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Country Report on Human Rights Practices

Iran*

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The Islamic Republic of Iran, with a population of approximately 68 million, is a constitutional, theocratic republic in which Shi'a Muslim clergy dominate the key power structures. Article Four of the constitution states that "All laws and regulations...shall be based on Islamic principles." Government legitimacy is based on the twin pillars of popular sovereignty (Article Six) and the rule of the Supreme Jurisconsultate, or Supreme Leader (Article Five).

The Supreme Leader of the Islamic Revolution, Ayatollah Ali Khamenei, dominated the tricameral structure of government (legislative, executive, and judicial branches). He was not directly elected but chosen by an elected body of religious leaders, the Assembly of Experts. Khamenei directly controlled the armed forces and exercised indirect control over the internal security forces, the judiciary, and other key institutions. Hardline conservative Mahmoud Ahmadinejad won the presidency in June 2005 in an election widely viewed as neither free nor fair.

The legislative branch is the popularly elected 290-seat Islamic Consultative Assembly, or Majles. An unelected 12-member Guardian Council reviewed all legislation passed by the Majles for adherence to Islamic and constitutional principles and also screened presidential and Majles candidates for eligibility. The Majles was dominated by conservatives, due in part to the Guardian Council's extensive screening of candidates in the 2004 Majles elections. Prior to the June 2005 presidential elections, the Guardian Council excluded all but eight of the 1,014 candidates who registered, including all women. The Guardian Council and parliamentary electoral committees screened candidates for the December 15 municipal council and Assembly of Experts elections, disqualifying scores of reformist candidates. The civilian authorities did not maintain fully effective control of the security forces.

The government's poor human rights record worsened, and it continued to commit numerous, serious abuses. The following significant human rights problems were reported: severe restriction of the right of citizens to change their government peacefully; unjust executions after reportedly unfair trials; disappearances; torture and severe officially sanctioned punishments such as death by stoning; flogging; excessive use of force against demonstrators; violence by vigilante groups with ties to the government; poor prison conditions; arbitrary arrest and detention; lack of judicial independence; lack of fair public trials; political prisoners and detainees; severe restrictions on civil liberties including speech, press, assembly, association, movement, and privacy; severe restrictions on freedom of religion; official corruption; lack of government transparency; violence and legal and societal discrimination against women, ethnic and religious minorities, and homosexuals; trafficking in persons; incitement to anti-Semitism; severe restriction of workers' rights, including freedom of association and the right to organize and bargain collectively; and child labor. On December 19, for the fourth consecutive year, the UN General Assembly adopted a resolution expressing detailed, serious concern over the country's human rights problems.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were reports of executions after unfair trials. Exiles and human rights monitors alleged that many of those supposedly executed for criminal offenses, such as narcotics trafficking, were political dissidents.

The law criminalized dissent and applied the death penalty to offenses such as apostasy, "attempts against the security of the State, outrage against high-ranking officials, and insults against the memory of Imam Khomeini and against the Supreme Leader of the Islamic Republic."

On January 24, according to domestic press reports, two bombs exploded in the city of Ahvaz, in the ethnic Arab majority province of Khuzestan, with as many as nine dead and 40 wounded. On January 28 and February 28, there were further bombings but no casualties reported. The violence came amid social unrest that began with the April 2005 publication of a letter, claimed by the government to be a forgery, alleging government plans to reduce the percentage of the Ahvazi-Arab population in the province. The bombings follow similar bombings in June and October 2005.

Government officials initially blamed "foreign governments" for the bombings, but on June 8, the revolutionary court in Khuzestan announced death sentences for nine ethnic Arabs in connection with the bombings. On March 2, authorities executed Mehdi Nawaseri and Ali Afrawifor their involvement in the 2005 bombings. Afrawi was a minor at the time according to the nongovernmental organization (NGO) Amnesty International (AI). On November 9, authorities in Khuzestan confirmed the sentences of execution of an additional 10 ethnic Arabs in connection with the January and February bombings. All sentences were imposed following secret trials that the international NGO Human Rights Watch (HRW) said could not be considered to meet international standards (see section 1.e.). According to an AI report, three of the accused bombers were executed on December 19 in a Khuzestan provincial prison.

On May 11, according to HRW, authorities executed Majid Segound and Masoud Naghi Biranvand, both of whom were age 17 at the time of their execution.

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The government responded forcibly to weeks of demonstrations by members of the ethnic Azeri minority, which protested a May 19 newspaper cartoon viewed as offensive to the Azeri population. The government initially denied any protesters were killed, but on May 28 a police official acknowledged that four were killed and 43 injured in the northwestern town of Naqaba.

On July 31, student protester Akbar Mohammadi died in Evin Prison following medical complications related to a hunger strike. Police first arrested Mohammadi following his participation in July 1999 student demonstrations to protest government closure of newspapers. Authorities reportedly denied Mohammadi's parents permission to see their son's body and did not respond to calls for an independent investigation into the cause of death.

In November 2005 an appeals court ordered the case involving the death of Zahra Kazemi, a dual-national Iranian-Canadian citizen, to be reopened; however, at year's end there was no progress and the case remained under review. Kazemi, a photojournalist, was arrested for taking pictures while outside Evin Prison in Tehran during student-led protests. She died in custody in 2003 after allegedly being tortured. Authorities admitted that she died as a result of a blow to the head. In June the Kazemi family filed a civil case against the Iranian government in Canadian courts.

According to a 2005 AI report, during the previous 15 years there were reports of at least eight evangelical Christians killed in the country (see section 2.c.).

During the year there was no statement altering the Islamic Revolution Guards Corps's (IRGC) February 2005 announcement that Ayatollah Khomeini's 1989 religious decree calling for the killing of author Salman Rushdie remained in effect. There was no further action on the killing of strikers in 2004, the killings and disappearances reported by the Special Representative for Iran of the Commission on Human Rights (UNSR) in 2001, or the killings of members of religious minorities following the revolution.

b. Disappearance

Little reliable information was available regarding the number of disappearances during the year.

There were no developments in the October 2005 case of journalist Massoumeh Babapour, found barely alive after being abducted and repeatedly stabbed, after threats calling her an atheist and claiming religious authorities had sentenced her to death.

According to an AI report in 2005, between 15 and 23 evangelical Christians were reportedly missing or "disappeared" during the past 15 years.

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

The constitution prohibits torture for the purposes of extracting a confession or acquiring information. In 2004 the judiciary announced a ban on torture, and the Majles passed related legislation, approved by the Guardian Council. Nevertheless, there were numerous credible reports that security forces and prison personnel tortured detainees and prisoners.

In June the government sent Saeed Mortazavi, the Tehran general prosecutor, to represent the country at the opening of the UN Human Rights Council. Mortazavi was accused by human rights groups of grave human rights abuses, including murder and torture, and was reportedly involved in the 2003 killing of Canadian photojournalist Zahra Kazemi (see section 1.a.).

In October the government sent Interior Minister Mostafa Purmohammadi as its representative at the Tri-Partite Commission of Iran, Afghanistan, and the UN High Commissioner for Refugees in Geneva. Purmohammadi has a history of human rights abuses, including participation in the 1988 mass execution of several thousand political prisoners at Evin Prison and the 1998 murders of writers and dissidents throughout the country.

The penal code provides for the stoning, or lapidation, of women and men convicted of adultery. In 2002 the head of the judiciary announced a moratorium on stoning but reportedly ended the moratorium in August. Prior to August there were reports of judges handing down the sentence. On May 7, according to AI a woman, Mahboubeh Mohammadi, and a man, Abbas Hajizadeh, were stoned to death in the northeastern city of Mashhad. A court convicted the pair of adultery and the murder of Mohammadi's husband.

In June 2005 a court sentenced a man to have his eyes surgically removed. According to human rights specialists, such sentences were rarely implemented; rather they were used as leverage to set "blood money." Nonetheless, in November 2005, domestic press reported prison authorities amputated the left foot of a convicted armed robber.

In 2004 AI reported that it had documented evidence of "white torture," a form of sensory deprivation. Amir Abbas Fakhravar, a political prisoner, was sent to the "125" detention center, controlled by the revolutionary guards. According to AI his cell had no windows, and the walls and his clothes were white. His meals consisted of white rice on white plates. To use the toilet, he had to put a white piece of paper under the door. He was forbidden to speak, and the guards reportedly wore shoes that muffled sound. The UN Special Rapporteur on Torture listed sensory deprivation among the techniques constituting torture.

In July 2005 according to domestic press, Abbas Ali Alizadeh, the head of the Tehran judiciary and head of the supervisory and inspection committee to safeguard civil rights, provided Tehran Judiciary Chief Mahmud Ali Hashemi-Shahrudi with a detailed report as a follow-up to Shahrudi's directive on respect for citizens' rights. This unreleased report was described in detail in the media and outlined abusive human rights practices in prisons, including blindfolding and beating suspects, and leaving detainees in a state of uncertainty.

Also in July 2005, according to domestic press, the deputy national police commander for criminal investigation said police would investigate any reports of torture. He said torture was not only against regulations, but that forensic and scientific advances have made torture unnecessary. Nevertheless, its existence in the criminal investigation departments was undeniable.

The government relied on "special units" (*yegan ha-ye vizhe*), to complement the existing morality police, called "Enjoining the Good and Prohibiting the Forbidden" (*Amr be Ma'ruf va Nahi az Monkar*) in an effort to combat "un-Islamic behavior" and social corruption among the

young. These auxiliaries were to assist in enforcing the Islamic Republic's strict rules of moral behavior. Credible press reports indicated members of this morality force chased and beat persons in the streets for offenses such as listening to music or, in the case of women, wearing makeup or clothing regarded as insufficiently modest or being accompanied by unrelated men (see section 1.f.).

According to a December 21 AI report, a woman identified as "Parisa" received 99 lashes in December, a reduction of the original sentence of death by stoning for adultery.

Prison and Detention Center Conditions

Prison conditions in the country were poor. Many prisoners were held in solitary confinement or denied adequate food or medical care to force confessions. After its 2003 visit, the UN Working Group on Arbitrary Detentions reported that "for the first time since its establishment, [the working group] has been confronted with a strategy of widespread use of solitary confinement for its own sake and not for traditional disciplinary purposes." The working group described Sector 209 of Evin Prison as a "prison within a prison," designed for the "systematic, large-scale use of absolute solitary confinement, frequently for long periods."

In March 2005 the UK-based International Center for Prison Studies reported that 142,851 prisoners occupied facilities constructed to hold a maximum of 65,000 persons. In May official statistics from the State Prison Organization put the number of prisoners at 147,926.

Some prison facilities, including Tehran's Evin Prison, were notorious for cruel and prolonged torture of political opponents of the government. Additionally, in recent years authorities have severely abused and tortured prisoners in a series of "unofficial" secret prisons and detention centers outside the national prison system. Common methods included prolonged solitary confinement with sensory deprivation, beatings, long confinement in contorted positions, kicking detainees with military boots, hanging detainees by the arms and legs, threats of execution if individuals refused to confess, burning with cigarettes, sleep deprivation, and severe and repeated beatings with cables or other instruments on the back and on the soles of the feet. Prisoners also reported beatings about the ears, inducing partial or complete deafness; punching the area around the eyes, leading to partial or complete blindness; and the use of poison to induce illness. Human rights activists and domestic press reported cases of political prisoners confined in the same prison wing as violent felons. There are allegations that the authorities deliberately incarcerated nonviolent offenders with violent offenders anticipating that they would be killed. HRW noted that student activists were physically tortured more than dissident critics from within the system. It also noted physical abuse in the presence of high-level judges.

In May 2005 Judiciary Chief Shahrudi reportedly complained about security forces' treatment of some detainees. He said judges must conduct interrogations, and confessions obtained without a judge present were inadmissible. During the year there were no further official remarks enforcing Shahrudi's statement.

In 2005 the Tehran province judiciary tasked its branches to address and compile complaints about civil rights violations and reportedly received 143 complaints, including one concerning a person jailed since 1989 without a conviction or indication of criminal record. In the unreleased report described by domestic press in July 2005, the judiciary's committee, called the Supervising and Inspection Committee for Preserving Citizens' Rights, reported visiting detention centers of the police security, criminal, and intelligence departments, and army security and intelligence departments to assess the condition of detainees, sanitation, visiting procedures, and procedures used to summon and arrest suspects. In its findings the judiciary committee noted unjustified arrests without warrants. It said the IRGC intelligence department detention center would not allow the committee to enter its facility. The report also called for an investigation of suicides by female inmates in Rajai'i Shahr Prison. The committee report stated every military camp or intelligence or security department had its own detention center, in defiance of the judiciary head's directive. Ministry of Intelligence and Security (MOIS) facilities operated without the required oversight of the government's prisons organization. The committee found serious problems in a wide range of detention centers, jails, drug control centers, and prisons, including Section 209 at Evin Prison and the Tehran Revolutionary Court.

The committee reported that, contrary to instructions from the judiciary head on size of a detention area, some suspects had been held for eight or nine months in much smaller spaces. The report noted torture and solitary confinement in detention centers and claimed it had taken steps to resolve the issue. The report stated that confessions obtained under duress were legally invalid. The committee also called for investigations into possible violations committed against arrested and detained girls and women.

Later in 2005 Tehran Judiciary head Alizadeh claimed the problems cited in the report were resolved, upon the order of the judiciary, and the "culprits were presented to authorities." Government spokesman Abdullah Ramezanzadeh praised the report and said the Defense and Information Ministries were expected to turn over names of those responsible for torture to the judiciary. However, there was no indication during the year that anyone was held responsible for the abuses cited in the report.

In July 2005 the Secretary General of the Administration of Justice of Tehran said in an interview that, following investigation into prison conditions and corrective actions, every prison cell had an average of 12 square meters, and all detention centers were now under the supervision of the State Prison Organization of prisons.

Separately, in 2005 the judiciary spokesman called the allegations in the committee's report complete falsehoods. He said the report's claim of unlawful detention centers administered contrary to prison regulations and in which defendants are blindfolded and beaten was untrue.

Judiciary Chief Shahrudi in 2005 also asked the judiciary to investigate reports of abuse of Internet writers, arrested in 2004 (see section 1.e.). The judiciary's report also was not released; and although it was acknowledged that some were abused, there was no information that anyone was held accountable.

In May 2005 Shahrudi directed that convicts imprisoned for lesser offenses and gravely ill prisoners should be given parole for three months; the directive's implementation was unknown.

In September 2005 Shahrudi issued new sentencing guidelines under which minor offenders would be fined and receive punishments other than imprisonment. This change was reportedly due in part to prison overcrowding; it is not known whether the change was implemented. According to HRW most prisoners were eligible for release after serving half of their sentences.

The government generally has granted prison access only to the International Committee of the Red Cross (ICRC); however, in June Justice Minister Jamal Karimirad allowed a group of foreign and local journalists to tour Evin Prison. BBC reported that, according to prison officials,

there are 2,575 men and 375 women in Evin Prison. Reporters were denied access to well-known prisoners. Some others with whom they spoke complained that their cases had not come to trial or that they had been awaiting a verdict for months.

In 2004 HRW documented a number of unofficial prisons and detention centers such as "Prison 59" and "Amaken," an interrogation center where persons are held without charge, questioned intensively for prolonged periods, physically abused, and tortured.

In 2003 the UNSR of the Commission on Human Rights reported that prisoner abuse occurred frequently in unofficial detention centers run by unofficial intelligence services and the military. The UN Working Group on Arbitrary Detention raised this issue with the country's Article 90 parliamentary commission during its 2003 visit, generating a commission inquiry that reportedly confirmed the existence of numerous unofficial prisons.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention; however, these practices remained common.

Role of the Police and Security Apparatus

Several agencies share responsibility for law enforcement and maintaining order, including the MOIS, the Law Enforcement Forces under the Interior Ministry, and the IRGC. A paramilitary volunteer force known as the Basij and various informal groups known as the *Ansar-e Hizballah* (Helpers of the Party of God) aligned with extreme conservative members of the leadership and acted as vigilantes. The size of the Basij is disputed, with officials citing anywhere from 11 to 20 million, and a 2005 Western study claiming there were 90,000 active members and up to 300,000 reservists.

Corruption was a problem; however, more so in the revolutionary courts than in the criminal and civil courts. Many police officers were also corrupt. Civilian authorities did not fully maintain effective control of the security forces. The regular and paramilitary security forces both committed numerous, serious human rights abuses. According to a 2004 HRW report, the government's use of plainclothes security agents to intimidate political critics became more institutionalized since 2000. They were increasingly armed, violent, and well equipped, and they engaged in assault, theft, and illegal seizures and detentions.

Arrest and Detention

The constitution and penal code require warrants or subpoenas for arrests and also state the arrested person must be informed of charges within 24 hours; however, these safeguards rarely occurred in practice. Detainees often went weeks or months without charges or trial; frequently were denied prompt contact with family; and often were denied access to legal representation for prolonged periods. Bail was often set at extremely high levels, even for lesser crimes. Detainees and their families are often compelled to submit property deeds in order to post bail; many cannot afford to post bail.

In practice there is neither a legal time limit for incommunicado detention nor any judicial means to determine the legality of the detention. In the period immediately following detention or arrest, many detainees were held incommunicado and denied access to lawyers and family members.

Security forces often did not inform family members of a prisoner's welfare and location. Authorities often denied visits by family members and legal counsel. Prisoners released on bail did not always know how long their property would be retained or when their trials would be held. In addition families of executed prisoners did not always receive notification of their deaths. On occasion the government forced family members to pay to retrieve the body of their relative.

The December 19 resolution on the country's human rights situation in the UN General Assembly (UNGA) expressed serious concern about the use of arbitrary arrest, targeted at both individuals and their family members.

On January 28, authorities reportedly arrested several hundred members of a Tehran bus drivers' syndicate, along with some family members, who were demonstrating for labor rights. Family members and some workers were released, but several hundred were reportedly still held in Evin Prison at year's end.

On February 13, officials in the city of Qom arrested as many as 1,200 Sufi worshippers in a clash that left more than 100 injured (see section 2.c).

On June 14, human rights lawyer Saleh Kamrani, a member of the country's Azeri ethnic minority, was detained without charge and taken into government custody (see section 1.e). Charged with "propaganda against the system," according to AI, he was tried on September 13 and sentenced to one year's imprisonment. The sentence was suspended for five years, and he was released on September 18.

In September according to AI, at least nine Azeri Iranians were arrested following demonstrations calling for a school boycott in the Northwest. Azeri Iranians were protesting for their constitutional right to use the Azeri language in schools (see section 5).

On September 26, authorities arrested and detained a Christian couple, Reza Montazami and Fereshteh Dibaj, without charge. They were released on October 5 (see section 2.c).

On October 3, authorities arrested Hessam Firouzi, a doctor who treated student activist Ahmad Batebi prior to Batebi's re-arrest (see section 1.e.). Firouzi's wife reported that authorities took him to Evin Prison without filing charges against him; however, he was reportedly released on October 5.

In recent years the government has used house arrest to restrict the movements and ability to communicate of senior Shi'a religious leaders whose views regarding political and governance issues were at variance with the ruling orthodoxy; however, there were no new instances of this practice publicly reported during the year.

Numerous publishers, editors, and journalists (including those working on Internet sites) were detained, jailed, tortured, and fined, or they were

prohibited from publishing their writings during the year (see sections 1.e. and 2.a.).

Adherents of the Baha'i faith continued to face arbitrary arrest and detention (see section 2.c.).

Amnesty

According to domestic press, the government commuted sentences of over 13,000 prisoners during 2005 to mark Muslim and national holidays.

e. Denial of Fair Public Trial

The constitution provides that the judiciary is "an independent power;" however, in practice the court system was subject to government and religious influence. After the 1979 revolution, the judicial system was revised to conform to an Islamic canon based on the Koran, *Sunna* (the traditions of the Prophet), and other Islamic sources. The constitution provides that the head of the judiciary shall be a cleric chosen by the supreme leader. The head of the Supreme Court and Prosecutor-General also must be clerics. Women are barred from serving as certain types of judges.

There are several court systems. The two most active are the traditional courts, which adjudicate civil and criminal offenses, and the Islamic revolutionary courts. The latter try offenses viewed as potentially threatening to the Islamic Republic, including threats to internal or external security, narcotics and economic crimes, and official corruption. A special clerical court examines alleged transgressions within the clerical establishment, and a military court investigates crimes connected with military or security duties. A press court hears complaints against publishers, editors, and writers. The Supreme Court has limited review authority.

HRW noted in a 2004 report that the judiciary was at the core of suppressing political dissent and that, in practice, it violated due process rights at every level, including the right to be promptly charged; have access to legal counsel; be tried before a competent, independent, and impartial court in a public hearing; and have right of appeal. Detainees were often not clear of their legal status. Numerous observers considered Tehran Public Prosecutor Saeed Mortazavi the most notorious persecutor of political dissidents and critics.

According to the civil code, persons under 18 years of age may be prosecuted for crimes as adults, without special procedures, and may be imprisoned with adults. The age of criminal responsibility is set at 15 years for males and nine years for females. As a party to the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, the country is obligated not to execute persons for crimes committed when they were younger than 18. However, reports indicated that during the year the government tried persons under the age of 18, including Ali Afrawi, who was reported to have been 17 years old at the time of his trial and execution in March (see section 1.a.).

In September two men, Sina Paymard and Ali Alijan, were scheduled to be executed for crimes they committed before the age of 18; however, both received reprieves from the victims' families, who were permitted under law to seek blood money in lieu of the death penalty.

In January 2005 government officials told the UN Committee on the Rights of the Child that for many years there had been a moratorium on the death penalty for persons under 18. During the same month, according to credible reports, a man was executed for a crime committed when he was 17. According to an HRW report, during the year 30 juveniles were on death row.

In 2004 20 local human rights groups called on the judiciary not to sentence minors to death. Nobel Peace Prize laureate Shirin Ebadi sought permission to hold a demonstration regarding this issue, but the authorities denied her request. In 2005 UNGA adopted a resolution denouncing the country's practice of executing minors, and the UN Committee on the Rights of the Child urged the country to suspend execution of juvenile offenders. On December 19, the UNGA again adopted a similar resolution.

Trial Procedures

Many aspects of the prerevolutionary judicial system survive in the civil and criminal courts. For example, in theory defendants have the right to a public trial, a lawyer of their choice, and right of appeal. Panels of judges adjudicate trials. There is no jury system in the civil and criminal courts; however, in the press court a council of 11 persons specifically selected by the court adjudicates the case. If postrevolutionary statutes do not address a situation, the government advises judges to give precedence to their knowledge and interpretation of Islamic law.

According to the law, defendants are entitled to a presumption of innocence, but this often does not occur in practice. Trials are supposed to be open to the public; however, frequently they are closed without access to a lawyer. The right to appeal is often denied.

UN representatives, including the UNSR, the UN Working Group on Arbitrary Detention, and independent human rights organizations noted the absence of procedural safeguards in criminal trials. The December 19 UNGA resolution on the country's human rights expressed serious concern about "the persistent failure to comply fully with international standards in the administration of justice...."

Trials in the revolutionary courts were notorious for their disregard of international standards of fairness. Revolutionary court judges were chosen in part due to their ideological commitment to the system. Pretrial detention often was prolonged, and defendants lacked access to attorneys. Authorities often charged individuals with relatively undefined crimes, such as "anti-revolutionary behavior," "moral corruption," and "siding with global arrogance." Defendants did not have the right to confront their accusers. Secret or summary trials of five minutes' duration occurred frequently. Other trials were deliberately designed to publicize a coerced confession, and there were allegations of corruption.

The legitimacy of the special clerical court system continued to be subject to debate. The clerical courts, which investigate offenses and crimes committed by clerics and which are overseen directly by the supreme leader, are not provided by the constitution and operated outside the domain of the judiciary. In particular, critics alleged clerical courts were used to prosecute clerics for expressing controversial ideas and participating in activities outside the sphere of religion, such as journalism. The recommendations of the 2003 UN Working Group on Arbitrary Detention included a call to abolish both the special clerical courts and the revolutionary courts.

In its 2003 report, the UN Working Group on Arbitrary Detention noted failures of due process in the court system caused by the absence of a "culture of counsel" and the previous concentration of authority in the hands of a judge who prosecuted, investigated, and decided cases.

In 2004 a Tehran Justice Department official alleged that the government tried and sentenced fugitive al-Qa'ida members detained in the country. The government did not identify those convicted, the verdicts, or their sentences and provided no further information during the year.

Political Prisoners and Detainees

In April 2004 then-president Khatami stated that "absolutely, we do have political prisoners and people who are in prison for their beliefs." However, no accurate estimates were available regarding the number of citizens imprisoned for their political beliefs. In 2003 the UN Special Representative for the Promotion and Protection of the Right to Freedom of Expression and Opinion estimated the number to be in the hundreds. Although there were few details, the government has reportedly arrested, convicted, and executed persons on questionable criminal charges, including drug trafficking, when their actual "offenses" were political. The government has charged members of religious minorities with crimes such as "confronting the regime" and apostasy and conducted trials in these cases in the same manner as threats to national security. Political prisoners occasionally were given suspended sentences or released for short or extended furloughs prior to completion of their sentences, but could be ordered to prison at any time. Political activists were also controlled by having a file placed in the courts that could be opened at any time. There were also reports during the year that the Intelligence Ministry pressured families of political prisoners, banning them from speaking to foreign press and blocking their telephone conversations.

There was no information that authorities took any action on Judiciary Chief Shahrudi's 2005 reported order for investigations of political prisoner cases or leaves of absence for imprisoned students.

There were reports that some persons have been held in prison for years and charged with sympathizing with outlawed groups, such as the domestic terrorist organization, the Mujahedin-e- Khalq (MEK).

On March 18, Akbar Ganji, a former IRGC leader turned political activist and journalist, was released from prison. Ganji was imprisoned in 2000 in connection with his reports linking the government to the "serial murders" of 80 dissidents in the country and abroad. He was sentenced in 2001 to six years in prison on charges including acting against national security and spreading propaganda. He received a one-month furlough for medical treatment in 2005 and subsequently went on a 70-day hunger strike to protest his detention. After his release he was allowed to travel abroad.

On April 25, authorities arrested philosopher and scholar Ramin Jahanbegloo for "acting against national security and having contacts with foreigners" and held him at Evin Prison. A media campaign called for his release, including statements from human rights organizations, prominent international scholars, and Western governments. Jahanbegloo was released from prison on or about August 30 and allowed to travel abroad.

On June 3, according to Azerbaijani press reports, ethnic Azeri activist Abbas Lisani was arrested following a protest demonstration. Lisani was reportedly charged with "holding rallies against the state system." He was reportedly released on September 26 but re-arrested on November 1. Lisani received a one-year prison sentence for "spreading antigovernment propaganda" and at year's end was in prison in the northwestern province of Ardabil.

On June 12, authorities arrested former Majles deputy and human rights activist Ali Akbar Musavi Khoini, who was reportedly taken to Evin Prison and held without charge. Khoini, who had been attending a women's rights protest when he was detained, was a critic of the government during his 2000-04 term of office, protesting the government's human rights abuses, prison conditions, and the lack of fair trials. Authorities permitted Khoini to attend a memorial service for his father on September 21, where he told the crowd that he was being tortured and pressured to "repent" for his criticisms of the government. Observers at the service told HRW that Khoini had visible bruises. On October 15, he was released on bail.

On June 14, the government detained Azeri-Iranian human rights lawyer Saleh Kamrani without charge. Kamrani reportedly defended several individuals, including ethnic Azeri activist Abbas Lisani, who were arrested during the May demonstrations in the ethnic-Azeri majority region of the Northwest (see section 1.a.). Kamrani's family received no information on his whereabouts for several days but later learned that he was detained in Evin Prison. Kamrani was released from Evin on September 18, according to AI.

On July 27, authorities re-arrested student activist Ahmad Batebi, who had been released from prison for medical treatment in 2005. On October 15, they released him again after he posted an approximately \$325,000 (300-million toman) bail, but he was returned to custody by October 17, according to his father. Officials gave no justification for Batebi's re-arrests. According to his wife, at the time of his re-arrest, Batebi warned that he would go on a hunger strike, a tactic often used by political prisoners as a protest. Batebi was involved in the 1999 Tehran student protest, and his photo was published in several international news outlets, illustrating the protests. Subsequently, Batebi was sentenced to death in 1999, a sentence that was commuted to 15 years in prison. Batebi reportedly was severely beaten and harshly interrogated while in prison and consequently suffered from health problems. At year's end Batebi was in Evin Prison.

On September 16, Internet writer Mojtaba Saminejad was reportedly released from prison. Saminejad was arrested in February 2005 and sentenced to more than two years in prison on charges that included insulting the supreme leader. He was first detained in 2004 after reporting the arrest of other Internet writers and, according to HRW, tortured and held for 88 days in solitary confinement. In January 2005 he was released on \$62,500 (50 million toman) bail. Saminejad started another Internet site but was detained again, and his bail tripled, which he could not pay. His trial in May 2005 was held behind closed doors.

In October student activist Manuchehr Mohammadi fled the country while on furlough from Evin Prison. Mohammadi was sentenced to 13 years in prison, following involvement in the July 1999 Tehran student protests. He is the brother of activist Akbar Mohammadi, who died in custody on July 31 (see section 1.a.).

On October 8, police arrested dissident cleric Ayatollah Mohammad Kazemini Boroujerdi at his home, after dispersing hundreds of his followers who had gathered there. Boroujerdi reportedly came under increased pressure from the government for urging separation of religion from politics. According to press reports, over 70 of his supporters were arrested in late September and early October. Boroujerdi has reportedly been arrested and imprisoned several times since 1992 and has claimed that he was tortured and threatened with execution (see section 2.c.). At year's end there was no update on this case.

In July 2005 while acting as an attorney for the accused, Abdol Fattah Soltani was accused of espionage. Soltani's lawyer, human rights specialist Mohammad Dadkhah, and HRW claimed the reason for his arrest was his work in the investigation into the death of Zahra Kazemi. On July 18, the Tehran Revolutionary Court acquitted Soltani of espionage but convicted him of "disclosing classified information" and "spreading propaganda against the system," according to domestic press reports. Soltani was sentenced to four years in prison and five years deprivation of his "social rights."

Police arrested journalist Siamak Pourzand in 2001 and tried him in March 2002 behind closed doors. He was denied free access to a lawyer of his choice and was sentenced to 11 years in prison for "undermining state security through his links with monarchists and counterrevolutionaries." After repeated hospitalizations followed by reimprisonment, Pourzand was furloughed again in 2004 and remained under house arrest at year's end.

In July 2005 police arrested journalist Massoud Bastani for covering a demonstration to support political prisoner Akbar Ganji. Bastani was held in Evin Prison, released in August 2005, then reimprisoned and sent to Arak prison, normally used for nonpolitical prisoners. He was released on furlough in September 2005 but returned to prison the next month. In December 2005 the head of the Association of Iranian Journalists called for Bastani's release and said he was in poor health. In September an Internet source said he remained in prison.

Arjang Davoudi was arrested in 2003 for assisting a Canadian reporter making a documentary about Canadian-Iranian photojournalist Zahra Kazemi. In 2005 he was condemned by a revolutionary court to either 14 or 15 years in jail; reportedly he was beaten and kept in solitary confinement for approximately 100 days. Davoudi wrote a book from prison about his ordeal and had his manuscript privately delivered to a publishing company. According to one report, the Information Ministry prevented the book's publication by violence against the publisher and its employees. At year's end he was believed to be in internal exile in Bandar Abbas.

In 2004 Peyman Piran, a student activist, was sentenced to 10 years in prison for acting against national security, contacting foreigners, disturbing public opinion, and behaving insultingly. In 2004 security forces also forcibly evicted his father, retired teacher Mostafa Piran, and his family. Mostafa Piran was reportedly beaten and held in solitary confinement in July 2004 for his attempt to organize a teachers' strike to mark the anniversary of the July 1999 student demonstrations, in defiance of a ban. Mostafa was released in March 2005, but Peyman remained in Evin Prison. There was no additional verified information on Peyman Piran at year's end.

Behruz Javid-Tehrani, a member of the Democratic Party of Iran, was first arrested in 1999 and spent four years in prison. He was then re-arrested in July 2004 and condemned to seven years in prison and 54 lashes. In August 2005 it was reported that he was held in solitary confinement for three months and had told relatives that he was severely beaten. As of July he reportedly remained in Evin prison.

In December 2004 student leader Heshmatollah Tabarzadi, jailed since June 2003, was sentenced by the revolutionary court to 16 years in prison. He was temporarily furloughed in August 2005; however, in July according to AI, he was in Evin Prison.

In November 2004 local press reported that after an early October 2005 trial, a Tehran Revolutionary Court sentenced former foreign minister Ebrahim Yazdi, leader of the banned Freedom Movement opposition party, to an unspecified but long imprisonment, based on charges of actions against national security, insulting the supreme leader, and other charges. At year's end Yazdi was not in prison, but his court case remained pending. He registered as a presidential candidate in the 2005 elections, but the Guardian Council rejected his candidacy.

Former deputy prime minister Abbas Amir-Entezam, imprisoned for 26 years, was reported to be on leave from prison at year's end.

Civil Judicial Procedures and Remedies

The judiciary is nominally independent from the executive and legislative branches but remained under the influence of executive and religious government authorities. The head of the judiciary is appointed by the Supreme Leader, who in turn appoints the head of the Supreme Court and the chief public prosecutor. According to the constitution, under the supervision of the head of the judiciary, the Court of Administrative Justice investigates the grievances of citizens with regard to government officials, organs, and statutes. In practice, however, citizens' ability to sue the government is limited. It appeared that citizens were not able to bring lawsuits against the government for civil or human rights violations. Dispute resolution councils are available to settle minor civil and criminal cases through mediation before referral to courts.

Property Restitution

The constitution allows the government to confiscate property acquired either illicitly or in a manner not in conformance with Islamic law. The UN Special Rapporteur (UNSR) on Adequate Housing noted religious minorities, including members of the Baha'i faith, were particularly affected. The UNSR's June report noted the "abusive use of [the law] is seen as an instrument for confiscating property of individuals as a form of retribution for their political and/or religious beliefs." The report noted documentation of approximately 640 Baha'i properties confiscated since 1980, instances of numerous undocumented cases, and court verdicts declaring confiscation of property from the "evil sect of the Baha'i" legally and religiously justifiable. Rights of members of the Baha'i faith were not recognized under the constitution, and they have no avenue to seek restitution of or compensation for confiscated property.

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

The constitution states that "reputation, life, property, (and) dwelling(s)" are protected from trespass except as "provided by law"; however, the government infringed on these rights. Security forces monitored the social activities of citizens, entered homes and offices, monitored telephone conversations, and opened mail without court authorization. There were widespread reports that the homes and offices of reformist journalists were entered, searched, or ransacked by government agents in an attempt to intimidate.

Vigilante violence included attacking young persons considered too "un-Islamic" in their dress or activities, invading private homes, abusing unmarried couples, and disrupting concerts. At year's end there was no systematic campaign, although greater enforcement was reported on university campuses.

Authorities entered homes to remove television satellite dishes, although the vast majority of satellite dishes in individual homes continued to operate. Beginning in August there were press reports that the government increased its confiscation of satellite dishes. Early in 2004 Western

media reported that Islamist militia confiscated approximately 40,000 satellite dishes from four factories secretly manufacturing satellite equipment in eastern Tehran (see section 2.a.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of expression and the press, within limits. Article 23 of the constitution states "investigation of individuals' beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief." Article 24 of the constitution states "publications and the press have freedom of expression except when it is detrimental to the fundamental principles of Islam or the rights of the public...." At the same time, the penal code states that "anyone who undertakes any form of propaganda against the state" can be imprisoned up to a year. The law does not define "propaganda." The press law forbids censorship but also forbids disseminating information that may damage the Islamic Republic or offend its leaders and religious authorities. It also subjects writers to prosecution for instigating crimes against the state or "insulting" Islam; the latter offense is punishable by death.

In practice the government severely restricted freedom of speech and of the press. The Culture Ministry must grant permission to publish any book, and it inspects foreign printed materials prior to their domestic release. According to the Tehran-based Association for Advocating Freedom of Press, state pressure on journalists increased after President Ahmadinejad assumed office in August 2005. Journalists were frequently threatened and sometimes killed as a consequence of their work. The December 19 UNGA resolution on human rights in the country expressed, among other abuses, serious concern about the continuing harassment, intimidation, and persecution of student activists, human rights defenders, NGOs, clerics, journalists and Internet writers, parliamentarians, students, and academics. It cited unjustified closure of newspapers and blocking Internet sites.

Basic legal safeguards for freedom of expression did not exist, and the independent press was subjected to arbitrary enforcement measures by elements of the government, notably the judiciary. During 2005 approximately 100 newspapers and magazines were closed for varying periods. Self-censorship, even more than formal governmental censorship, limited dissemination of information during the year.

The government, through a state-controlled entity called the Sound and Vision Organization, directly controlled and maintained a monopoly over all television and radio broadcasting facilities; programming reflected the government's political and socioreligious ideology. Because newspapers and other print media had a limited circulation outside large cities, radio and television served as the principal news source for many citizens. Satellite dishes that received foreign television broadcasts were forbidden; however, many citizens owned them, particularly the wealthy.

Beginning in August the government increased confiscation of illegal satellite dishes in homes (see section 1.d.). The government blocked foreign satellite transmissions using powerful jamming signals in the past. Separately, the government ruled private broadcasting illegal; cooperation with private broadcasting was also illegal.

Foreign journalists faced harassment. The government required foreign correspondents to provide detailed travel plans and proposed stories before receiving visas. They were also required to hire "fixers" inside the country at high cost. Some were denied visas.

The 1985 press law established the Press Supervisory Board, which is responsible for issuing press licenses and examining complaints filed against publications or individual journalists, editors, or publishers. In certain cases the board may refer complaints to the press court for further action, including closure. Its hearings were conducted in public with a jury composed of clerics, government officials, and editors of government-controlled newspapers.

The press law also allows government entities to act as complainants against newspapers, and often public officials lodged criminal complaints against reformist newspapers that led to their closures. Offending writers were subjected to lawsuits and fines. During the year there were numerous closures of newspapers and other press outlets, as well as arrests of journalists.

Some human rights groups asserted that the increasingly conservative press court assumed responsibility for cases before press supervisory board consideration, often resulting in harsher judgments. Efforts to amend the press laws have not succeeded, although in 2003 parliament passed a law limiting the duration of temporary press bans to stop the practice of extending "temporary" bans indefinitely.

After the 1997 election of President Khatami, the independent press, especially newspapers and magazines, played an increasingly important role in providing a forum for debate over reform in the society. However, the press law prohibited the publication of a broad and ill-defined category of subjects, including material "insulting Islam."

In the early part of the year, at least two student activists affiliated with the reformist student group Office for Consolidation of Unity (OSU) were expelled from their universities by the Education Ministry. The OSU in particular reported harassment and detention of its members by government authorities, often plainclothes security forces. Students reported facing disciplinary committees, courts, and even jail sentences related to their activities in student political groups. Student groups reported interference with their activities and with student elections. Several liberal and reform-minded professors were dismissed or forced to retire. On May 31, plainclothes security forces detained Abdullah Momeni, a spokesman for the OSU. The previous week the government detained two students at the Amir Kabir University in Tehran, blogger Abed Tavanche, and fellow student Yashar Qajar, of the Islamic Students Union. Tavanche and Qajar were held without charge and released at the end of July.

In January the Ministry of Intelligence and Security and the Ministry of Islamic Culture and Guidance jointly instructed the semi-official news outlets Iranian Student News Agency and Iranian Labor News Agency to not report on the arrests and prosecution of student activists without coordinating with those ministries, according to the news Web site *Rooz Online*. *Rooz* also reported that the Supreme National Security Council warned editors in chief not to publish political analysis that differed from the country's official policy. Tehran Prosecutor General Saeed Mortazavi reportedly stated that "freedom of the press and freedom of expression are not absolute and are subject to respect for Islamic and legal principles."

Domestic press reports indicated the government attempted to limit the distribution of reformist campaign materials in the December 15 municipal council elections.

On January 8, a court in Mashhad gave blogger Ahmad Reza Shiri a three-year suspended jail sentence for articles published on his blog, according to Reporters Without Borders (RSF). Shiri was not jailed but must serve that sentence if he has further trouble with government authorities. According to RSF authorities often use suspended sentences to intimidate and silence journalists who criticize the government.

On January 29, Elham Afroutan and six other journalists from the weekly newspaper *Tamadon-e-Hormozgan* in the city of Bandar Abbas were arrested for writing an article critical of Ayatollah Khomeini. Afroutan and one other journalist were reportedly released in June after posting bail, according to RSF.

The state-owned newspaper *Iran* was suspended following publication of a May 12 cartoon that incited riots among the country's Azeri minority (see section 5). On May 23, according to RSF editor Mehrdad Qasemfar and cartoonist Mana Nayestani were arrested and taken to Evin Prison. They were reportedly given a 50-day leave but returned to prison on October 12. At year's end both were believed to be out of prison.

On July 24, the East Azerbaijan province press court revoked the license of provincial daily *Nada-yi-Azerabadagan* and sentenced its editor, Abolfazi Vesali, to six months in jail reportedly for "inciting the public." Vesali was released on bail after spending 45 days in jail.

In August the Tehran public court revoked the licenses of the two publications (the monthly magazine *Aftab* and business newspaper *Akhbar-e-Eqtisadi*) and sentenced *Aftab* managing editor Isa Saharkhiz to four years in prison. *Aftab* was reportedly closed for "publishing false information," specifically, a series of articles critical of the country's prison system.

On August 19, the Supreme Court sentenced Saghi Baghernia, publisher of the business daily *Asia*, to six months in prison for "propaganda against the regime."

Also in August according to domestic press, government spokesman Gholam Hoseyn Elham wrote an open letter to Tehran prosecutor Mortazavi accusing some publications of a smear campaign against the government and calling for legal action against publishers of "slandorous reports."

In September according to the Committee to Protect Journalists (CPJ), an appeals court upheld the one-year prison sentence against Mohammad Sadiq Kabudvand, Kurdish journalist and human rights activist. Kabudvand, who is also secretary of the Kurdistan Organization for the Defense of Human Rights, wrote for the now-defunct weekly *Payam Mardom Kordestan* and was convicted of "inciting the population to rebel against the central state."

On September 12, major reformist daily *Shargh* was closed by the Press Supervisory board. Authorities cited a satirical cartoon published on September 7 as the reason for the closure. Also on September 12, monthly publications *Nameh* and *Hafez* were closed. Government authorities reportedly pressured *Shargh* to replace its managing editor before the closure, but the paper did not comply. Following the closure of *Shargh*, a new publication, *Rouzegar*, began employing many of the original *Shargh* staff. On October 19, the new publication was suspended three days after it began publishing, when it ignored government warnings to avoid covering political topics.

On September 19, government officials raided the office of *Advar News*, a news Web site affiliated with the student group OSU. The Web site was shut at that time but resumed under a different name on October 4.

On October 12, three journalists from the Kurdish language weekly *Rouji Ha Lat*, Farhad Aminpour, Reza Alipour, and Saman Solimani, were arrested without charge. They were reportedly released one month later.

On October 16, proreform weekly *Safir Dashtestan* was reportedly closed for publishing an article critical of Supreme Leader Khamenei, according to RSF. Its publisher, editor, and an editorial assistant were detained; however, they were later released on bail.

In November 2005 RSF accused Ministry of Intelligence officials of harassing journalists, claiming government officials had summoned at least 10 journalists for questioning and advised them not to criticize the new president or write articles on sensitive issues like the nuclear program. HRW asserted, "By attacking a small percentage of those critical of the government, authorities have been able to silence a much larger body of journalists, activists, and students."

There were threats and prosecution against journalists writing about ethnic issues. For example, Yusuf Azizi was arrested in April 2005 for writing about ethnic issues and released on bail in June 2005; as of year's end, he had resumed writing.

Throughout the year the government continued to harass senior Shi'a religious and political leaders and their followers who dissented from the ruling conservative establishment. On October 8, authorities arrested dissident cleric Ayatollah Boroujerdi, who had publicly espoused the separation of religion and politics (see section 1.e.). In August 2005 Hojatoleslam Mojtaba Lotfi, the aide to Ayatollah Montazeri arrested in 2004 for publishing a book on Montazeri's five years of house arrest, was reportedly released from jail.

Internet Freedom

The government increased control over the Internet during the year as more citizens used it as a source for news and political debate. A 2004 poll by a domestic press outlet found many citizens trusted the Internet more than other news media. In 2005 approximately 6.2 million citizens used the Internet, and there were 683 Internet Service Providers (ISPs). All ISPs must be approved by the Ministry of Culture and Guidance, and the government used filtering software to block access to some Western Web sites, reportedly including the Web sites of prominent Western newspapers and NGOs. During the year approximately seven million citizens used the Internet, although the Communications Ministry estimated as many as 16 million users of the "Internet and information technology," according to domestic press reports.

In October the government imposed a limit of 128 kilobytes per second (KBps) on Internet speed and required ISPs to comply with the limit by decreasing Internet service speed to homes and cafes. The new limit made it more difficult to download Internet material and to circumvent government restrictions to access blocked Web sites.

In January Arash Sigarchi, journalist and Internet author, was sentenced to three years in prison for "insulting the supreme leader" and "propaganda against the regime." According to domestic press Sigarchi was reportedly released on medical leave on June 7, and on

December 23, the government acquitted him of all charges and declared the case closed.

RSF reported that during the year that 38 journalists were arrested and dozens of media outlets censored. According to RSF repression of bloggers decreased during the year, but Internet censorship increased. According to RSF the news Web sites *Advar* and *Entekhab* were blocked during the year as well as several Web sites dealing with women's issues inside the country. Women's groups reportedly launched an online petition during the year to protest Internet filtering.

In January 2005 Judiciary Chief Shahrudi and other judiciary officials met with several Internet writers about their claims of mistreatment. Domestic media later reported that Shahrudi instructed the public prosecutor's office to transfer the cases to a special committee. The report on the treatment of the Internet writers was never publicly released (see section 1.c.). Most of the writers were released on bail by the end of 2005. After their release, RSF reported authorities summoned the bloggers for questioning several times a week; and government officials threatened them.

In April the Minister of Communications and Information Technology announced the government's intention to establish a "national Internet," which would improve on the costly monitoring process that required Web site information to exit the country and then return. A study published by HRW in October 2005 listed Internet sites that had been blocked in the country, including women's rights sites, several foreign-based, Farsi-language news sites, some popular sites of Internet writers, the Freedom Movement Party Web site, a Web site promoting the views of Ayatollah Montazeri, several Kurdish Web sites, Web sites dedicated to political prisoners, and a Baha'i Web site. In October 2005 government authorities also blocked access to the Baztab news Web site. The Web site manager said they received a judicial order saying the temporary ban was based on a complaint related to the nuclear issue. In December 2005 13 Majles deputies protested Internet censorship in a letter to President Ahmadinejad and urged him to end the ban on these three sites.

Beginning in 2004 the government launched a major crackdown on sites based in the country, including blogs (web-based publications of periodic articles with commentary by the author and readers), reportedly blocking hundreds of Internet sites. According to HRW in the past three years, Tehran Chief Prosecutor Saeed Mortazavi reportedly ordered more than 20 Internet journalists and civil society activists arrested and held in a secret detention center in Tehran.

In 2004 four of these detainees denied any mistreatment during a televised "press conference" arranged by Tehran's Chief Prosecutor Mortazavi. However, widespread and credible reports indicated that while in secret detention, threats, torture, and physical abuse were employed to obtain false confessions and letters of repentance (see section 1.e.). After their release, some detainees testified to a presidential commission about their treatment. Commission member and former presidential advisor Mohammad Ali Abtahi later wrote on his Internet site that detainees claimed they were beaten, held in solitary confinement, denied access to lawyers, and forced to make false confessions. In January 2005 Abtahi reported that the government blocked access to his Internet site.

According to RSF the government claimed to have blocked access to 10 million "immoral" Internet sites during the year. In 2005 the judiciary announced the creation of a special unit to handle Internet-related issues. According to press reporting, the judiciary highlighted over 20 subject areas to be blocked, including insulting Islam, insulting the Supreme Leader or making false accusations about officials, undermining national unity and solidarity, and propagating prostitution and drugs.

Academic Freedom and Cultural Events

The government restricted academic freedom. In September President Ahmadinejad called for the removal of secular and liberal professors from universities. Reports indicated dozens of university professors were dismissed or forced to retire. Student groups reported that during the year the government used a "star" system to rank politically active students--each star denoted a negative mark. Students with three stars were reportedly banned from university or prevented from registering for upcoming terms. Government informers were common on university campuses. Additionally, there were reports the government maintained a broad network of student informants in Qom's major seminaries who reported teaching counter to official government positions.

The government censored cultural events. In November 2005 the Minister of Islamic Culture and Guidance promised more stringent controls on books, cinema, and theater, although he indicated the change would not be immediate. He also warned of greater surveillance of "hundreds" of cultural associations. Culture Ministry officials also reportedly cancelled more than 30 concerts. In December 2005 President Ahmadinejad announced a ban on Western music, which remained in effect during the year. A September report by a Western NGO noted that censorship by authorities and a culture of self-censorship strongly inhibited artistic expression in the country.

The government also effectively censored domestic films, since it remained the main source of production funding. Producers were required to submit scripts and film proposals to government officials in advance of funding approval. After President Ahmadinejad assumed office in August 2005, the Supreme Cultural Revolution Council announced a ban of movies promoting secularism, feminism, unethical behavior, drug abuse, violence, or alcoholism. Films of some domestic directors were not permitted to be shown in the country.

Admission to universities was politicized; all applicants had to pass "character tests" in which officials eliminated applicants critical of the government's ideology. Some seats in universities continued to be reserved for members of the Basij, regardless of their scores on the national entrance exam. To obtain tenure professors had to refrain from criticism of the authorities.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution permits assemblies and marches, "provided they do not violate the principles of Islam"; however, in practice the government restricted freedom of assembly and closely monitored gatherings to prevent antigovernment protests. Such gatherings included public entertainment and lectures, student meetings, labor protests, funeral processions, and Friday prayer gatherings.

Paramilitary organizations such as the Ansar-e Hizballah, a group of vigilantes who seek to enforce their vision of appropriate revolutionary comportment upon society, harassed, beat, and intimidated those who demonstrated publicly for reform. They particularly targeted university students.

On March 8, police dispersed a rally in Tehran commemorating International Women's Day. Participants were reportedly attacked and beaten by police (see section 5). On June 12, police forcefully dispersed a women's rights demonstration; many protesters were detained and arrested, including former Majles deputy and human rights activist Ali Akbar Musavi Khoini. Khoini was subsequently released; however, others reportedly remained in prison at year's end.

On September 24, police reportedly arrested 30 activists who gathered in front of the UN office in Tehran to protest the death sentence of Kobra Rahmanpour, who was convicted of the stabbing death of her mother-in-law in 2000. She pled self-defense but received a death sentence.

On December 11, students disrupted a speech by President Ahmadinejad at Amir Kabir University, shouting slogans directed against him. Ahmadinejad reportedly spoke with some students following his speech and assured them they would not be punished for expressing their views; however, reports indicated some student participants still feared retaliation.

In December 2005 Sherkat-e-Vahed went on strike to protest nonpayment of wages, poor working conditions, and the arrests of 14 association leaders. Mansour Osanloo, the head of Sherkat-e-Vahed, was arrested at that time, and detained in Evin Prison. On January 28, Sherkat-e-Vahed members demonstrated, calling for the release of Osanloo and attention to their grievances. Police used force to disrupt the protest and arrested several hundred members of the syndicate, as well as some of their family members, according to the International Trade Union Confederation (ITUC). Family members and some of the workers were released, but at year's end there was no information regarding other reportedly detained workers. On August 9, Osanloo was released on bail but re-arrested on November 19 (see section 6.b.).

Freedom of Association

The constitution provides for the establishment of political parties, professional associations, Islamic religious groups, and organizations for recognized religious minorities, provided that such groups do not violate the principles of "freedom, sovereignty, and national unity," or question Islam as the basis of the Islamic Republic; however, the government limited freedom of association, in practice.

The government's 2002 dissolution of the Freedom Movement, the country's oldest opposition party, remained in effect.

c. Freedom of Religion

The constitution declares that the "official religion of Iran is Islam and the doctrine followed is that of *Ja'fari (Twelver)* Shi'ism." The constitution also states that "other Islamic denominations are to be accorded full respect" and recognizes the country's pre-Islamic religions--Zoroastrians, Christians, and Jews--as "protected" religious minorities; however, in practice the government restricted freedom of religion. Religions not specifically protected under the constitution, particularly the Baha'i Faith, did not enjoy freedom.

The central feature of the country's Islamic republican system is rule by the "religious jurisconsult." Its senior leadership consisted principally of Shi'a clergymen, including the supreme leader of the revolution, the president, the head of the judiciary, and the speaker of parliament.

During the year, for the first time, approximately 200 Baha'i students were admitted to universities. However, it was not known if their admission resulted from changed government policy or a change in the use of university application forms.

On May 19, officials arrested 54 Baha'is in Shiraz. No charges were made, and all but three were released on bail within a week. The remaining three Baha'is were released on June 14.

On June 28, authorities re-arrested Baha'i member Pooya Mavahhed, who was first arrested in August 2005 on a charge of opposition to the government but was released 10 days later on bail.

On August 17, according to press reports, authorities arrested Babak Rouhi in Mashad on counts of having made copies of a Baha'i book for a Baha'i function.

Societal Abuses and Discrimination

The population is approximately 99 percent Muslim; 89 percent of the population is Shi'a, and 10 percent is Sunni. Baha'i, Christian, Zoroastrian, and Jewish communities constitute less than 1 percent of the population.

The government carefully monitored the statements and views of the country's senior Muslim religious leaders. It restricted the movement of several religious leaders, who had been under house arrest for years, and arrested and imprisoned at least one dissident cleric, Ayatollah Boroujerdi, during the year (see section 2.a.). All ranking clerics were pressured to ensure their teachings confirmed (or at least did not contradict) government policy and positions (see section 1.e.).

Sunni Muslims are the largest religious minority. The constitution provides Sunni Muslims a large degree of religious freedom. Sunni Muslims claimed the government discriminated against them, although it was hard to distinguish whether the cause for discrimination was religious or ethnic, since most Sunnis are also ethnic minorities, primarily Arabs, Balouchis, and Kurds. As an example of discrimination, Sunnis cited the lack of a Sunni mosque in the nation's capital, Tehran, despite over a million Sunni inhabitants.

Members of the country's non-Muslim religious minorities, particularly Baha'is, reported imprisonment, harassment, and intimidation based on their religious beliefs. In November 2005 the domestic press quoted a leading cleric, Ayatollah Ahmad Janati, secretary of the Guardian Council, as saying humans who follow anything but Islam are like animals who graze and commit corruption. The comment was widely criticized in the country, and the Majles representative of the Zoroastrian community publicly condemned Janati's remarks. The representative was then summoned to court to face charges of spreading false news and showing a lack of respect for authorities, but no case was pursued against him.

All religious minorities suffered varying degrees of officially sanctioned discrimination, particularly in employment, education, and housing. In June the UNSR for Adequate Housing visited the country and reported that rural land, particularly that belonging to minorities, including many

Baha'is, was expropriated for government use and owners were not fairly compensated. With the exception of Baha'is, the government allowed recognized religious minorities to conduct religious education of their adherents, although it restricted this right considerably in some cases. Religious minorities are barred from election to a representative body, except for the five Majles seats reserved for minorities, and from holding senior government or military positions, but they were allowed to vote. Although the constitution mandates an Islamic army, members of religious minorities did serve in the military, although non-Muslim promotions were limited by a military restriction against non-Muslims commanding Muslims. Reportedly non-Muslims can be officers during their mandatory military service but cannot be career military officers.

The legal system previously discriminated against recognized religious minorities in relation to blood money; however, in 2004 the Expediency Council authorized collection of equal blood money for the death of Muslim and non-Muslim men. Women and Baha'i men remained excluded from the revised ruling.

Inheritance rules favored Muslim family members over non-Muslims. For example, under existing inheritance laws, if a non-Muslim converted to Islam, that person would inherit all family holdings while non-Muslim relatives would receive nothing.

Furthermore, proselytizing of Muslims by non-Muslims is illegal. The government did not ensure the right of citizens to change or recant their religion. Apostasy, specifically conversion from Islam, was punishable by death, although there were no reported instances of the death penalty being applied for apostasy during the year. There was no further information on the Internet report of a Christian killed in November 2005 who had converted from Islam 10 years earlier. Baha'is are considered apostates because of their claim to a religious revelation subsequent to that of the Prophet Mohammed. The government defined the Baha'i faith as a political "sect" linked to the Pahlavi monarchy and Israel and, therefore, counterrevolutionary.

Baha'i organizations outside the country warned that the government intensified a strategy of intimidation against Baha'is. The country's estimated 300,000 to 350,000 Baha'is were not allowed to teach or practice their faith or to maintain links with co-religionists abroad. The government continued to imprison and detain Baha'is based on their religious beliefs. A 2001 Justice Ministry report indicated the existence of a government policy to eliminate the Baha'i community eventually.

In March the UN Special Rapporteur on Freedom of Religion and Belief expressed concern about allegations that security forces were monitoring and gathering information about the Baha'i community. Baha'i groups reported the government was collecting names of Baha'is across the country, and there was an increase of anti-Baha'i editorials in pro-government newspapers.

In December 2005 the longest held Baha'i prisoner, Zabihullah Mahrami, died in prison of unknown causes. Mahrami was arrested in 1995 and faced a life sentence for apostasy. Another Baha'i, Mehran Kawsari, who was sentenced to three years in prison in November 2004 after writing a letter to then-president Khatami on the situation of Baha'is, was released on bail on March 18.

On May 19, 54 Baha'is were arrested in the city of Shiraz. Those arrested were primarily Baha'i youths participating in a student volunteer program to tutor underprivileged children. All were released by mid-June.

Throughout 2005 the government arrested 65 other Baha'is, detained them, and later released them on high bails, often in the form of property deeds. While they were imprisoned, their families often were not informed of their location, and authorities denied any record of their arrests or did not indicate charges against them. Some were not allowed to work for several months after their release. Government agents also searched numerous Baha'i homes and seized possessions.

In October the National Spiritual Assembly of Baha'is of the United States reported that more than 300 Baha'i students passed the university entrance exam in the country and were admitted. The Baha'i group reported 201 students were allowed to register for university, but 14 were identified as Baha'is by their professors, dismissed from classes, and told they would need a Ministry of Education certificate to resume studies. At year's end they had reportedly not received responses from the ministry.

The December 19 UNGA resolution on the country's human rights expressed serious concerns about increasing discrimination against religious and ethnic minorities, citing the escalation and increased frequency of violations against Baha'is. It called on the government to implement the 1996 UNSR report of the Commission on Human Rights on religious tolerance, particularly in regard to the Baha'i community.

In 2001 the UNSR estimated the Christian community at approximately 300,000. Of these the majority were ethnic Armenians and Assyro-Chaldeans. Protestant denominations and evangelical churches also were active, but they reported restrictions on their activities. The authorities became particularly vigilant in recent years in curbing proselytizing activities by evangelical Christians. Some unofficial estimates circa 2004 indicated that there were approximately 100,000 Muslim-born citizens who had converted to Christianity. The UNSR estimated that 15,000 to 20,000 Christians emigrated each year; however, given the continued exodus from the country for economic and social reasons, it was difficult to establish the role religion played in the choice to emigrate.

On September 26, authorities arrested Fereshteh Dibaj and Reza Montazami, Christian citizens, at their home in the northeastern part of the country. The Information Ministry held the couple for 10 days without bringing any charges against them, and agents confiscated their home computer and other belongings. They were released on October 5. Dibaj and Montazami operated an independent church in Mashhad.

In 2004 authorities reportedly arrested a number of Christians in the northern part of the country and imprisoned Hamid Pourmand, a Protestant minister and former military officer. In February 2005 a military court convicted Pourmand of "deceiving the armed forces" for not declaring he was a convert to Christianity. He was sentenced to three years in prison and discharged from the military. A judiciary spokesman said Pourmand was convicted for involvement with a "political group" and not because of his religion. In May 2005 the Bushehr Revolutionary Court cleared Pourmand of apostasy but sentenced him to three years in prison for espionage. At year's end there was no further information.

Estimates of the size of the Jewish community varied from 15,000 to 30,000. The government's anti-Israel stance, in particular the president's speeches against Israel stating the Zionist regime should be eliminated, and the perception among many citizens that Jewish citizens supported Zionism and Israel, created a threatening atmosphere for the community.

On December 11 and 12, the government sponsored a conference entitled, "Review of the Holocaust: Global Vision." This conference was widely criticized as it sought to provide a forum for those who deny the existence and scope of the Holocaust. Topics included: "Nazism and Zionism: Cooperation or Hostility;" "Holocaust: Concept and Justification/Evidence;" "Gas Chambers: Denial or Confirmation;" "Aftermath and

Exploitation;" "Anti- Semitism and the Emergence of Zionism;" and "Western Media and Propaganda." Speakers at the conference universally called for the elimination or delegitimization of the state of Israel and concluded that the Holocaust did not occur or was an exaggeration used by Jews for political and financial gains.

On October 20, Channel 1 aired a science fiction film made in the country entitled *The Land of Wishes*. It featured an evil queen, adorned with a large Star of David and sitting on a throne in the "Black House" (which is also marked with a Star of David). The queen engages in a battle of "virtual warriors" with a young girl who seeks to free the masses the queen has enslaved. When the queen is defeated, her technicians die struggling to rescue a "medal"--also a Star of David.

In the fall the newspaper *Hamshahri* cosponsored a Holocaust cartoon contest in which the paper solicited submissions from around the world and awarded a \$12,000 (approximately 111,000 rials) prize to a Moroccan cartoonist who drew a picture of an Israeli crane erecting a wall of concrete blocks around the Al-Aqsa Mosque in Jerusalem, Islam's third holiest site. The blocks bear sections of a photograph of the Nazi extermination camp at Auschwitz-Birkenau.

Within the domestic press, anti-Semitism in the media was present and anti-Semitic editorial cartoons depicting demonic and stereotypical images of Jews along with Jewish symbols were published throughout the year, primarily in the government-controlled owned daily newspaper, *Al-Wifaq*, and occurred without government response.

In October 2005 President Ahmadinejad told "The World without Zionism" conference that, "as the Imam [revolutionary leader Ayatollah Ruhollah Khomeini] said, Israel must be wiped off the map." While chants of "death to Israel" had been common at public gatherings prior to this declaration, Ahmadinejad's comment was the first public call for Israel's destruction by a high-ranking government official in recent years. Supreme Leader Khamenei, while not repudiating Ahmadinejad's remarks, said the country would not commit aggression against any nation.

Nevertheless, Ahmadinejad continued in subsequent speeches to make similar comments, labeling the Holocaust a myth and calling for the removal of the Jewish state from the Middle East. For example, on April 15, at the opening of a conference supporting Palestinians he said, "Like it or not, the Zionist regime is headed towards annihilation." He followed this remark on April 27 on live state television claiming, "The regime in Israel will one day vanish." On July 8, Ahmadinejad stated that "the basic problem in the Islamic world is the existence of the Zionist regime, and the Islamic world and the region must mobilize to remove this problem," and later that month stated during an emergency meeting with Muslim leaders that "the real cure for the Lebanon conflict is the elimination of the Zionist regime, but there should be first an immediate cease-fire." On August 3, in a speech before the Organization of the Islamic Conference, he said, "the Zionist regime is fraudulent and illegitimate and cannot survive," and on October 19 and November 13, Ahmadinejad stated, "The regime in Israel will be gone, definitely. You, the Western powers, should know that any government that stands by the Zionist regime from now on will not see any result but the hatred of people." On December 12, he stated that he wished to give "thanks to people's wishes and God's will the trend for the existence of the Zionist regime is downwards and this is what God has promised and what all nations want... Just as the Soviet Union was wiped out and today does not exist, so will the Zionist regime soon be wiped out."

The sole Jewish member of parliament (MP) condemned the president's remarks on the Holocaust, noting in a September 22 BBC News article that "it is very regrettable to see a horrible tragedy so far reaching as the Holocaust being denied... it was a very big insult to Jews all around the world."

The Jewish MP also complained in April 2005 that the state-run Islamic Republic of Iran Broadcasting (IRIB) television network transmitted anti-Semitic programs, although he noted this year that such broadcasts were sporadic. According to local press, IRIB replied in a letter later in April that was read in the Majles that its programming was based on "research and documentary evidence" and claimed that IRIB's programming gave more attention to positive Jewish characters than negative ones. IRIB's statement notwithstanding, anti-Semitic material on national television included a serial started in December 2004 called *Zahra's Blue Eyes*, in which Israelis reportedly kidnapped Palestinian children to harvest organs for transplant.

In recent years the government has made education of Jewish children more difficult by limiting distribution of Hebrew texts and requiring several Jewish schools to remain open on Saturdays, the Jewish Sabbath. There were limits on the level to which Jews could rise professionally, particularly in government. Jewish citizens were permitted, however, to obtain passports and travel outside the country, without previous limits on multiple-exit visas or restriction on permitting all family members to travel at once.

In May a magazine published photos of synagogues draped in US and Israeli flags and claimed they were in Tehran and Shiraz when in fact they were outside of the country. Anti-Jewish and anti-Israel demonstrations followed in Shiraz. The Jewish MP protested in the Majles and was supported by the Speaker of the Majles, Gholam Ali Haddad Adel, who reprimanded the magazine. At the end of the year, a Jewish community monthly publication stopped for unknown reasons.

The Mandeans, whose religion draws on Christian Gnostic beliefs, number approximately 5,000 to 10,000 persons, primarily in the southwest. There were reports that Mandeans experienced discrimination in the form of pressure to convert to Islam and problems accessing higher education.

The Zoroastrian community, whose religion was the country's official religion before Islam, numbers approximately 30,000 to 35,000.

Sufis are a minority Muslim sect whose practices focus on mysticism in Islam and involve dance and music. Sufis are sometimes regarded with suspicion by followers of more orthodox interpretations of Islam. Sufi organizations outside the country previously expressed concern about government repression of their religious practices, and during the year there were arrests in Qom, a center of orthodox Shi'ism, after calls by Shi'a clerics for restrictions on local Sufis.

On February 14, according to authorities, 1,200 Sufi worshippers in Qom were arrested. Sufi groups and human rights activists placed the number of arrested at approximately 2,000. Qom officials announced that the worshippers were arrested following attempts by authorities to expel them from their place of worship. Officials in Qom said that the building had been illegally turned into a place of worship and worshippers who refused to leave had to be removed by force. Authorities further stated that more than 100 persons, including 30 police officers, were injured.

On May 4, 52 Sufis were sentenced to one year in prison, fines, and lashes (ultimately reduced to fines) in connection with the February

incident. Their lawyers, Farshid Yadollahi and Omid Behrouzi, shared their sentence and were also banned from practicing law for five years.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#)

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

The government placed some restrictions on these rights. Citizens could travel within the country and change their place of residence without obtaining official permission. The government required exit permits for foreign travel for all citizens. Some citizens, particularly those whose skills were in short supply and who were educated at government expense, had to post bonds to obtain exit permits. The government restricted the movement of certain religious minorities and several religious leaders (see sections 1.d. and 2.c.), as well as some scientists in sensitive fields.

For example, Hojjatoleslam Ezimi Qedimi was convicted of "propagandizing in favor of groups and organizations against the system." On August 31, he was released after serving approximately five months in prison; however a five-year overseas travel ban remained in effect. Additionally, in January 2005 according to domestic media, former deputy minister for Islamic culture and guidance, Issa Saharkhiz, was banned from foreign travel. In December 2005 Emadeddin Baqi, president of the Association in Defense of Prisoners Rights, was prevented from going to France to receive a human rights prize. There was no indication during the year that these travel bans were lifted.

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

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

The government did not use forced external exile, and no information was available regarding whether the law prohibits such exile; however, the government used internal exile as a punishment.

The government offered amnesty to rank-and-file members of the Iranian terrorist organization, MEK residing outside the country. Subsequently, the ICRC assisted with voluntarily repatriating at least 300 MEK affiliates housed in Iraq under MNF-I (Multinational Force Iraq) protective supervision.

Protection of Refugees

The law provides means for granting asylum or refugee status to qualified applicants in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol. The government has established a system for providing protection to refugees. There were no reports of any forced return of persons to a country where they feared persecution; however, there were reports that the government deported refugees deemed "illegal" entrants into the country. In times of economic uncertainty, the government increased pressure on refugees to return to their home countries. The government generally cooperated with the office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and refugee seekers.

No information was available on government policy regarding temporary protection to individuals who may not qualify as refugees under the 1951 Convention or its 1967 protocol.

In October at a UNHCR meeting on refugees in Geneva, Interior Minister Mostafa Purmohammadi estimated that the country hosted 950,000 legal refugees from Afghanistan, plus another one million illegal Afghan refugees. Reportedly, the UNHCR complained that government authorities pressured Afghan refugees to return to Afghanistan by suspending education and medical services and revoking residence permits. On October 12, the provincial government of East Azerbaijan province announced Afghan refugees could not remain in the province and had until October 22 to present themselves to authorities for their situations to "be clarified." The government accused many Afghans of involvement in drug trafficking.

According to a Western NGO, in February 2005 the country passed regulations that increased fines for employers of Afghans without work permits and imposed new restrictions to make it more difficult for Afghans to obtain mortgages, rent or own property, or open bank accounts. The government did not impose the same restrictions on Iraqi refugees. These rules also included new restrictions on residence in certain cities and regions and lifted an earlier exemption from school fees for Afghan refugee children. UNHCR cut all education assistance to Afghans. In June the government reduced the school fees charged for Afghan students, according to a Western NGO. During the year government officials called for increased repatriation of refugees to Afghanistan.

In January 2005 the judiciary announced amnesty for imprisoned Afghans, including those on death row. Following release, these Afghans were to be repatriated; however, there was no confirmation during the year that they were repatriated. There were reports in 2005 of Afghans being arrested and deported in the southeast of the country. Most were illegal migrants, seeking to stay in the country for economic reasons, but some had temporary residence permits. Government officials denied arresting refugees. A June 2005 survey by a Western NGO noted that the country had deported 140,000 Afghans, including some with refugee status. At one border crossing, the government worked with UNHCR to allow deportees to claim asylum or cite other reasons why they should not be deported, but it did not set up similar facilities at other border crossings.

The UNHCR estimated that in 2001 there were approximately 200,000 Iraqi refugees in the country, the majority of whom were Iraqi Kurds, but also including Shi'a Arabs. In numerous instances both the Iraqi and Iranian governments disputed these refugees' citizenship, rendering many of them stateless.

During the past few years, however, a large percentage of these refugees were voluntarily repatriated. A Western NGO estimated that during the year there were approximately 54,000 Iraqi refugees in the country.

Although the government claimed to host more than 30,000 refugees of other nationalities during the year, including Tajiks, Uzbeks, Bosnians, Azeris, Eritreans, Somalis, Bangladeshis, and Pakistanis; it did not provide information about them, nor did it allow UNHCR or other organizations access to them. A Western NGO reported that few international humanitarian agencies operated in the country because the

government restricted their operations and did not allow UNHCR to fund them.

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

Elections and Political Participation

The right of citizens to change their government was restricted significantly. The supreme leader, the recognized head of state, is elected by the Assembly of Experts and can only be removed by a vote of this assembly. The assembly is restricted to clerics, who serve an eight-year term and are chosen by popular vote from a list approved by the Council of Guardians. There is no separation of state and religion, and clerical influence pervades the government. According to the constitution, a presidential candidate must be elected from among religious and political personalities (*rejal*, which is interpreted by the Council of Guardians to mean men only), of Iranian origin, and believe in the Islamic Republic's system and principles. The Council of Guardians, which reviews all laws for consistency with Islamic law and the constitution, has "approbatory supervision," allowing it to screen candidates for election. The council only accepts candidates who support a theocratic state. The supreme leader also approves the candidacy of presidential candidates, with the exception of an incumbent president. Prior to the 2004 parliamentary elections, the Guardian Council vetoed legislation that would have required it to reinstate disqualified candidates unless the council legally documented their exclusion. Regularly scheduled elections are held for the presidency, the Majles, and the Assembly of Experts, as well as municipal councils.

On December 15, there were elections for the Assembly of Experts, municipal councils, and Majles by-elections. Hundreds of potential candidates, largely reformists, were disqualified by the Guardian Council and parliamentary electoral committees prior to the elections. Nonetheless, in the municipal election for the Tehran city council, reformists gained more seats than did supporters of President Ahmadinejad. In the Assembly of Experts elections, Ahmadinejad's political rival, Expediency Council chair Hojatolislam Ali Akbar Hashemi-Rafsanjani, received the most votes in the Tehran constituency by a significant margin.

The December 19 UNGA resolution on the country's human rights expressed serious concern at "the absence of many conditions necessary for free and fair elections" including arbitrary disqualification of large numbers of prospective candidates.

On November 14, council spokesperson Abbas Ali Kadkhodai announced only 144 of the 492 prospective candidates were eligible to run in the December 15 Assembly of Experts elections. Reports indicated that 100 candidates withdrew their applications, and all female candidates failed the written exam on religious interpretation (*ijtihad*).

The fairness of the June 2005 presidential election was undermined both before and during the polls. The Council of Guardians initially approved the candidacies of only six of the 1,014 persons who registered and excluded all 89 female candidates as well as anyone critical of the leadership, including former cabinet ministers.

Many candidates and the Interior Ministry complained of irregularities during the polling, including interference by *basiji* forces. There were no international election observers. After the second round of voting, the supreme leader denied the allegations of *basiji* involvement, and the council validated the results on June 29, 2005. Domestic press said 104 cases of alleged violations were under review and suspects were detained in 26 cases; however, no further action was taken. According to official statistics, Mahmoud Ahmadinejad won the run-off race with 61 percent of the votes.

Elections that were widely perceived as neither free nor fair were held for the 290-seat Majles in 2004. The Guardians Council barred over a third of the more than 8,000 prospective candidates, mostly reformists, including over 85 sitting Majles members seeking re-election.

The constitution allows for the formation of parties. There were more than 100 registered political organizations, but these groups tended to be small entities, often focused around an individual and did not have nationwide membership. Following the June 2005 presidential elections, these political groupings significantly reorganized, with new groups forming and existing entities changing leadership. Conservative groups splintered during the year; moderate conservatives appeared increasingly separated from fundamentalist conservatives. In the December 15 municipal elections, reform groups created a single electoral list for the Tehran municipal council elections.

In 2002 the government permanently dissolved the Freedom Movement, the country's oldest opposition party, and sentenced over 30 of its members to jail terms ranging from four months to 10 years on charges of trying to overthrow the Islamic system. Other members were barred from political activity for up to 10 years and fined (see section 2.b.). Its leader, Ebrahim Yazdi, was no longer in prison; however, there was no information regarding the circumstances of other Freedom Movement members.

There were no female cabinet ministers, although one of the nine vice presidents is a woman, and several women held high-level positions. There were 12 women serving in the Majles during the year, and one woman was elected to the Majles in the December 15 by-elections. Five Majles seats are reserved for religious minorities. Other ethnic minorities in the Majles include Arabs and Kurds. There were no non-Muslims in the cabinet or on the Supreme Court.

Government Corruption and Transparency

There was widespread public perception of extensive corruption in all three branches of government, to include the judiciary, and in the *bonyads* (tax-exempt foundations designed for charitable activity that control consortia of substantial companies). In March Judiciary Chief Shahrudi criticized economic corruption in the state sector and urged creation of a central body with representatives from the state and private sectors to discuss issues of privatization and elimination of corruption; however, there was no known action on this body by year's end. On August 23, the Majles passed a law requiring all state officials, including cabinet ministers, and members of the Guardian Council, Expediency Council, and Assembly of Experts to submit annual financial statements to the state inspectorate.

In March 2005 Judiciary Chief Shahrudi claimed the judiciary was pursuing "700 to 800" corruption cases related to state officials. However, he clarified that these offenses were usually the work of "junior administrators" and high officials should not be prosecuted for the activities of their subordinates. In October 2005 in responding to criticism of a government report on corruption that omitted names, Shahrudi said that those involved with financial crimes would not be publicly identified until they are found guilty or the appeals process exhausted. In November 2005 he also reportedly told the Majles that inefficient economic institutions were at the root of corrupt practices and the duality of the economy--both state and private ownership--contributed to the problem. There was no information during the year regarding further action on these corruption cases.

The country has no laws providing for public access to government information.

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

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

In 2004 the government granted permission to the Society for the Defense of the Rights of Prisoners to operate as an independent nonpolitical NGO. The group worked to protect detainees and promote prison reform, established a small fund to provide free legal advice to prisoners, and supported the families of detainees. Founders included former political prisoners Emadeddin Baqi and Mohammad Hassan Alipour. During the year the group maintained a Web site with information addressing human rights issues and in June published a report about prisons in the country. There was no indication during the year that Judiciary Chief Shahrudi responded to their appeal for attention to cases of political prisoners.

Various professional groups representing writers, journalists, photographers, and others attempted to monitor government restrictions in their respective fields, as well as harassment and intimidation against individual members of their professions. However, the government severely curtailed these groups' ability to meet, organize, and effect change.

Domestic NGOs worked in areas such as health and population, women and development, youth, environmental protection, human rights, and sustainable development. Some reports estimated that a few thousand local NGOs operated during the year. However, in late 2005 a more restrictive environment accompanied the new presidential administration, including pressure on domestic NGOs not to accept foreign grants.

The European Union (EU) established a human rights dialogue with the country in 2002 but held its last meeting in 2004. In a December 2005 press release, the EU called the dialogue results disappointing and noted that the government had not agreed to a meeting during the year. The EU also expressed deep concern that the human rights situation had not improved and, in many respects, had worsened. On November 16, the Ministers of the European Parliament adopted a resolution expressing concern about the deteriorating human rights situation and calling on the country to restart the human rights dialogue.

International human rights NGOs were not permitted to establish offices in or conduct regular investigative visits to the country. On an exceptional basis, in 2004 AI officials visited the country as part of the EU's human rights dialogue, joining academics and NGOs to discuss the country's implementation of international human rights standards.

The ICRC and the UNHCR both operated in the country. In June the government allowed the UN Special Rapporteur on Adequate Housing to visit. The December 19 UNGA resolution on human rights in the country encouraged the government to receive UNSRs on extrajudicial, summary, or arbitrary executions; torture; independence of judges and lawyers; freedom of religion or belief; and freedom of opinion and expression. It also encouraged the government to receive the Special Representative of the Secretary General on the situation of human rights defenders and the Working Group on Enforced or Involuntary Disappearances.

The Islamic Human Rights Commission was established in 1995 under the authority of the head of the judiciary, who sits on its board as an observer. In 1996 the government established a human rights committee in the Majles, the Article 90 Commission, which received and considered complaints regarding violations of constitutional rights; however, when the seventh Majles formed its new Article 90 Commission in 2004, the commission dropped all cases pending from the sixth Majles. During the year the commission took no effective action.

Lawyer and Nobel Peace Prize winner, Shirin Ebadi, is a founder of the Center for the Defense of Human Rights (CDHR), which represents defendants in political cases. On August 3, the government banned CDHR, claiming it had not obtained a proper permit, declared its activities were illegal, and stated that those who continued its activities would be prosecuted. Ebadi noted that according to the constitution, "nongovernmental organizations that obey the law and do not disrupt public order do not need a permit." At year's end CDHR was still reportedly banned.

Early in the year, a number of NGOs were left without legal status after they were instructed to file for new permits. Those NGOs that did not file the request were vulnerable to accusations of operating without a permit, but those that filed the paperwork had not received a response by year's end. In either instance they could be accused of operating without a permit.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

In general the government did not discriminate on the basis of race, disability, or social status; however, it did discriminate on the basis of religion, gender, and ethnicity. It consistently denied minorities their constitutional right to use their language in schools. The poorest areas of the country are those inhabited by ethnic minorities, including the Baluchis in Sistan va Baluchestan Province and Arabs in the southwest. Much of the damage suffered by the citizens of Khuzestan Province during the eight-year war with Iraq has not been repaired; consequently, the quality of life of the largely Arab local population was degraded. Kurds, Azeris, and Ahvazi Arabs were not permitted to exercise their constitutional rights to study their languages.

Women

The constitution says all citizens, both men and women, equally enjoy protection of the law and all human, political, economic, social, and cultural rights, in conformity with Islamic rights. Article 21 states the government must ensure the rights of women in all respects, in conformity with Islamic criteria.

Nonetheless, provisions in the Islamic civil and penal codes, in particular those sections dealing with family and property law, discriminate against women. Shortly after the 1979 revolution, the government repealed the 1967 Family Protection Law that provided women with increased rights in the home and workplace and replaced it with a legal system based largely on Shari'a practices. In 1998 the Majles passed legislation that mandated segregation of the sexes in the provision of medical care. In 2003 the Council of Guardians rejected a bill that would require the country to adopt a UN convention ending discrimination against women.

On March 8, security forces attacked a rally in Tehran commemorating International Women's Day (see section 2.b.). An estimated 400 demonstrators gathered, and the police forcibly dispersed the demonstration. Many demonstrators were reportedly beaten by police, including septuagenarian writer and activist Simin Behbehani. According to one women's rights activist, the rally organizers applied for a demonstration permit, but it was denied minutes before the rally was scheduled to begin.

On April 22, government spokesman Hamid Reza Asefi called feminist views and Western views of women's rights "unrealistic" and "unethical" and stated the issue was manipulated for international political purposes.

On June 12, security forces forcibly dispersed another women's rights demonstration and arrested approximately 70 to 80 persons, including former Majles deputy and activist Ali Akbar Mousavi Khoini. Demonstrators called for gender equality under the law, including equal rights in divorce, child custody, inheritance, and court testimony.

The December 19UNGA resolution on country's human rights expressed serious concern at "the continuing violence and discrimination against women and girls in law and in practice." Early in 2005 a UNSR on violence against women visited the country and, at her final press conference, spoke out against legal gender bias. The report found the government had taken significant but insufficient steps to address the problem of violence against women, and it called on the government to ratify the UN Convention on the Elimination of All Forms of Discrimination against Women, which was proposed by parliament in 2003.

During recent years women fought for and received relative liberalization of gender-based treatment in a number of areas. However, many of these changes were not legally codified. The female members of the seventh Majles elected in 2004 rejected some previous efforts by their predecessors to achieve equal rights. For example, in October 2005 the government announced that female civil servants in the Culture Ministry and female journalists at the state newspaper and news agency should leave the office by 6 p.m. to be with their families. However, there was no indication that violators would be punished.

In 2005 activists on women's issues expressed concern that the woman selected by President Ahmadinejad to lead the Center for Women's Participation, which is affiliated with the office of the president, did not have a background in women's issues. In addition the government changed the name of the organization to the Center for Women and Family, raising concern that the organization sought to reorient debate on women's problems to focus only on those related to the home, concerns that proved accurate. During the year this office published reports on feminism with a negative slant. In one article it drew comparisons between feminism and prostitution.

Although spousal abuse and violence against women occurred, reliable statistics were not available. Abuse in the family was considered a private matter and seldom discussed publicly, although there were some efforts to change this attitude. Rape is illegal and subject to strict penalties, but it remained a widespread problem. According to the government's 2005 report on the rights of the child, the Center for Women's Participation and the UN Children's Fund (UNICEF) organized the first educational workshop on women's and girls' human rights in January 2005. Freedom from violence was one of the workshop's topics. The report also stated that in 2004 the Center for Women's Participation established a national committee, based in the Health Ministry, to combat violence against women; however, during the year there was no information on committee activity since its formation.

According to a 2004 report on the country from the Independent Researchers on Women's Issues, there were no reliable statistics on honor killings, but there was evidence of "rampant" honor killings in the western and southwestern provinces, in particular Khuzestan and Elam. The punishment for perpetrators was often a short prison sentence.

Prostitution is illegal, but *sigheh*, or temporary marriage, is legal. Accurate information regarding the extent of prostitution was not widely available, although the issue received greater attention than in previous years. Press reports described prostitution as a widespread problem, with a media estimate of 300,000 women working as prostitutes. The problem appeared aggravated by difficult economic conditions and rising numbers of drug users and runaway children.

The law requires court approval for the marriage of girls younger than 13 and boys younger than 15. Although a male can marry at age 15 without parental consent, the 1991 civil law states that a virgin female needs the consent of her father or grandfather to wed, or the court's permission, even if she is older than 18. The country's Islamic law permits a man to have up to four wives and an unlimited number of temporary partnerships (*sigheh*), based on a Shi'a custom in which a woman may become the wife of a Muslim male after a simple religious ceremony and a civil contract outlining the union's conditions. Temporary marriages may last for any length of time and are used sometimes by prostitutes. Such wives are not granted rights associated with traditional marriage.

Women have the right to divorce if their husband signed a contract granting that right or if he cannot provide for his family, is a drug addict, insane, or impotent. However, a husband is not required to cite a reason for divorcing his wife.

A widely used model marriage contract limits privileges accorded to men by custom, and traditional interpretations of Islamic law recognize a divorced woman's right to a share in the property that couples acquire during their marriage and to increased alimony. In 2002 the law was revised to make adjudication of cases in which women demand divorces less arbitrary and costly. Women who remarry are forced to give the child's father custody of children from earlier marriages. However, the law granted custody of minor children to the mother in certain divorce cases in which the father was proven unfit to care for the child. In 2003 the government amended the existing child custody law to give a mother preference in custody for children up to seven years of age (previously she only had preference for sons up to age two); thereafter, the father had custody. After the age of seven, in disputed cases custody of the child was to be determined by the court.

The penal code includes provisions for stoning persons convicted of adultery, although judges were instructed in 2002 to cease imposing such sentences. In addition a man could escape punishment for killing a wife caught in the act of adultery if he was certain she was a consenting partner; the same rule does not apply for women. Women may also receive disproportionate punishment for crimes, including death sentences (see section 1.a.). In August the government reportedly authorized judges to resume the sentence of stoning (see section 1.c.). In October human rights groups and activists called on the government to end the practice. Activists reportedly published a list of 11 persons who had been sentenced to stoning during the year and noted reports that two persons were stoned in May. Government officials continued to deny that stoning sentences were imposed or implemented.

The testimony of two women equates with that of one man. The blood money paid to the family of a female crime victim is half the sum paid

for a man. A married woman must obtain the written consent of her husband before traveling outside the country (see section 2.d.).

Women had access to primary and advanced education. Reportedly over 60 percent of university students were women; however, social and legal constraints limited their professional opportunities. Women were represented in many fields of the work force, including the legislature and municipal councils, police, and firefighters. However, their unemployment rate reportedly was significantly higher than for men, and they represented only 11 percent of the workforce. Women reportedly occupied 1.2 percent of higher management positions and 5.2 percent of managerial positions.

Women cannot serve as president or as certain types of judges (women can be consultant and research judges without the power to impose sentences). Eighty-nine women registered to run for president in 2005, but all were rejected by the Council of Guardians. This year women's rights activists made an effort to allow women to run for the Assembly of Experts. The constitution requires that Assembly of Experts candidates have a certain religious qualification. Citing this requirement, some religious leaders gave qualified support for the candidacy of women in the Assembly of Experts elections. Two women took the religious qualification exam, but neither passed.

Women can own property and businesses in their name, and they can obtain credit at a bank. The law provides maternity, child care, and pension benefits. The number of women's NGOs has increased from approximately 130 to 450 in the past nine years.

The government enforced gender segregation in most public spaces and prohibited women from mixing openly with unmarried men or men not related to them. Women must ride in a reserved section on public buses and enter public buildings, universities, and airports through separate entrances.

The penal code provides that if a woman appears in public without the appropriate Islamic covering (*hejab*), she can be sentenced to lashings and/or fined. However, absent a clear legal definition of appropriate *hejab* or the punishment, women were at the mercy of the disciplinary forces or the judge (see section 1.c.). Pictures of uncovered or immodestly dressed women in the press or in films were often digitally altered.

Children

There was little current information available to assess government efforts to promote the welfare of children. Except in isolated areas of the country, children had free education through the 12th grade (compulsory to age 11) and to some form of health care. Health care generally was regarded as affordable and comprehensive with competent physicians. Courts issued death sentences for crimes committed by minors (see section 1.c.).

In January 2005 the government delivered a presentation to the Committee on the Rights of the Child in compliance with its obligation as party to the Convention on the Rights of the Child. The government noted overall improvement in the situation of children, particularly in education and health. The Education Ministry reportedly paid particular attention to elevating the educational status of girls. It also noted the government's efforts to shelter refugees, many of whom were children. According to the report, 195,000 Afghan and Iraqi refugee children were in school, and UNHCR paid only 10 percent of the education costs. In June the government reduced the school fees charged for Afghan students, according to a Western NGO.

At the same time, the report delivered to the Committee on the Rights of the Child acknowledged the need for other legislative protection and better enforcement of existing rules. The UN committee noted positively the provision of free education for all citizens up to secondary school. However, it expressed concern about persistent discrimination against girls and recommended the government review all legislation to ensure it was nondiscriminatory. Among its recommendations, the committee urged the government ensure all children were registered at birth and acquired permanent nationality without discrimination.

In July 2005 UNICEF held a workshop in Tehran to explore alternatives to imprisoning youths, according to UN Integrated Regional Information Networks (IRIN) (see section 1.c.). Only a few cities had a youth prison, and minors were sometimes held with adult violent offenders (see section 1.c.). According to IRIN there were 300 boys and 40 girls at the Tehran youth prison, with the average age of 14, but some were as young as age six. Children whose parents could not afford court fees were reportedly imprisoned for petty offenses including shoplifting, wearing make-up, or mixing with the opposite sex.

There was little information available to reflect how the government dealt with child abuse, including child labor (see sections 6.c. and 6.d.). Abuse was largely regarded as a private, family matter. According to IRIN child sexual abuse was rarely reported. Nonetheless, according to the government's January 2005 report on the rights of the child, the Health Ministry developed over the past few years an action plan with UNICEF to fight child abuse, including training Health Ministry officials on the rights of the child. According to UNICEF it operated a hot line for children and their families in the city of Bam, which was akin to similar services that operated in other major cities. The services sometimes referred callers to a Ministry of Education counseling program. The government also set up hot lines for children in foster care to report abuse. The July 2005 UNICEF conference in Tehran also addressed problems relating to child sexual abuse, including identifying, investigating, and protecting victims.

According to some reports, it is not unusual in rural areas for parents to have their children marry before they become teenagers, often for economic reasons. In 2002 the Majles sought marriage age limits of 15 for girls and 18 for boys without court approval, but the Council of Guardians objected, and the age was set at 13 for girls and 15 for boys. In the government's January 2005 report to the Committee on the Rights of the Child, it noted that early and forced marriages should be stopped.

There are reportedly significant numbers of children, particularly Afghan but also Iranian, working as street vendors in Tehran and other cities and not attending school. In January 2005 government representatives told the UN Committee on the Rights of the Child that there were fewer than 60,000 street children in the country. Tehran has reportedly opened several shelters for street children. The government's January 2005 report on the rights of the child claimed 7,000 street children had been resettled.

Trafficking in Persons

According to foreign observers, women and girls are trafficked from the country to Pakistan, Turkey, and Europe for sexual exploitation. Boys from Bangladesh, Pakistan, and Afghanistan were trafficked through the country to Gulf States. Afghan women and girls were trafficked to the country for sexual exploitation and forced marriages. Internal trafficking for sexual exploitation and forced labor also occurred. The government

did not fully comply with the minimum standards for the elimination of trafficking, nor has it made significant efforts to do so. The government arrested and punished several trafficking victims on charges of prostitution or adultery. In 2004 the government conducted a study on trafficking of women, passed a law against human trafficking, and signed separate Memoranda of Understanding (MOU) with Afghanistan, Turkey, the International Organization for Migration, and the International Labor Organization (ILO). In December 2005 Iran, Pakistan, Greece, and Turkey formed a joint working group to fight human trafficking, according to Pakistani press reports. Domestic media reported that some trafficking networks were disrupted during the year.

Persons with Disabilities

In 2004 the Majles passed a Comprehensive Law on the Rights of the Disabled; however, it was not known whether there was any implementing legislation. There was no information available regarding whether the government legislated or otherwise mandated accessibility for persons with disabilities or whether discrimination against persons with disabilities was prohibited; nor was any information available on which government agencies were responsible for protecting the rights of persons with disabilities. The government's January 2005 report on the rights of the child outlined health and education programs for children with disabilities.

National/Racial/Ethnic Minorities

The constitution grants equal rights to all ethnic minorities and allows for minority languages to be used in the media and schools. In practice, however, minority groups have not always been permitted to use their respective languages in schools. Few minority groups called for separatism. Instead, they complained of political and economic discrimination. Presidential candidates, with the exception of the winning candidate, talked more about problems facing minority groups in the 2005 presidential elections than in the past. Conservative candidate Ali Larijani, who later became the secretary of the Supreme Council for National Security and chief nuclear negotiator during the year, said all ethnic groups were important.

In June the UNSR for Adequate Housing reported rural properties, particularly those belonging to minorities, were expropriated for government use without fair compensation to the owners. In August 2005 the UNSR said that ethnic and religious minorities, nomadic groups, and women faced discrimination in housing and land rights, compounded by rising cost of housing. The Ahvazi representative in the previous Majles wrote a letter to then-president Khatami, complaining that Arab land was being bought at very low prices or even confiscated. He also said Arab political parties were not allowed to compete in elections, and Arabic newspapers and magazines were banned.

The December 19 UNGA resolution on the country's human rights expressed serious concern about continuing discrimination toward persons belonging to ethnic and religious minorities, including violent repression of Arabs, Azeris, Baha'is, Kurds, and Sufis. There was societal violence in northwest, southwest, and southeast regions of the country, populated by various ethnic groups. Interior Minister Mustafa Purmohammadi ranked ethnic divisions as one of the biggest problems his ministry had to address. The government blamed foreign entities, including a number of Western countries, for instigating some of the ethnic unrest. Other groups claimed the government staged the bombs in Khuzestan during 2005 and early in the year as a pretext for repression.

In March Kurds clashed with police, reportedly resulting in three deaths and over 250 arrests. There were also clashes in June 2005, and there were strikes and demonstrations in July and August 2005, following the killing of a Kurdish activist by security forces. According to HRW and other sources, security forces killed at least 17 persons and wounded and arrested large numbers of others.

In 2005 the Majles' national security and foreign policy committee studied the unrest in Kurdistan, and its rapporteur told domestic media that one factor was the comparatively high level of economic development in Iraqi and Turkish Kurdish areas. The representative from Sanandaj, Kurdistan also cited the lack of Sunni cabinet members as a grievance. However, the results of a government inquiry were not made public.

Foreign representatives of the Ahvazi Arabs of Khuzestan, whose numbers are estimated to be from two to four million, claimed their community in the southwest section of the country suffered from persecution and discrimination, including the lack of freedom to study and speak Arabic. Early in the year, there were several bombings in Khuzestan (see section 1.a.). The government blamed the violence on outside forces and foreign governments, although the revolutionary court later announced death sentences for at least 11 ethnic Arabs in connection with the bombings. After the first bombing in January, the Ahvazi Arab Revival Party, an irredentist group, criticized the government for blaming its problems on foreign governments and warned that there would be more violence if the government did not change its policies regarding ethnic Arabs.

Provincial authorities sentenced 19 Ahvazi Arabs to death in connection with the October 2005 and January and February bombings. Human rights groups have accused the government of torturing prisoners to extract confessions and unfair trial practices; they called on the government to retry at least 10 of the accused bombers.

Ahvazi and human rights groups allege torture and ill-treatment of Ahvazi Arab activists, including detention of the spouses and young children of activists.

In April 2005 protests in Ahvazi followed the publication of a letter--termed a forgery by the government--allegedly written in 1999 by an advisor to then-president Khatami, referring to government policies to reduce the percentage of ethnic Arabs in Khuzestan (see section 1.a.). According to HRW after security forces attempted to break up the demonstrations and opened fire, the clashes turned violent and spread to other towns. The government restricted press coverage of the events (see section 2.a.).

The Ahvazi Human Rights Organization wrote a letter to the UN in November 2005, claiming arbitrary arrests and executions of Ahvazi Arabs, including a lynching by security forces and extrajudicial killings in Karoon prison. The group claimed that in November 2005 three thousand Ahvazis staged a peaceful demonstration; however, security forces responded with tear gas grenades, and two Arab youths drowned as a result. The group also claimed the government made mass arrests during a performance of a Ramadan play. Two persons arrested reportedly were sentenced to death.

In August 2005 the UNSR for Adequate Housing reported 200,000 to 250,000 Arabs were being displaced from their villages because of large development projects in Khuzestan. Land compensation was inadequate--sometimes one-fortieth of market value. Arabs also suffered from importation of labor from other regions, despite high local unemployment.

Azeris composed approximately one-quarter of the country's population and were well integrated into the government and society, including the supreme leader and the head of the IRGC. However, Azeris complained of ethnic and linguistic discrimination, including banning the Azeri language in schools, harassing Azeri activists or organizers, and changing Azeri geographic names. The government traditionally viewed Azeri nationalism as threatening, particularly since the dissolution of the Soviet Union and the creation of an independent Azerbaijan. Azeri groups also claimed that there were a number of Azeri political prisoners jailed for advocating cultural and language rights for Iranian Azerbaijanis. The government has charged several of them with "revolting against the Islamic state."

In May there were large-scale riots in the Azeri majority regions of the Northwest following publication of a newspaper cartoon considered insulting to Azeris (see section 2.a). The cartoon depicted a cockroach speaking in the Azeri language. Police forcibly contained the protests, and police officials reported that four persons were killed and several protesters were detained (see section 1.a). Authorities blamed foreign governments for inciting unrest.

The chief of the national police said security in southeastern Sistan va Baluchestan Province was more problematic than elsewhere in the country. In March a government convoy was attacked in the province, and 21 government officials were killed. The province has had high levels of ethnic unrest. In July 2005 an armed Sunni group claimed to have beheaded a government security agent, presumably in the province; however, the report remained unconfirmed.

Other Societal Abuses and Discrimination

In 2004 the judiciary formed the Special Protection Division, a new unit that allowed volunteers to police moral crimes.

The law prohibits and punishes homosexuality; sodomy between consenting adults is a capital crime. The punishment of a non-Muslim homosexual is harsher if the homosexual's partner is Muslim. In July 2005 two teenage boys, one 16 and one 18 years of age, were publicly executed; they were charged with raping a 13-year-old boy. A number of groups outside the country alleged the two were executed for homosexuality; however, because of the lack of transparency in the court system, there was no concrete information. In November 2005 domestic conservative press reported that two men in their twenties were hanged in public for *lavat* (defined as sexual acts between men). The article also said they had a criminal past, including kidnapping and rape. It was not possible to judge whether these men were executed for homosexuality or other crimes.

According to Health Ministry statistics announced in October, there were over 13,000 registered HIV-positive persons in the country, but unofficial estimates were much higher; most were men. Transmission was primarily through shared needles by drug users, and a study showed shared injection inside prison to be a particular risk factor. There was a free anonymous testing clinic in Tehran, government-sponsored low-cost or free methadone treatment, including in prisons. The government also started distributing clean needles in some prisons. The government supported programs for AIDS awareness and did not interfere with private HIV-related NGOs. Contraceptives, including free condoms, were available at health centers as well in pharmacies. Nevertheless, persons infected with HIV faced discrimination in schools and workplaces.

Section 6 Worker Rights

a. The Right of Association

The law provides workers the right to establish unions; however, the government did not permit independent unions. A national organization known as Workers' House was the sole authorized national labor organization. It served primarily as a conduit for government control over workers. The leadership of Workers' House coordinated activities with Islamic labor councils, which consisted of representatives of the workers and a representative of management in industrial, agricultural, and service organizations of more than 35 employees. These councils also functioned as instruments of government control and frequently blocked layoffs and dismissals.

The law allows employers and employees to establish guilds. The guilds issued vocational licenses and helped members find jobs. Instances of late or partial pay for government workers reportedly were common.

In 2005 workers appointed a committee to lobby for the right to form labor associations. The committee issued a statement signed by 5,000 workers that it did not recognize agreements signed between the government and the ILO because workers had no independent representation at discussions. Workers criticized official unions for being too close to the government.

b. The Right to Organize and Bargain Collectively

The country's ILO membership requires respect for the right of freedom of association. However, workers did not have the right to organize independently and negotiate collective bargaining agreements. The ITUC noted the labor code was amended in 2003 to permit workers to form and join "trade unions" without prior permission if registration regulations are observed. The Labor Ministry must register the organization within 30 days.

Workshops of 10 employees or less are exempt from labor legislation. According to the ITUC, over 400,000 of the country's 450,000 workshops were exempt circa 2003.

The law prohibits public sector strikes, and the government did not tolerate any strike deemed contrary to its economic and labor policies; however, strikes occurred. There are no mechanisms to protect worker rights in the public sector, such as mediation or arbitration.

In May members of the Syndicate of Bus Drivers of the Tehran and Suburbs Bus Company (Sherkat-e-Vahed) wrote a letter to President Ahmadinejad, asking him to respect their constitutional rights. In July ITUC and the International Federation of Transport Workers (ITF) lodged a joint complaint to the ILO calling for Osanloo's release. On August 9, Osanloo, head of Sherkat-e-Vahed arrested in December 2005 during a protest strike, was released on bail. He was re-arrested on November 19 and again released on December 19 (see section 2.b.).

In a May 2005 letter, ITUC protested an attack that month on a meeting at the Bakery Workers' Association related to founding a union at the Tehran Vahed Bus Company. Reportedly 300 members of Hizballah and the Islamic Labor Councils attacked the site.

The ITUC also protested the detention in August 2005 of Borhan Divargar, a member of the Saqqez Bakery Workers' Union, and claimed he had been beaten. In November 2005 he was reportedly sentenced to two years in prison. The case was overturned on appeal, but the government brought new charges of "attempting to hold an illegal gathering for the purposes of committing a crime." A November report indicated he was sentenced to two years' imprisonment. At year's end there was no further update in this case.

In November 2005 president of the Saqqez Bakery Workers' Union Mahmoud Salehi was reportedly sentenced to five years in prison and three years of exile. Salehi was also charged with contacting an ITUC delegation that visited the country in 2004.

In May the sentences of Salehi and fellow arrested labor activist Jalal Hosseini were appealed and overturned by the Kurdistan Province Court of Appeal. The Saqqez Revolutionary Court then brought new charges against Salehi and Hosseini for committing crimes against the country's internal security. On October 16 and 18, respectively, Salehi and Hosseini faced closed trials in Branch One of the Saqqez Revolutionary Court. A November report indicated that Salehi was sentenced to four years' imprisonment and Hosseini to two years' imprisonment.

According to the ITUC, labor legislation did not apply in Export Processing Zones.

c. Prohibition of Forced or Compulsory Labor

The law permits the government to require any person not working to take suitable employment; however, this requirement did not appear to be enforced regularly. The law prohibits forced and bonded labor by children; however, this law was not enforced adequately, and such labor by children was a serious problem (see section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits forced and bonded labor by children; however, there appeared to be a serious problem with child labor (see section 5). The law prohibits employment of minors less than 15 years of age and places restrictions on the employment of minors under age 18; however, the government did not adequately enforce laws pertaining to child labor. The law permits children to work in agriculture, domestic service, and some small businesses but prohibits employment of women and minors in hard labor or night work. There was no information regarding enforcement of these regulations.

e. Acceptable Conditions of Work

The law empowers the Supreme Labor Council to establish annual minimum wage levels for each industrial sector and region. During the year President Ahmadinejad increased the minimum wage levels, but workers continued to claim that it was too low. There was no information regarding mechanisms to set wages, and it was not known if minimum wages were enforced. The law stipulates that the minimum wage should meet the living expenses of a family and should take inflation into account. However, many middle-class citizens had to work two or three jobs to support their families.

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

According to the law, a safety council, chaired by the Labor Minister or his representative, should protect workplace safety and health. Labor organizations outside the country have alleged that hazardous work environments were common in the country and resulted in thousands of worker deaths annually. The quality of safety regulation enforcement was unknown, and it was unknown whether workers could remove themselves from hazardous situations without risking the loss of employment.

There was anecdotal evidence suggesting some government employees and students voted in the 2005 presidential election to obtain the stamp proving they had voted. Without this stamp, they feared they would have employment or enrollment problems.

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

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