



**HUMAN RIGHTS IN IRAN**

2007

**Ari Fridman  
Maxine Kaye**

AMERICAN JEWISH COMMITTEE

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AMERICAN JEWISH COMMITTEE

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Cover photo: © Corbis  
An Iranian woman tapes her mouth shut to protest the government  
crackdown on the press at a rally in Tehran, May 2000.

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## FOREWORD

In the international sphere today, much of the attention paid to Iran concerns its aim of acquiring nuclear weapons, its support of global terrorist groups, and its repeated calls to destroy the State of Israel.

Yet, as consequential as these issues surely are, the international community must not neglect the very troubling humanitarian situation in the country. Daily violations of basic guaranteed rights are occurring.

Since the Iranian Revolution in 1979, the Iranian government has consistently abused the human rights of thousands of its fellow citizens.

The victims have comprised a wide swath of ordinary Iranians, whose only “crime” is typically one of identity—gender, ethnicity, religion, or sexual orientation—that threatens the theocratic outlook of the country’s ruling elite.

The American Jewish Committee’s commitment to universal human rights is long and storied. From its trailblazing work in ensuring that human rights would be enshrined in the charter of the United Nations, to the important work of the Jacob Blaustein Institute for the Advancement of Human Rights on Darfur, AJC has had an unswerving commitment to the protection of human rights and human dignity.

It is in this light that *Human Rights in Iran, 2007* was conceived. As the world focuses on Iran’s destabilizing regional and global policies, attention should also be given to the Iranian government’s attack on human rights within its own borders and against its own citizens.

We hope that this report will help galvanize the international attention necessary to cause Iran to change its behavior, and to let the victims know that they do not stand alone and have not been forgotten.

David A. Harris  
Executive Director  
American Jewish Committee

## Introduction

On February 14, 1989, then supreme leader of Iran, Ayatollah Ruhollah Khomeini, issued a fatwa, or edict, sentencing the British-Indian author Salman Rushdie, a Muslim, to death. His offense: authorship of *The Satanic Verses*, a novel deemed by Khomeini to have blasphemed Islam.

I inform the proud Muslim people of the world that the author of the *Satanic Verses* book, which is against Islam, the Prophet and the Koran, and all those involved in its publication who are aware of its content are sentenced to death.<sup>1</sup>

—Ayatollah Ruhollah Khomeini, *February 14, 1989*

Following the fatwa, Rushdie spent the next nine years living in hiding in Britain. Meanwhile, Iranian agents set about to eliminate further exposure of the work through the assassination of the Japanese translator of *The Satanic Verses*, and the attempted murders of the Italian translator and Norwegian publisher of the novel. In 1998, in an apparent change of heart, the Iranian government announced that Tehran would no longer support the implementation of Ayatollah Khomeini's death sentence.<sup>2</sup> However, the Revolutionary Guards, the influential military division loyal to the supreme leader, declared in 2005 that the fatwa was still valid;<sup>3</sup> current supreme leader Ayatollah Ali Khamenei has not explicitly repudiated it, and suggested that Rushdie be considered an apostate who can be killed with impunity.<sup>4</sup>

Rushdie's infamous case is emblematic of a decades-long record of human rights abuses committed by the Iranian regime.

Since the Iranian Revolution in 1979, in which the current theocratic system of government was put into place, thousands upon thousands of Iranians have experienced human rights abuses of all kinds. This, despite the fact that Iran is party to, and claims to

implement, four of the six principal human rights treaties: the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social, and Cultural Rights, and the Convention on the Rights of the Child. The government not only violates these treaties, but it also routinely violates its own laws.

Many of the gravest abuses—torture, executions, unfair and summary imprisonment and trials, to name but a few—stem from government institutions that run parallel to and outside the bounds of the Iranian Constitution, such as the revolutionary and clerical courts.

It is within this context that the Iranian government has consistently harassed, intimidated, and persecuted wide swaths of its own citizenry. A 2005 United Nations General Assembly resolution cited a list of targeted individuals in Iran, including, but not limited to, “human rights defenders, non-governmental organizations, political opponents, religious dissenters, political reformists, journalists, parliamentarians, students, clerics, academics and bloggers.”<sup>5</sup>

This publication expands on eight areas in which abuses are flagrant, insofar as they occur in violation of Iranian and international law: torture, capital punishment and due process; women; religious and ethnic minorities; government abuses; freedom of the press; political dissidents; children; and homosexuality. These categories are representative, but not exhaustive, of the government’s frequent and gross human rights violations in Iran, as NGO’s, human rights groups, and the media cannot possibly expose the totality of the government’s widespread abuses, hidden as they are.

Where information on specific Iranian victims of abuse was available, we have tried to personalize the state’s assault on human rights. For lost in the numbers—the sheer quantity of these abuses—is the suffering of countless *individuals*. It is to them that this work is dedicated.

## Torture, Capital Punishment, and Due Process

Iranian detainees face systemic violations of due process norms. This is in large measure due to the fact that the Iranian judiciary does not act as an independent body. The supreme leader appoints the head of the judiciary, who then appoints senior judges. General courts frequently try defendants in closed sessions, accept coerced confessions, and deny access to legal counsel.

In parallel to the judiciary, the government maintains an extra-constitutional court system, called the Revolutionary Courts, in which crimes against national security, narcotics smuggling, and acts that undermine the Islamic Republic are tried; trials are summary, some lasting as little as five minutes. Decisions by the Revolutionary Courts, moreover, are final and cannot be appealed.

Additionally, the government runs Special Courts for the Clergy, also outside of the authority of the constitution, and beholden to the supreme leader, in which reformist clerics are tried. Decisions by the Special Courts are final and cannot be appealed.

The lack of judicial transparency is magnified by the physical abuses that occur both in official and unofficial Iranian prisons, where torture is frequently used.

Despite the official ban on torture, in 2005, the following methods of inhumane treatment were reported as “common” practice:<sup>6</sup>

- Prolonged solitary confinement, in contorted positions and with sensory deprivation
- Beatings of the eyes, ears, back, and feet
- Hanging by the arms and legs
- Burning with cigarettes
- Sleep deprivation

In addition to failing to investigate and prosecute physical attacks on incarcerated prisoners, the Iranian judiciary, acting without regard for due process norms, exacts crude physical punishments for crimes, including stoning, flogging, and amputations.<sup>7</sup>

The judiciary also metes out death sentences for social and political offenses including, inter alia, apostasy, blasphemy, repeated sodomy, adultery, and prostitution.

The law criminalized dissent and applied the death penalty to offenses such as apostasy, attempts against the security of the State, outrage against high-ranking officials, and insults against the memory of Imam Khomeini and against the Supreme Leader of the Islamic Republic.<sup>8</sup>

—“Iran,” *Country Reports on Human Rights Practices, U.S. Department of State, 2005*

In 2004, for example, Atefah Sahaleeh, 16, was executed by the state for “crimes against chastity.”<sup>9</sup> Those supposed crimes were actually a reference to an abusive relationship forced upon Sahaleeh by a former Revolutionary Guard Corps member, who repeatedly raped her.<sup>10</sup>

### Women

Iran has ratified the International Convention on Civil and Political Rights, which mandates non-discrimination based on gender; the Iranian Constitution includes protection of women. However, discrimination against women persists in law and in practice, as, for example, when the government enforces gender segregation in most public spaces. Tehran also condones routine violence against women. So-called honor killings—the murder of women for alleged sexual or marital offenses, typically by their own relatives with the justification that the “offense” has brought “dishonor” to the family—are frequent forms of public punishment for Iranian women.

“Honor killings” have taken different forms, including burning and stoning. In a two-month period in 2003 alone, forty-five young women were reportedly murdered in such killings in Iran’s Khuzestan province.<sup>11</sup> The government of Iran has punished the few actually convicted of these killings, but often with very short prison sentences.

Although women retain certain rights such as the ability to vote and hold public office, they have been, particularly since the Iranian Revolution, relegated to second-class status. Among other areas, women are discriminated against by Iranian law and society in the following ways:<sup>12</sup>

- The testimony of a woman in court is worth half that of a man’s.
- A woman inherits half of the share of her brothers.
- A woman needs her husband’s permission to work outside the home or to leave the country.
- Women are rarely promoted to high positions, and despite their relatively high levels of education, they make up only 14 percent of government employees.

Restrictions on Iranian women also extend to their dress. All women, including foreign visitors, must wear a veil. Iranian authorities prefer that Iranian women wear either the *chador*, an all-encompassing garment wrapped around the body, or a combination of a full hair-covering headscarf, known as the *hijab*, and a long body coat, the *manto*.<sup>13</sup> Under President Mohammed Khatami, elected in 1997, enforcement of the dress code became lax; however, since the election of President Mahmoud Ahmadinejad in August 2005, enforcement has again become stringent and violators sometimes incur prison sentences.

The Guardian Council’s refusal to ratify the parliament’s proposed adoption of the UN’s Convention on the Elimination of All Forms of Discrimination against Women makes Iran one of only six UN member states not to ratify the convention.

Discrimination here is not just in the constitution. As a woman, if I want to get a passport to leave the country, have surgery, even to breathe almost, I must have permission from my husband.<sup>14</sup>

—*Zahra Eshraghi, granddaughter of Ayatollah Khomeini, June 2005*

In June 2005, in the first public dissent by women since the Iranian Revolution, more than 250 protested gender discrimination outside Tehran University, chanting, “We are women, we are children of this land, but we have no rights.”<sup>15</sup> Police officers reportedly clubbed some women, while arresting others; 200 additional protesters were prevented from joining the demonstration.<sup>16</sup>

In another example of the state’s crackdown on women’s rights advocacy, in March 2006, Iranian police charged, beat, and dispersed

men and women who gathered in a Tehran park to commemorate International Women's Day.<sup>17</sup>

The Iranian authorities marked International Women's Day by attacking hundreds of people who had peacefully assembled to honor women's rights.<sup>18</sup>

— *Joe Stork, deputy director, Middle East, Human Rights Watch, March 2006*

Shirin Ebadi, who received the Nobel Peace Prize in 2003 for her role in defending human rights, is perhaps the most famous Iranian female human rights activist today. In addition to defending human rights abuse victims, Ebadi initiated, in 2006, an effort to collect one million signatures from Iranian women, protesting their lack of legal rights.<sup>19</sup> Hers is a case in point of demonstrating gender discrimination, in that Ebadi, Iran's first female judge, had to resign her office—gained prior to the Iranian Revolution—once the Revolution's ban on female judges came into effect.

Since 2006, in addition to the legal rights petition, Iranian women's rights activists have fought to change the penal law that permits capital punishment—in the form of stoning—for the crime of adultery.<sup>20</sup> Under Iran's penal code, girls as young as nine can be executed by hanging or stoning for so-called “morality crimes,” such as adultery.<sup>21</sup>

In 2007, the government backlash against further attempts to secure women's rights intensified. In March, thirty-three women's rights activists were arrested in Tehran after protesting outside a Revolutionary Court where five of the activists were facing trial for participating in a women's rights rally in June 2006.<sup>22</sup> That rally called for equal rights for women under Iran's penal laws, family code, and blood law practices.<sup>23</sup> The five activists, who were rearrested along with the courthouse protestors, were originally charged with acting against national security by attending an illegal gathering.<sup>24</sup>

In March 2007, on International Women's Day, ten nonviolent protestors were arrested in Tehran's Baharestan Square, some of whom were reportedly beaten by riot police.<sup>25</sup>

## Religious and Ethnic Minorities

After the Iranian Revolution, the state religion of Iran became Islam. The Constitution, written after the Revolution, however, specifies that rights of non-Muslims must be respected. Despite this, persecution of religious minority groups has increased dramatically since 1979. Today, two government ministries, the Ministry of Islamic Culture and Guidance and the Ministry of Intelligence and Security, closely monitor religious activity.

### *Bahais*

Adherents of the Bahai faith—a religion based on peace and equality, which had its origins in nineteenth-century Persia—have been particularly targeted. Bahais are considered “unprotected infidels” by the government. They have faced arrest, imprisonment, execution, confiscation of property, and denial of access to education, employment, civil rights and liberties. Thousands of Bahais were imprisoned and more than 200 were executed by the Islamic government in the 1980s.

In 1993, the UN Commission on Human Rights revealed a secret document, approved by Supreme Leader Ayatollah Khamenei, which outlined specific guidelines for dealing with “the Bahai question” so that Bahai “progress and development shall be blocked.”<sup>26</sup> And in March 2006, Asma Jahangir, UN Special Rapporteur on Freedom of Religion or Belief, announced the existence of a new letter from a senior military official instructing government agencies to identify all Bahais and monitor their activities.<sup>27</sup>

In May 2006, in what was the largest mass arrest in decades, Iranian security officials arrested fifty-four Bahais, many in their teens and twenties, who were working on a community service project.<sup>28</sup> No charges were filed, and most of the detainees were released within six days.<sup>29</sup>

It appears that these arrests may have been premeditated. According to a 2003 report by the UN Working Group on Arbitrary Detention, the Bahai community “is kept under pressure by the use of revolving arrests for short periods” by the government.<sup>30</sup>



*Christians*

Iranian Christians, numbering approximately 79,000, include both ethnic Persians and non-Persians. While Evangelical Christians are the most severely mistreated, Christians from all denominations are discriminated against, as evidenced by the ban on Christian bookstores and the printing of Christian literature.<sup>31</sup>

Evangelical Christians, who are forbidden from evangelizing, are systematically oppressed by Iranian authorities in the following ways:<sup>32</sup>

- Close monitoring of Evangelical activities
- State closures of Evangelical churches
- Arrests of Christian converts
- A requirement to carry Evangelical membership cards
- Restriction of Evangelical services to Sundays

Muslim converts to Christianity also risk severe consequences. The legal penalty for “apostasy,” or conversion from Islam, may be death. In May 2006, one such “apostate,” Ali Kaboli, was taken into custody after several years of police surveillance and threatened with prosecution if he did not leave the country; he was interrogated and held incommunicado without any charges filed against him.<sup>33</sup>

*Jews*

The Jewish community, numbering some 25,000 to 30,000 persons, has also faced governmental discrimination. The government requires, for example, that, in accordance with the schedule of other schools, Jewish schools remain open on Saturday, thus forcing the Jewish community to break Jewish law. Jews are often denied the multiple-exit permits normally issued to other citizens and face numerous obstacles from officials to travel abroad. Accordingly, with the exception of certain business travelers, the authorities required Jews to obtain clearance and pay additional fees before each round trip abroad.<sup>34</sup>

Between 1998 and 1999, thirteen Iranian Jews were arrested and ten later convicted on dubious charges of illegal contact with Israel, receiving sentences of up to thirteen years in prison. The defendants

were not allowed access to lawyers until just weeks before the trial. The trial itself was held in a closed Revolutionary Court, evidence against the defendants was kept secret, and, according to defense lawyers, was based solely on coerced confessions made during interrogations without the presence of legal counsel. After intense international pressure, including numerous interventions criticizing the absence of due process in the trial, all ten were eventually released, most before their sentences were completed.

*Sunni Muslims*

Sunni Muslims comprise the largest religious minority in the country, numbering some 5.5 million persons, eight percent of the total population. It is unclear whether government discrimination toward Sunnis stems from their “inferior” religious status, from a coinciding ethnic minority status, or from both. In any event, Sunnis face difficulty advancing to positions of prestige, such as in the executive, judiciary, diplomatic service, and universities.<sup>35</sup>

*Azeris*

The Iranian regime acts regularly against the cultural expression of Azeris, who, at nearly a quarter of Iran’s population, comprise the largest ethnic minority in the country. Most Iranian Azeris are Shiite Muslims. Mohammed Chehregani, an Azeri cultural rights advocate, has been arrested, imprisoned, tortured, and released several times, including a 1999 arrest allegedly to prevent him from running in the 2000 parliamentary elections.<sup>36</sup> In 2005, dozens of Azeris were arrested at an annual cultural gathering, twenty-one of whom were sentenced to jail.<sup>37</sup>

*Kurds*

Ethnic Kurds comprise seven percent of Iran’s population. Since the Revolution, Iranian authorities and Kurds have clashed over Kurdish nationalist activities. Security officials have also targeted Kurdish human rights activists. In the summer of 2005, clashes between Iranian security forces and Kurds intensified. An Amnesty International report found that Iranian security forces killed a Kurdish opposition

activist, Showaneh Qaderi, and reportedly dragged his body through the streets behind a jeep.<sup>38</sup> In response, Kurds protested his murder, leading to the death of twenty-one protesters and arrests of more than 190 others.<sup>39</sup>

### Government Abuses

Since his election in June 2005, Iranian President Mahmoud Ahmadinejad has not only allowed human rights abuses to continue unfettered, but has even appointed notorious human rights abusers, such as the current interior and information ministers, to his cabinet.

Current Interior Minister Mostafa Pour-Mohammadi allegedly ordered, in previous governmental positions, the execution of political prisoners and the murders of dissident writers and intellectuals. According to a report by Human Rights Watch, Pour-Mohammadi represented the Ministry of Intelligence on a committee in 1988 that ordered thousands of political prisoners (including armed opposition figures) executed in Tehran's Evin prison; as deputy minister of information in 1998, Pour-Mohammadi ordered the murder of several dissident writers and intellectuals.<sup>40</sup>

As one of the officials allegedly responsible for ordering the mass killings of political prisoners in 1988, [Mostafa] Pour-Mohammadi is suspected of active participation in crimes against humanity.<sup>41</sup>

—“*Ministers of Murder*,” *Human Rights Watch report, 2005*

The current minister of information, Mohseni Ezhei, has a long career of abuses on various judicial bodies. As prosecutor general of the Special Courts for the Clergy, Ezhei brought charges against reformists, including defamation against the state and disturbing public opinion.<sup>42</sup>

In addition, a report by Human Rights Watch charges that, in 1998, Ezhei allegedly ordered the murder of Pirouz Davani, a political dissident whose body has never been recovered.<sup>43</sup> In 2004, moreover, while serving on the Committee to Oversee the Press, Ezhei physically attacked and bit a reformist journalist, Issa Saharkhiz.<sup>44</sup>

Tehran's disregard for human rights more broadly was epitomized

in June 2006, when the government sent Saeed Mortazavi as its representative to the newly formed UN Human Rights Council. Mortazavi, Tehran's prosecutor general, is responsible for jailing hundreds of journalists and is linked to the 2003 arrest, imprisonment, and eventual death of Iranian-Canadian photojournalist Zahra Kazemi. The Canadian government has called for the arrest of Mortazavi, who is alleged to have participated in an interrogation session of Kazemi, in which she received a severe blow to the head.<sup>45</sup> Kazemi fell into a coma a few days later and died. The hardline judiciary originally tried to cover up Kazemi's death, calling it a “stroke”; in July 2003, however, the regime admitted that she had been beaten to death.<sup>46</sup>

### Freedom of the Press

Since 1975, Iran has been a state party to the UN's International Covenant on Civil and Political Rights, which guarantees freedom of expression.<sup>47</sup> However, Tehran controls all broadcast media, while independent media, wary of government crackdowns, resort to self-censorship. Iran's vaguely worded Press Law forbids the publication of ideas contrary to Islamic principles. The penal code criminalizes nebulous acts such as insulting religion, spreading propaganda against the state, and creating public anxiety.<sup>48</sup>

As far as the legal framework is concerned, the [UN] Special Rapporteur considers that many of the limitations to the exercise of the right to freedom of opinion and expression provided for in the Press Law and the Penal Code do not conform to the permissible restrictions listed in ... the International Covenant on Civil and Political Rights ... because in most cases the grounds for these limitations lack any objective criteria and clear definition, and are therefore open to subjective and arbitrary interpretation by judges when implementing them.<sup>49</sup>

—*Ambeyi Ligabo, UN Special Rapporteur on the right to freedom of opinion and expression, January 2004*

Tehran's consistent record of restricting press freedoms earned Supreme Leader Ayatollah Khamenei a spot on the Committee to Protect Journalists' 2001 ranking of the “Ten Worst Enemies of the

Press.”<sup>50</sup> More recently, in 2006, Iran ranked 163 out of 168 countries in the Reporters Without Borders Press Freedom Index.<sup>51</sup>

Since 2000, Iran’s state courts have effectively paralyzed the reform movement, shutting down dozens of pro-reform publications. A 2003 UN report found that, since 2002, eighteen newspapers, including at least ten reformist newspapers, have been closed or banned by judicial decisions.<sup>52</sup> Such closures explicitly contravene protections afforded by the International Covenant on Civil and Political Rights.

Iran’s popular reformist daily, *Shargh*, for example, was closed in 2006 by the government’s Press Supervisory Board. The newspaper ran a cartoon mocking Iran’s nuclear negotiations with the West. Its “publication of material [was] against the rulings by the Supreme National Security Council” and led to its closure, according to an Iranian official.<sup>53</sup>

The government has also restricted the operation of television networks. The Tehran bureau of Al Jazeera was closed by the government in April 2005 for allegedly inflaming riots in southern Iran; the network happened to be the first to report ethnic unrest in the Khuzestan province near the Iraq border where 200 people were arrested.<sup>54</sup>

We suspended its [Al Jazeera’s] activity in Iran to investigate the network’s role in unrest in Ahvaz.... We expect the network to respect Iran’s national integrity and security. If it is proved that Al Jazeera committed a crime, it will be prosecuted.<sup>55</sup>

—*Mohammad Khoshvaghht, official at Iran’s Ministry of Culture and Islamic Guidance*

The most infamous case of abuse of a journalist concerns the previously mentioned violent death of Iranian-Canadian photojournalist Zahra Kazemi, who was arrested in 2003 for taking pictures of a protest outside of a Tehran prison. Three weeks after her arrest, Kazemi died in custody. Initially, Iran said she had suffered a stroke. Eventually, Iran’s vice president Mohammad Ali Abtahi, admitted that Kazemi had died from prison beatings. In 2005, a former staff physician in Iran’s Defense Ministry, Shahram Azam, revealed Kazemi had been brutally raped, beaten, and tortured before dying.<sup>56</sup>

## Political Dissent

The Guardian Council has the authority to disqualify candidates for public office based solely on ideological grounds. In February 2004, the Guardian Council disqualified thousands of candidates from running in parliamentary elections, and in December 2006, the Guardian Council disqualified a similar number of Iranians from running for seats on municipal councils and the Assembly of Experts.

Repression of political dissent in Iran is not a new phenomenon. The government has a long history of arresting and executing members of both armed and nonviolent anti-regime figures, including a massive wave of executions in 1988.<sup>57</sup> Human rights organizations charged that, between 1979 and 1994, the government executed 4,000 to 5,000 political prisoners (including, it must be noted, armed opposition figures).<sup>58</sup>

Over the last decade, Tehran’s ruling radical clerics and their allies throughout the various branches of government have acted to maintain their stranglehold on power by stamping out attempts at political reform.

A notorious example of the clampdown on reform occurred in April 2000, when sixteen pro-reform intellectuals, journalists, and activists were arrested in Iran for attending a conference in Berlin on potential political reforms in the Islamic Republic. All sixteen were tried on charges of “undermining Iran’s security”<sup>59</sup> and trying to overthrow the regime. Ten were sentenced to prison terms, including Akbar Ganji, the country’s leading investigative journalist, who received a ten-year sentence, as well as five years in exile.<sup>60</sup> Ganji was freed from prison in March 2006, after serving six years of a sentence related to a book he published linking senior Iranian officials to the murder of eighty dissidents and intellectuals in the late 1990s.<sup>61</sup>

In a letter to the head of Iran’s judiciary, Human Rights Watch charged that the state’s legal action against the conference attendees violated the International Covenant on Civil and Political Rights, in that it denied the defendants the right to freedom of expression.<sup>62</sup>

We believe there is no basis to the charges that [the conference attendees] “conspired to overthrow the system of the Islamic

Republic” and that they are victims of a politically-motivated prosecution intended to discredit the cause of political reform, to punish leading reformists, to intimidate independent thinkers, and to chill dissent.<sup>63</sup>

—*Human Rights Watch letter to Ayatollah Mahmoud Hashemi-Shabroudi, head of the Iranian judiciary, November 2000*

In 2003, Ambeyi Ligabo, the UN Special Rapporteur on the right to freedom of expression and opinion, estimated the number of imprisoned political prisoners to be in the hundreds.<sup>64</sup>

[A]bsolutely, we do have political prisoners and people who are in prison for their beliefs.<sup>65</sup>

—*Mohammad Khatami, former president of Iran, April 2004*

In June 2006, Iranian authorities arrested reformist leader Mousavi Khoini while he was attending a peaceful women’s rights protest in Tehran.<sup>66</sup> Khoini, a member of the Iranian parliament from 2000 to 2004, consistently challenged the judiciary and intelligence services on human rights abuses, prison conditions, and lack of fair trials and due process for political prisoners.<sup>67</sup> In 2004, he was disqualified from running for reelection by the Guardian Council. Since his arrest, he has not had access to his lawyer.<sup>68</sup> Paradoxically, he is being held at one of the same prisons he tried opening up to public scrutiny.<sup>69</sup>

For the past 20 days, prison officials have chained my hands and feet. I am being tortured. I am held in solitary confinement and interrogated four times a day. They wake me up in the middle of the night to interrogate me. They are trying to turn me [in]to a mental patient.<sup>70</sup>

—*Mousavi Khoini, arrested former parliamentarian and reformist leader, September 2006*

## Children

The regime’s most infamous cruelty toward children occurred during the Iran-Iraq war. To supplement his outmatched forces, Supreme Leader Ayatollah Khomeini enlisted the *Basiji* movement to aid in the fight. The *Basiji* consisted largely of volunteers under the age of

18, and were sent to the front to accelerate the advance of Iranian troops behind them. A mid-1980s account from the semi-official Iranian newspaper described a typical scene involving these “human wave” missions:

[W]e had child-volunteers: 14-, 15-, and 16-year-olds. They went into the minefields.... And then, a few moments later, one saw clouds of dust. When the dust had settled again, there was nothing more to be seen of them. Somewhere, widely scattered in the landscape, there lay scraps of burnt flesh and pieces of bone. ... Before entering the minefields, the children [now] wrap themselves in blankets and they roll on the ground, so that their body parts stay together after the explosion of the mines and one can carry them to the graves.<sup>71</sup>

The regime sent some 100,000 boys and men to their deaths in *Basiji* operations during the war.<sup>72</sup>

Families were offered rewards for the sacrifice of their children. In recruiting children for the *Basiji*, Iranian leaders ran a campaign called “Sacrifice a Child for the Imam,” in which each family that lost a child on the battlefield was offered interest-free credit and other benefits.<sup>73</sup>

Veneration of the *Basiji* “martyrs” continues to the present day. Today, Hossein Fahmideh, a thirteen-year-old boy who blew himself up in front of an Iraqi tank, is a household name, and his image appears on postage stamps and currency.<sup>74</sup> He has even been the subject of both an animated film and an episode of the TV series “Children of Paradise.”<sup>75</sup>

During the 2006 Ashura Festival, the most solemn Shiite occasion of the year, schoolchildren were taken on field trips to a “martyrs’ cemetery.” They marched under banners that read: “Remembering the martyrs today is as important as becoming a martyr” and “The Nation for whom martyrdom means happiness, will always be victorious.”<sup>76</sup>

Treatment of Iranian children today does not resemble the suicide missions of the Iran-Iraq war.

Nevertheless, abuses, such as the execution of minors and the

reported imprisonment of minors as young as six years old, still occur. According to Amnesty International, in 2005, Iran was the only country in the world that executed child offenders, putting to death eight children that year.<sup>77</sup> As a state party to the Convention on the Rights of the Child, it is illegal for Iran to execute minors under the age of eighteen years old.

Children whose parents cannot afford court fees were reportedly imprisoned for petty offenses including shoplifting, wearing make-up, or mixing with the opposite sex.<sup>78</sup>

—*U.S. Department of State report, 2005*

### Homosexuality

Iranian law dictates that penetrative male homosexual activity be punished with death, while non-penetrative activity is punished with lashes until the fourth offense, when death becomes the punishment. Female homosexual activity is punished with lashes, also until the fourth offense, when death becomes the punishment.

According to an exiled Iranian gay rights group, Homan, the state has executed at least 4,000 homosexuals since 1979.<sup>79</sup>

In recent years, Iranian authorities have continued this practice. In July 2005, two male teenagers, Mahmoud Asgari and Ayaz Marhoni, were executed, allegedly for raping a thirteen-year-old boy, a charge that a British gay rights group argues was used as a smoke-screen to punish the teenagers' sexual orientation.<sup>80</sup>

The execution of two men for consensual sexual activity is an outrage. The Iranian government's persecution of gay men flouts international human rights standards.<sup>81</sup>

—*Human Rights Watch statement on the execution of two gay Iranian men, November 2005*

Underscoring their fear of the state, two gay asylum seekers have committed suicide in the United Kingdom in the past four years rather than face deportation back to Iran to face punishment for their sexual preference.<sup>82</sup>

### Conclusion

What can be done?

The history of nations that systematically violate human rights suggests that constant scrutiny of their actions does make a difference. Silence has never been an antidote. In this regard, there is a role for both governmental and nongovernmental institutions.

Iran should be judged by the standards of the international covenants to which it is signatory and the rights it purports to protect in its own national legislation. When it is found wanting, it must be held accountable for its actions. Only in this way can Iran's leaders understand that they cannot act with impunity, for human rights protections are indivisible.

## Selected Glossary

*Assembly of Experts*—an eighty-six-member body composed of religious scholars whose primary responsibility is to select the Supreme Leader. Candidates for the body are stringently vetted by the Council of Guardians to ensure their support for the status quo; members serve eight-year terms.

*Bahais*—Founded in Iran in the nineteenth century, the Bahai faith believes strongly in unity, and in the notion that people should work together for the common benefit of humanity. Some Muslims consider Bahais heretics because Bahauallah, the faith's founder, denied that Mohammad was the last prophet and claimed that he, Bahauallah, was the latest prophet of God. This contradicts one of the most fundamental Islamic beliefs. Iran's 350,000 Bahais face severe persecution.

*Basiji*—A paramilitary group founded after the 1979 revolution to defend Islamic and revolutionary values, the *Basiji* fought in the eight-year war with Iraq and suffered high casualties. Today, the *Basiji*, a branch of the Iranian Revolutionary Guard Corps known for its radical tendencies, has become an efficient network and a prominent presence in mosques around the country. The *Basiji* have participated in a crackdown on pro-democracy protests.

*Convention on the Elimination of All Forms of Discrimination against Women*—Adopted by the United Nations General Assembly in 1979, the convention, signed and ratified by 185 member states, excluding Iran, obligates parties to end sexual discrimination against women.

*Convention on the Elimination of All Forms of Racial Discrimination*—Adopted by the UN General Assembly in 1965, the convention, ratified by Iran in 1969, forbids “distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin, which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”

*Convention on the Rights of the Child*—Adopted by the UN General Assembly in 1989, the convention, ratified by Iran in 1994, protects the rights of children under the age of eighteen, such as access to education and health care, and bans capital punishment.

*Guardian Council*—Appointed by the supreme leader, this body of twelve judges, six religious jurists and six laymen, reviews all parliamentary legislation to ensure that it conforms to Islam and Iran's Sharia-based constitution. The council supervises elections, retaining the right to approve or disqualify candidates based on ideology. The supreme leader plays a major role in selecting the council's members.

*International Convention on Civil and Political Rights*—Adopted by the United Nations General Assembly in 1966, the convention, ratified by Iran in 1976, requires parties to guarantee freedom of expression, assembly, and religion; nondiscrimination against women and minorities; and freedom from torture, arbitrary arrest, and unfair trial.

*International Covenant on Economic, Social, and Cultural Rights*—Adopted by the UN General Assembly in 1966, the covenant, ratified by Iran in 1976, obligates states to ensure that their peoples have the right to “freely determine their political status and freely pursue their economic, social and cultural development.”

*Majlis*—Iran's parliament, which means “consultative assembly” in Farsi, is beholden to the Guardian Council, which must review and approve all legislation passed in the *Majlis*. Powers include approval/impeachment of cabinet ministers, ratification of internal agreements, and drafting the annual government budget.

*Revolutionary Courts*—Established in the wake of the Iranian Revolution, these courts, presided over by a judge and no jury, try cases affecting national security. Proceedings are closed and judgments often summary, lasting as little as five minutes. The court has no constitutional legitimacy and runs parallel to the government-controlled judiciary.

*President*—Subordinate to the supreme leader, the president retains a certain degree of power, such as oversight of the various cabinet ministries. The president's relationship with the supreme leader largely determines whether presidential policies gain traction or not. Mahmoud Ahmadinejad was elected president in 2005.

*Special Courts for the Clergy*—Established in 1987, these courts, without any constitutional legitimacy, investigate and punish reformist clerics opposed to the more conservative clerics entrenched in the government. The courts run in parallel to the government-controlled judiciary.

*Supreme Leader*—Empowered by the constitution with “absolute general trusteeship” over the government, the supreme leader controls appointment/dismissal of the president, judiciary, and television and radio broadcasting, supervises the general policies of the government, and serves as commander-in-chief of the armed forces. Ayatollah Khamenei has been supreme leader since 1989.

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