

IRAN 2012 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Islamic Republic of Iran is a theocratic republic established after the 1979 adoption of a constitution by popular referendum. The constitution, amended in 1989, created a political system based on the concept in Shia Islam of *velayat-e faqih*, the “guardianship of the jurist” or “rule by the jurisprudent.” Shia clergy and political leaders vetted by the clergy, many of which are increasingly associated with the country’s security forces, dominate key power structures. The “leader of the revolution” (or supreme leader) is chosen by a popularly elected body of 86 clerics, the Assembly of Experts, and directly controls the legislative, executive, and judicial branches of government, as well as the armed forces. The supreme leader also indirectly controls internal security forces and other key institutions. Since 1989 the supreme leader has been Ayatollah Ali Khamenei. The March 2 legislative elections for the 290-seat Islamic Consultative Assembly were generally considered neither free nor fair. Civilian authorities failed at times to maintain effective control over the security forces.

The government continued its crackdown on civil society, which intensified after the disputed 2009 presidential elections. The government and its security forces pressured, intimidated, and arrested journalists, students, lawyers, artists, women, ethnic and religious activists, and members of their families. The judiciary continued to harshly punish, imprison, or detain without charges human rights activists, members of the political opposition, and persons linked to reform movements. The government significantly increased its surveillance and monitoring of citizens’ online activities by blocking or filtering content and detaining numerous Internet users for content posted online.

The most egregious human rights problems were the government’s severe limitations on citizens’ right to peacefully change their government through free and fair elections; restrictions on civil liberties, including the freedoms of assembly, speech, and press; and the government’s disregard for the physical integrity of persons whom it arbitrarily and unlawfully killed, tortured, and imprisoned.

Other reported human rights problems included: disappearances; cruel, inhuman, or degrading treatment or punishment, including judicially sanctioned amputation and flogging; politically motivated violence and repression, such as beatings and rape; harsh and life-threatening conditions in detention and prison facilities, with

instances of deaths in custody; arbitrary arrest and lengthy pretrial detention, sometimes incommunicado; continued impunity of security forces; denial of fair public trials, sometimes resulting in executions without due process; political prisoners and detainees; the lack of an independent judiciary; ineffective implementation of civil judicial procedures and remedies; arbitrary interference with privacy, home, and correspondence; severe restrictions on freedoms of speech (including via the Internet) and press; harassment of journalists; censorship and media content restrictions; severe restrictions on academic freedom; severe restrictions on the freedoms of assembly, association, and religion; some restrictions on freedom of movement; official corruption and lack of government transparency; constraints on investigations of international organizations and nongovernmental organizations (NGO) into alleged violations of human rights; legal and societal discrimination and violence against women, children, ethnic and religious minorities, and lesbian, gay, bisexual, and transgender (LGBT) persons based on perceived sexual orientation and gender identity; incitement to anti-Semitism and trafficking in persons; and severe restrictions on the exercise of labor rights.

The government took few steps to prosecute, punish, or otherwise hold accountable officials who committed abuses. Members of the security forces detained in connection with abuses were frequently released soon after their arrest, and judicial officials did not prosecute offenders. Impunity remained pervasive throughout all levels of government and the security forces.

Note: This report draws heavily on non-U.S. government sources. The United States does not have an embassy in Iran.

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

a. Arbitrary or Unlawful Deprivation of Life

There were numerous reports that the government and its agents committed acts of arbitrary or unlawful killings, including by torture, denial of medical treatment, and beatings (see section 1.e.). The government made limited attempts to investigate cases. Members of the country's ethnic minority communities were disproportionately victims of such abuses.

On February 20, the London-based human rights advocacy group Justice for Iran (JFI) reported the deaths in custody of two Ahwazi Arab men: Mohammad Kaabi and Nasser Alboshokeh Derafshan. According to JFI, security officials arrested

several Ahwazi Arab residents of Khuzestan Province in January and February, including Kaabi on January 13 in Shush and Albshokeh on January 26 in Ahwaz. Albshokeh's relatives told JFI they saw signs of beatings and injuries on his body, and the medical examiner's office refused to provide a formal statement on the case. The international NGO Human Rights Watch (HRW) reported that torture led to both men's deaths in detention facilities of the Ministry of Intelligence and Security (MOIS).

On November 3, prison authorities reportedly tortured and killed blogger Sattar Beheshti during an interrogation in Evin Prison. On October 30, the Cyber Police arrested Beheshti for antigovernment entries on his blog. On November 20, the chief state coroner announced that Beheshti "died from natural causes" while in prison. On November 23, the prosecutor stated that Beheshti's death may have been due to "excessive psychological stress." Shortly after his death, several NGOs published a letter signed by 41 political prisoners in Evin Prison testifying that Beheshti had been tortured. Judiciary head Sadeq Larijani pledged those involved would be prosecuted and the case fully investigated. As of year's end, the government announced that at least seven persons had been arrested in connection with the case (see section 5). On December 2, Law Enforcement Forces commander Brigadier General Esmail Ahmadi-Moghaddam announced he had fired Tehran Cyber Police commander Mohammad Hassan Shokrian for "negligence."

Impunity for past unlawful killings remained a serious problem. On March 18, President Mahmoud Ahmadinejad appointed former Tehran prosecutor general Saeed Mortazavi head of the country's Social Security Fund. Mortazavi was implicated in the torture and deaths of three university students and protestors at Kahrizak Prison in 2009, and a criminal case remained pending against him at year's end.

On August 22, the UN secretary general reported an "escalation" in executions in the country during the first half of the year. According to the U.S.-based NGO Iran Human Rights Documentation Center (IHRDC), the government executed 523 persons during the year, many after trials that were secret or did not adhere to other basic principles of due process. The government officially announced 298 executions, but did not release further information, such as the dates of executions, the names of those executed, or the crimes for which they were executed. IHRDC estimated more than 70 percent of all executions were carried out on drug-related charges, but some exiles and human rights monitors alleged that many persons

executed for criminal offenses, such as narcotics trafficking, were actually political dissidents.

The law applies the death penalty to offenses such as “attempts against the security of the state,” “outrage against high-ranking officials,” “enmity towards God” (moharebeh), and “insults against the memory of Imam Khomeini and against the supreme leader of the Islamic Republic.” Prosecutors frequently used moharebeh as a criminal charge against political dissidents, referring to struggling against the precepts of Islam and against the state which upholds those precepts. On October 24, Ahmed Shaheed, the UN special rapporteur on the human rights situation in Iran, reported that prosecutors often charged persons arrested for political and human rights-related activities with moharebeh. According to IHRDC, officials executed at least nine persons during the year for moharebeh or related charges.

While the law does not stipulate the death penalty for apostasy, courts have administered such punishment based on their interpretation of fatwas, legal opinions or decrees handed down by an Islamic religious leader. On September 8, authorities released Christian pastor Youcef Nadarkhani, whom a court sentenced to three years in prison in 2010 for “propagating against the regime” after he was originally sentenced to death for apostasy but later acquitted. On December 25, authorities rearrested Nadarkhani, who remained in prison at year’s end.

On October 23, authorities executed Saeed Sedeghi and nine others on drug-related charges after initially postponing the executions following an international outcry against the sentences. Sedeghi, a shop worker, was arrested in November 2011 for allegedly purchasing and possessing 1,129 pounds of methamphetamine. On June 2, according to the international NGO Amnesty International (AI), he was sentenced to death after an unfair trial. Sadeghi had told his family that he was tortured in detention.

According to an October 12 report of the Iran-based human rights advocacy group Human Rights Activists News Agency (HRANA), 12 percent of the estimated 488 executions in the preceding 12 months had occurred in public, often as hangings from cranes and overpasses. HRANA maintained that this number represented an increase of 19 percent over the previous year and that the government did not report 40 percent of the executions it conducted. Authorities also conducted group executions on several occasions, including executions of 22 persons on January 3 at Evin Prison, 12 persons (including five in public) on January 15 in Shiraz, 16 persons on May 17 in Yazd, and an alleged 35 persons in secret at Vakilabad Prison on November 7.

Adultery remained punishable by death by stoning. Unconfirmed reports on November 3 on the opposition Melli-Mazhabi Web site claimed that security agents from the judiciary transferred the bodies of four women who had been stoned to the Tehran medical examiner's office. According to the Web site, the bodies had visible wounds, including on their faces, to indicate torture, beatings, and stoning. Officials denied the reports but did not provide alternative explanations for the causes of death of the four women, who had allegedly been charged with engaging in "illegitimate relationships" and drug use. According to AI, at least 15 women were at risk of being stoned.

b. Disappearance

There were reports of politically motivated abductions during the year. Plainclothes officials often seized journalists and activists without warning, and government officials refused to acknowledge custody or provide information on those taken. In other cases authorities detained persons incommunicado before permitting them to contact family members (see section 1.d.).

On March 30, ICHRI relayed news of the disappearance the previous week of journalist Massoud Lavasani. On March 22, his wife, journalist Fatemeh Kheradmand, wrote on her Facebook page that Lavasani "left home yesterday to get some fresh air, but he has not yet returned and I have no news of him." Authorities had released Lavasani in September 2011 following a 2009 arrest on charges of "propagating against the regime." At year's end, there was no further information regarding his whereabouts.

There were developments in several cases from previous years. On January 3, additional court hearings began in Branch 26 of the Tehran Revolutionary Court against activist and blogger Kouhyar Goudarzi, who authorities held incommunicado in July 2011 before transferring him to Evin Prison. Goudarzi's lawyer was not present at the hearings. On March 7, the domestic human rights organization Committee of Human Rights Reporters (CHRR) reported that the court sentenced Goudarzi to five years in prison and forced internal exile to Zabol, but released him on bail on April 12. A court confirmed his sentence in September, but Goudarzi remained free on bail at year's end.

On February 13, according to the domestic NGO Human Rights House of Iran (HRHI), authorities summoned Alireza Firouzi to begin serving a four-and-a-half year prison sentence after having released him in late 2011. He was believed to be

in prison at year's end. HRHI reported that the court also summoned Sourena Hashemi on the same day to answer questions; his case remained under review at year's end. Police first arrested Firouzi and Hashemi in 2010 for their role in exposing a sexual abuse case at Zanzan University in 2008.

There were no updates in the case of Green Movement opposition activist Mohsen Kashefzadeh Saraie, who disappeared in June 2011 after failing to appear for questioning by MOIS officials. His whereabouts remained unknown at year's end.

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

The constitution prohibits all forms of torture “for the purpose of extracting confession or acquiring information,” but there were numerous credible reports that security forces and prison personnel tortured and abused detainees and prisoners (see section 1.a.). After some high-profile incidents involving reports of torture or cruel, inhuman, or degrading treatment or punishment, the government announced its intention to investigate. While such investigations rarely implicated specific officials or confirmed torture or degrading treatment had occurred, the government occasionally fired or reassigned officials after investigations. Findings from those investigations, which rarely occurred, were made public.

The government defended its use of flogging and amputation as “punishment,” not torture. On September 13, in his third report to the UN General Assembly Third Committee, the UN special rapporteur on the situation of human rights in Iran noted his concern about the frequent use of torture, amputations, and floggings. The special rapporteur stated that unpublished data submitted to his office showed that 3,766 flogging sentences had been implemented since 2002, with the highest number of floggings (1,444) occurring in 2009.

Common methods of torture and abuse in prisons included prolonged solitary confinement with extreme sensory deprivation (sometimes called “white torture”), beatings, rape and sexual humiliation, long confinement in contorted positions, kicking detainees with military boots, hanging detainees by the arms and legs, threats of execution, burning with cigarettes, being forced to eat feces, pulling out toenails, sleep deprivation, and severe and repeated beatings with cables or other instruments on the back and on the soles of the feet. To intensify abuse perpetrators reportedly soaked prisoners before beating them with electric cables, and there were some reports of electric shocks to sexual organs. Prisoners also reported beatings on the ears, inducing partial or complete deafness; blows in the

area around the eyes, leading to partial or complete blindness; and the use of poison to induce illness. There were increasing reports of severe overcrowding in many prisons and repeated denials of medical care for prisoners.

Some prison facilities, including Evin Prison in Tehran, were notorious for cruel and prolonged torture of political opponents of the government. Authorities also allegedly maintained unofficial secret prisons and detention centers outside the national prison system where abuse reportedly occurred. The government reportedly used white torture especially on political prisoners, often in detention centers outside the control of prison authorities, including ward 209 of Evin Prison, which news organizations and human rights groups reported was under the control of the country's intelligence services.

On January 16, according to the domestic NGO Human Rights and Democracy Activists in Iran (HRDAI), prisoner Mohsen Marzban protested security guards' violent treatment of other inmates at Gohardasht Prison in Karaj. In response officials pulled Marzban out of his cell, tied his hands and feet, beat him severely with batons, and kicked and punched him in front of inmates. HRDAI further reported that guards similarly beat four other prisoners--Javad Zare, Mehrdad Karimi, Sharbat Khosravi, and Morad Ketabi-- forced them to remove their clothes, and sexually abused them with batons in front of other prisoners.

On August 17, according to IHRDC, five ethnic Arab prisoners--Hashem Shabaninejad, Hadi Rashedi, Mohammad Ali Amourinejad, and brothers Seyyed Jaber Alboshokeh and Seyyed Mokhtar Alboshokeh--were tortured while in custody of the MOIS before being returned to Karon Prison, where they were normally detained. Reportedly, Rashedi had a broken pelvis and Shabaninejad was in a coma and in critical condition.

There were developments in several cases of torture from previous years. On March 19, a court sentenced Azeri activist Faranak Farid to 91 days in prison on charges of "propaganda against the regime" and "insulting the supreme leader" for interviews she gave to foreign media and fined her 10 million tomans (\$8,200) for disturbing public order for participating in protests against environmental damage to Lake Urmia. At year's end, she was believed to have been released from prison.

The brother of Mohammad Davari, a journalist and former chief of staff of former presidential candidate Mehdi Karroubi, claimed in an interview early in the year that Davari had developed acute psychological illness in prison and was in critical condition. Other NGO sources reported that Davari was tortured after his 2010

arrest. In April Davari's brother told ICHRI that authorities had asked for 490 million tomans (\$400,000) bail, which the family could not pay. Davari remained in prison at year's end, and his five-year prison sentence was extended by one year in July 2011.

Judicially sanctioned corporal punishment included lashings and, for offenses involving multiple thefts, amputations. On May 2, local media reported that two defendants, identified only as "Gh.D., son of Mohammadhossein," and "J.K., son of Jamal," were flogged in a public square in Shahrud. Each was sentenced to 99 lashes for "acts incompatible with chastity." The defendants appealed their case to the Supreme Court, which upheld the sentence. On November 14, the Yazd public prosecutor announced that authorities had publicly amputated four fingers each from the hands of two thieves. The prosecutor said the punishments were carried out in public "in order to serve as a lesson for others."

Prison and Detention Center Conditions

Prison conditions were reportedly often harsh and life threatening. There were reports that some prisoners committed suicide as a result of the harsh conditions, solitary confinement, and torture to which they were subjected. Prison authorities often refused medical treatment for injuries prisoners suffered at the hands of their torturers and from the poor sanitary conditions of prison life. Prisoner hunger strikes in protest of their treatment were common. Prisoners and their families often wrote letters to authorities, and in some cases to UN bodies, to highlight and protest their treatment. In response to the letters, prison officials sometimes beat prisoners and revoked their visitation and telephone privileges.

Physical Conditions: In July several media sources reported a statement by the country's Prisons Organization head Gholamhossein Esmaili that there were about 220,000 prisoners in the country. Esmaili claimed that some prisons housed as many as six times the number of inmates they were designed to hold. Activists and NGOs noted a dramatic increase in the country's prison population, up 35 percent over the previous three years, due largely to increased prosecution of drug-related crimes. Overcrowding reportedly forced many prisoners to sleep on floors, in hallways, or in prison yards.

There were reports of juvenile offenders detained with adult offenders. Pretrial detainees occasionally were held with convicted prisoners. Women were held separately from men, and in many cases prison conditions for women were reportedly worse than those for men. In April according to the CHRR, female

political prisoners at Evin Prison were suffering from illnesses and poor health due to improper medical care and poor conditions. The prisoners told the CHRR that in addition to health concerns, the store in the women's ward had stopped carrying fruits, meats, and other items, and that female political prisoners had been deprived of such items for the previous two months. The CHRR also reported that family members were prohibited from providing inmates with personal hygiene items.

On October 31, following a violent raid during which prisoners were strip-searched, verbally insulted, physically assaulted, and confined to a small space while guards searched their belongings, nine female political prisoners at Evin Prison began a hunger strike. On November 2, 33 female political prisoners wrote to the warden protesting the attack and calling for an official apology.

Political prisoners were often held in separate prisons or wards--such as wards 2A, 209, 240, and 350 of Evin Prison, and ward eight of Gohardasht Prison, known as the Islamic Revolutionary Guard Corps (IRGC) ward--or in solitary confinement for long periods of time. Human rights activists and international media also reported cases of political prisoners confined with accused violent criminals. On February 10, IHRDC reported that authorities in ward 350 of Evin Prison were abusing inmates, including by improper administration of mind-altering medication. According to IHRDC, the prison clinic had stopped administering medications to some prisoners with prescribed medical needs, while others were given large doses that could result in serious mental problems. During the year several prisoners, especially political prisoners, went on hunger strikes to protest prison conditions. The health of some prisoners on hunger strikes deteriorated quickly, but authorities did not respond quickly with medical help.

There were reports of prisoner suicides in response to adverse prison conditions. On February 13, HRDAI reported the suicides of three prisoners at Gohardasht Prison due to "inhumane and unbearable conditions," including below-freezing temperatures. HRDAI claimed that prisoners at Gohardasht were regularly tortured, raped, and maimed; banned from bathing for long periods of time; and given limited bathroom privileges.

Numerous human rights NGOs and opposition Web sites reported on poor prison conditions and mistreatment of prisoners. HRDAI reported on food tampering to create stomach illness among prisoners as well as frequent potable water shortages and sanitation problems, specifically citing an attempt to poison the food of jailed dissident cleric Ayatollah Hossein Kazemini Boroujerdi. Prisoners' access to fresh air was severely restricted, according to ICHRI and CHRR reports, and

prisoners were often granted permission to go outside only during the hottest or coldest times of the day. According to accounts provided to HRDAI, there were reports of officials sending prisoners outside without clothes for prolonged periods. Ventilation in prisons was lacking. Prisoners were often subjected to sensory deprivation, with either 24-hour light or complete darkness.

On January 25, HRDAI reported that the quality and quantity of prisoners' food at Gohardasht Prison had been reduced. Previously dinner given to political prisoners included one egg, one potato, and one piece of bread; these were replaced with a half ounce of halva (a sweet pastry) and a thin piece of bread. Prison shops that normally sold expired canned goods to inmates stopped selling all items. HRDAI also claimed that one prisoner who had been prescribed 30 pills for a particular ailment received only 10 pills. Authorities reportedly cut telephone access for political prisoners beginning January 2011 and banned family visits for political prisoners. Prisoners were sometimes moved to facilities great distances from their homes to reduce their contact with families and supporters.

Administration: Recordkeeping on prisoners was inadequate, and statistics on the country's prison population were not publicly available. There were no reports of any steps taken to improve recordkeeping, whether the penal system employed prison ombudspersons to respond to complaints, or if authorities used alternative sentencing for nonviolent offenders.

Authorities mixed violent and nonviolent offender populations. Prisoners generally had access to visitors weekly, but this privilege was often revoked along with telephone and other correspondence privileges. It was not known whether prisoners were permitted to practice religions other than Islam while incarcerated. Prisoners were able to submit complaints to judicial authorities, but often with censorship and retribution for doing so. Authorities did not initiate credible investigations into allegations of inhumane conditions. Families of executed prisoners did not always receive notification of their deaths.

Monitoring: The government did not permit monitoring of prison conditions by independent outside observers, including UN bodies or special rapporteurs.

d. Arbitrary Arrest or Detention

Although the constitution prohibits arbitrary arrest and detention, these occurred frequently during the year.

Role of the Police and Security Apparatus

Several agencies shared responsibility for law enforcement and maintaining order, including the MOIS, Law Enforcement Forces under the Interior Ministry, and the IRGC, which reported to the supreme leader. The Basij, a volunteer paramilitary group with local organizations in cities and towns across the country, sometimes acted as an auxiliary law enforcement unit subordinate to the IRGC ground forces. Basij units often engaged in crackdowns on political opposition elements without formal guidance or supervision from superiors.

The security forces were not considered fully effective in combating crime, and corruption and impunity were problems. Regular and paramilitary security forces, such as the Basij, committed numerous human rights abuses, including acts of violence against protestors and public demonstrations. There was no transparent mechanism to investigate or punish security force abuses and no reports of government actions to discipline abusers.

Arrest Procedures and Treatment While in Detention

The constitution and penal code require a warrant or subpoena for an arrest and state that an arrested person must be informed of charges within 24 hours. In practice authorities often violated these procedures. Authorities held some detainees, at times incommunicado, for weeks or months without charge or trial, frequently denying them prompt contact with family or timely access to legal representation. In practice there was neither a time limit for detention nor judicial means to determine the legality of the detention. According to the law, the state is obligated to provide indigent defendants with attorneys only for certain types of crimes. The courts set prohibitively high bail, even for lesser crimes, and in many cases courts did not set bail. Authorities often compelled detainees and their families to submit property deeds to post bail. Persons released on bail did not always know how long their property would be retained or when their trials would be held, which effectively silenced them for fear of losing their families' property.

The intelligence arm of the IRGC reportedly conducted arrests during the year, sometimes without a warrant. In addition, security forces executed general warrants to arrest protesters or those perceived as opponents of the government. The use of these general warrants precluded the need for individual warrants.

Incommunicado arrest and detention were common. A February 23 UN Human Rights Council (UNHRC) study on secret detention practices in countering

terrorism identified a pattern of incommunicado detention of political prisoners in secret or unofficial detention facilities. The report charged that political prisoners were often held in prolonged, solitary, and incommunicado confinement at ward 209 of Evin Prison (see section 1.e.).

On July 13, HRW reported that reformist journalist Bahman Ahmadi-Amoui was held incommunicado from June 12 to July 17 in solitary confinement in Rajai Shahr Prison as punishment for his role in commemorating the one-year anniversary of the death of another political prisoner, Hoda Saber. In July 2011 a court sentenced Ahmadi-Amoui to five years in prison for writing articles critical of the president in official newspapers and on his blog.

The government placed persons under house arrest without due process to restrict their movement and communication. Former presidential candidates Mehdi Karroubi, Mir Hossein Mousavi, and Mousavi's wife, Zahra Rahnavard, have been under house arrest since February 2011. Security forces restricted their access to visitors and limited their access to outside information. In a March press interview the secretary of the High Council for Human Rights, Mohammad Javad Larijani, stated that legal cases were being prepared concerning their roles in the post-2009 election unrest, but as of year's end no charges were filed. Both Karroubi and Mousavi reportedly suffered from serious health problems during the year but were often denied adequate medical care.

Arbitrary Arrest: Authorities commonly used arbitrary arrests to impede allegedly illegal antiregime activities. Often plainclothes officers arrived unannounced at homes or offices, arrested persons, conducted raids, and confiscated private documents, passports, computers, electronic media, and other personal items without warrants or other assurances of due process. Individuals often remained in detention facilities for long periods without charges or trials and were sometimes prevented from informing others of their whereabouts for several days. Authorities often denied detainees access to legal counsel during this period and imposed travel bans on the individuals if they were released pending trial.

On May 13, a court convicted Omid Kokabi, a postdoctoral student studying nuclear physics in the United States, of "being in contact with the enemy" and sentenced him to 10 years in prison. He spent 36 days in solitary confinement and 15 months in "temporary detention" prior to a one-day trial. On August 19, an appeals court upheld the verdict and sentence.

On September 8, according to HRANA, authorities arrested Rashid Esmaili, an executive member of the student activist group, Office for Consolidating Unity, on unspecified charges without a warrant. Authorities arrested Esmaili in 2009 for participating in student protests, released him in 2010, and banned him from continuing his university studies. He remained in prison at year's end.

On November 4, according to AI, plainclothes officials arrested Behrouz Ghobadi, brother of internationally recognized filmmaker Bahman Ghobadi. Behrouz was reportedly held at an MOIS detention center. Judicial officials claimed to have a warrant, but neither his family nor his lawyer was informed of any charges against him. His detention continued at year's end.

On March 5, journalist Nazanin Khosravani began serving her six-year sentence on charges of “assembly and colluding to act against national security” and “propaganda against the regime.” She was released on bail July 2 for one week and released again August 15 as part of a Ramadan clemency.

Pretrial Detention: Pretrial detention was often arbitrarily lengthy, particularly in cases involving alleged violations of national security laws. Approximately 25 percent of prisoners held in state prison facilities were reportedly pretrial detainees. According to HRW, a judge may prolong detention at his discretion, and pretrial detention often lasted for months. Often pretrial detainees were held in custody with the general prison population.

On July 31, the Paris-based NGO International Federation for Human Rights (FIDH) reported that political prisoners and prisoners of conscience suffered from torture and poor treatment during pretrial detention. According to a FIDH report on October 10, human rights lawyer Omid Behroozi had been in pretrial detention at Evin Prison since September 2011 and remained in prison at year's end.

Amnesty: On August 15, Tehran prosecutor general Abbas Jafari Dolatabadi announced that supreme leader Khamenei had ordered early release or a reduction in prison sentence for 130 prisoners. The prisoners had reportedly repented after being convicted of security-related crimes, according to international news sources.

e. Denial of Fair Public Trial

The constitution provides that the judiciary be “an independent power.” In practice the court system was subject to political influence and judges were appointed “in accordance with religious criteria.” The supreme leader appoints the head of the

judiciary, and in practice the heads of the judiciary, the Supreme Court, and the prosecutor general have been clerics. International observers, including the UNHRC, independent legal experts, and human rights NGOs, including AI, HRW, and Reporters without Borders (RSF), continued to criticize the lack of independence of the country's judicial system and judges and maintained that trials disregarded international standards of fairness.

Trial Procedures

According to the constitution and criminal procedure code, a defendant has the right to a fair trial, a presumption of innocence, a lawyer of his or her choice, and the right of appeal in most cases that involve major penalties. These rights were not respected in practice. Panels of judges adjudicate trials; there is no jury system in the civil and criminal courts. Public trials were usually “show trials.” Defendants rarely had the opportunity to confront their accusers, and were granted access to government-held evidence infrequently.

The government charged persons with vague crimes, such as “antirevolutionary behavior,” “moral corruption,” “siding with global arrogance,” “enmity towards God” (moharebeh), and “crimes against Islam.” Prosecutors imposed strict penalties on government critics for minor violations. When postrevolutionary statutes did not address a situation, the government advised judges to give precedence to their knowledge and interpretation of Islamic law (Sharia). Under Sharia law judges may find a person guilty based on their own “divine knowledge” or they may issue more lenient sentences for persons who kill others considered “deserving of death,” meaning that the victim was thought to have done something serious and contrary to Sharia. AI and numerous other NGOs reported that secret summary trials lasting only five minutes frequently occurred. Other trials were designed to publicize coerced confessions.

During the year human rights groups noted the absence of procedural safeguards in criminal trials. According to AI, there were many examples of the prosecution providing fabricated evidence, forced confessions, and trials closed to the public. Courts admitted as evidence confessions made under duress or torture (see section 6, Minorities).

In his September 13 report, the UN special rapporteur noted the case of lawyer Ahmed Hamid, who represented 19 persons prosecuted in Khuzestan Province for “acting against national security.” According to Hamid, he was only allowed five minutes’ access to his clients two days before the trials and in the presence of

security forces. He reported that his objections concerning his clients' rights were ignored by the presiding judge and that his clients, none of whom spoke Farsi, could not understand the proceedings. The judge sentenced 10 of the defendants to death. According to Hamid, authorities executed several of them in secret while their appeals were under review.

There were developments in several cases from previous years. On January 9, a court sentenced to death a U.S.-Iranian dual national who was tried in December 2011 and found guilty of espionage. On March 5, following an appeal, the Supreme Court vacated the verdict and remanded the case to a lower court for retrial. The government continued to refuse consular access to the dual national. At year's end, the defendant awaited a retrial.

On January 17, the Supreme Court upheld the death sentence against Web developer Saeed Malekpour. He was convicted of designing and moderating adult content Web sites, "insulting the sanctity of Islam," and "agitation" against the government. On December 2, Malekpour's lawyer reported that the sentence had been suspended after Malekpour "expressed remorse and repented" in a confession aired on state television. At year's end, Malekpour remained in prison.

On June 25, a lawyer for Sakineh Ashtiani stated that the government had lifted her stoning sentence and that she could be released on parole. She was believed to remain in Tabriz Prison at year's end. On August 15, the lawyer for imprisoned Ashtiani lawyer Javad Houtan Kian told Radio Farda that his client was being tortured with beatings and cigarette burns. He remained imprisoned at year's end (see section 6, Societal Abuses, Discrimination, and Acts of violence Based on Sexual Orientation and Gender Identity).

Numerous human rights groups continued to question the legitimacy and secrecy of the Special Clerical Court, which is headed by an Islamic legal scholar and overseen by the supreme leader. The court is not provided for in the constitution and operates outside the judiciary's purview. It is charged with investigating alleged offenses committed by clerics and issuing rulings based on independent interpretation of Islamic legal sources. Critics alleged that clerical courts were used to prosecute clerics for expressing controversial ideas and participating in activities outside the sphere of religion, such as journalism or reformist political activities. On July 16, ICHRI reported that dissident cleric Arash Honarvar Shojaei, who was arrested in 2010 and sentenced to four years in prison, 50 lashes, and defrocking on charges of espionage, "disrespecting the clergy," and "acting against national security," was to face a new trial in Branch 3 of the Special

Clerical Court. The court had allegedly refused to allow him to select his own lawyer. The new charge was “publishing falsehoods with the intent to create public anxiety” related to an interview that he had given to a Web site. On July 12, Shojaee was released on medical furlough and remained out of prison at year’s end. There was no further information regarding his trial at year’s end.

Political Prisoners and Detainees

Statistics regarding the number of citizens imprisoned for their political beliefs were not available. ICHRI, the U.S.-based human rights NGO United for Iran, and the UN special rapporteur each estimated there were approximately 500 political prisoners in the country, including those arbitrarily detained for peaceful activities or the exercise of free expression. Other human rights activists estimated there could be more than 1,000 prisoners of conscience, including those jailed for their religious beliefs.

On January 10, the CHRR published a list of 159 political detainees in ward 350 of Evin Prison. The international NGO Committee to Protect Journalists (CPJ) reported there were at least 48 media professionals in prison as of March 1, while student activist groups estimated there were more than 50 students in prison as of July 1. On October 10, FIDH published a list of 69 human rights defenders in prison during the year, including lawyers, women’s rights defenders, trade unionists, and activists working to protect ethnic and religious minorities.

On March 11, Mohammad Tavassoli, head of the political bureau of the Freedom Movement party and Tehran’s first mayor following the fall of the Shah, returned to prison after a brief medical furlough. On April 5, ICHRI reported that his health was deteriorating and that authorities refused to release him despite his having posted bail. On October 13, a court sentenced him to 11 years in prison and ordered a five-year ban on political activity on charges of “disrupting national security” and conducting “propaganda” against the Islamic Republic. He remained in prison at year’s end.

On June 23, the head of the country’s prison system, Gholam Hossein Esmaili, claimed, “We have no political prisoners.” In a July 8 interview with the semi-official Iran Student News Agency (ISNA), Mohammad Javad Larijani stated, “A political prisoner is someone who has been politically active within the framework of the laws but has been unjustly imprisoned because the rulers and state authorities did not like what he was doing. According to this definition, there are no political prisoners inside the Islamic Republic of Iran.”

On October 30, authorities arrested dissident blogger and physician Mehdi Khazali, the son of a prominent conservative politician, during a meeting of writers in Tehran. According to the opposition Web site Kaleme, authorities had released Khazali on March 19 on 220 million tomans (\$180,000) bail after a February 6 court ruling that sentenced him to 14 years in prison and 10 years in exile for “conspiracy to commit a crime.” He remained in prison at year’s end.

During the year the government arrested students, journalists, lawyers, political activists, women’s activists, artists, and members of religious minorities (see sections 1.a. through 1.e., 6, and 7.a.) and charged many with crimes, such as “propaganda against the regime” and “insulting the regime,” treating such cases as national security trials. According to opposition press reports, the government also arrested, convicted, and executed persons on criminal charges, such as drug trafficking, when their actual offenses were reportedly political. The government reportedly held some persons in prison for years on baseless charges of sympathizing with alleged terrorist groups. Authorities often held political prisoners in solitary confinement for extended periods, denying them due process and access to legal representation. Political prisoners were also at greater risk of torture and abuse in detention. The government often placed political prisoners in prisons far from their homes and families (see section 1.e.). The government did not permit international humanitarian organizations or UN representatives access to political prisoners.

Authorities occasionally gave political prisoners suspended sentences or released them for short or extended furloughs prior to completion of their sentences, but could order them to return to prison at any time. Suspended sentences often were used to silence individuals. The government also controlled political activists by temporarily suspending baseless court proceedings against them and allowing authorities to rearrest them. Furthermore, the government attempted to intimidate activists by calling them in repeatedly for questioning. The government issued travel bans on former political prisoners (see section 2.d.) and imposed forced internal exile on others.

On January 14, authorities summoned student activist Peyman Aref to Evin Prison, but soon released him. According to activist reports, he was rearrested March 14 at his home and began a hunger strike March 19 to protest his detention. He was released April 3, but summoned to court on July 17 on charges of “publishing lies with the intention to disturb public opinion” through an interview with opposition

media. On July 18, opposition media reported he had been banned from further university studies. He was reportedly free on bail at year's end.

In September authorities imprisoned human rights activists and journalists Zhila Bani-Yaghoub and Shiva Nazar Ahari in connection with their arrests during postelection protests in 2009. On September 2, Bani-Yaghoub began serving a one-year sentence in Evin Prison for "propaganda against the Islamic Republic" and "insulting the president." Ahari, a founding member of the CHRR, began serving a four-year sentence on September 8 for "enmity against God."

On September 24, authorities arrested Mehdi Hashemi, former president Ali Akbar Rafsanjani's son and campaign manager, a day after his return from a three-year self-imposed exile in London. In October Hashemi's lawyer said that he had been barred from visiting him in prison and that authorities had not filed any charges against his client. According to the IRGC-linked Fars news service, on November 7, authorities filed four charges, including espionage, against Hashemi. On December 9, his lawyer reported that Hashemi's detention, which he said was based on financial charges in relation to one of Hashemi's previous jobs and security charges related to the 2009 presidential election, was extended by two months.

There were developments in cases from previous years. On January 26, HRANA reported that journalist Masoud Bastani had been hospitalized after suffering severe headaches and losing feeling in his limbs. On September 4, according to Kaleme, prison officials forcibly moved Bastani to a solitary cell. He was arrested by security forces in 2009 and sentenced to six years in prison for "propaganda" against the government, creating unrest, and disturbing public order.

On January 26, according to numerous NGO reports, blogger Hossein Ronaghi Maleki was transferred to a hospital in critical condition following a hunger strike to protest officials' refusal to grant him medical leave after returning to prison two days after a kidney operation in mid-January. Maleki was released on bail July 2 but rearrested on August 22 while participating in earthquake relief efforts in East Azerbaijan Province and charged with "distributing contaminated food." In September prison officials transferred him from Tabriz Prison to Evin Prison in Tehran. He remained in prison at year's end after reportedly beginning another hunger strike.

On March 6, HRHI reported that plainclothes officials attacked journalist Issa Saharkhiz, who was serving a three-year prison sentence for "insulting the leader

and the regime,” while he was receiving treatment at a hospital for a heart condition. In mid-June Saharkhiz’s son Mehdi wrote on his Facebook page that authorities refused to release his father despite his sentence being completed and had added another 18 months to his imprisonment for unknown reasons. In addition, a medical official had determined that Saharkhiz was unable to endure further incarceration. ICHRI reported Saharkhiz began a hunger strike on September 4 after being transferred to Evin Prison from Rajai Shahr Prison on August 28. He remained in prison at year’s end.

On March 9, according to HRDAI, dissident cleric and regime critic Ayatollah Hossein Kazemeini Boroujerdi was in critical condition after he allegedly had been poisoned by unnamed fellow prisoners. On October 14, religious activist NGOs published a letter written by Boroujerdi from Evin Prison, in which he claimed, “I am slowly dying a horrific death here and have been banned from having medication, treatment, or access to a lawyer.... Physical and psychological tortures of my family are being done in order to annihilate me.” Boroujerdi, a cleric who advocated the separation of religion and government, was arrested in 2006.

On March 18, according to AI, an appellate court suspended Parvin Mokhtare’s 23-month sentence and authorities released her from Kerman Prison. In mid-March, the General Court in Kerman tried her on charges of “insulting the supreme leader” and “insulting the martyrs.” She was acquitted of the first charge, but was fined after conviction on the second charge. She was released after paying the 5.4 million toman (\$4,400) fine. Mokhtare was detained in August 2011 after authorities entered her home without a warrant; in December 2011 a court sentenced her to 23 months in prison on charges of “propaganda activities and assembly and collusion against the regime” for protesting the imprisonment of her son, journalist Kouhyar Goudarzi.

On April 3, according to HRANA, a court sentenced activist Mansoureh Behkish to four-and-a-half years in prison for her role in creating the Mourning Mothers organization, which protests the execution of prisoners, and for “propaganda activities against the state.” On July 5, an appeals court shortened Behkish’s total sentence to four years and suspended three-and-a-half years. She had not begun her remaining six month sentence and was not in prison at year’s end.

On April 16, according to domestic media, authorities summoned Ebrahim Yazdi, secretary general of the banned opposition party Freedom Movement of Iran, to begin his eight-year prison term. Neither Yazdi nor his lawyer reportedly had any input in the appeals or sentencing process. The 81-year-old Yazdi remained in

prison at year's end convicted of "collusion against national security" and "propaganda against the regime."

On May 21 Prosecutor General Gholam Hossein Mohseni-Ejei announced, "Based on the latest coroner's report on the death of (reform activist and women's rights campaigner Haleh Sahabi), no one was found at fault." There were no further investigations during the year into Sahabi's June 2011 death from cardiac arrest after plainclothes police reportedly beat her while she was attending her father's funeral. Sahabi had been serving a two-year sentence after being arrested in 2009 during demonstrations following President Ahmadinejad's inauguration.

On August 15, authorities released Tehran University professor and former parliamentarian Ghassem Sholeh Saadi as part of a Ramadan clemency. Saadi was serving a two-and-a-half-year sentence on charges of "insulting the authorities," "acting against national security," and "spreading propaganda to agitate public opinion," based on a 2002 letter criticizing supreme leader Khamenei's policies. He remained out of prison at year's end.

Prominent human rights attorney Nasrin Sotoudeh, whose 11-year prison sentence issued in 2011 was shortened to six years on appeal, remained in prison in declining health throughout the year. On December 4, Sotoudeh ended a 49-day hunger strike that she began to protest prison conditions and government harassment of her family after officials lifted a travel ban on her daughter. Prison authorities routinely denied Sotoudeh family visits, placed her in solitary confinement, and denied her adequate medical care.

There were no developments in the case of Mourning Mothers member Zhila Karamzadeh-Makvandi, who was sentenced to five years in prison in December 2011 for writing a poem for the organization.

Civil Judicial Procedures and Remedies

According to the constitution, the Court of Administrative Justice, under the supervision of the head of the judiciary, investigates citizens' grievances regarding government officials, organs, and statutes. In practice citizens had limited ability to sue the government. Citizens were not able to bring lawsuits against the government for civil or human rights violations. Dispute resolution councils were 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 illicitly or in a manner not in conformity with Islamic law. The government appeared to target religious minorities in invoking this provision. There were several reports during the year of authorities seizing the property of members of the Sunni, Baha'i, and Sufi religious minority communities.

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,” but the government routinely infringed on this right. Security forces monitored the social activities of citizens, entered homes and offices, monitored telephone conversations and Internet communications, and opened mail without court authorization. There were widespread reports that government agents entered, searched, and ransacked the homes and offices of reformist or opposition leaders, activists, political prisoners, journalists, and their families to intimidate them.

On February 1, HRANA reported that Basij forces broke in to the house of blogger and government critic Yasin Mahhadi without a warrant, beat him, and confiscated his personal effects, including his computer. According to activist reports, Mahhadi had been arrested twice in the previous three months for his blog postings.

On September 24, according to the CHRR, MOIS agents in Shiraz reportedly raided opposition activist Shokrollah Nazari's home, detained Nazari, and transferred him to an unknown location. According to reports, agents searched Nazari's home and confiscated his computer, cameras, and memory cards.

There were developments in cases from previous years. On March 4, Branch 26 of the Tehran Revolutionary Court sentenced human rights attorney Abdolfattah Soltani to 18 years in prison and barred him from practicing law for 20 years for founding a human rights organization, “propaganda against the system,” “colluding and conspiring against national security,” and accepting the Nuremberg Human Rights Prize. Soltani refused to defend himself during his trial, demanding that the proceedings occur with a jury and be open to the public. On June 13, according to FIDH, an appeals court reduced Soltani's sentence to 13 years in prison but imposed imprisonment in “internal exile” to the remote city of Borazjan in Bushehr Province. Authorities arrested Soltani in September 2011 and reportedly

entered and searched his home without a warrant, confiscating several personal documents.

Authorities continued their harassment of the children of de facto Green Movement leaders Mehdi Karroubi and Mir Hossein Mousavi. According to international media, on February 11, MOIS officials seized property from their residences and questioned Mousavi's two daughters and Karroubi's son for several hours after they wrote a letter asking Iranian citizens to support the release of their parents from house arrest. One of Mousavi's daughters was subsequently fired from her teaching position at Al-Zahra University. Kaleme also reported that in late February Mousavi's youngest daughter was involved in a serious car crash after being "persistently" chased on a highway by presumed intelligence agents.

Section 2. Respect for Civil Liberties, Including

a. Freedom of Speech and Press

The constitution provides for freedom of expression and of the press, except when the words are deemed "detrimental to the fundamental principles of Islam or the rights of the public." The law states that "anyone who undertakes any form of propaganda against the state" can be imprisoned for as long as one year; the law does not define "propaganda." The law also provides for prosecution of writers for instigating crimes against the state or national security or "insulting" Islam; the latter offense is punishable by death. The government severely restricted freedom of speech and press, and it used the law to intimidate or prosecute persons who directly criticized the government or raised human rights issues. According to the CPJ, the government continued a campaign of press intimidation throughout the year.

Freedom of Speech: Individuals could not criticize the government publicly or privately without reprisal, and the government actively sought to impede criticism. The government monitored meetings, movements, and communications of opposition members, reformists, activists, and human rights defenders. It often charged persons with crimes against national security and insulting the regime based on letters, e-mails, and other public and private communications. During the year, there were several cases of the government increasing prison sentences for prisoners who wrote open letters criticizing their treatment or other government practices (see section 1.e.).

On June 21, security forces arrested Abbas Khosravi Faresani, who blogged on political subjects under pseudonyms. Faresani, a graduate student at Isfahan University studying Western philosophy, confessed to “acting against national security through creating anxiety and publishing lies,” “insulting the supreme leader and regime high officials,” and “membership in organizations related to Israel.” On August 7, Faresani was released on bail and was awaiting trial at year’s end.

There were developments in cases from previous years. On January 3, Branch 15 of the Tehran Revolutionary Court sentenced Faezeh Hashemi Rafsanjani, daughter of former president Rafsanjani and an outspoken political and women’s rights activist, to six months in prison and a five-year ban on political and press activities on charges of “propaganda activities against the regime.” On September 22, she was arrested to begin serving a six-month sentence. Authorities initially detained her in September 2011 and tried her in a nonpublic hearing in December 2011. At year’s end the prosecutor general and judiciary spokesman, Gholam-Hossein Mohseni Ejei, stated that Rafsanjani was in solitary confinement for her behavior in prison. On May 21, Fariborz Rais-Dana was arrested and began serving a one-year prison sentence on multiple charges, including “propagandizing against the regime through membership in the Iranian Writers’ Association.” Rais-Dana was initially arrested in 2010 for an interview with the BBC Persian service. At year’s end his health was reportedly deteriorating due to poor treatment and conditions in Evin Prison.

Freedom of Press: The Islamic Republic of Iran Broadcasting (IRIB), the main governmental agency in charge of audiovisual policy, directed all state-owned media. Under the constitution, the supreme leader appoints the head of IRIB, and a council composed of representatives of the president, judiciary, and the Islamic Consultative Assembly oversees IRIB’s activities. The government’s Press Supervisory Board (PSB) issues press licenses, which it sometimes revoked in response to articles critical of the government or the regime. During the year the government banned, blocked, closed, or censored publications that were deemed critical of officials. The government did not permit foreign media organizations to film or take photographs in the country, required foreign correspondents to provide detailed travel plans and topics of proposed stories before granting visas, and attempted to influence correspondents through pressure.

Independent print media companies existed, but the government severely limited their operations. It closed or prohibited opposition and reformist newspapers, intimidated and arrested journalists, and censored news. Government-controlled

print media was also subject to censorship and temporary closures for allegedly insulting the regime. International NGOs reported that authorities had temporarily shut down at least 40 publications between 2009 and 2012.

On September 26, authorities forced the reformist newspaper *Shargh* to close after it published a cartoon depicting a line of blindfolded men following each other, which some officials claimed mocked veterans of the country's 1980s war against Iraq. *Shargh* editor Mehdi Rahmanian was arrested and released on 50 million tomans (\$40,780) bail. On December 23, a court acquitted *Shargh* and Rahmanian. The paper had not resumed publication at year's end.

There were developments in at least one previous case. On September 26, police took into custody presidential media adviser and *Iran* newspaper manager Ali-Akbar Javanfekr to begin serving a six-month prison sentence for "publishing materials contrary to Islamic norms" in an August 2011 article questioning the country's dress code for women. A Tehran court initially sentenced Javanfekr to one year in prison and a three-year ban on journalistic activity in November 2011; according to local media organizations, his appeal was denied on February 13.

Under the constitution, private broadcasting is illegal. The government maintained a monopoly over all television and radio broadcasting facilities through state-controlled IRIB. Radio and television programming, which was the principal source of news for many citizens (especially in rural areas where Internet access was limited), reflected the government's political and socio-religious ideology. The government sometimes jammed foreign media services, such as the BBC Persian service and Voice of America. Satellite dishes remained illegal, and police confiscated satellite dishes around the country.

Violence and Harassment: The government and its agents harassed, detained, tortured, and prosecuted publishers, editors, and journalists, including those involved in Internet-based media, for their reporting (see also section 1.e.). The government also harassed many journalists' families, and journalists in prison were often subjected to solitary confinement. According to RSF, 26 journalists and 17 Internet providers of information remained in prison or detention on December 20. International NGOs reported that several journalists were forced into exile during the year and that authorities continued to close publications for political reasons.

Early in the year, security forces arrested several journalists and bloggers, including Fatemeh Kheradmand, Peyman Pakmehr, Parastoo Dokoochaki,

Sahamoldin Borghani, Marzieh Rasouli, Said Madani, Shahram Manochehri, Ehsan Houshmand, Hassan Fathi, Esmail Jafar, and Reza Jelodarzadeh. Interrogators reportedly pressured them to confess that they collaborated with foreign media organizations.

There were no further developments in the September 2011 case of *Majzooban-e Noor* reporter and photojournalist Reza Entessari.

Censorship or Content Restrictions: The law forbids government censorship, but it prohibits dissemination of information the government considers “damaging.” During the year the government censored publications--both reformist and conservative--that criticized official actions or contradicted official views or versions of events. “Damaging” information included discussions of women’s rights, the situation of minorities, and criticism of government economic policy. Officials routinely intimidated journalists into practicing self-censorship. Public officials often filed criminal complaints against reformist newspapers, and the PSB referred such complaints to the Media Court for further action, including closure and fines. Court proceedings were public with a jury of appointed clerics, government officials, and editors of government-controlled newspapers.

The Ministry of Culture and Islamic Guidance reviews all potential publications, including foreign printed materials prior to their domestic release, and can deem books unpublishable, remove text, or require word substitution for terms deemed inappropriate. Barred content includes that pertaining to alcohol or describing physical contact between an unmarried woman and man. On February 24, the ministry suspended the activities of the popular publisher Nashr-e Cheshmeh for “insulting Imam Hussein,” a revered Shia figure and grandson of the Prophet; the suspension remained in effect at year’s end. In July news sources reported the ministry began pressuring journalists to refrain from reporting soaring prices or the effects of international sanctions.

Libel Laws/National Security: The government commonly used libel laws or cited national security to suppress criticism. According to the law, if any publication contains personal insults, libel, false statements, or criticism, the insulted individual has the right to respond in the publication within one month. However, if the libel, insults, or criticism involves Islam or national security, the responsible person can be charged with apostasy and crimes against national security, respectively. The government liberally applied these laws throughout the year, often citing statements made in various media outlets or Internet platforms that

criticized the government to arrest, charge, and sentence individuals for crimes against national security.

On April 14, authorities jailed Mohammad Hassan Nobakhti, the former manager of the conservative Web site Nosazi. Domestic Web sites and blogs attributed the arrest to Nobakhti's alleged criticism of the head of the judiciary and the speaker of the Islamic Consultative Assembly. On July 22, authorities released Nobakhti on bail. Also on July 22, police arrested Ahmad Shariat, a pro-Ahmadinejad blogger, for posting remarks critical of the IRGC, the judicial system, and conservative politicians. On August 7, he was released on 100 million tomans (\$81,560) bail and was awaiting trial at year's end.

There were developments in several cases from previous years. On January 3, film maker Hassan Fathi was released on bail after being jailed in November 2011 on charges of "disturbing public perceptions" and "collaboration with the BBC" for giving an interview to the BBC Persian service. Mostafa Daneshjoo, Farshid Yadollahi, and Amir Eslami, lawyers who represented Gonabadi dervishes and were sentenced in January 2011 to six months in prison for "creating public anxiety" and "spreading falsehoods," remained in prison at year's end. Press reports throughout the year indicated the health of all three men had seriously deteriorated. On May 21, journalist and activist Mahboubeh Karami, who began serving a three-year prison sentence for "assembling with intent to harm state security" and "spreading propaganda against the system" in May 2011, was granted medical leave after her health deteriorated; she was returned to Evin Prison after seven days. On August 15, reformist journalist Ali Malihi, who was serving a four-year sentence issued in 2010 for "insulting the president" and "publishing lies," was granted clemency and released from Evin Prison.

There were no further developments in the cases of reformist journalists Medhi Afsharnik, Ali Akrami, Mohamed Heydari, and Mohsen Hakim, who were detained and charged with "propaganda against the regime" and "acting against national security" in October 2011 and released on bail later that month. There were also no developments in the case of journalist Mashallah Shamsolvaezin, who was summoned to prison in July 2011 to serve his 16-month sentence imposed in 2010 for "insulting the president" and "weakening" the government based on interviews that he gave to international media.

Internet Freedom

All Internet service providers (ISPs) must be approved by the Ministry of Culture and Islamic Guidance. The government also requires all owners of Web sites and blogs in the country to register with the ministry, which, along with the Ministry of Information and Communications Technology, Ministry of Intelligence and Security, and the Tehran Public Prosecutor's Office, were represented on the Committee in Charge of Determining Unauthorized Web Sites, the governmental organization that determines censoring criteria. The same laws that apply to traditional press apply to electronic media, and the PSB and judiciary used the law to close Web sites during the year. NGOs reported that the government continued to increase its control over the Internet during the year as more citizens used it as a source for news and political debate.

Several organizations, including the Basij "Cyber Council"; the Cyber Police; and the Cyber Army, which was presumed to operate under the IRGC, were charged with monitoring, identifying, and countering alleged cyber threats against national security. The organization harassed persons who spoke out against human rights violations committed by the government or criticized the government, including by raising sensitive social issues. On March 7, Supreme Leader Khamenei issued an order to create a Supreme Council for Cyber Space, which will reportedly oversee the Telecommunications Research Center and collaborate with the Ministry of Communications to "protect" citizens from online dangers.

The Basij Cyber Council, the Cyber Police, the Cyber Army, and other government cyber organizations monitored Internet communications-- especially on social networking Web sites, such as Facebook, Twitter, and YouTube--and collected personally identifiable information in connection with peaceful expression of views. Authorities reportedly sometimes stopped arriving citizens at Tehran International Airport, asked them to log into their YouTube and Facebook accounts, and in some cases forced them to delete information officials deemed controversial or threatening. Beginning on January 3, the government required cybercafes to install security cameras and to collect users' personal information.

According to RSF, the government blocked access to thousands of Web sites during the year, and in some cases ISPs redirected users to proregime news sites. The government periodically reduced Internet speed to discourage downloading material. Ministry of Information and Communications Technology regulations prohibited households and cybercafes from having high-speed Internet access. During the year and especially during periods prior to the anniversaries of the Islamic Revolution (February 11), the 2009 presidential election (June 12), and Students' Day (December 7), and in anticipation of the February 14 and 15

protests, authorities slowed Internet speed, further limited access to Facebook, Twitter, and Gmail, and blocked opposition Web sites, including that of former president Rafsanjani. On September 23, authorities stated that they had blocked access to Google and Gmail; access was reportedly restored a week later.

The government's cyber monitoring organizations upgraded and used sophisticated filtering technology to respond rapidly to newly published Internet content. NGOs reported that the government attempted to block Internet users' access to technology that would circumvent government content filters. According to Freedom House's *Freedom on the Net 2012: A Global Assessment of Internet and Digital Media*, content from opposition leaders' Web sites was deleted during the year.

The government prosecuted and punished several bloggers and Web masters for peaceful expression of dissenting views. According to AI, in the run-up to the March 2 legislative elections, authorities arrested at least 12 journalists and social media activists, while the BBC Persian service confirmed that the government was continuing to pressure its employees by taking family members of its London-based staff hostage. For example, on January 20, police arrested Mohammad Soleimani-Nia, the founder of social media Web site u24 and developer of several domestic NGO Web sites. He was reportedly imprisoned without charge, pressured to help develop the national Intranet, and released on May 22 on 40 million tomans (\$32,630) bail. RSF reported police rearrested Soleimani-Nia May 28 and released him August 13 on 500 million tomans (\$407,830) bail. On January 17, MOIS officials reportedly arrested *Tabriz News* Web site editor Peyman Pakmehr on national security charges, transferred him to Evin Prison, and released him on January 24 on 220 million tomans (\$179,450) bail.

There were no updates in the previous year's case of journalist and blogger Siamak Ghaderi, who reportedly remained imprisoned at year's end after being sentenced in January 2011 to four years in prison on charges of "propaganda against the regime" for participating in and reporting on public gatherings.

Academic Freedom and Cultural Events

The government significantly restricted academic freedom and the independence of higher education institutions. Authorities systematically targeted university campuses to suppress social and political activism by banning independent student organizations, imprisoning student activists, purging faculty, depriving targeted students from enrolling or continuing their education based on political or religious

affiliation or activism, and restricting social sciences and humanities curricula. Women were restricted from entering several courses of study and faced limited program opportunities, quotas on program admission, and gender segregated classes (see section 6, Women).

Authorities relied on university disciplinary committees to suspend, transfer, or expel students based on their social and political activism, involvement in student publications considered antiregime, or participation in student associations affiliated with reformist or opposition parties. Student groups reported that a “star” system inaugurated by the government in 2005 to rank politically active students was still in use. Students deemed antiregime through this system reportedly were prevented from registering for future terms. Repeated suspensions through this mechanism resulted in effectively denying the targeted students’ ability to complete or continue their studies. Numerous student activists were expelled during the year for participating in political activities, including nonviolent protests. On September 13, the UN special rapporteur stated that there were 52 cases since the beginning of the year involving deprivation of education due to expulsion for political activities.

Authorities continued to dismiss university professors in accordance with a policy of removing and denying tenure to secular professors and those who deviated from the government-sanctioned perspective on topics like the situation of women, ethnic and religious minorities, drug abuse, or domestic violence. The consequent intimidation and self-censorship impaired their ability to conduct independent academic research.

The government strictly enforced laws relating to cultural events, and there was a significant increase in the number of artists, actors, and filmmakers detained during the year. The government maintained stringent controls on cinema and theater. Music remained banned in all schools, and media reported that officials continued to advise against the practice and teaching of music in general. The government continued to ban broadcasting of certain music genres, including heavy metal and foreign music considered religiously offensive, and continued to crack down on underground concerts and music groups.

Movies promoting secularism, women’s rights, unethical behavior, drug abuse, violence, or alcoholism were illegal, and some domestic directors were restricted and sanctioned.

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.” In practice the government restricted freedom of assembly and closely monitored gatherings to prevent antiregime protests. Such gatherings included public entertainment and lectures, student and women’s meetings and protests, meetings and worship services of minority religious groups, labor protests, online gatherings and networking, funeral processions, and Friday prayer gatherings. According to activists, the government arbitrarily applied rules governing permits to assemble, with conservative groups rarely experiencing difficulty and groups viewed as critical of the regime experiencing harassment regardless of whether a permit was issued. The government sometimes restricted the use of communication technologies, including by slowing Internet speeds or shutting down e-mail or text messaging services in advance of scheduled public gatherings or demonstrations.

The government continued to prohibit and forcibly disperse peaceful gatherings during the year. On February 14, authorities disbursed nonviolent demonstrations in Tehran and other cities to mark the anniversary of the house arrest of opposition leaders Mousavi and Karroubi. According to alleged eyewitness accounts posted in international news media and on opposition and social media Web sites, security forces flooded city streets before planned protests to prevent gatherings. Reports indicated that police stopped people on the street to inspect their mobile telephones for demonstration-related material. Security forces reportedly forced bookstores near the University of Tehran to close. There were several reports of clashes between civilians and security forces in main city squares, and police used tear gas to disperse protestors in Azadi Square. One domestic news Web site reported “very extensive” arrests, and several eyewitness accounts claimed there were buses full of demonstrators who had been detained. Security forces also ordered the cancellation of a memorial for Mohammad Mokhtari, an opposition supporter killed during protests in February 2011.

On May 21, for the third consecutive year, nonviolent demonstrators in Tabriz and Urmia protested against the government’s policy of building dams and an environmentally damaging bridge resulting in the increasing desiccation of Lake Urmia. According to the Association for the Defense of Azerbaijani Political Prisoners (ADAPP), police used batons, rubber bullets, and tear gas to disperse crowds. Reports indicated that police temporarily detained approximately 100 persons.

Freedom of Association

The constitution provides for the establishment of political parties, professional associations, and Islamic and recognized religious minority organizations, as long as such groups do not violate the principles of “freedom, sovereignty, and national unity” or question Islam as the basis of the Islamic Republic. The government limited freedom of association in practice through threats, intimidation, imposing arbitrary requirements on organizations, and arresting group leaders and members.

The government continued to exert significant pressure on members of human rights organizations. Prominent among these was the Defenders of Human Rights Center (DHRC). Other groups that the government restricted were those advocating for women’s or minority groups’ rights (see section 5), recognized and nonrecognized minority religious groups, trade unions, and other labor-related groups (see section 7.a.).

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government placed some restrictions on these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) with regard to refugees from Afghanistan and Iraq.

In-country Movement: Women, especially in rural areas, sometimes faced official and unofficial harassment for traveling alone. Rural women’s freedom of movement outside the home or village was particularly restricted, often requiring a male guardian’s permission or a male chaperone.

Journalist and human rights defender Taghi Rahmani, who was previously subject to a travel ban, fled the country during the year.

There were no developments in the case of Masoud Shafii, the lawyer for three U.S. citizen hikers accused of entering the country illegally in 2009, who remained subject to a travel ban.

Refugees faced restrictions on in-country movement, including travel and residency limitations in at least 19 of the country's 31 provinces, two more than in the previous year. In April the deputy governor general of Mazandaran Province announced that Afghans would be required to leave the province by July 2.

Foreign Travel: The government required exit permits for foreign travel for all citizens. Some citizens, particularly those whose skills were in demand and who were educated at government expense, had to post bond to obtain an exit permit. The government restricted foreign travel of some religious leaders, members of religious minorities, and scientists in sensitive fields. It increasingly targeted journalists, academics, opposition politicians, and activists--including women's rights activists--for travel bans and passport confiscation during the year.

For example, on June 20, Ministry of Interior officials banned Reza Khandan, the husband of jailed human rights lawyer Nasrin Sotoudeh, and his 13-year-old daughter Mehraveh, from foreign travel. Authorities lifted the travel ban on Mehraveh in December, 49 days after Sotoudeh began a hunger strike to protest harassment of her family.

Exile: While many dissidents practiced self-imposed exile to express their beliefs freely, the government rarely used forced external exile. However, well-known actress Golshifteh Farahani was banned from returning to the country after she exposed her breasts in a photograph in the French newspaper *Le Figaro*. According to her Facebook page, she posed "to protest censorship." Subsequently, *Le Figaro* and Facebook removed the photo from their Web sites, and her parents claimed that the photo was a fabrication.

The government often purposely placed prisoners in facilities far from their homes to prevent family visits.

Protection of Refugees

Access to Asylum: The country's laws provide means for granting asylum or refugee status to qualified applicants. While the government reportedly had a system for providing protection to refugees, the UNHCR did not have any information as to how the country made asylum determinations.

Refugee Abuse: According to reports, most provinces imposed restrictions on refugees' movements, and 19 of the country's 31 provinces were partially or fully closed to refugees. Authorities generally required registered refugees in "no-go areas" to either relocate to refugee settlements, sometimes in other parts of the country, or repatriate.

Employment: Legally registered Afghan refugees (Amayesh card holders) were allowed to work in the country; many refugees worked as day laborers or in other unskilled jobs, such as agriculture.

Access to Basic Services: Registered refugees received free primary health care from the Ministry of Health through a health insurance system implemented in partnership with the UNHCR; the insurance system also provided specialized care to most refugees. Refugee camps provided refugees education services as well. In a June 20 report, the NGO Justice for Iran maintained that those without refugee cards were not eligible for public schooling or medical care, as they were considered illegal economic migrants. Justice for Iran also reported that the government sometimes charged the children of registered Afghan refugees school fees, prompting some refugee children to study in illegal, self-governed schools that the government sometimes forced to close. Most provinces in the country imposed residency limitations on refugees, which effectively denied them access to public services, such as public housing, in those provinces.

Stateless Persons

Women cannot transmit citizenship to their children or to a noncitizen spouse. According to media reports, there were officially 30,000 citizens married to Afghan men, although the number was likely much higher. As a result there were more than 32,000 children without refugee identification cards, making them effectively stateless and barred from receiving government support, education, health care, or travel documents (see section 6, Children).

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

The constitution provides citizens the right to peacefully change the president and Islamic Consultative Assembly members through free and fair elections, but candidate vetting and electoral process supervision by unelected bodies severely abridged this right in practice. The popularly elected Assembly of Experts,

composed of 86 clerics who serve eight-year terms, elects the supreme leader, the recognized head of state, who may be removed only by a vote of the assembly. The Guardian Council vets and qualifies candidates for all legislative and presidential elections, based on criteria including candidates' allegiance to the state and to Islam. The council consists of six clerics, who are appointed by the supreme leader and serve six-year terms, and six jurists who are nominated by the head of the judiciary and approved by the Islamic Consultative Assembly. There is no separation of state and religion, and certain clerics had significant influence in the government. The supreme leader also approved all presidential candidates. Voters elect the president by direct popular vote with universal suffrage.

Elections and Political Participation

Recent Elections: On March 2, the country held legislative elections which outside observers regarded as neither free nor fair. On May 4, run-off elections were held for 65 of the 290 Islamic Consultative Assembly seats. International observers were not allowed. Authorities strictly monitored foreign journalists, escorted them to designated polling sites, and prevented them from interviewing voters independently or travelling outside Tehran. On March 5, the Interior Ministry announced that turnout was 64 percent of eligible voters, a reported 11-percent increase from 2008 legislative elections. There was some doubt about the official figures, based on eyewitness accounts of empty polling stations or light turnout in major urban areas. Activists reported a heavy security force presence in the capital and in other areas in the days prior to voting. A total of 5,405 candidates registered to run, but only 3,444 received approval from the Interior Ministry and Guardian Council.

Authorities maintained intense levels of censorship and electronic surveillance during the campaign, intermittently blocking cellular telephone signals and access to social networking and opposition Web sites. Internet security experts reported that officials filtered specific keywords related to the election and slowed Internet access. The government also harassed and arbitrarily arrested political activists, members of the country's religious and ethnic minority communities, students, trade unionists, and women's rights activists during the preelection period (see section 1.e.). Media professionals were particular targets of harassment and detention by security forces, with at least a half dozen journalists and bloggers arrested in January alone. Human rights defenders reported that many political and civic activists were summoned to police stations and MOIS offices before the election and coerced into signing form letters that committed them not to participate in demonstrations or large gatherings.

Officials continued to harass and threaten opposition groups and leaders in advance of the scheduled June 2013 presidential election. On July 6, the minister of intelligence and security, Heydar Moslehi, warned that “seditionist” opposition groups’ protests, such as those that followed the disputed 2009 presidential election, would not be allowed and that the MOIS would monitor potential oppositionist groups.

Political Parties: The constitution provides for the formation of political parties; however, the Interior Ministry granted licenses only to parties with ideological and practical adherence to the system of government embodied in the constitution. There were more than 230 registered political organizations that generally operated without restriction or outside interference, but most were small, focused around an individual, and without nationwide membership. Members of political parties and persons with any political affiliation that the regime deemed unacceptable faced harassment, violence, and sometimes imprisonment. Reformist university students and professors faced dismissal (see section 2.a.).

The government maintained bans on several opposition organizations and political parties. On August 14, the Interior Ministry stated that candidates of two leading reformist parties, the Association of Combatant Clerics and the Islamic Iran Participation Front, would not be permitted to run in the June 2013 presidential election. Both parties were banned after the disputed 2009 contest. The National Trust Party, associated with Mehdi Karroubi, has been banned since 2009, and the Mojahedin of the Islamic Revolution Organization, since 2010.

Security officials continued harassment, intimidation, and arrests against members of the political opposition (see also section 1.e.). Many observers indicated that such tactics were to stifle dissent in advance of the March 2 legislative elections and the June 2013 presidential vote. On March 7, domestic media reported that a Tehran Revolutionary Court had sentenced leading reformist politician and ranking member in the Islamic Iran Participation Front Ali Shakouri-Rad to four years in prison, a 10-year ban on political activities, and 10 years in internal exile on charges of “spreading lies.” An outspoken critic of the president and a supporter of former presidential candidates Mousavi and Karroubi, Shakouri-Rad was previously arrested in 2010 and released on bail in January 2011.

Participation of Women and Minorities: Women faced significant legal, religious, and cultural barriers to their political participation. According to the Guardian Council’s interpretation, the constitution bars women and persons of foreign origin

from serving as supreme leader or president; as members of the Assembly of Experts, Guardian Council, or Expediency Council (a body responsible for mediating between the Islamic Consultative Assembly and the Guardian Council and serving as a consultative council for the supreme leader); and as judges (see section 6, Women). Three women served in the cabinet: the vice presidents for legal affairs and science and technology and the minister of health. A woman also served as head of the National Youth Organization. In the March elections for the Islamic Consultative Assembly, 428 of the candidates were women, and nine were elected--an increase of one from the previous assembly.

Practitioners of religions other than Shia Islam were barred from serving as supreme leader or president and from membership on the Assembly of Experts, Guardian Council, or Expediency Council. Five recognized minority religious groups were each allocated one Islamic Consultative Assembly seat. There were no non-Muslims in the cabinet or on the Supreme Court.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, but the government did not implement the law effectively, and corruption was a serious and ubiquitous problem. Officials in all three branches of government frequently engaged in corrupt practices with impunity. Many officials expected bribes for providing even routine service. Individuals routinely bribed officials to obtain permits for illegal construction.

Endowed religious charitable foundations, or “bonyads,” accounted for a large portion of the country’s economy that some experts estimated at approximately 30 percent. The tax-exempt organizations, defined under law as charities, were run by government insiders, including members of the military and the clergy. Members of the political opposition and international corruption watchdog organizations frequently accused bonyads of corruption. Bonyads received benefits from the government but were not required to have their budgets publicly approved.

All government officials, including cabinet ministers and members of the Guardian Council, Expediency Council, and Assembly of Experts, were required to submit annual financial statements to the state inspectorate. There was no information available regarding whether these officials obeyed the law or whether the financial statements were publicly accessible.

Numerous government agencies existed to fight corruption, including the Anticorruption Headquarters, Anticorruption Task Force, Committee to Fight Economic Corruption, and General Inspection Organization (GIO). Most of these organizations were government-run and public information regarding their specific mandates, their collaboration with civil society, and whether they were sufficiently resourced, was unavailable at year's end.

Some senior judicial officials acknowledged widespread corruption, while others denied it. On April 29, judiciary chief Sadeq Larijani stated, "A hidden level of corruption exists, which in my opinion is much more important than the apparent level of corruption." On September 3, GIO head Mostafa Pourmohammadi stated, "I do not agree there is corruption in the government. I do not agree that corruption is rampant in the government."

The IRGC operated numerous front companies and subsidiaries that engaged in illicit trade and business activities in the telecommunications, construction, mining, and construction sectors. The IRGC's construction subsidiary, Khatam ol-Anbiya, reportedly benefited from corrupt ties to the petroleum sector. For example, on August 4, the deputy oil minister for planning and hydrocarbon resources announced, "According to a directive from the oil minister (Rostam Qassemi, the former chief of Khatam ol-Anbiya), the awarding of joint oil and gas field development plans will be done without the tendering process." On August 22, Iranian exile media outlet Radio Zamaneh reported that Khatam ol-Anbiya had been awarded a noncompetitive gas development deal. According to Radio Zamaneh, the managing director of the state-run Iranian Central Oil Fields Company stated that the contract had been awarded to Khatam ol-Anbiya without a tender following an order by the minister of oil to "skip the usual protocols" for signing oil and gas contracts.

In early March, trial proceedings began against more than three dozen defendants in a major bank fraud case. On March 26, GIO head Pourmohammadi asserted that there was "no doubt" the government had supported the Amir Mansour Aria Investment Group, the firm at the center of the scandal, in embezzling approximately three trillion tomans (\$2.6 billion) through falsified letters of credit. According to domestic news reports, nonpublic trial testimony reportedly implicated current and former senior officials and members of parliament in the corruption. On July 30, judiciary spokesman Gholam-Hossein Mohseni-Ejei announced that four people were sentenced to death in the case, including Amir Mansour Khosravi, the majority owner of Amir Mansour Aria. Khosravi was also required to reimburse 2.85 trillion tomans (\$2.32 billion) to banks and to pay a

fine. The court sentenced four other defendants to life imprisonment and another 31 defendants to up to 25 years in prison.

On June 25, the head of the Administrative Court of Justice declared that the case against Vice President Hamid Baghaei on corruption charges relating to financial transactions was closed. The court provided no details.

There were no laws providing for public access to government information.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The government restricted the work of human rights groups and activists and often responded to their inquiries and reports with harassment, arrests, monitoring, unlawful raids, and closures (see also sections 1.d., 1.e., 2.a., 6, and 7). The government continued to deny the universality of human rights and stated that human rights issues should be viewed in the context of a country's "culture and beliefs."

Despite numerous government restrictions, including limitations on foreign funding, hundreds of domestic NGOs focused on a diverse set of social and economic issues. Human rights generally, as well as minority rights, disability rights, and women's rights were particular problems. Professional groups representing writers, journalists, and photographers monitored government restrictions, harassment, and intimidation against members of their respective professions. By law NGOs must register with the Interior Ministry and apply for permission to receive foreign grants. Independent human rights groups and other NGOs faced intensifying harassment because of their activism as well as the threat of closure by government officials following prolonged and often arbitrary delays in obtaining official registration.

During the year the government prevented human rights defenders, civil society activists, journalists, and scholars from traveling abroad (see section 2.d.). Human rights activists reported receiving intimidating phone calls and threats of blackmail from unidentified law enforcement and government officials. Government officials sometimes harassed and arrested family members of human rights activists (see section 1.f.). Courts routinely suspended sentences of human rights activists; this form of sentencing acted as de facto probation, leaving open the option for authorities to arbitrarily arrest or imprison individuals later.

According to the UN special rapporteur's September 13 report, human rights defenders reported being arrested and held incommunicado for periods ranging from several weeks to 36 months without charge or access to legal counsel. They also reported being subject to severe torture, including beatings with batons, mock hangings, electrocution, rape, sleep deprivation, and denial of food or water, to force confessions or elicit information about other human rights defenders' or organizations' activities (see section 1.c.).

The government continued to pressure the Defenders of Human Rights Center and systematically harassed, arrested, and prosecuted lawyers and others affiliated with the organization. There were developments in several cases from previous years concerning DHRC members. On March 4, Branch 26 of the Tehran Revolutionary Court sentenced Abdolfattah Soltani to 18 years in prison and a 20 year ban on practicing law for helping to establish the DHRC, "propaganda against the system," and "colluding and conspiring against national security." A court reduced the sentence to 13 years on appeal and offered to reduce it further if Soltani publicly denounced DHRC cofounder Shirin Ebadi.

On March 4, according to AI, Branch 54 of the Tehran Appeals Court notified former DHRC deputy head Narges Mohammadi's lawyer that, on January 15, it had decided to reduce Mohammadi's September 2011 sentence for "propaganda against the regime" and "assembly and collusion against national security" from 11 years to six years. On April 22, according to ICHRI, police arrested Mohammadi at her parents' house in Zanjan and transferred her the same day to Tehran's Evin Prison to begin serving her sentence. On May 16, according to AI, authorities transferred Mohammadi to Zanjan Prison. She was reportedly admitted to a hospital outside the prison on July 9 after her health deteriorated, and denied contact with her family until authorities returned her to prison on July 22. On July 31, after international appeals for Mohammadi's release, authorities released her on 600 million tomans (\$490,000) bail for medical treatment.

On September 29, authorities called DHRC founding member and attorney for several political activists Mohammad Ali Dadkhah to prison to begin serving a nine year sentence that an appeals court upheld in April. Branch 15 of the Revolutionary Court sentenced Dadkhah in July 2011 to imprisonment, five lashes, and a 10-year ban on practicing law or teaching for "propaganda against the regime" and illegally owning a satellite dish.

The government denied all requests from international human rights NGOs to establish offices in or conduct regular investigative visits to the country. The most

recent international human rights NGO visit was AI's 2004 visit as part of the EU's human rights dialogue with Iran.

UN and Other International Bodies: The International Committee of the Red Cross and the UNHCR both operated in the country with some restrictions. The last visit by a UN human rights agency was in 2005. The government generally ignored these organizations' recommendations and failed to submit required reports to the UNHRC and the UN Committee on Economic, Social, and Cultural Rights. The government ignored or denied repeated requests for visits from UN special rapporteurs.

In March 2011 the UNHRC adopted a resolution establishing the mandate for a human rights rapporteur for the country. In June 2011 the UNHRC appointed Ahmed Shaheed as the special rapporteur to fulfill the mandate; he officially commenced work in August 2011. The government denied Shaheed's repeated requests to visit the country during the year. On October 12, the government denounced his September 13 report on human rights conditions in the country as an "artificial report staying far from the realities of the Iranian society."

On December 19, for the 10th consecutive year, the UN General Assembly adopted a resolution expressing deep concern about the country's "serious ongoing and recurring human rights violations."

Government Human Rights Bodies: The governmental High Council for Human Rights, headed by Mohammad Javad Larijani, is part of the judicial branch of the government and lacks independence. The High Council defended court rulings against imprisoned human rights activists, defenders, and opposition leaders, despite domestic and international pressure. Larijani continued to defend the arrest and imprisonment of high-profile human rights defenders and the house arrest of opposition leaders Mousavi and Karroubi. On November 11, the council announced that the judicial system would launch an immediate investigation into the death in custody of blogger Sattar Beheshti. By year's end, at least seven persons had been arrested in connection with the case (see section 1.a.). It did not establish any independent inquiries into postelection protest violence in 2009. There was no information available as to whether the council challenged any laws or court rulings during the year.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution bars discrimination based on race, gender, disability, language, and social status “in conformity with Islamic criteria,” but the government did not effectively enforce these prohibitions. The constitution does not bar discrimination based on sexual orientation or gender identity.

Women

Women faced widespread and increasing barriers to social, economic, academic, and political participation. The regime used significant measures against women’s rights activists and those who advocated gender roles and relations different from those it sought to enforce under its interpretation of religious values.

Rape and Domestic Violence: Rape is illegal and subject to strict penalties including execution, but it remained a problem, and the government did not enforce the law effectively. There were reports of government forces raping individuals in custody (see sections 1.a. and 1.c.). Sex within marriage is considered to be consensual by definition, and therefore spousal rape is not addressed, including in cases of forced marriage.

According to Law Enforcement Forces commander Esma’il Ahmadi-Moghaddam, there were 900 rapes reported between March 2011 and March 2012. Cases of rape were difficult to document due to nonreporting as a result of the potential for retaliation or social stigma against the victims. Most rape victims did not report the crime to authorities because they feared punishment for having been raped, as they could be charged with adultery for being in the presence of an unrelated male while unaccompanied, indecency, or immoral behavior. They also feared societal reprisal, such as ostracism. According to the penal code, rape is a capital offense, and four Muslim men or a combination of three men and two women are required to have witnessed the rape for conviction. The stringent witness requirement was also a possible reason for the relatively low number of reported rapes. A woman or man found making a false accusation of rape is subject to 80 lashes.

The law does not specifically prohibit domestic violence. The Census Bureau, a government agency, does not permit international organizations to study domestic violence in the country and has never conducted its own study of violence against women. According to a University of Tehran study published in June 2011, a woman was physically abused every nine seconds in the country, an estimated three to four million women are battered each year by their husbands, and half of marriages had at least one instance of domestic violence. In November 2011 the director of the National Social Emergency Unit, physician Majid Arjomandi, told

Pupils Association News Agency that there were approximately 8,000 domestic violence cases reported to his organization.

Abuse in the family was considered a private matter and seldom discussed publicly. Some nongovernmental shelters and hotlines assisted victims during the year.

Harmful Traditional Practices: According to the law, if a father or paternal grandfather kills his child or grandchild, he will not be convicted and punished for murder. The law permits a man to kill his adulterous wife and her consorts if he is certain she consented. Women convicted of adultery may be sentenced to death, including by stoning. There were no official reports of murders motivated by “honor” during the year, although human rights activists reported that they occurred.

Sexual Harassment: The law addresses sexual harassment in the context of physical contact between men and women; but these laws are biased against women. Physical contact between unrelated men and women is prohibited and punishable by lashing. There was no reliable data on the extent of sexual harassment. Media reports indicated that unwanted physical contact and verbal harassment occurred, and there were no known government efforts to combat and address these acts.

Reproductive Rights: The law recognizes the basic right of married couples to decide freely and responsibly the spacing and timing of their children and have the information and means to do so free from discrimination, coercion, and violence. According to the law, health and maternity benefits are eliminated for the family after three children. There were no restrictions on the right of married persons to access contraceptives. It is illegal for a single woman to access contraception, although in practice women had access, particularly in urban areas. Couples who plan to marry must take a class in family planning.

Discrimination: The constitution provides for equal protection for women under the law and all human, political, economic, social, and cultural rights in conformity with Islam. The government did not enforce the law in practice, however, and provisions in the Islamic civil and penal codes--particularly sections dealing with family and property law--discriminate against women. Discrimination restricted women’s economic, social, political, academic, and cultural rights. The governmental Center for Women and Family continued to publish reports on women’s rights with a religious conservative slant and limited the debate on

women's issues to matters related to the home. The center did not raise ideas contrary to the government or to its interpretation of Islam.

Women cannot transmit citizenship to their children or to a noncitizen spouse (see section 6, Children). The government does not recognize marriages between Muslim women and non-Muslim men, irrespective of their citizenship. The law states that a virgin woman or girl wishing to wed needs the consent of her father or grandfather or the court's permission, even if she is older than 18.

The law permits a man to have as many as four wives and an unlimited number of "temporary wives" (*sigheh*) based on a Shia custom in which a woman may become the time-limited wife of a Muslim man after a simple religious ceremony and a civil contract outlining the union's conditions. Temporary wives and any resulting children are not granted rights associated with traditional marriage, but the contract is enforceable.

A woman has the right to divorce only if her husband signs a contract granting that right, cannot provide for his family, or is a drug addict, insane, or impotent. A husband is not required to cite a reason for divorcing his wife. Traditional interpretations of Islamic law recognize a divorced woman's right to part of shared property and to alimony. These laws were not enforced. In June 2011 the Supreme Court ruled that women could withhold sex from their husbands if the husbands refuse to pay personal maintenance allowance. Under the law such an allowance can be requested during the marriage as well as after a divorce. According to ISNA, if the allowance is not paid, the wife can "reject all legal and religious obligations" to her husband. If the allowance is not paid after the divorce, the woman can sue her former husband in court. Despite this ruling, the ability of a woman to seek divorce was still extremely limited in practice.

The law provides divorced women preference in custody for children up to age seven; divorced women who remarry must give the child's father custody. After the child reaches age seven, the father is entitled to custody unless he has been proven unfit to care for the child. Courts determine custody in disputed cases.

Women sometimes received disproportionate punishment for crimes, such as adultery, including death sentences (see sections 1.a. and 1.e.). The testimony of two women is equal to that of one man. The blood money paid to the family of a woman who was killed is half the sum paid for a man.

While women had access to primary and advanced education, and approximately 65 percent of university students were women, according to UN statistics one in five women in the country was illiterate. Quotas and other restrictions limited women's university admissions in certain fields, such as medicine and engineering, as well as to master's degree and doctoral programs. According to the UN secretary-general's March 20 report on human rights, eight universities barred women from attending tuition-free day classes, forcing them to seek evening classes that charged tuition. In September, 36 universities restricted 77 fields of study to male-only enrollment, with segregated university facilities.

Social and legal constraints limited women's professional opportunities. Women were represented in many fields, including in the legislature, on municipal councils, on police forces, and as firefighters, but a woman must seek her husband's consent before working outside the home. Despite the high proportion of women in universities, the unemployment rate for women was nearly twice that of their male counterparts. According to the World Economic Forum's 2012 Report on the Global Gender Gap, the average woman in the workforce earned 4.5 times less than the average man and women made up less than 20 percent of the work force. Women cannot serve in many high-level political positions or as judges, except as consultant or research judges without the power to impose sentences.

Women faced discrimination in home and property ownership, as well as access to financing. The government enforced gender segregation in most public spaces, including for patients during medical care, 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 a woman who appears in public without an appropriate headscarf (hijab) can be sentenced to lashings and fined. However, absent a clear legal definition of "appropriate hijab" or the punishment, women were subject to the opinions of disciplinary forces or judges.

The government continued its crackdown on members of the One Million Signatures Campaign (OMSC), which advocated repealing laws that discriminate against women. Several members remained under suspended prison sentences and travel bans, were in prison, or were in self-imposed exile at year's end. For example, in May 2011, MOIS security forces arrested Mayram Bahreman, a civil

society activist involved in the defense of women's rights, who was active in the signature campaign in Shiraz. She was arrested along with Mahoubeh Karami.

There were developments in several cases from previous years. On May 21, OMSC member Mahboubeh Karami was released from Evin Prison on temporary sick leave but returned to prison after a week, where she remained at year's end.

Children

Birth Registration: Citizenship is derived from a child's father, regardless of the child's country of birth. In general, birth within the country's borders does not confer citizenship except when a child is born to unknown parents; when both parents are noncitizens, but at least one parent was born in the country; or when a child born to noncitizens continues to reside in the country for at least one year after age 18. The birth registration law requires that all births be registered within 15 days. According to UNICEF, 13 percent of births were not reported in 2005; more recent statistics were not available.

Education: Although primary schooling up to age 11 is free and compulsory for all, the media and other sources reported lower enrollment in rural areas, especially for girls. More than 25 percent of refugee children of primary school age were not enrolled in schools either due to the lack of identification cards or available places in schools (see section 2.d.). The UNHCR stated that school enrollment among refugees was generally higher outside camps and settlements, where greater resources were available.

Child Abuse: There was little information available to reflect how the government dealt with child abuse. Abuse was largely regarded as a private family matter. According to ISNA, more than 7,000 cases of child abuse were officially reported during the year. In December 2011 the managing director of the Office for Protection of Vulnerable Citizens stated that his office received calls from more than 215,000 persons during the year, of which approximately 93,000 were calls directly from victims and 47,000 were by medical professionals who treated emergency cases.

Child Marriage: The law requires court approval for the marriage of girls younger than 13 and boys younger than 15. The NGO Society for Protecting the Rights of the Child stated that 43,459 girls under the age of 15 had married in 2009 and that 716 girls under the age of 10 married in 2010. There were no reports that the government investigated these cases.

Sexual Exploitation of Children: The legal age requirements for consensual sex are the same as those for marriage, and sex outside of marriage is considered illegal. The law prohibits all forms of pornography, including child pornography.

Children were trafficked within the country for commercial sexual exploitation, sometimes through forced marriages in which girls' new "husbands" forced them into prostitution and involuntary servitude as beggars or laborers to pay debts, provide income, or support the drug addiction of their families. Foreign victims of trafficking were, by government policy, detained and deported, and citizens were either jailed or turned away by the police when they attempted to seek protection. The government did not report any law enforcement efforts during the year to punish trafficking offenders and no victim protection measures existed. There was no information available about penalties for trafficking.

International Child Abduction: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see www.travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

While past media reports have estimated the size of the country's Jewish population at 25,000, a census performed during the year reported there were 8,756 resident Jews. Under law, Jews are recognized as a religious minority and are reserved one seat in the Islamic Consultative Assembly.

Government officials made anti-Semitic statements, denied or questioned the historical record of the Holocaust, and sanctioned anti-Semitic propaganda. The government's anti-Semitic rhetoric continued to contribute to a hostile atmosphere for Jews. On June 26, at an international antidrug conference in Tehran, First Vice President Mohammad Reza Rahimi claimed that the Talmud, one of the central texts of Judaism, teaches to "destroy everyone who opposes the Jews," that Zionism was responsible for the spread of illegal drugs, and that "Zionists" are in firm control of the international drug trade.

In an August 30 speech at a Nonaligned Movement conference in Tehran, Supreme Leader Khamenei referred to the "ferocious Zionist wolves" that mistreat Palestinians.

The Iranian Documentary and Experimental Film Center produced a film called *The Anti-Semite* or *Yahod Setiz*, with imagery mocking the Auschwitz concentration and extermination camp, according to the French news service AFP.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The law generally prohibits discrimination against persons with disabilities by government actors. No information was available regarding authorities' effectiveness in enforcing the law. However, the laws did not apply to private actors, and electoral laws prohibit blind and deaf persons from running for seats in the Islamic Consultative Assembly. While the law provides for state-funded vocational education for persons with disabilities, according to domestic news reports, vocational centers were confined to urban areas and unable to meet the needs of the entire population.

There are laws ensuring public accessibility to government-funded buildings, and new structures appeared to comply with the standards in these provisions. There also were efforts to increase disabled persons' access to historical sites. However, government buildings that predated current accessibility standards remained largely inaccessible, and general building accessibility for persons with disabilities remained a widespread problem. There was limited access to information, education, and community activities by persons with disabilities in the country.

The Welfare Organization of Iran is the principal governmental agency charged with protecting the rights of persons 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 in schools. In practice minorities did not enjoy equal rights, and the government consistently denied their right to use their language in school. In addition, a 1985 law, the Gozinesh (selection) law, prohibits non-Shia ethnic minorities from fully participating in civic life. This law and associated provisions make access to employment, education, and other areas conditional on devotion to the Islamic Republic and the tenets of Shia Islam.

The government disproportionately targeted minority groups, including Kurds, Arabs, Azeris, and Baluchis, for arbitrary arrest, prolonged detention, and physical abuse (see also section 1.e.). These groups reported political and socio-economic discrimination, particularly in their access to economic aid, business licenses, university admissions, permission to publish books, and housing and land rights. The government blamed foreign entities, including a number of foreign governments, for instigating some of the ethnic unrest.

There are an estimated eight million Sunni ethnic Kurds in the country, who have frequently campaigned for greater regional autonomy. The government continued to use security laws, media laws, and other legislation to arrest and prosecute Kurds for exercising their right to freedom of expression and association. The government reportedly banned Kurdish-language newspapers, journals, and books and punished publishers, journalists, and writers for opposing and criticizing government policies. Although the Kurdish language is not prohibited, schools did not teach it. Authorities suppressed legitimate activities of Kurdish NGOs by denying them registration permits or bringing security charges against persons working with such organizations. Kurds were not allowed to register certain names for their children in official registries. The Gozinesh procedure discriminating against non-Shia impaired the ability of Sunni Kurds to integrate into civic life.

On August 10, ICHRI reported there were at least 28 Kurdish prisoners in the country sentenced to death for political or alleged security-related crimes. According to ICHRI, many were not afforded due process rights at their trials or did not have access to defense attorneys during judicial proceedings and many reported being abused or tortured during investigations.

Ahwazi Arabs claimed their community, estimated to number between 1.5 and two million in the southwest, faced oppression and discrimination.

On June 18, AI reported that authorities executed brothers Taha Heidari, Jamshid Heidari, and Abdulrahman Heidari, as well as Amir Muawi--all members of the Ahwazi Arab community--on charges including moharebeh for allegedly killing a police officer in April 2011 during demonstrations in Khuzestan Province. Family members told AI the men had confessed to the crime under torture; one man's confession was televised before the trial began, and other NGOs reported the men did not have legal representation.

There were several reports of Arabs being beaten, tortured, and executed after unfair trial procedures. In his March 6 report, the UN special rapporteur cited reports describing the arrest and detention of 65 ethnic Arabs in Khuzestan Province since late 2011. The alleged motives for the detentions were their calls for a boycott of the March Islamic Consultative Assembly elections and antigovernment slogans.

Ethnic Azeris, who constituted approximately 13 million persons or 16 percent of the population, were well integrated into government and society and included the supreme leader among their numbers. Nonetheless, Azeris reported the government discriminated against them by prohibiting the Azeri language in schools, harassing Azeri activists or organizers, and changing Azeri geographic names. Azeri groups also claimed a number of Azeri political prisoners had been jailed for advocating cultural and language rights for Azeris. The government charged several of them with “revolting against the Islamic state.”

Local and international human rights groups alleged serious economic, legal, and cultural discrimination against the Sunni Baluchi minority, estimated to be between 1.5 and two million persons, during the year. Baluchi journalists and human rights activists faced arbitrary arrest, physical abuse, and unfair trials, often ending in execution.

According to the UN special rapporteur’s March 6 report, areas with large Baluchi populations were severely underdeveloped and had limited access to education, employment, health care, and housing. In particular, the Gozinesh (selection) procedure requiring prospective state officials and employees to demonstrate their allegiance to Shia Islam resulted in Sunni Baluchis being underrepresented in government positions and limited in employment opportunities and political participation.

On October 20, government officials executed three Baluchi political prisoners, Abdol Basit Rigi, Abdol Jalil Kahrazehi, and Yahya Chakarzahi, on charges of moharebeh in Zahedan. According to HRANA, the three men were tortured in detention and forced to make a televised confession that they were members of a banned organization.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law criminalizes consensual same-sex sexual activity, which may be punishable by death, lashes, or flogging. The Special Protection Division, a volunteer unit of the judiciary, monitored and reported on “moral crimes,” including same-sex sexual activity. According to a 2010 HRW report, security forces used discriminatory laws to harass, arrest, and detain individuals they suspected of being gay. In some cases security forces raided houses and monitored Internet sites for information on lesbian, gay, bisexual, and transgender (LGBT) persons. Those accused of sodomy often faced summary trials, and evidentiary standards were not always met. Punishment for same-sex sexual activity between men was more severe than for such conduct between women.

The size of the LGBT community was unknown, as many individuals feared identifying themselves. The government censored all materials related to LGBT issues. There were active unregistered LGBT NGOs in the country, but most activities to support the LGBT community took place outside the country. According to HRW’s 2010 report, family members threatened and abused many young gay men, who also faced harassment from religious scholars, schools, and community elders. Some persons were expelled from university for alleged same-sex sexual activity. According to HRW’s report, Basij forces attempted to entrap or arrest persons engaged in same-sex sexual conduct.

LGBT rights defenders were subject to government intimidation and prosecution. According to the UN special rapporteur’s March 6 report, Houtan Kian, a lawyer who defended those accused of adultery and sodomy, was indicted on 11 charges, including espionage, fraud and falsifying identities, defamation of the judiciary, and disclosing classified information. Kian’s lawyer stated that he had been tortured and had broken teeth and approximately 60 cigarette burns around his legs and genital area (see section 1.e.).

The law defines transgender persons as mentally ill, but the government provided transgender persons financial assistance in the form of grants up to 4.5 million tomans (\$3,670) and loans up to 5.5 million tomans (\$4,486) to undergo gender confirmation surgery. Human rights activists and NGOs reported, however, that some LGBT persons were advised to undergo gender confirmation surgery to avoid legal and social consequences.

Other Societal Violence or Discrimination

Persons with HIV/AIDS reportedly faced discrimination in schools and workplaces.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution provides for freedom of association, but neither the constitution nor the labor code guarantees trade union rights. The labor code states that workers may establish an Islamic labor council or a guild at any workplace, but the rights and responsibilities of these organizations fall significantly short of international standards for trade unions. In workplaces where an Islamic labor council has been established, no other form of worker representation is permitted. The law requires prior authorization for organizing and concluding collective agreements, and it does not provide for the right to strike. Strikes are prohibited in all sectors, although private sector workers may conduct “peaceful” campaigns within the workplace. The labor code does not apply to establishments with fewer than five employees.

Freedom of association and the right to collective bargaining were not respected in practice. The government severely restricted freedom of association and interfered in worker attempts to organize. The government and the judiciary imprisoned and aimed to silence labor activists.

The Interior Ministry, Ministry of Labor, and Islamic Information Organization determined labor councils’ constitutions, operational rules, and election procedures. Workers’ House remained the only officially authorized national labor organization; it served primarily as a conduit for government control over workers. The leadership of Workers’ House oversaw and coordinated activities with Islamic labor councils in industrial, agricultural, and service organizations with more than 35 employees. During the year the government pressured workers to join the government-sponsored councils. According to ICHRI, the labor councils, which consisted of representatives of workers and a representative of management, were essentially management-run unions that undermined workers’ efforts to maintain independent unions. However, the councils were sometimes able to block layoffs and dismissals. Human rights organizations reported that employers routinely fired labor activists for trade union activities. There was no representative workers’ organization for noncitizen workers.

According to international media reports, security forces continued to respond to workers’ attempts to organize or conduct strikes with arbitrary arrests and violence. Strikes and worker protests often prompted a heavy police response, and

security forces routinely monitored major worksites. In Sanandaj, security forces allegedly attacked a May Day march with tear gas and batons.

On June 15, security forces and plainclothes officers reportedly arrested 57 members of the Coordinating Committee to Help Form Workers' Organizations in a raid on a house in Karaj that was hosting the committee's annual membership meeting. According to the International Alliance in Support of Workers in Iran (IASWI), officers beat and seriously injured some of the attendees. Attendees Mahmoud Salehi and Khaled Hosseini reportedly suffered a broken pelvis and severely damaged hearing, respectively. Security forces released most of the detainees the next day. According to labor activists, one of the arrestees, Alireza Asgari, was tried August 4 and received a one-year prison sentence with flogging on charges of "acting against national security through the formation of an illegal group." On September 19, the CHRR reported that Asgari had been released from prison, where he was allegedly beaten and tortured. He remained free at year's end.

On November 3, an appeals court upheld the conviction of Kurdish labor activist Pedram Nasrollahi on charges related to his membership in the Coordinating Committee to Help Form Workers' Organizations and for "propaganda against the Islamic Republic." On March 8, he was arrested and, on April 24, released on 700 million tomans (\$571,000) bail. On July 17, a court in Sanandaj initially sentenced him to three years in prison, but an appeals court on November 6 reduced his sentence to 19 months. He remained in prison at year's end.

On December 19, according to IASWI, security forces in Bukan arrested five members of the Coordinating Committee to Help Form Workers' Organizations: Jamal Minashiri, Ebrahim Mostaphapour, Ghasem Mostaphapour, Mohammad Karimi, and Hadi Tanomand, all of whom had reportedly attended the June meeting in Karaj. They remained in prison at year's end.

There were developments in cases from previous years. Reza Shahabi, who had been incarcerated for approximately two years, was sentenced in April to six years in prison on charges of "spreading propaganda against the system" and "gathering and colluding against state security" in connection with his union activities. Shahabi went on hunger strike several times during the year and was hospitalized several times for health problems. On September 24, Ali Nejati, a board member of the Haft Tapeh Sugar Cane Workers' Syndicate, was reportedly released from prison after serving one year for his trade union activities. Several other trade

unionists remained incarcerated for union activities, including Shahrokh Zamani, Behnam Ebrahimzadeh, and Mohammad Jarahi.

According to Education International, an international federation of education employees of which the Iranian Teachers Trade Association (ITTA) is an affiliate, and other sources, government authorities prevented the ITTA from holding meetings and continued to harass and detain its members. Since 2009 authorities have detained at least 39 teachers on national security charges. Fifteen have reportedly been sentenced to prison and three to death in connection with union activities, including demonstrating for higher wages.

There were no developments in the case of ITTA member Hashem Khastar, who was to be released after serving two years in prison for his union activities in July 2011 but was reportedly returned to prison on the day of his intended release on the new charge of “creating public anxiety.”

b. Prohibition of Forced or Compulsory Labor

The labor code prohibits all forms of forced or compulsory labor, but the government did not effectively enforce relevant laws. Conditions indicative of forced labor sometimes occurred in the construction, domestic labor, and agricultural sectors, primarily among adult Afghan men. Family members and others forced children to work. The government made no significant efforts to address forced labor during the year.

See also the Department of State’s *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employment of minors younger than 15 and places restrictions on employment of minors younger than 18, such as prohibitions on hard labor or night work; however, the law permits children to work in agriculture, domestic service, and some small businesses from the age of 12. The government did not adequately monitor or enforce laws pertaining to child labor, and child labor remained a serious problem.

There were reportedly significant numbers of children, especially of Afghan descent, working as street vendors in major urban areas. Child labor was also

reportedly used in the production of carpets. Children also worked as beggars, and there were reports that some children were forced into begging rings.

d. Acceptable Conditions of Work

The government set the minimum wage at 389,700 tomans (approximately \$318) per month, not including benefits and bonuses. According to a governmental Competitiveness Council official, the nationwide average income level below which a family with 3.7 members was considered to be living in poverty in 2011 was 580,000 tomans (\$473) a month. In Tehran the poverty income level in 2011 was 946,000 tomans (\$771) a month.

The law establishes a maximum six-day, 48-hour workweek with a weekly rest day (normally Friday), at least 12 days of paid annual leave, and several paid public holidays. Any hours worked above this entitles a worker to overtime. The law mandates a payment of 40 percent above the hourly wage to employees for any accrued overtime. Overtime work is not compulsory under the law. The law does not cover workers in workplaces with fewer than 10 workers, nor does it apply to noncitizens.

Information about labor inspection and labor law enforcement was difficult to obtain. While the law provides for occupational health and safety standards, these were not effectively enforced in either the formal or informal sectors. It was unclear whether the government took significant actions during the year to prevent violations or improve wages and working conditions.

According to the semiofficial Iran Labor News Agency, up to 89 percent of workers employed by public and private companies were on temporary contracts, including teachers. Workers on temporary contracts could be dismissed at any time without reason and lacked other basic protections. Similarly, large numbers of workers employed in small workplaces or in the informal economy lacked basic protections. Low wages, nonpayment of wages, and the lack of job security due to contracting practices continued to be major drivers of strikes and protests.

Migrant workers, most often Afghans, were subject to abusive working conditions, including below minimum wage remuneration, nonpayment of wages, and compulsory overtime. Informal employment of migrants was common in construction, agriculture, transportation, retail, and the textile industry.

Industrial accidents were common, and the government did not appear to investigate them. On December 22, *the Iran Labor Report*, citing the country's coroner's office, reported 1,101 workplace deaths between March and December. Labor organizations inside and outside the country alleged that hazardous work environments resulted in thousands of worker deaths annually.