

## HUMAN RIGHTS IN THE MIDDLE EAST AND NORTH AFRICA: REVIEW OF 2018

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# IRAN

## Islamic Republic of Iran

Head of state: **Sayed Ali Khamenei**

Head of government: **Hassan Rouhani**

The human rights situation in Iran severely deteriorated. The authorities suppressed the rights to freedom of expression, association and peaceful assembly, as well as freedom of religion and belief, and imprisoned hundreds of people who voiced dissent. Trials were systematically unfair. Torture and other ill-treatment were widespread and committed with impunity. Floggings, amputations and other cruel, inhuman and degrading punishments were carried out. The authorities sanctioned pervasive discrimination and violence based on gender, political opinion, religious belief, ethnicity, sexual orientation, gender identity, and disability. Executions took place, sometimes in public, and thousands remained on death row. They included people who were under the age of 18 at the time of the crime.

## BACKGROUND

In March, the UN Human Rights Council renewed the mandate of the UN Special Rapporteur on the situation of human rights in Iran.

In August, the UN Special Rapporteur on the negative impact of the unilateral coercive measures on the enjoyment of human rights criticized the reimposition of sanctions against Iran after the United States' unilateral withdrawal from the nuclear deal, stating that international sanctions must be lawful, proportional and must not harm the human rights of ordinary citizens. He said: "These unjust and harmful sanctions are destroying the economy and currency of Iran, driving millions of people into poverty" and will "likely lead to silent deaths in hospitals as medicines run out".

Clashes continued to take place along Iran's borders, during which armed groups killed dozens of border guards.

Iran conducted military operations in support of government forces in the armed conflict in Syria, from where it also launched rockets against Israel.

## FREEDOMS OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The authorities intensified their crackdown on the rights to freedom of expression, association and peaceful assembly, jailing hundreds of people on spurious national security charges. Among those targeted were peaceful political dissidents, journalists, online media workers, students, filmmakers, musicians and writers, as well as human rights defenders including lawyers, women's rights activists, minority rights activists, trade unionists, environmental activists, anti-death penalty campaigners, and those seeking truth, justice and reparation for the mass executions and enforced disappearances of the 1980s.

## EXCESSIVE USE OF FORCE

Tens of thousands of men and women took to the streets throughout the year to protest against poverty, corruption, repression and authoritarianism.

Two major nationwide protests took place in January and July/August. Security forces violently dispersed the protests, beating unarmed protesters and using live ammunition, tear gas and water cannons against them, causing deaths and injuries.

In January, around 5,000 protesters were arrested. The judiciary spokesman said 25 protesters were killed but that "the weapons used and responsible [for the deaths] did not belong to the security forces". In July/August, over 100 protesters were arrested. At least one protester was killed. No officials were held accountable.

In June, security forces in Khuzestan province unnecessarily used tear gas against protesters in Ahvaz and other cities who were demonstrating against water shortages and poor water quality. The interior minister denied reports that a male protester was killed.

## **ARBITRARY ARRESTS AND DETENTIONS**

Authorities arbitrarily arrested and detained thousands of individuals. Most were denied access to an independent lawyer of their choosing. Hundreds of them faced unfair trials, lengthy prison sentences, torture and other ill-treatment.

Dozens of environmental activists were arrested throughout the year. Four were charged with “corruption on earth”, which carries the death penalty.

Hundreds of people were arrested at private mixed-gender parties. Some were subjected to flogging sentences.

In May, 17-year-old Maedeh Hojabri was briefly detained for posting on her Instagram account videos of herself dancing. Her forced “confession” was broadcast on state television.

Human rights defenders and lawyers continued to face arbitrary arrest, detention and prosecution in reprisal for their work. Prominent human rights lawyer Nasrin Sotoudeh and her husband, Reza Khandan, were arrested and faced charges in connection with their support of women protesting against forced *hijab* (veiling). Other lawyers arrested and/or prosecuted included Amir Salar Davoudi, Arash Keykhosravi, Ghassem Sholeh-Sa’di, Farokh Forouzan, Mohammad Najafi, Mostafa Daneshjoo, Mostafa Tork Hamadani, Payam Derafshan and Zeynab Taheri.

Authorities arrested and detained, prosecuted or continued to imprison at least 112 women human rights defenders.

In June, the head of the judiciary implemented the Note to Article 48 of the Code of Criminal Procedure, which denies individuals facing some charges, including those related to national security, the right to access a lawyer of their own choosing during the investigation stage and forces them to choose from a short list of lawyers approved by the head of the judiciary.

## **CRACKDOWN ON MEDIA**

Censorship of all forms of media and jamming of foreign satellite television channels continued.

Some journalists and online media workers were arbitrarily arrested and detained; several were prosecuted and received prison and/or flogging sentences. The Association of Journalists remained suspended.

Administrators of the popular mobile messaging application Telegram were given harsh prison sentences. In April, Telegram was banned, although millions of Iranians continued to use it through circumvention tools.

Facebook, Twitter and YouTube remained blocked.

## **HOUSE ARRESTS OF OPPOSITION LEADERS**

In August, the Supreme Leader rejected the president’s proposal to release opposition leaders Mehdi Karrubi and Mir Hossein Mousavi and the latter’s wife, Zahra Rahnavard, from house arrest, where they have remained without charge or trial since 2011.

## **TORTURE AND OTHER ILL-TREATMENT**

Torture and other ill-treatment, including prolonged solitary confinement, remained systematic, especially during interrogations. Authorities failed to investigate allegations of torture or exclude “confessions” obtained under torture as evidence against suspects.

At least nine people died in custody under suspicious circumstances following their arrests in connection with the protests in late 2017 and early 2018. Officials claimed some had committed suicide, claims which were disputed by their families. After reporting torture marks on some victims’ bodies, lawyer Mohammad Najafi was arrested; he was later sentenced to a total of 14 years in prison and 74 lashes for charges including “disturbing public order”.

In February, Canadian Iranian academic and environmental activist Kavous Seyed Emami died in Evin prison following his arbitrary arrest two weeks earlier. Authorities claimed he committed suicide and refused to release his body unless his family agreed to an immediate burial without an independent autopsy.

Prisoners held for politically motivated reasons were denied adequate medical care, often as punishment; in some cases, this amounted to torture. Human rights defender Arash Sadeghi developed cancer in prison. Authorities tortured him by deliberately depriving him of specialist medical care.

Prisoners endured cruel and inhuman conditions of detention, including overcrowding, inadequate food, insufficient beds, poor ventilation and insect infestations.

## **CRUEL, INHUMAN OR DEGRADING PUNISHMENT**

Judicial authorities continued to impose and carry out, including in public, cruel and inhuman punishments amounting to torture.

Scores of individuals faced flogging sentences for theft and assault as well as for acts that, under international human rights law, must not be criminalized. Such acts included attending peaceful protests and cultural gatherings, having extra-marital relationships and attending mixed-gender parties.

In April, three minority rights activists from the Azerbaijani Turkic ethnic minority were sentenced to four months' imprisonment and 40 lashes for "disrupting public order" by participating in a peaceful cultural gathering.

In July, a man known as M.R. was tied to a tree in Razavi Khorasan province and flogged 80 times. He had been convicted a decade earlier of consuming alcohol when he was 14 or 15 years old.

The Supreme Court imposed and upheld amputation sentences. In January, authorities amputated the hand of a man, referred to as A.Kh., in Mashhad, Razavi Khorasan province, reportedly for stealing livestock and other valuables.

The authorities continued to issue blinding sentences.

## **FREEDOM OF RELIGION AND BELIEF**

Freedom of religion and belief was systematically violated in law and practice. The authorities continued to impose, on people of all faiths and none, codes of public conduct rooted in a strict interpretation of Shi'a Islam. The right to change or renounce religious beliefs continued to be violated. While Amnesty International did not record any new cases in 2018, those who professed atheism remained at risk of arbitrary arrest and detention, torture and other ill-treatment and the death penalty for "apostasy".

Gonabadi Dervishes faced a vicious crackdown, particularly since February, when a peaceful protest was violently quashed. Hundreds were arrested and over 200 were sentenced after unfair trials to between four months and 26 years in prison, flogging, internal "exile", travel bans, and bans on membership of political and social groups. In February, 92-year-old Nour Ali Tabandeh, the spiritual leader of the Gonabadi Dervish religious minority, was put under house arrest.

Christians, including converts, continued to face harassment, arbitrary arrest and detention, and harsh prison sentences. Raids on house churches continued. Victor Bet-Tamraz and Shamiram Issavi, ethnic Assyrian Christians, and Amin Afshar-Naderi and Hadi Asgari, Christian converts, were sentenced to between five and 15 years in prison for peacefully practising their faith.

Widespread and systematic attacks continued against the Baha'i minority, including arbitrary arrests and imprisonment, forcible closure of businesses, confiscation of property, bans on employment in the public sector and denial of access to universities. Destruction and desecration of Baha'i cemeteries continued.

Other religious minorities not recognized under the Constitution, such as Yaresan (Ahl-e Haq), were also persecuted for practising their faith and faced systematic discrimination, including in education and employment.

Sunni Muslims continued to report discrimination, including exclusion from political office.

## **DISCRIMINATION – WOMEN AND GIRLS**

Women faced entrenched discrimination in family and criminal law, including in relation to divorce, employment, inheritance and political office. Iran's Civil Code continued to deny Iranian women married to non-Iranian men the right to pass their nationality to their children. Women had limited access to affordable, modern contraception.

A long-standing bill to protect women against violence remained stalled. The authorities continued to fail to criminalize gender-based violence, including domestic violence and marital rape. Acts of violence against women and girls, including domestic violence and early and forced marriage, were widespread.

According to official sources, between 21 March and 21 September, at least 366 girls aged below 15 and 29 girls aged below 10 were married. The parliament continued to debate a proposed amendment to Article 1041 of the Civil Code on the age of marriage. The amendment, which would ban marriage for girls under 13, was rejected by the parliament's judicial and legal committee in December but remains under parliamentary review. If approved, the legal age of marriage for girls would be raised from 13 to 16, although girls aged between 13 and 16 could still be married subject to approval both from a court and from state medical doctors who would determine whether the child in question was "physically capable" of consummating the marriage.

A bill aimed at giving some married women permission to travel abroad without spousal approval remained under review.

Dozens of women peacefully protesting against the abusive, discriminatory and degrading practice of forced *hijab* by taking off their headscarves in public were violently assaulted and arrested. Millions of others were routinely harassed and assaulted in public places by the "morality police" for failing to comply with Iran's strict Islamic dress code.

Women were banned from singing and at times playing musical instruments in public. In January, popular singer Benyamin Bahadori refused to perform at a concert in Kerman after the Ministry of Culture and Islamic Guidance banned female members of his group from appearing on stage.

The authorities' ban on women entering football stadiums remained in place. Thirty-five women were briefly detained in March as they tried to enter a stadium to watch a local football match.

## **DISCRIMINATION – ETHNIC MINORITIES**

Ethnic minorities, including Ahwazi Arabs, Azerbaijani Turks, Baluchis, Kurds and Turkmen, continued to face entrenched discrimination, curtailing their access to education, employment and adequate housing. Continued economic neglect of regions with large minority populations exacerbated poverty and marginalization. The Persian language remained the sole medium of instruction in primary and secondary education.

Iran's border guards unlawfully shot and killed with impunity tens of Kurdish *kulbars*, porters carrying goods on their backs between Iran and Kurdistan Region of Iraq.

Members of minorities who spoke out against violations of their rights faced arbitrary arrest, torture and other ill-treatment, unfair trials and imprisonment.

Hundreds of Azerbaijani Turks, including minority rights activists, were violently arrested in connection with peaceful cultural gatherings.

The authorities continued their persecution of the Ahwazi Arab minority. In April, up to 400 Ahwazi Arabs were reportedly arrested in connection with protests that took place after state television broadcast a children's show that excluded Arabs from a map displaying the geographical locations of Iran's ethnic minorities. In October, following a deadly armed attack on a military parade in Ahvaz the previous month, during which at least 24 people, including spectators, were killed, authorities waged a sweeping crackdown against Ahwazi Arabs in Khuzestan province. Over 700 people, including minority rights activists, were arrested and detained incommunicado. Ahwazi Arab activists outside Iran reported that 22 were executed in secret.

## **WORKERS' RIGHTS**

Bans on independent trade unions persisted.

Thousands of workers staged peaceful demonstrations and strikes in protest at unpaid wages, poor working conditions and other grievances. Authorities arrested hundreds, sentencing many to prison terms and flogging.

In August, teacher Mohammad Habibi was sentenced to 10 and a half years in prison, 74 lashes, a two-year travel ban and a two-year ban on "membership in political and social parties, groups or collectives" for charges stemming from his peaceful trade union activities.

In September, six more teachers were sentenced to flogging and prison terms for taking part in a peaceful protest calling for higher wages. More than a dozen others were arrested when nationwide strikes took place in October and November.

In October, hundreds of striking truck drivers were arrested and threatened with the death penalty.

In November, dozens of striking workers from the Haft Tapeh Sugar Cane Company were arrested.

In December, dozens of steel workers in Ahvaz were violently arrested following weeks of strikes.

## DEATH PENALTY

Courts continued to impose death sentences and executions were carried out after unfair trials, some in public.

There was a drop in the number of drug-related executions following amendments to the anti-narcotics law.

A number of individuals who were under 18 at the time of the crime of which they were convicted were executed and many others remained on death row.

The Islamic Penal Code continued to provide for stoning as a method of execution.

The death penalty was maintained for some consensual same-sex sexual conduct, as well as for vaguely worded offences such as “insulting the Prophet”, “enmity against God” and “spreading corruption on earth”.

The authorities arrested individuals whom they described as “financially corrupt” and “saboteurs of the economy”. Many were convicted before newly established special courts dealing with crimes involving financial corruption and sentenced to death, lengthy prison terms, and flogging. Defendants were denied access to lawyers of their own choosing, had no right to appeal against prison sentences, and were given only 10 days within which to appeal death sentences.

In June, Mohammad Salas, from the Gonabadi Dervish minority, was executed after an unfair trial for the murder of three police officers during a protest in February. The sole evidence was a “confession” he said he made under torture.

In September, Kurdish prisoners Zaniar Moradi, Loghman Moradi and Ramin Hossein Panahi were executed in Raja'i Shahr prison, Karaj, after unfair trials. All three were denied access to their lawyers after arrest and said they were tortured into making “confessions”.