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IRAN*

Iran is an Islamic republic under the leadership of Ayatollah Ali Khamenei. The formal system of government, based on a Constitution approved in 1980 by popular referendum and revised in July 1989, features a Parliament and a President elected from among multiple candidates by universal suffrage. However, all candidates must meet highly restrictive religious and political criteria imposed by the Council of Guardians, and as a result the choice offered to voters is narrow. The Government, dominated by a political elite composed of Shi'a Muslim clerics and of laymen allied with these clerics, attempts to impose its views of political and socioreligious orthodoxy. However, there remain significant factional differences on important economic and political issues.

The Government continues to reinforce its hold on power through arrests, summary trials and executions, and other forms of intimidation carried out by an extensive internal security system. The Revolutionary Guards and security forces operating under the Ministry of Intelligence and Security and the Interior Ministry are known to make political arrests and commit other human rights abuses.

Iran has a mixed economy. Although Islam guarantees the right to private ownership, the Government has nationalized the banks and owns several basic industries, including the petroleum and utilities sectors. Oil exports are the primary source of foreign exchange. The disruptions of the revolution, the destruction from the Iran-Iraq war, and government mismanagement have caused serious economic deterioration. However, inflation has apparently been reduced from previous years, although it is thought to be still over 20 percent;

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about 30 percent of the work force is unemployed, and widespread corruption and black-market activities continue.

There was no evidence of significant improvement in Iran's record as a major abuser of human rights. As in the past, the Government went to considerable lengths to conceal its abuses and continued to obstruct the activities of international human rights monitors. It is thus difficult to know precisely the details and numbers of such abuses. Similarly, domestic elements that might monitor and report on the Government's

*Because of the absence of a United States Mission in Iran, this report draws heavily on unofficial sources.

practices are ruthlessly suppressed. Abuses continued to include denial of citizens' right to change their government; summary executions; widespread torture; arbitrary detentions; lack of fair trials; repression of the freedoms of speech, press, assembly, and association; systematic repression of the Baha'i religious community; and severe restrictions on women's and worker rights. The Government has not allowed Reynaldo Galindo-Pohl, the U.N. Special Representative on Human Rights, to revisit Iran since 1991 and did not implement the measures he recommended in his 1993 report.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

Given the lack of basic procedural safeguards in political trials, most of the executions ordered each year in such cases amount to summary executions. Furthermore, the Government has repeatedly indicated in public statements that it equates active political opposition to Iran's Islamic revolution with terrorism.

The Iranian press stopped reporting most executions in 1992, making it difficult to determine the number of people killed for political reasons in 1993, but it appears executions continue at their previous rate of several hundred a year. In September the U.N. Special Representative reported obtaining a copy of an Iranian government document showing that Iranian media had eliminated most coverage of executions in order to preempt the Special Representative's criticism. Reports from exiles and human rights monitoring groups indicate many of those executed for alleged criminal offenses are in fact political dissidents.

For example, Amnesty International (AI) reported the execution during 1993 of Mohsen Mohammadi Sabet, who had been held incommunicado in Rasht prison since September or October 1992. The Government has refused to reply to AI's requests for information regarding the precise charges brought against Sabet. According to AI, the legal proceedings in Sabet's case

failed to meet minimum international standards of fairness and impartiality.

In addition, the Government continued to carry out political assassinations of its opponents residing abroad. On January 24, Turkish journalist Ugur Mumcu was killed in Ankara by a car bomb; an Iranian-backed Turkish group was believed responsible. On March 16, Naghdi Mohammed Hussein, a leader of the opposition Mojahedin-e-Khalq, was assassinated in Rome. (Naghdi's name was among those on a list of 32 Iranian oppositionists found in the possession of one of the suspects in the 1992 assassinations of Kurds in Berlin.) On March 18, three Iranian Baluchi insurgency leaders were murdered in Karachi. In June another Mojahedin-e-Khalq activist, Mohammed Hassan Arbab, was killed in Karachi along with a bystander; another bystander, a child, was seriously injured. In October an assailant wounded William Nygaard, the Norwegian translator of Salman Rushdie's book "The Satanic Verses." Investigators have not yet determined the motive for the assault.

The French Government's investigation into the assassination in August 1991 of former Prime Minister Shahpour Bakhtiar and his assistant continued; two suspects, Iranian government officials, were under arrest awaiting trial. In the case of the murder in Berlin of four Iranian Kurdish dissidents in 1992, a German prosecutor announced in May that Kazem Darabi, who is in a German prison awaiting trial for the killings, is an agent of the Iranian intelligence service.

b. Disappearance

No reliable information is available on the number of disappearances in 1993. Many families of executed political prisoners reportedly have not been informed officially of their relatives' deaths. In 1993 the Government again responded to many of the U.N. Special Representative's requests for information on specific prisoners by denying that it had any judicial record of them.

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

There continued to be credible reports of the torture and ill-treatment of detainees. Common methods of torture are said to include suspension for long periods in contorted positions, burning with cigarettes, and, most frequently, severe and repeated beatings with cables or other instruments on the back and on the soles of the feet. Prisoners are frequently held in solitary confinement or denied adequate rations or medical care as a way of forcing them to confess.

The U.N. Special Representative reported in 1993 that the Government has taken no measures to establish legal or procedural safeguards against the torture of prisoners. There were no reports of law enforcement personnel being held accountable for torture or other abuses. In 1992 the Government expelled workers of the International Committee of the Red Cross (ICRC) who had been visiting detainees. The

Government has still not permitted the ICRC to resume this activity in Iran. Information on prison conditions in 1993 was not available. However, prisoner protests against poor prison conditions in the past reportedly prompted beatings, denial of medical care, and, in some cases, execution.

d. Arbitrary Arrest, Detention, or Exile

Arbitrary arrest and detention has been common in the past, but it is not known how many cases there were in 1993. It is known that some persons were arrested on trumped-up criminal charges when their actual "offenses" were political. The lack of fair trials and other procedural safeguards encourage such practices.

Baha'is continued to face arbitrary arrest and detention. The Government continued its practice of detaining a small but relatively steady number of Baha'is at any one time.

No judicial determination of the legality of detention exists in Iranian law, and there is reportedly no legal time limit on incommunicado detention. Suspects are held for questioning at local Revolutionary Guard offices or in jails.

e. Denial of Fair Public Trial

There are essentially two different court systems. The civil courts deal with criminal offenses, and the revolutionary courts, established in 1979, try "political" offenses as well as cases involving narcotics trafficking and "crimes against God."

In January the Special Representative reported that trials in Iran continue to fall far short of internationally accepted standards. Trials by revolutionary courts, especially, cannot be considered fair or public. Some trials are conducted in secret. If the trial is staged publicly, it is generally because the prisoner has already been forced to confess to a crime. Persons tried by the revolutionary courts (including in drug trafficking cases) enjoy virtually no procedural or substantive safeguards. The accused are often indicted under broad and all-encompassing charges such as "moral corruption," "antirevolutionary behavior," and "siding with global arrogance." Trials lasting 5 minutes and less are common.

The right to a defense counsel is theoretically provided for in Iranian law and in the Constitution, but in the revolutionary courts defendants are not known to have access to a lawyer; moreover, they are not able to call witnesses on their behalf or to appeal. Courts have failed to investigate allegations by defendants that they were subjected to torture during pretrial detention. Some persons have been imprisoned beyond the limit of their sentence and even executed after the formal expiration of their prison term.

There was again no evidence in 1993 of any judicial reform that would bring Iranian courts into compliance with international standards; the Special Representative noted in his January 1993 report that a new law on legal representation--which provides that any Muslim is eligible to represent the accused in court--does not in fact provide for qualified legal counsel.

The judicial system is further weakened by the fact that revolutionary courts may consider cases formally under the jurisdiction of the civil and criminal courts. Assignment of cases to regular rather than revolutionary courts is haphazard and apparently occurs mainly when arrests are made by regular police. Revolutionary courts may also overturn the decisions of the civilian courts. The review authority of the Supreme Court is limited.

For common criminal offenses, many elements of the prerevolutionary judicial system survive, and the accused often have the right to a public trial with benefit of lawyers of their own choosing. Even this judiciary is not fully independent, however. Many of the former judges were retired after the revolution, and new judges were selected. One criterion for new judges is grounding in Islamic law; political acceptability is a requirement for any government position. According to the New York-based Lawyers Committee for Human Rights, the 1982 Law on the Qualifications for the Appointment of Judges discriminates on the grounds of religion, sex, and political opinion, while at the same time permitting the appointment of judges and prosecutors who have no legal training or experience. Some judges reportedly prefer to base their judgments on the guidance of religious scholars rather than on the law.

Because the Government continues to block the activities of international human rights observers, no reliable estimate is available on the number of political prisoners, but knowledgeable sources estimate them in the thousands.

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

The Government rejects the Western distinction between a public sphere which the State may control and a sphere of private life (religion, culture, thought, and private behavior) which the State may not properly control. Before 1982, authorities entered homes and offices, wiretapped telephones, and opened mail. These activities are reportedly less common now.

Special Revolutionary Guard units and security forces check on social activities. Women whose clothing does not completely cover the hair and all of the body except hands and face, or who wear makeup, are subject to arrest (see also Section 5). Crackdowns often result in widespread harassment of women in the streets. Men have also periodically been required to dress "modestly." During the spring and summer of 1993, both official and self-appointed enforcers campaigned against insufficiently modest dress and even sunglasses. For example, the commander of the law enforcement forces in Tehran stated that 802 men and women were detained from June 16 through 23 for various dress code violations in Tehran.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

According to the Constitution, "publications and the press may express ideas freely, except when they are contrary to Islamic principles, or are detrimental to public rights." In practice, most publications are controlled by the Government; independent publishers run the risk not only of press shutdowns, pressure from the Government newsprint monopoly, and confiscation of publications and equipment, but of arrest and summary punishment if they are overly critical of the Government. The editor and two employees of the magazine Farad were jailed in 1992 for publishing a cartoon which the authorities deemed insulting to the late Ayatollah Khomeini. In October after the cartoonist, Manoucher Karimzadeh, completed his sentence, the Supreme Court ruled that his punishment had been insufficient and sentenced him to an additional 10 years' imprisonment.

In August Revolutionary Guards detained the publisher of the radical daily Salam, Musavi Kho'iniha, as well as the newspaper's chief editor, 'Abbas 'Abdi. The detentions were apparently in retaliation for criticism of the judicial authorities. Both men were freed on bail after the newspaper printed a retraction of its criticism. In September authorities detained Mehdi Nasiri, editor of the Tehran daily Keyhan, after the newspaper printed criticism of Ayatollah Mohammad Ali Yazdi, chief of the judiciary. Nasiri was released on bail after several days in detention but still faces a trial before a special "press jury" on charges of slander. In October Colonel Nasrullah Tavakoli, a retired army officer, was arrested and placed in incommunicado detention, apparently for writing a series of open letters critical of the current Government.

All books must be submitted to the Ministry of Islamic Culture and Guidance for review before they may be published. Publishers, authors, and printers also engage in substantial self-censorship before submitting books to the Ministry in an effort to avoid the substantial penalties, including economic losses, incurred when books are rejected. Iranian authorities have interpreted broadly their authority to censor on religious grounds, including official acceptance of the February 1989 religious decree condemning British author Salman Rushdie to death for his book "The Satanic Verses." On each anniversary of the decree since 1992, a group of exiled Iranian writers has signed a public condemnation of the decree; the Iranian Government has responded by banning the writings of the authors signing the condemnation. By mid-1993, the Government had banned the works of 162 such signatories.

Newspapers, which are usually associated with various government factions, reflect a variety of viewpoints. Generally, newspapers can and do criticize government policies and officials both in their reporting and editorials. They are forbidden, however, to criticize the concept of the Islamic republic or to promote ethnic minority rights. Nevertheless, some independent publishers out of favor with the Government continue to survive, and some books and pamphlets critical of the Government are published without reprisal. Foreign books, newspapers, and magazines may be imported only after they have been reviewed by the Ministry of Islamic Culture and Guidance.

All broadcasting facilities are government owned, and the content of their broadcasting reflects the political and socioreligious ideology of the Government.

Although restrictions on academic freedom have been eased somewhat, course content is still monitored and there is little genuine critical discussion of issues. Informers are said to be common on campus and in the classroom. Admission to universities is politicized; all applicants must pass "character tests" in which officials review applicants' background and ideology with the students' hometown religious authorities and neighborhood groups. This process serves to exclude from universities and the professions those who are critical of the Government's revolutionary ideology. To achieve tenure, professors reportedly must cooperate with government security agencies over a period of years.

b. Freedom of Peaceful Assembly and Association

The Constitution permits unarmed assemblies and marches "provided they do not violate the principles of Islam." In practice, the only ones permitted are those sponsored by the Government, such as Friday prayers and parades and demonstrations on official occasions. According to opposition sources, a student protest in March at Beheshti high school in west Tehran was crushed by antiriot police units who arrested approximately 80 students.

The Constitution also allows the formation of political parties, groups, and professional associations, as well as Islamic and some minority religious associations, provided they do not violate the principles of "freedom, sovereignty, (and) national unity" or question Islam or the Islamic Republic. In practice, most independent organizations have either been banned, co-opted by the Government, or are moribund.

The authorities continued to harass the Freedom Movement, founded in 1961 and declared illegal in 1991, tapping its telephones, opening its mail, and subjecting its members to intimidation. While the Freedom Movement participated in the first parliamentary election after the revolution, it has been prevented from doing so in all subsequent elections.

c. Freedom of Religion

The state religion is Islam, and religion is almost inseparable from government in Iran. The President and many other top officials are mullahs (Islamic clergymen), as are the Speaker of the Parliament and many of the parliamentary deputies.

Approximately 90 percent of Iranians are Shi'a Muslims. Aside from slightly over 1 percent who are non-Muslims (Baha'is, Christians, Zoroastrians, and Jews), the rest are Sunni Muslims. The Sunnis are mostly Kurds, Arabs, Turkomans, Baluch, and other ethnic minorities whose political influence is very limited. The Constitution declares that "the official religion of Iran is Islam and the sect followed is Ja'fari Shi'ism," but it also states that "other Islamic denominations

shall enjoy complete respect."

The small Christian, Jewish, and Zoroastrian (the pre-Islamic religion of Iran) populations are concentrated mainly in urban areas. The Constitution recognizes their religions, and they elect representatives to seats reserved for them in the Parliament. They are permitted to practice their religions, to instruct their children, and--although with a great deal of disruptive interference--to maintain schools.

Nevertheless, official harassment is commonplace. In June the U.N. Committee on Economic, Social, and Cultural Rights observed that the U.N. Special Representative's report "confirm(ed) the broad consensus that there has been practically no progress in ensuring greater respect and protection for the rights of the non-Muslim religious communities" in Iran.

Mehdi Debadj, a Christian convert from Islam arrested in 1983, was held in prison until December 1993, when Christian missionary groups reported that a court in Sari sentenced him to death for apostasy. Following international appeals on his behalf, Debadj was released in January 1994. According to the Government, his case is still "under investigation."

The Government continues to discriminate against the Baha'i community, Iran's largest non-Muslim minority (300,000 to 350,000 members). The Baha'i religion is considered a "misguided sect" by the authorities. It is not officially recognized, and Baha'is may not teach their faith.

In 1993 Tehran municipal authorities built a cultural center on the site of a Baha'i cemetery. Immediately after the 1978-1979 revolution, the cemetery's markers were removed (some reportedly were auctioned off), and the site was turned into a park. The new construction in 1993 involved excavations that reportedly desecrated Baha'i graves. The U.S. and other governments condemned the desecration and called on Iran to halt the project. There is no indication, however, that the Iranian authorities stopped the construction.

The treatment of Baha'is varies somewhat, depending on the jurisdiction; in other places, Baha'is were still able to bury their dead in Baha'i cemeteries.

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

Iranians may travel to any part of Iran, although there have been restrictions on travel to Kurdish areas at times of heavy fighting. Persons may change their place of residence without obtaining permission. According to the Government, approximately 3 million refugees, primarily Afghans but also Kurdish and Shi'a refugees displaced from Iraq in the aftermath of the Gulf war, remained in Iran in mid-1993.

Males of draft age are not issued exit permits except for approved courses of study, and Iranians who are suspect politically, such as some retired military officers and

high-level public officials under the former regime, are not able to leave the country. Some Iranians, particularly those whose skills are in short supply and who were educated at government expense, have had to post bonds to obtain exit permits. There was no evidence that this situation improved in 1993.

Iranian Jews are permitted to obtain passports and to travel (including to Israel), but they are normally denied the multiple-exit permits given to most Iranians and must make a new application (with another fee) for each planned trip. Permission is not normally granted for all members of a Jewish family to travel outside Iran at the same time.

The Government actively encourages the many thousands of skilled Iranians living abroad to return to help rebuild the country. Of those who have returned in recent years, a number have been able to pursue, through the Iranian judicial system, the restoration of their properties. However, many exiles complain that formal legal guarantees of their safety have not yet been provided, and, as a result, many remain reluctant to return.

There are some categories of persons who may be in danger if they return to Iran. Some of those with close ties to the former regime, draft evaders, and those who departed the country illegally face possible arrest upon their return. Members of or sympathizers with the People's Mojahedin Organization of Iran or the Communist Tudeh Party, both opposition groups banned by the Government, are subject to imprisonment and torture or even execution should they return. In his 1993 report, the Special Representative recounted several cases of exiles and Baha'is who were harassed after returning to Iran. Nevertheless, immediate relatives of persons wanted by the Government are often able to live in Iran, travel abroad, and return without undue difficulty.

Iranian passports have always been stamped "not valid for emigration," but the Government does not make a clear distinction between legal residence in another country and emigration. According to the regulations, Iranians with a legal residence outside Iran may be issued passports and advance exit permits by the Iranian embassy, consulate, or interests section in their country of residence. The Government does not recognize dual nationality and considers Iranian-born U.S. citizens to be Iranians unless they formally renounce their Iranian citizenship in accordance with Iranian law. There have been many instances in which Iranian authorities have confiscated the passports of dual nationals.

The Government of Iran and the United Nations High Commissioner for Refugees (UNHCR) estimate there were approximately 2.1 million Afghan refugees in Iran in mid-1993. The majority of these refugees have been integrated into Iranian life. The remainder live either seminomadic lives or reside in government settlements in central and eastern Iran. The Government provided assistance to those refugees. The UNHCR is supervising the repatriation of Afghan refugees to Afghanistan.

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

Iranian citizens do not enjoy the right to change their government peacefully. Iran is ruled by a group of religious leaders (mullahs) and their lay associates who share a belief in the legitimacy of a theocratic state based on Ayatollah Khomeini's interpretation of Shi'a Islam.

The revolutionary Government has held elections at fairly regular intervals for president, Parliament deputies, members of the Assembly of Experts (responsible for choosing the Revolutionary Leader's successor), and members of local government councils. Presidential elections were held in June, resulting in the reelection of Hojjat ol-Eslam Ali Akbar Hashemi-Rafsanjani. Voting is by universal suffrage of everyone age 15 and older and is by secret ballot. All candidates must be approved by the Council of Guardians, however, and only those meeting the Council's vaguely described political and religious criteria may run. In practice, only supporters of the theocratic state are accepted, and even clerics are often disqualified if their positions vary from the official line.

A few political parties have been licensed following the Ministry of Interior's announcement in December 1988 that political parties would be allowed to form, provided they met the Government's religious and political criteria.

The Constitution provides for an independent Parliament, which exists to a large degree in practice. While Parliament deputies are typically allied with various powerful political and religious officials, they may speak and vote independently and may shift from one faction to another. Vigorous parliamentary debates--normally covered extensively in the press--cover a wide variety of issues. Harsh criticism of government officials is often heard in these debates, and, in some cases, laws proposed by the executive branch have been voted down.

The Constitution provides for a Council of Guardians composed of 12 members: 6 clerics unilaterally appointed by the Leader, and 6 lay members well grounded in Islamic law who are nominated by the head of the judiciary, subject to the Parliament's approval. The Council of Guardians must certify all bills passed by the Parliament as being in accordance with Islamic law and the Constitution. If bills fail to be certified, they are sent back to the Parliament for revision. The Council of Guardians can and does reject important bills and portions of bills passed by the Parliament. The Council for the Discernment of Expediency, a body created in 1988, resolves those legislative issues on which the Parliament and Council of Guardians disagree. Approximately 4 percent of Parliament members are women.

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

Iranian organizations that attempt to speak out on human

rights, such as the Freedom Movement and the Association for the Protection of Liberties and Human Rights, face severe harassment by the Government. In the past, the Government generally has been uncooperative with foreign human rights groups, whether government sponsored or independent, regarding their activities as interference in the country's internal affairs.

The U.N. Special Representative has not been able to visit Iran since his third visit in 1991; by the end of 1993, the Iranian Government had not replied to his repeated requests to return to Iran. At the United Nations, Iran continued its efforts to restrict the Special Representative's mandate.

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

Women

The discrimination that women have traditionally faced in Iranian society has increased since the revolution. Ultraconservative dress, entirely hiding the hair and all of the body except the face and hands, is a requirement for all women, regardless of their religion, national origin, or citizenship. Women have been harassed, detained, or physically attacked if they appeared in public in clothing that official or self-appointed guardians of public morality deemed insufficiently modest. Enforcement of these rules has varied considerably since Ayatollah Khomeini's death in 1989; there was a widespread surge in enforcement during 1993 (see Section 1.f). According to press reports, a teenaged girl was accidentally shot in Tehran in late August after being stopped on the street by a police conscript for breaking the Islamic dress code.

Although violence against women is known to occur, little is known about its extent. Abuse within the family is considered a private matter in this conservative society and is seldom discussed publicly. There are no official statistics on the subject. In the past, there have been credible reports of the torture and execution of women detainees.

Under legislation passed in 1983, women have the right to divorce their husbands, and regulations promulgated in 1984 substantially broadened the number of grounds for which a woman may seek divorce. A husband may obtain a divorce without stating a reason or going to court. In December 1992 the Council for the Discernment of Expediency reversed itself and ratified a bill already passed by the Parliament which added somewhat to a divorced woman's right to financial support from her ex-husband. It is not clear yet whether this adjustment has had any impact in practice.

Children

Iranian law includes provisions that prohibit the use of child labor in industry (see section 6.d.) No information was available on the enforcement of these statutes.

Religious Minorities

The Christian, Jewish, Zoroastrian, and Baha'i minorities suffer varying degrees of officially sanctioned discrimination in a number of areas, particularly with respect to employment, education, public accommodations, and property ownership. In 1993 non-Muslim owners of restaurants were required to post a distinctive notice in the windows of their establishments.

Muslims who have converted to Christianity are similarly discriminated against. University applicants are required to pass an examination in Islamic theology. This has the effect of limiting most religious minorities' access to higher education, although all students must receive instruction on Islam regardless of their religion. Applicants for public sector employment are similarly screened for adherence to standards of Islamic orthodoxy, with much the same effect. Religious minorities have also suffered discrimination in the legal system, receiving lower awards in injury and death lawsuits and suffering heavier punishments than those imposed on Muslims. Although Sunnis have encountered religious discrimination on the local level, the Government has tried to reduce Shi'a-Sunni antagonism.

The Government has stated that it will protect the "social and legal rights" of Baha'is as "normal citizens," but in practice there is widespread persecution and discrimination in many areas of public life. Baha'i marriages are not recognized, and Baha'is are forbidden to participate in social welfare organizations.

In 1993 the Special Representative reported obtaining reliable information on an internal Iranian government directive setting out policy on the Baha'is. In the directive, dated February 1992, the Supreme Revolutionary Council instructed government agencies to block the progress and development of the Baha'i community; expel from the universities students identified as Baha'is; seek to cut the Baha'is' links outside Iran; restrict employment for those who identify themselves as Baha'is; and deny Baha'is "positions of influence," including in the education sector. The Government claims the policy directive is a forgery; it appears, however, to reflect accurately current government practice.

The Government continued to return some of the property of individual Baha'is that it had previously confiscated, although the amount represents a small fraction of the total seized. Property of the community, such as places of worship, remains confiscated. Most Baha'is are now able to obtain food ration booklets. Baha'i children are now permitted to attend grade school and high school but are generally not permitted to attend college or be employed on college faculties. A small number of Baha'is were permitted to leave the country. While some Baha'is have been issued passports, the majority of such applications are denied.

Some Baha'is continue to be denied public sector (and often private sector) employment on account of their religion; in a number of cases, ration cards have been denied on the same

grounds. Thousands of Baha'is dismissed from government jobs in the early 1980's receive no unemployment benefits and have been required to repay the Government for salaries or pensions received from the first day of employment. Those unable to do so face prison sentences.

d. People with Disabilities

There is no information available on government policy with respect to people with disabilities.

Section 6 Worker Rights

a. The Right of Association

Article 131 of the Labor Code grants workers and employers alike the right to form and join their own organizations. In practice, however, there are no real labor unions in Iran. A national organization known as the Worker's House, founded in 1982 as the labor wing of the now defunct Islamic Republican Party, is the only authorized national labor organization with nominal claims to represent all Iranian workers. It works closely with the workplace Islamic councils that exist in many Iranian enterprises. The Workers' House is largely a conduit of government influence and control, not a trade union founded by workers to represent their interests.

The officially sanctioned Islamic labor councils also function as instruments of government influence and not as bodies created and controlled by workers to advance their own interests, although the councils have frequently been able to block layoffs or the firing of workers.

A network of guild unions operates on a regional basis. These guild unions issue vocational licenses, fund financial cooperatives to assist members, and help workers to find jobs. The guild unions operate with the backing of the Government.

According to opposition sources, there were several protests and strikes during the spring, including a strike involving thousands of workers at a tractor factory in Tabriz, a walkout to protest nonpayment of salaries at a government sugar factory in western Iran, and strikes in textile factories in northern Iran and near Tehran. In the past the Government has not tolerated any strike deemed to be at odds with its economic and labor policies.

b. The Right to Organize and Bargain Collectively

The right of workers to organize independently and bargain collectively cannot be documented. It is not known whether labor legislation and practice in the export processing zones differ in any significant respect from the law and practice in the rest of the country. No information is available on mechanisms used to set wages.

c. Prohibition of Forced or Compulsory Labor

Section 273 of the Iranian Penal Code provides that any person

who does not have definite means of subsistence and who, through laziness or negligence, does not look for work may be obliged by the Government to take suitable employment. This provision has been frequently criticized by the International Labor Organization (ILO) as contravening ILO Convention 29 on forced labor.

d. Minimum Age for Employment of Children

Iranian labor law, which exempts agriculture, domestic service, family businesses, and, to some extent, other small businesses, forbids employment of minors under 15 years of age (compulsory education extends through age 11) and places special restrictions on the employment of minors under 18. In addition, women and minors may not be used for hard labor or, in general, for night work. Information on the extent to which these regulations are enforced by the Labor Inspection Department of the Ministry of Labor and Social Affairs and the local authorities is not available.

e. Acceptable Conditions of Work

The Labor Code empowers the Supreme Labor Council to set minimum wage levels each year determined by industrial sector and region. It is not known if minimum wage levels are in fact issued annually or if the Labor Ministry's inspectors enforce their application. The Labor Code stipulates that the minimum wage should be sufficient to meet the living expenses of a family and should take into account the announced rate of inflation. Information on the share of the working population covered by the minimum wage legislation or the share of the work force receiving a decent wage is not available.

Labor law establishes a 6-day workweek of 48 hours maximum (except for overtime at premium rates), with 1 day of rest (normally Friday) per week as well as at least 12 days per year of leave with pay and a number of paid public holidays.

According to the Labor Code, a Supreme Safety Council, chaired by the Labor Minister or his representative, is responsible for promoting workplace safety and health and issuing occupational safety and health regulations and codes of practice. The Council has reportedly issued 28 safety directives. The Supreme Safety Council is also supposed to oversee the activities of the safety committees that have reportedly been established in about 3,000 enterprises employing more than 10 persons. It is not known how well the Labor Ministry's inspectors enforce the safety and health legislation and regulations nor whether industrial accident rates are compiled and show positive trends (Iran does not furnish this data to the ILO for publication in its Year Book of Labor Statistics).

Given the large segments of the economy exempted from the labor law, the State's still unresolved administrative disorganization resulting from the revolution, the effects of the war with Iraq, and the general lack of effective labor unions, it is unclear to what extent the provisions of Iran's labor law affect most of the labor force.

The ILO has long been concerned with official discrimination in

employment against adherents of the Baha'i religion.

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