



Figure 3.

Yaqoub Mehrnahad, a journalist and a civil society activist from Sistan and Baluchistan, was executed on August 4, 2008.

Mehrnahad was held for five months in various MOI detention centers.<sup>127</sup> He was eventually transferred to Zahedan central prison, where he was held for an additional two months.<sup>128</sup> During a visit his family noticed that he had lost a lot of weight and was unable to keep his balance, indicating the possibility that he had been tortured.<sup>129</sup> He told his family that he was put under pressure to confess to the charges brought against him.

Mehrnahad's trial was held on December 25, 2007 at the Zahedan Revolutionary Court.<sup>130</sup> He was not represented by counsel. Nor was his family allowed to attend the proceedings.<sup>131</sup> Mehrnahad was charged with *moharebeh*, or waging war against God.<sup>132</sup> This charge stemmed from the Iranian government's allegation that Mehrnahad was affiliated with Jundallah, a Sunni militant group engaging in terrorist attacks.<sup>133</sup> The Iranian government did not publicly present any evidence linking Mehrnahad to Jundallah.

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<sup>127</sup> Id.

<sup>128</sup> Id.

<sup>129</sup> Id.

<sup>130</sup> Id.

<sup>131</sup> Id.

<sup>132</sup> Id.

<sup>133</sup> On November 3, 2010 the U.S. State Department designated Jundallah a terrorist organization. In the statement announcing the designation the State Department declared, "Since its inception in 2003, Jundallah has engaged in numerous attacks resulting in the death and maiming of scores of Iranian civilians and government officials, primarily in Iran's Sistan va Balochistan province. Jundallah uses a variety of terrorist tactics, including suicide bombings, ambushes, kidnappings and targeted assassinations. In May 2009, Jundallah attacked the crowded Shiite Amir al-Mo'menin mosque in Zahedan, destroying the mosque and killing and wounding numerous worshipers. An October 2009 bomb attack which killed more than 40 people was reportedly the deadliest terrorist attack in Iran since the 1980s. Following the February 2010 capture by Iranian authorities of Jundallah's ex-leader, Abdul Malik Rigi, the group selected a new leader, al-Hajj Mohammed Dhahir Baluch, and confirmed its commitment to continue

Mehrnahad was sentenced to death in a closed trial that lacked basic safeguards required a fair judicial proceeding. His family was informed of the sentence on February 7, 2008.<sup>134</sup> Mehrnahad appealed his conviction, but Iran's Supreme Court upheld the verdict. The authorities pressured his family not to publicize his case, and they told them that his sentence would be commuted.<sup>135</sup> Nevertheless Mehrnahad was executed on August 4, 2008.

### 1.8. Arbitrary Detention of Nasir Abad Detainees

On January 1, 2015, a member of the Basij and a teacher were assassinated in the town of Nasir Abad, Sistan and Baluchistan Province.<sup>136</sup> On January 4 as many as 30 Baluch men were arrested in Nasir Abad.<sup>137</sup> According to local witnesses, the arrested persons were targeted randomly.<sup>138</sup> Many of those arrested were gradually released, but ten men were detained for a prolonged period.<sup>139</sup> The authorities alleged that these men were responsible for the assassinations.<sup>140</sup> The men, however, informed their families that they had been tortured in order to confess.<sup>141</sup> On July 2, 2015, eight of the detainees were tried in the Zahedan Revolutionary Court.<sup>142</sup> The trial was held in secret and they were not represented by counsel.<sup>143</sup> According to a family member, the authorities had told them that they could retain an attorney *after* the trial.<sup>144</sup>

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its terrorist activities. In July 2010, Jundallah attacked the Grand Mosque in Zahedan, killing approximately 30 and injuring hundreds.”

<sup>134</sup> *Ya'qub Mehrnahad*, OMID MEMORIAL (last visited June 25, 2019), <https://www.iranrights.org/memorial/story/40798/yaqub-mehrnahad>.

<sup>135</sup> Id.

<sup>136</sup> *Guzārishi Tafshīlī Az Parvandihi Musūm Bih 'Našīrābād' Dar Sivvumīn Sālgardi Vuqū' i 'Ān*, HRANA (Jan. 30, 2018), <https://www.hra-news.org/2018/hranews/a-13896/>.

<sup>137</sup> *460 Rūz Bilātaklīfī Bāzdāshht Shudigāni Našīrābād*, KAMPAIN.INFO (Apr. 16, 2016, 03:24 PM), <https://www.kampaign.info/archive/11488.htm>.

<sup>138</sup> *Guzārishi Tafshīlī Az Parvandihi Musūm Bih 'Našīrābād' Dar Sivvumīn Sālgardi Vuqū' i 'Ān*, HRANA (Jan. 30, 2018), <https://www.hra-news.org/2018/hranews/a-13896/>.

<sup>139</sup> *460 Rūz Bilātaklīfī Bāzdāshht Shudigāni Našīrābād*, KAMPAIN.INFO (Apr. 16, 2016, 03:24 PM), <https://www.kampaign.info/archive/11488.htm>.

<sup>140</sup> *Guzārishi Tafshīlī Az Parvandihi Musūm Bih 'Našīrābād' Dar Sivvumīn Sālgardi Vuqū' i 'Ān*, HRANA (Jan. 30, 2018), <https://www.hra-news.org/2018/hranews/a-13896/>.

<sup>141</sup> *460 Rūz Bilātaklīfī Bāzdāshht Shudigāni Našīrābād*, KAMPAIN.INFO (Apr. 16, 2016, 03:24 PM), <https://www.kampaign.info/archive/11488.htm>.

<sup>142</sup> *Tashkīlī Dādghāh Barāyi Hasht Nafar Az Bāzdāshht Shudigāni Našīrābād*, HRANA (July 2, 2015), <https://www.hra-news.org/2015/hranews/a-1384/>.

<sup>143</sup> Id.

<sup>144</sup> Id.



Figure 4

Nasir Abad detainees were released after three years in July 2018

Eventually the judiciary set bail for the release of the detainees, but the amount requested was high, making it difficult for their families to provide it.<sup>145</sup> After a long detention, the last remaining detainees were released on July 15, 2018, more than three years after their arrest.<sup>146</sup> No sentence has yet been issued for those detained in Nasir Abad.

## 2. Sistan and Baluchistan in Context

In this section several human rights issues impacting Iran's Baluch population will be examined. Sistan and Baluchistan, home to the majority of Iran's Baluch citizens, suffers from a multitude of human rights violations and socio-economic problems, combining to marginalize Iran's Baluch population.

### 2.1. High Execution Rate

Sistan and Baluchistan has one of the highest execution rates among Iran's provinces. In 2018 a total of 15 persons were executed in the province, accounting for 5.7% of executions in Iran.<sup>147</sup> In 2017, 30 people were executed in the province and 524 were executed in the country, which also meant that 5.7% of executions across Iran took place in Sistan and Baluchistan.<sup>148</sup> Sistan and Baluchistan Province,

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<sup>145</sup> 'Āzādī Yik Tan Az Zindānīāni Naṣīrābād Bā Tudī'i Vaṣīqih, HRANA (June 17, 2018), <https://www.hranews.org/2018/hranews/a-15750/>.

<sup>146</sup> 'Āzādī 'Ākharīn Zindānīāni Naṣīrābād Bā Tudī'i Vaṣīqih, HRANA (July 15, 2018), <https://www.hranews.org/2018/hranews/a-16150/>.

<sup>147</sup> IHRDC Chart of Executions by the Islamic Republic of Iran – 2018, IHRDC.ORG (Jan. 8, 2019), <https://iranhrdc.org/ihrdc-chart-of-executions-by-the-islamic-republic-of-iran-2018/>.

<sup>148</sup> IHRDC Chart of Executions by the Islamic Republic of Iran – 2017, IHRDC.ORG (Jan. 15, 2018), <https://iranhrdc.org/ihrdc-chart-of-executions-by-the-islamic-republic-of-iran-2017/>.

however, holds only 3.5% of Iran's population.<sup>149</sup> It should be noted, however, that the execution data collected by IHRDC and other human rights organizations may not be complete, as the Iranian government does not release official figures on the number of executions. In fact, the Iranian government only announces a fraction of executions it carries out. In February 2016, Shahindokht Mowlaverdi, President Rouhani's Vice President for Women and Family Affairs, stated there is a village in Sistan and Baluchistan Province where all of the adult men have been executed.<sup>150</sup> The Iranian judiciary was dismayed by Mowlaverdi's remarks. The judiciary filed a complaint against Mowlaverdi and summoned her for questioning.<sup>151</sup> Mohammad Ali Hamidian, an official with the Ministry of Justice in Sistan and Baluchistan, stated that Mowlaverdi had engaged in "dissemination of falsehood" and "libel."<sup>152</sup> He added,

"Unfortunately, the Vice President has misattributed the problems and shortcomings of government agencies in solving Sistan and Baluchistan's problems and has assigned most of the blame to the judiciary. She has claimed that there is a village in Sistan and Baluchistan that all of its men have been executed, and that their survivors are potential smugglers. This is a prime example of blame-shifting."<sup>153</sup>

The fact that the judiciary decided to take legal action demonstrates the sensitive and serious nature of the issue of executions, particularly in Sistan and Baluchistan. While the judiciary could have simply denied Mowlaverdi's statement or even released official figures, it felt the need to respond by summoning her.

## 2.2. Shootings of Baluch Citizens for Alleged Fuel Smuggling

Price of fuel in Iran is one of the lowest in the world.<sup>154</sup> Currently the price of one liter of gasoline is 1000 toumans, which approximately equals \$0.07. In neighboring Pakistan, however, one liter of gasoline costs \$0.76, which is ten times more than what it costs in Iran. This significant price difference has led to a high rate of fuel smuggling across the Iran-Pakistan border. Without other job opportunities, many in Baluchistan engage in this practice to earn a living. In response, Iranian security forces often resort to opening fire at vehicles they suspect of smuggling fuel, in some cases fatally shooting those inside. On March 22, 2019, Mohammad Osman Siahani Moqadam was shot dead at the Keshtegan border, near Saravan, Sistan and Baluchistan Province, as he was attempting to cross the border.<sup>155</sup> He was married and had four children.<sup>156</sup> On July 24, 2018, Omid Raeesi, a Baluch Iranian, was killed when his vehicle

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<sup>149</sup> According to Iran's 2016 census Iran's population was 79,926,270. Sistan and Baluchistan Province population was 2,775,014. The data on Iran's population is available at <https://www.amar.org.ir/-سرشماری-عمومی-نفوس-و-مسکن/نتایج-سرشماری-نتایج-تفصیلی-سرشماری-1395>.

<sup>150</sup> *Mulāvirdī: Tamāmī Mardāni Yik Rūstā Dar Sīstān Va Balūchistān 'I'dām Shudih 'and*, RADIO FARDA (Feb. 24, 2016), <https://www.radiofarda.com/a/o2-molaverdi-execution-in-iran/27570491.html>.

<sup>151</sup> *Mulāvirdī Bih Dalīli 'Izhārāt Darbārihiyi 'I'dāmā Dar Sīstān Va Balūchistān Bih Dādghāh 'Ihẓār Shud*, BBC PERSIAN (Apr. 20, 2016), [http://www.bbc.com/persian/iran/2016/04/160410\\_u04\\_sistan\\_molaverdi\\_court](http://www.bbc.com/persian/iran/2016/04/160410_u04_sistan_molaverdi_court).

<sup>152</sup> Id.

<sup>153</sup> Id.

<sup>154</sup> 'ALĪ QADĪMĪ, *Qāchāqi Binzīn Az 'Īrān Chiqadr Sūd Dārad?*, BBC PERSIAN (Oct. 18, 2018), <http://www.bbc.com/persian/iran-features-45785332>.

<sup>155</sup> *Yik Sūkhṭbari Balūch Bar Aẓari Shilliki Gulūlīhiyi Ma 'mūrāni Nīrūyi 'Intizāmī Kushtih Shud*, VOA PERSIAN (Mar. 25, 2019), <https://ir.voanews.com/a/oil-iran/4846896.html>.

<sup>156</sup> Id.

caught fire after being shot by security forces.<sup>157</sup> His vehicle was carrying diesel when it came under fire near Sang Masjed village in Sistan and Baluchistan Province.<sup>158</sup>

In May 2019, Sistan and Baluchistan Province Police chief stated that the police show patience toward those transporting fuel across the border.<sup>159</sup> He added that the police never shoot at fuel smugglers unless they engage or shoot at the police first.<sup>160</sup> Iranian officials, however, do not conduct adequate investigations to determine whether the police shootings are justified. According to Baluch activists at least 19 Baluch citizens were killed and 20 were wounded by police shootings in 2017. Only one police officer has been reportedly suspended from duty for opening fire unlawfully.<sup>161</sup> Some public officials in Iran have called on police to stop these shootings. Mohammad Na'im Aminifard, a member of parliament from Sistan and Baluchistan, urged the police to refrain from using live ammunition and utilize measures that are less dangerous. He suggested that the police could at least not engage the fuel-carrying vehicles inside the towns.<sup>162</sup> Molavi Abdulhamid, the Friday Prayer Imam for Zahedan's Sunnis, has also called on the police to halt these shootings. He reasoned that the commodity being smuggled is not illegal and does not pose a security threat.<sup>163</sup>

### 2.3. Restrictions on Sunni Religious Practices

The Iranian government has taken various actions against Sunni Muslims, the largest religious minority group in the country. On several occasions Iranian authorities have demolished Sunni seminaries. In August 2008 Iranian security forces surrounded the Imam Hanifeh school in Zabol and demolished the building. According to Molavi Abdulhamid, the Friday Prayer Imam for Zahedan's Sunnis and one of the most prominent Sunni leaders in Iran, the authorities' pretext for demolishing the school was that it did not have the required permits.<sup>164</sup> The school, however, had been in existence for 17 years and it had 500 male and 300 female students.<sup>165</sup> On March 14, 2019, Baluch activists reported that the Jafar Sadeq Mosque in Chabahar was demolished by the city's municipality, along with an adjoining residential home. The authorities did not provide an explanation regarding the reasons for this action.<sup>166</sup>

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<sup>157</sup> *Qatli Fajrī 'i "Umīdi Ra 'īsī Bar Aṣari Shilīki Ma 'mūrāni Nīrūyi 'Intizāmī Bih Khudruyi Viy Va Sūkhtani 'Ū Dar 'Ātash*, IRAN KARGAR (July 25, 2018), <https://www.irankargar.com/قتل-فجیع-امید-ر-نیروی-توسط-مأموران-نیروی/>.

<sup>158</sup> Id.

<sup>159</sup> *Bih Qāchāqchū Sukht Tīrandāzī Nimīshavad*, TABNAK (May 15, 2019, 09:16 AM), <https://www.tabnak.ir/fa/news/899318>.

<sup>160</sup> Id.

<sup>161</sup> *Shilīki Ma 'mūrāni Nīrūyi 'Intizāmī Bih 39 Shahrivandi Balūch Dar Sāli Guzashtih Va Bilātaklīfi Parvandihā*, CENTER FOR HUMAN RIGHTS IN IRAN (Feb. 6, 2018), <https://persian.iranhumanrights.org/1396/11/sistan-and-Baluchestan-killing-of-civilians-impunity/>.

<sup>162</sup> *Namāyandiyi Majlis: Az Nīrūyi 'Intizāmī Khāstih 'im Bih Sūkhtbarān Shilīk Nakunad*, DEUTSCHE WELLE PERSIAN (July 14, 2017), <https://www.dw.com/fa-ir/نماینده-مجلس-از-نیروی-انتظامی-خواستهایم-به-سوختن-ان-شلیک-نکنند/a-39694205>.

<sup>163</sup> Id.

<sup>164</sup> *Juz 'ātī Takhrībi Madrisihyi Ahli Sunnati Sīstān Va Balūchistān Tavassuṭi Nīrūhāyi Amnīatī*, RADIO FARDA (Sept. 4, 2008), [https://www.radiofarda.com/a/f4\\_Sistan\\_prayer\\_imam\\_sunni/463587.html](https://www.radiofarda.com/a/f4_Sistan_prayer_imam_sunni/463587.html).

<sup>165</sup> Id.

<sup>166</sup> *Takhrībi Yik Masjidi Ahli Sunnat Dar Chābahār*, IRANWIRE (Mar. 14, 2019), <https://iranwire.com/fa/news/sistan-and-baluchestan/30256>.



Figure 4

The Jafar Sadeq Mosque in Chabahar was demolished by the municipality in March 2019

Iranian authorities have also placed travel restrictions on Sunni clerics such as Molavi Abdulhamid, Zahedan's Sunni Friday Prayer Imam. In July 2018 Molavi Abdulhamid was barred from traveling to Qatar, where he has family members.<sup>167</sup> Not only has he been restricted from traveling abroad, he has also faced restrictions traveling inside Iran:

“There's a place in the West of Sistan, in the vicinity of Kerman, where everybody is Baluch. They insisted that I travel there. I informed the provincial governor [of my travel plans]. First they said that I could go, and then they said Kerman provincial officials have stated that they are opposed to me traveling there. The provincial security council had said that I should not go. But why? What will I say there that they are against me traveling there? Over there I will stress on prayers, righteousness, unity and brotherhood. I will not say something there that I would not say it in Sistan.”<sup>168</sup>

In addition to Molavi Abdulhamid, other Sunni clerics such as Molana Gargij, a Baluch Imam residing in Golestan Province in northern Iran, was barred from traveling to Zahedan in April 2018.<sup>169</sup>

In December 2018 Molavi Abdulhamid was allowed to leave Iran and travel to Oman.<sup>170</sup> It is premature, however, to conclude that travel restrictions on him and other Sunni clerics have been lifted permanently.

<sup>167</sup> *Mulavī 'Abdulḥamīd: Naguzāshtand Barāyi Dīdāri Aqvāmam Bih Qaṭar Biravam*, BBC PERSIAN (July 21, 2018), <http://www.bbc.com/persian/iran-44910355>.

<sup>168</sup> Id.

<sup>169</sup> *'I'tirāzi Mulavī 'Abdulḥamīd Bih Julugūrī Az Safari Ruḥānūni Ahle Sunnat Bih Manāṭiqi Sunnīnīshīn*, RADIO FARDA (May 5, 2018), <https://www.radiofarda.com/a/prominent-Sunni-leader-abdolhamid-protests-on-travel-restriction-for-Sunni-clerics/29210174.html>.



## 2.4. Statelessness in Sistan and Baluchistan

Thousands of Baluchis in Iran do not possess birth certificates and are deemed stateless. Yaqoub Jadgal, a member of the Iranian parliament, put the number of stateless Baluchis at 4,500.<sup>171</sup> Meanwhile, another member of the parliament put the number much higher. According to Mohammad Na'im Aminifard, about 100,000 persons in Sistan and Baluchistan do not possess birth certificates.<sup>172</sup>

One cause for statelessness was that many Baluchis did not obtain birth certificates due to moving between Iran and Pakistan in previous decades. These persons and their children have not been able to obtain Iranian citizenship as under Iranian law citizenship is passed through lineage, not through being born in the country.<sup>173</sup> Another cause for statelessness is that under Article 4 of Iran's Civil Code citizenship passes through paternal lineage, meaning that a person born to an Iranian mother and a foreign father is not automatically considered an Iranian citizen.<sup>174</sup> Although children born to Iranian mothers and foreign fathers can file a petition to obtain citizenship after the age of 18, they cannot enjoy the benefits of citizenship until the age of 18. Efforts to change the law and grant citizenship to children of Iranian mothers have stalled in the parliament.

## 2.5. Underdevelopment

Sistan and Baluchistan is considered one of the least developed provinces in Iran. A study in the Iranian Journal of Public Health ranked the province at the bottom of the list of provinces in Iran.<sup>175</sup> The study used 2001 and 2009 data from the Iranian Center of Statistics. The study calculated each province's Human Development Index using the United Nations' method, which takes life expectancy, education and per capita GDP into account.<sup>176</sup> Sistan and Baluchistan was ranked last in all three categories.<sup>177</sup> Other indicators also show a grim picture. More than 3,000 villages do not have access to potable water and get their water from tankers.<sup>178</sup> According to a local official in Chabahar, only 21% of Chabahar residents have access to potable water through the water system.<sup>179</sup> A member of the parliament stated that 75% of people in Sistan and Baluchistan do not have food security.<sup>180</sup> In spring 2018 the

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<sup>170</sup> Mulavī 'Abdulḥamīd Bih 'Ummān Safar Kard, RADIO FARDA (Dec. 24, 2018), <https://www.radiofarda.com/a/29673995.html>.

<sup>171</sup> 'Bīsh Az Chihār Hizār 'Īrānī' Dar Sīstān Va Balūchistān Shināsnamih Nadārānd, BBC PERSIAN (Sept. 6, 2014), [http://www.bbc.com/persian/iran/2014/09/140906\\_mgh\\_iran\\_sistan\\_birth\\_certificate](http://www.bbc.com/persian/iran/2014/09/140906_mgh_iran_sistan_birth_certificate).

<sup>172</sup> Hizārān Balūchi 'Īrānī Az Dāshtani Shināsnāmih Ham Maḥrūm 'and, DEUTSCHE WELLE PERSIAN (Feb. 13, 2017), <https://www.dw.com/fa-ir/هزاران-بلوچ-ایرانی-از-داشتن-شناسنامه-هم-محروم-ماند/a-37529625>.

<sup>173</sup> Id.

<sup>174</sup> QANUNI MADANI [CIVIL CODE] Tehran 1314 [1935], art. 4, available at <http://rc.majlis.ir/fa/law/show/92778>.

<sup>175</sup> ASMA SABERMAHANI ET AL., *Provincial Human Development Index, a Guide for Efficiency Level Analysis: The Case of Iran*, 42 IRANIAN J. PUB. HEALTH 149, 149-157, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3595646/>.

<sup>176</sup> Id.

<sup>177</sup> Id.

<sup>178</sup> Sih Hizār Rūstāyi Sīstān Va Balūchistān 'Āb Nadārānd, DEUTSCHE WELLE PERSIAN (Mar. 9, 2018), <https://www.dw.com/fa-ir/iran/a-45335383>.

<sup>179</sup> 80 Darsadi Sākināni Chābahār Az 'Ābi 'Āshāmidānī Maḥrūm 'and, RADIO ZAMANEH (June 7, 2017), <https://www.radiozamaneh.com/344361>.

<sup>180</sup> Namāyandehi Majlis: 'Amnīati Ghazāyī Dar 4 Ustāni Kishvar Buhrānī 'Ast, DEUTSCHE WELLE PERSIAN (May 27, 2018), <https://www.dw.com/fa-ir/نماینده-مجلس-امنیت-غذایی-در-۴-استان-کشور-بحرانی-است/a-43948731>.

unemployment rate in the province stood at 18.6%, the third highest in the country.<sup>181</sup> A member of the parliament from Sistan and Baluchistan, however, put the unemployment rate at 39%.<sup>182</sup>

## 2.6. Instances of Housing Discrimination

In December 2016 a banner was installed in the town of Bidkhoun, Bushehr Province, stating that local judiciary officials had issued an order prohibiting property owners from leasing rental properties to “Baluch migrants.” The stated reason for the ban was that Baluch migrants were engaged in drug dealing. According to the text printed on the banner, Bidkhoun’s police precinct no. 12 had issued the proclamation. After pictures of the banner were circulated online, however, the banner was taken down.<sup>183</sup> A local news site reported that a local official in Bidkhoun had ordered the banner’s installation, and that the police and the judiciary had indicated that they had no role in it.<sup>184</sup> In a public statement, however, the police attributed the banner to unknown individuals who intended to sow conflict among different ethnic and religious groups.<sup>185</sup>

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<sup>181</sup> *Nirkhi Bīkārī Dar Ustāni Sīstān Va Balūchistān 5.9 Darṣad Rushd Kard*, TABNAK (July 29, 2018, 06:28 PM), <https://www.tabnak.ir/fa/news/820805>.

<sup>182</sup> SIPIHR QĀSIMĪ, *Sīstān Va Balūchistān; ‘Ādisāzī Faqr?*, BBC Persian (Jan. 6, 2019), <http://www.bbc.com/persian/blog-viewpoints-46775683>.

<sup>183</sup> *Vākunish Bih Naṣbi Baniri “Ihānat ‘Āmīz Bih Shahrvandani Balūch” Dar Bīdkhūni ‘Asalūyih*, IranWire (Dec. 9, 2016), <https://iranwire.com/fa/news/bushehr/19788>.

<sup>184</sup> *Baniri Purhāshhīh Dar ‘Asalūyih Kih Nūrūyi ‘Intizāmī ‘Ān Rā Maḥkūm Kard*, PARSKHALIJ (Dec. 9, 2016, 02:37 PM), <http://dorahak.com/news/85497>

<sup>185</sup> Id.



Figure 5

A banner in Bidkhou, Bushehr Province, declared that property owners were not allowed to lease their properties to Baluch migrants. The police later issued a statement saying that the banner was installed by “unknown” persons who wanted to sow ethnic and religious conflicts.

A similar banner was installed in Yazd in February 2018.<sup>186</sup> This banner appeared to be installed by private citizens rather than government officials. The banner stated that real estate agents were not authorized to prepare contracts for Afghans or Baluchis. The banner stated that weekly gatherings were planned to take place at the local mosque to address the problem of leasing homes to outsiders.<sup>187</sup> In an interview the local Friday Prayer Imam stated that while he did not approve of the banner, some local residents were concerned about safety of their neighborhood. It is not clear to what extent Afghans or Baluchis were denied housing as a result of the incidents in Bidkhou and Yazd.

<sup>186</sup> *Banirhāyi Hushdār 'Āmīzi Yazdīhā: Khānihāyitan Rā 'Az 'Afghānistānīhā Pas Bigirīd*, ENSAF NEWS (Feb. 26, 2018), <http://www.ensafnews.com/102950/>.

<sup>187</sup> Id.

### 3. Violations of International Law

As a party to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, Iran has failed to meet its international obligations with respect to its Baluch citizens. This section discusses a number of these violations.

#### 3.1. Right to Life

Under Article 6.2 of the International Covenant on Civil and Political Rights (ICCPR) the death penalty may only be imposed for the “most serious crimes.”<sup>188</sup> The Human Rights Committee’s General Comment No. 36 explicitly excludes numerous offences from the category of “most serious crimes” eligible for the death penalty. The Committee declares,

“The term ‘the most serious crimes’ must be read restrictively and appertain only to crimes of extreme gravity, involving intentional killing. Crimes not resulting directly and intentionally in death, such as attempted murder, corruption and other economic and political crimes, armed robbery, piracy, abduction, drug and sexual offences, although serious in nature, can never serve as the basis, within the framework of article 6, for the imposition of the death penalty. In the same vein, a limited degree of involvement or of complicity in the commission of even the most serious crimes, such as providing the physical means for the commission of murder, cannot justify the imposition of the death penalty.”<sup>189</sup>

The Iranian government violates this principle in several ways. Under Iranian law various offences, such as possessing certain amounts of illicit drugs, are punishable by death. In 2017, for example, 20 persons were executed in Sistan and Baluchistan for drug offences, which accounted for two-thirds of the executions in the province.<sup>190</sup> The crime of *moharebeh*, or waging war against God, is also broadly used to target individuals who have been accused of affiliation with armed groups, whether or not they have been involved in operations that have resulted in loss of life.<sup>191</sup> In cases such as that of Yaqoub

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<sup>188</sup> International Covenant on Civil and Political Rights, art. 6.2, Dec. 16, 1966, S. Exec. Rep. 102-23, 999 U.N.T.S. 171, available at <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

<sup>189</sup> United Nations, Human Rts. Comm., Gen. Comment No. 36 ¶ 35, U.N. Doc. CCPR/C/GC/36 (Oct. 30, 2018), available at

[https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/1\\_Global/CCPR\\_C\\_GC\\_36\\_8785\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/1_Global/CCPR_C_GC_36_8785_E.pdf)

<sup>190</sup> IHRDC *Chart of Executions by the Islamic Republic of Iran – 2017*, IHRDC.ORG (Jan. 15, 2018),

<https://iranhrdc.org/ihrdc-chart-of-executions-by-the-islamic-republic-of-iran-2017/>.

<sup>191</sup> Article 279 of the Islamic Penal Code defines *moharebeh*. This article declares, “*Moharebeh* is defined as drawing a weapon on the life, property or chastity of people or to cause terror as it creates the atmosphere of insecurity. When a person draws a weapon on one or several specific persons because of personal enmities and his act is not against the public, and also a person who draws a weapon on people, but, due to inability does not cause insecurity, shall not be considered as a *mohareb* [i.e. a person who commits *moharebeh*]. Articles 287 and 288 also delineate the circumstances under which *moharebeh* could result in the death penalty.

**Article 287**– Any group that wages armed rebellion against the state of the Islamic Republic of Iran, shall be regarded as *moharebs*, and if they use [their] weapon, its members shall be sentenced to the death penalty.

Mehrnahad no evidence is provided to establish that the defendant has had any ties to armed groups. Retaliatory executions, such as those carried out in October 2016, are clear evidence that imposition of the death penalty in Iran is much broader under what is permissible under Article 6.2 of the ICCPR.

### **3.2. Right to a Fair Trial**

Article 14 of the ICCPR guarantees the right to a fair trial. The accounts of individuals interviewed by IHRDC indicate that this right is routinely violated in Sistan and Baluchistan Province. Arbitrary arrests, forced confessions, and denial of access to counsel are reported in many cases across several decades. Testimony of witnesses who spoke with IHRDC indicates that the security apparatus often has a scripted scenario, and that it tries to fit arrested individuals in the plot in a way that serves its purpose. Hamed, for instance, stated that MOI agents attempted to link him to an assassination of a judge. Emadeddin Molazehi described how MOI agents tortured him in order to force him to confess to hostage-taking. Baluch detainees arrested on national security charges are rarely provided adequate access to counsel, as demonstrated in Molazehi's account. Habibollah Sarbazi was tortured, and he made a false confession on camera as a result of the torture to which he was subjected. Use of videotaped confessions for broadcasting on state media also demonstrates the political intentions of the security and judicial officials. Under these circumstances the due process rights of Baluch citizens are not respected, and harsh sentences, including the death penalty, are issued against them without a fair trial.

### **3.3. Right to Religious Freedom**

The Iranian Constitution explicitly discriminates against non-Shia Iranians by declaring Shia Islam as Iran's official religion, and by ensuring that Iran's Supreme Leader and President are to be Shia, in contravention of Article 26 of the ICCPR. Iran's Baluch citizens, who are predominantly Sunni, are, therefore, deprived of the right to serve at the highest levels of government. In addition to the explicit language of the Constitution, Sunnis have been barred from positions such as minister and provincial governor. These discriminatory practices help to marginalize Iran's Baluch population.

As explained in Section 2.2., the Iranian government also limits free religious exercise for Sunni Muslims. Destruction of religious seminaries in Sistan and Baluchistan, the ban on building new Sunni mosques in Tehran, and travel restrictions on Sunni clerics such as Molavi Abdulhamid are examples of violations of Article 18 and Article 26 of the ICCPR.

### **3.4. Right to Nationality**

Article 24.3 of the ICCPR declares that every child has the right to acquire a nationality. General Comment No. 17 states that Article 24.3 does not mean that states are necessarily obligated to grant nationality to every child born in their territory. Nevertheless, it adds,

“...States are required to adopt every appropriate measure, both internally and in cooperation with other States, to ensure that every child has a nationality when he is born.

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**Article 288**– When members of the rebel group are arrested before any conflict occurs or a weapon is used, if the organization or core of that group exists, they shall be sentenced to a ta'zir imprisonment of the third degree, and if the organization or core of that group cease to exist, they shall be sentenced to a ta'zir imprisonment of the fifth degree.

In this connection, no discrimination with regard to the acquisition of nationality should be admissible under internal law as between legitimate children and children born out of wedlock or of stateless parents or based on the nationality status of one or both of the parents.”<sup>192</sup>

The large number of stateless persons in Sistan and Baluchistan Province, and the prolonged political process to resolve this issue, indicate a lack of political will on the part of the Iranian government to comply with Article 24.3 of the ICCPR. The exact number of stateless children in Iran is not known. An official with Iran’s Ministry of Welfare stated that self-reporting by Iranian women has shown that there are more than 49,000 stateless children in Iran. The Interior Ministry’s census, however, has put that number at less than 7,000.<sup>193</sup> The provinces of Khorasan Razavi, Sistan and Baluchistan and Tehran are believed to have the highest number of stateless children.<sup>194</sup> Undocumented children face many obstacles such as obtaining education. According to an official with the Ministry of Education, the Iranian government has implemented a policy requiring the Ministry of Interior to issue documents to stateless children that would enable them to register at schools. This official added, however, that while the Ministry of Education lets stateless children to enroll in schools, it does not issue them official report cards.<sup>195</sup>

### 3.5. Right to an Adequate Standard of Living

Article 11 of the International Convention on Economic, Social and Cultural Rights (ICESCR) declares that States Parties should recognize the “right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.”<sup>196</sup> As discussed in Section 2.4. Sistan and Baluchistan Province is one of the most underdeveloped provinces in Iran. A lack of access to potable water, malnutrition and high unemployment have combined to stunt Sistan and Baluchistan’s development. Despite the Iranian government’s efforts to increase the province’s development budget, there is a significant difference between Sistan and Baluchistan’s human development indicators and those of more prosperous provinces.

### Conclusion

Iran’s Baluch citizens face various human rights abuses. As Sunnis, they are barred from obtaining high-level government positions, and they face restrictions with respect to free exercise of their faith. Baluch activists are monitored and arrested by the Iranian intelligence apparatus, and are often detained for long periods, during which they are tortured in order to make false confessions. The Iranian government has tried several Baluch citizens in secret, unfair trials without providing defendants access to counsel. Practices such as retaliatory executions indicate possible grave human rights abuses.

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<sup>192</sup> United Nations, Human Rts. Comm., Gen. Comment No. 17 ¶ 8, (Apr. 7, 1989), available at <https://www.refworld.org/pdfid/45139b464.pdf>.

<sup>193</sup> *Shināsāyī 49 Hizār Kūdaki “Bīshināsnāmih” Dārāyi Mādari ‘Īrānī/ Khadamātī Kih Bīshināsnāmihhā ‘Az Dulat Mīgīrand*, ISNA (Oct. 24, 2018, 11:41 AM), <https://www.isna.ir/news/97080200959>.

<sup>194</sup> Id.

<sup>195</sup> *Rāhi Halli Mushkili Šabti Nāmi Dānish ‘āmūzāni Fāqidi Shināsnāmih Dar Mādāris*, SHAFAP (Dec. 16, 2015, 05:31 PM), <http://www.shafaf.ir/fa/news/368213>.

<sup>196</sup> International Covenant on Economic, Social and Cultural Rights, art. 11, Dec. 16, 1966, 993 U.N.T.S. 3, available at <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>.

Sistan and Baluchistan Province also suffers from a lack of access to potable water, inadequate food, and high unemployment. In addition, thousands of Baluch Iranians do not possess birth certificates, and, as such, are deemed stateless. The combination of all the factors discussed in this report renders the human rights situation in Sistan and Baluchistan Province one of the worst in the country.