

IMPACT IRAN

HUMAN RIGHTS IN THE ISLAMIC REPUBLIC OF IRAN

MARCH 2016 UPDATE

The human rights situation in Iran remains one of systemic violations that are deeply rooted in laws, policies, and practices. The chronic nature of the situation requires sustained attention by international community and United Nations system.

While the Iranian government has recently made some positive human rights overtures and taken a few welcomed steps, the government has not prioritized human rights reforms. Moreover, the international human rights portfolio remains under the control of Iran's High Council for Human Rights, a body linked to the Judiciary and the office of the Supreme Leader, state institutions openly averse to universal human rights norms.

Issues of serious human rights concern outlined by United Nations treaty bodies and special procedures remain numerous and include core civil and political and economic and social rights. The following update provides a broad overview of some of the most pressing issues.

DEATH PENALTY

Iran maintains the highest per capita execution rate in the world for several years in a row. It retains the death penalty for a wide range of offenses which do not constitute "most serious crimes" under international law. Capital offenses include minor drug crimes, consensual same-sex relations, and broadly crimes such as "sowing corruption on earth," which have been use to prosecute non-violent political acts.



The number of documented executions in the country has increased in recent years, from at least 580 executions in 2012, to 687 in 2013, to 753 in 2014, to between 966 and 1050 in 2015. Only the first month of 2016 there was

already over 50 executions, amongst them, at least one execution of juvenile offenders. In many cases, courts have imposed death sentences after proceedings that fail to respect international fair trial standards, including denial to legal counsel.

Approximately 60 percent of all executions in Iran relate to drug-offenses. As a result of international pressure, the Iranian parliament introduced a bill that would remove executions for non-violent drug crimes.

Revisions to the Penal Code allows judges to take mental capacity of juveniles into consideration during sentencing. Nonetheless, these revisions have yet to stop the execution of juvenile offenders. In 2014 and 2015 authorities executed at least 20 persons who were under the age of 18 at the time of their alleged crimes.



Fatemeh Salbehi was sentenced to death at the age of 17 for the murder of the man she was forcibly married to when she was 16. During her original trial, she reportedly exhibited signs of suicidal tendencies. The appeals court rule that she was mature enough to be sentenced as an adult and she was executed on 13 October 2015.

WOMEN'S RIGHTS

Despite minor improvements under President Rouhani's administration, such as the lifting of some gender-based quotas in universities, women in Iran remain subject to widespread and systematic discrimination in law and practice. Women cannot work, attend university, or obtain a passport without permission of a male guardian or husband. According to government figures, women occupy about half of all university student slots, their economic participation in Iran is only 12.8%, five times lower than men. Personal status laws that accord women subordinate status to men in matters such as marriage, divorce, and inheritance remained in force.

Iran's is currently debating at least 7 draft-laws that, if passed, would future harm women's rights, including putting women at risk for gender-based violence.

One set of draft-laws would role back many women rights in other to promote population growth. *The Bill to Increase Fertility Rates and Prevent Population Decline* curbs access to contraception and information about family planning, cuts government family planning programs, and outlaws surgical contraception. *The Comprehensive Population and Family Excellence Bill* mandates employment discrimination against women and unmarried persons, makes divorce more difficult, and discourages police and judicial intervention in family conflicts.

Iranian authorities have imposed a ban on female sports fans from attending public athletic events. Contrary to promises recently made by officials, Iranian women were not allowed into stadiums during a Volleyball World League tournament held in Tehran in June 2015.

Women's rights defenders that advocate reforms to gender-biased laws are often subject to harassment and prison.



Bahareh Hedayat, a founding member of the One Million Signatures Campaign for gender equality in the law, has been detained since 2010 on charges of insulting Iranian authorities and collusion against national security. While she was due to be released after the end of her 5-year sentence, a court reinstated a 2006 suspended sentence for participating in a demonstration for gender equality.

RIGHTS OF MINORITIES

Religious and ethnic minorities continue to face violations of their rights, both in law and policy. Members of the Bahá'í Faith are systematically deprived of the rights to university education, state employment and business licenses, and are prevented from holding religious gatherings. In January 2016, at this writing, at least 80 Bahá'ís were imprisoned for their religious and community activities. In November 2015, the Ministry of Intelligence arrested 15 Bahá'í community members in simultaneous raids in the cities of Tehran, Isfahan, and Mashhad. Other religious groups such as Christians, including those involved in informal house churches, and Sufi Muslims also face arrest and imprisonment and other forms of harassment.

Despite constitutional guarantees of equality, members of ethnic minorities, including Ahwazi Arabs, Baluch, Kurds, Turkmen, and Turks of Iranian Azerbaijan, continue to face a range of discriminatory laws and practices, affecting their access to basic services such as housing, clean water and sanitation, employment, and education. In a positive step, authorities have instituted Kurdish Language curriculums into primary and secondary school in heavily Kurdish populated provinces and a Kurdish literature major at one university.

FREEDOM OF EXPRESSION, ASSOCIATION, AND ASSEMBLY

Attacks on freedom of expression, association, and assembly, continued in the past year, which has seen a sharp rise in arrests for internet-related offenses, as well as continuing arrests of journalists and bloggers and the enforced closure of newspapers. Authorities revoked the license of the Newspaper *Mardom-e-Emrooz* in January 2015 over a front cover depicting actor George Clooney and words "Je suis Charlie." Iran had at least 39 journalists and bloggers in prison at this writing. Authorities arrested two prominent reform-leaning journalists, Issa Saharkhiz and Ehsan Mazandarani, in November 2015, They were charged with "acting against national security" and "propaganda against the state".



In February 2016, a Revolutionary Court sentenced activist Amir Amirgholi to 21 years in prison, Iranian law will be require him to serve at least 7 years. Amirgholi was reportedly convicted for participation in a peaceful gathering to support the Kurdish town Kobani against ISIS and allegedly insulting posts on Facebook. Charges included "insulting the Supreme Leader", "disturbing public order by participating in illegal gatherings", and "propaganda against the regime."

Iran continues to hold hundreds of political prisoners and prisoners of conscience who were unlawfully detained for exercising their rights to freedom of expression, association, assembly, and religion, according to the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. These prisoners include journalists, lawyers, human rights defenders, artists, bloggers, aid workers, members of the political opposition, student activists, and ethnic and religious minority activists.

Authorities also still prevent the formation of independent trade unions and repeatedly arrest labor leaders. A Revolutionary Court sentenced Esmail Abdi, Secretary of Iran's teachers union, to six years in prison for "propaganda against the state" and "collusion against national security" on February 14.

Many prisoners are being held after being prosecuted and convicted by Revolutionary Courts in trials that failed to meet international fair trial standards, raising serious questions as to whether they, too, were also targeted for exercising basic rights. Many detainees have reported facing torture and ill-treatment, including severe beatings, mock executions, and prolonged solitary confinement.

JAILED HUMAN RIGHTS DEFENDERS

The UN Working Group on Arbitrary Detention found the detentions of two human rights defenders currently held in Iranian prisons to be arbitrary: lawyer Abdolfattah Soltani, and journalist Mohamad Saddigh Kaboudvand, who is also a member of Iran's Kurdish minority.



Authorities re-arrested Nargess Mohammadi human rights defender and Deputy Director of the Defenders of Humans in May 2015. Mohammadi is serving a six year stretch she received in 2012 and is awaiting trial on new charges. According to her family, Mohammadi's charges include "propaganda against the regime," "assembly and collusion against national security," and establishing a campaign to end death penalty.