

IRAN 2017 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Islamic Republic of Iran is a theocratic republic with a Shia Islamic political system based on “velayat-e faqih” (“guardianship of the jurist” or “rule by the jurisprudent”). Shia clergy, most notably the “Rahbar” (“supreme jurisprudent” or “supreme leader”), and political leaders vetted by the clergy dominate key power structures.

The supreme leader is the head of state. The members of the Assembly of Experts are directly elected in popular elections, and the assembly selects and may dismiss the supreme leader. Ayatollah Ali Khamenei has held the position since 1989. He has direct or indirect control over the legislative and executive branches of government through unelected councils under his authority. The supreme leader holds constitutional authority over the judiciary, government-run media, and armed forces, and indirectly controls internal security forces and other key institutions. While mechanisms for popular election exist for the president, who is head of government, and for the Islamic Consultative Assembly (parliament or “Majles”), the unelected Guardian Council vets candidates and controls the election process. Half of the 12-member Guardian Council is appointed by the supreme leader, while the other half is appointed by the head of the judiciary. In May voters re-elected Hassan Rouhani as president. Despite high voter turnout, candidate vetting allowed six presidential candidates to run out of 1,636 individuals who registered for the race. Restrictions on media, including censoring campaign materials and preventing prominent opposition figures from speaking publicly, limited the freedom and fairness of the elections.

Civilian authorities maintained effective control over the security forces.

The most significant human rights issues included a high number of executions for crimes not meeting the international legal standard of “most serious crimes” and without fair trials of individuals, including juvenile offenders; disappearances by government agents; torture; harsh and life-threatening prison conditions; arbitrary detention and imprisonment; hundreds of political prisoners; unlawful interference with privacy; severe restrictions on freedom of expression, including criminalization of libel and suppression of virtually all expression deemed critical of the regime or its officials; severe restrictions on the press, including imprisonment of reporters, and of the internet which the government disrupted and censored, as well as on academic and cultural freedom; severe restrictions on the

rights of assembly and association to block any activity it deemed “anti-regime”, including repression of nationwide protests that began on December 28; egregious restrictions on religious freedom; refoulement of refugees; elections where the regime pre-selected the candidates and that otherwise did not meet international standards and severely limited political participation; pervasive government corruption in all branches and at all levels of government; trafficking in persons; and governmental restrictions on the rights of women and minorities. LGBTI status and/or conduct remained criminalized and subject to the death penalty and LGBTI persons faced arrest, official harassment, and intimidation, as well as cruel and degrading treatment by security officials. There were severe restrictions on independent trade unions.

The government took few steps to investigate, prosecute, punish, or otherwise hold accountable officials who committed these abuses, many of which were perpetrated as a matter of government policy. Impunity remained pervasive throughout all levels of the government and security forces.

The country materially contributed to human rights abuses in Syria, through its military support for Syrian president Bashar al-Assad and for Hizballah forces there, as well as in Iraq, through its aid to certain Iraqi Shia militia groups.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

The government and its agents reportedly committed arbitrary or unlawful killings, most commonly by execution after arrest and trial without due process, or for crimes that did not meet the international threshold of “most serious crimes.” As noted by the UN Special Rapporteur (UNSR) on the Situation of Human Rights in the Islamic Republic of Iran, Asma Jahangir, Revolutionary Courts continued to issue the vast majority of death sentences in the country, and trials lacked due process. Legal representation was denied during the investigation phase, and in most cases no evidence other than confessions, often reportedly extracted through torture, was considered.

The government made few attempts to investigate allegations of deaths that occurred after or during torture or other physical abuse or after denying detainees medical treatment. The death penalty may also be imposed on appeal, which deterred appeals in criminal cases.

In the context of the severe fair trial limitations mentioned above, there were at least 437 reported executions as of October, according to NGO Iran Human Rights Documentation Center (IHRDC). The government officially announced 70 executions through October but did not release further information on many of those executions, such as the execution dates, names of those executed, or crimes for which they were executed.

Many executions continued to be carried out in public. According to reports by the IHRDC, there were at least 26 public executions during the year at Rajai Shahr Prison in Karaj (also known as Gohardasht Prison). Reports indicated that these public executions were generally attended by hundreds of individuals, including children. The government also continued regularly to carry out mass executions. According to the NGO Iran Human Rights, at least 12 prisoners were hanged on February 15 at Rajai Shahr Prison.

The law provides for the death penalty in cases of conviction for murder, “attempts against the security of the state,” “outrage against high-ranking officials,” “moharebeh” (which has a variety of broad interpretations, including “waging war against God”), “fisad fil-arz” (corruption on earth, including apostasy or heresy), rape, adultery, drug possession and trafficking, recidivist alcohol use, consensual same-sex sexual conduct, 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 and journalists, accusing them of “struggling against the precepts of Islam” and against the state that upholds those precepts. Authorities have expanded the scope of this to include “working to undermine the Islamic establishment” and “cooperating with foreign agents or entities.” The judiciary is required to review and validate death sentences.

The majority of executions in the country continued to be for drug-related offenses. Drug offenders, like others, continued to be executed without due process.

In August parliament passed an amendment to the 1997 Law to Combat Drugs that would raise the threshold for the death penalty for drug-related offenses. Under the amended law, capital punishment applies to the possession, sale, or transport of more than approximately 110 pounds of natural drugs, such as opium, or approximately 4.4 to 6.6 pounds of manufactured narcotics, such as heroin or cocaine. According to the old law, capital punishment applied to similar offenses

involving slightly more than 11 pounds of natural drugs or two-thirds of a pound of manufactured drugs. Capital punishment, however, still applies to drug offenses involving smaller quantities of narcotics, if the crime is carried out using weapons, employing minors, or involving someone in a leadership role in a trafficking ring or someone who has previously been convicted of drug crimes and given a prison sentence of more than 15 years. The Guardian Council approved the law, and it went into effect on November 14.

The Islamic Penal Code allows for the execution of juvenile offenders starting at age nine for girls and age 13 for boys.

The law allows the judge to determine whether the individual understood the nature and consequences of the crime committed, potentially offering an alternative punishment to the death penalty in certain cases, although reports threw into doubt whether these alternative punishments were applied.

According to an August report by Amnesty International, 89 juvenile offenders were on death row. The government executed at least four juvenile offenders during the year, including Alireza Tajiki, who was executed in August. Tajiki was arrested in 2012 at age 15 and sentenced to death for murder. Reports noted that Tajiki's trial was unfair and relied on "confessions" Tajiki claimed were made under duress and torture.

In August spiritual leader Mohammad Ali Taheri was sentenced to death on charges of founding a cult and "corruption on earth." The government labelled Taheri's movement, variously referred to as Erfan-e Halgheh or Erfan Kayhani, a "satanic" and "deviant sect." In 2014 Taheri had been sentenced to death on similar charges, although that sentence was annulled in 2015. According to media and NGO reports, the Islamic Revolutionary Guard Corps (IRGC) also detained dozens of Taheri's followers during the year.

Adultery remained punishable by death by stoning. According to the NGO Justice for Iran, provincial authorities have been ordered not to provide public information about stoning sentences since 2001. According to Iran Human Rights, in February a man and woman were sentenced to death by stoning by a criminal court in Lorestan Province.

Terrorist groups targeted civilians during the year. ISIS claimed responsibility for the June 7 terrorist attacks in Tehran, which killed at least 12 persons and injured

dozens more at the parliament and the mausoleum of Ayatollah Ruhollah Khomeini, the founder of the Islamic Republic of Iran.

b. Disappearance

There were reports of politically motivated abductions during the year attributed to government officials. In June, Amnesty International reported the forced disappearance on June 23-24 of five ethnic Kurdish men in Sanandaj, Kurdistan Province. Plainclothes officials often seized journalists and activists without warning, and government officials refused to acknowledge custody or provide information on them.

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

Although the constitution prohibits all forms of torture “for the purpose of extracting confession or acquiring information,” use of physical and mental torture to coerce confessions remains prevalent, especially during pretrial detention. There were credible reports that security forces and prison personnel tortured and abused detainees and prisoners throughout the year.

Commonly reported methods of torture and abuse in prisons included threats of execution or rape, forced virginity and sodomy tests, sleep deprivation, electroshock, burnings, the use of pressure positions, and severe and repeated beatings. UNSR Jahangir highlighted reports of prisoners being subjected to blackmail, beating, and other physical abuse.

Human rights organizations frequently cited some prison facilities, including Evin Prison in Tehran and Rajai Shahr Prison in Karaj, for their use of cruel and prolonged torture of political opponents of the government, particularly Wards 209 and Two of Evin Prison, which were reportedly controlled by the IRGC. Authorities also allegedly maintained unofficial secret prisons and detention centers outside the national prison system where abuse reportedly occurred.

Judicially sanctioned corporal punishments continued. These included flogging, blinding, stoning, and amputation, which the government defends as “punishment,” not torture.

Iran Human Rights reported the case of three prisoners accused of theft having their hands amputated on September 21 at Qom Central Prison.

UNSR Jahangir reported that in January, Hossein Movahedi, a reporter in Najafabad accused of disseminating falsehoods, was flogged for inaccurately reporting the number of student-owned motorcycles impounded by the Najafabad police department.

Extrajudicial punishments involving degrading public humiliation of alleged offenders were also frequently reported throughout the year.

Prison and Detention Center Conditions

Prison conditions were harsh and potentially life threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care. Prisoner hunger strikes in protest of their treatment were frequent.

Physical Conditions: Overcrowding remained a problem in prisons with many prisoners forced to sleep on floors, in hallways, or in prison yards. The human rights NGO United for Iran, which closely monitored prison conditions, reported in June that the country's existing prisoner population of approximately 220,000 was three times the capacity of its prisons and detention centers.

There were reported deaths in custody. The Human Rights Activists News Agency (HRANA) reported that on June 19, Fardin Faramarzi died in Sanandaj Central Prison without receiving medical care, despite repeated attempts to obtain care for an undisclosed heart condition and related severe pain.

According to IranWire, guards beat both political and nonpolitical prisoners during raids on wards, performed nude body searches in front of other prisoners, and threatened prisoners' families. In some instances, according to HRANA, guards singled out political prisoners for harsher treatment.

Prison authorities often refused to provide medical treatment for pre-existing conditions, injuries that prisoners suffered at the hands of prison authorities, or illness due to the poor sanitary conditions in prison. Human rights organizations reported that authorities also used denial of medical care as a form of punishment for prisoners. In March the Center for Human Rights in Iran (CHRI) reported that authorities had denied medical care to Jamaloddin Khanjani and Behrouz Tavakkoli, two of the Bahai leaders imprisoned since 2008.

Medical services for female prisoners in places like Evin Prison were reported as grossly inadequate. Human rights groups highlighted the case of children's rights activist Atena Daemi, serving a seven-year sentence in Evin Prison during the year for meeting with the families of political prisoners, criticizing the government on Facebook, and condemning the 1988 mass executions of prisoners in the country. Authorities reportedly denied Daemi treatment for kidney infections and complications from gall bladder stones, while an additional charge was brought against her for pretending to be sick.

Frequent water shortages, intolerable heat, unsanitary living spaces, and poor ventilation were regularly reported.

UNSR Jahangir and others condemned the inhuman, life-threatening conditions of Rajai Shahr Prison in Karaj following the hunger strike of numerous political prisoners that began at the end of July. Prisoners protested the sudden transfer of more than 50 political prisoners, including at least 15 Bahais, whom authorities moved without notice from Ward 12 to the prison's high security Ward 10. Authorities reportedly deprived prisoners of medicine, adequate medical treatment, and personal belongings, and sealed prisoners' cells with iron sheets that limited air circulation. In her statement issued on August 31, UNSR Jahangir expressed deep alarm at the deteriorating medical conditions of the political prisoners and at reports of their continued torture following the transfer.

Authorities occasionally held pretrial detainees with convicted prisoners. According to HRANA, juvenile detainees were held with adult prisoners in some prisons, including Saghez Central Prison in Kurdistan Province. Authorities held women separately from men.

Mohammad Javad Fat'hi, a member of parliament's judicial committee, was quoted in media saying that 2,300 children were in prisons during the year with their incarcerated mothers. Fat'hi urged the Prisons Organization to provide transparent statistics on the number of imprisoned mothers. IranWire reported that multiple prisons across the country held older children who lived with their incarcerated mothers without access to medical care or educational and recreational facilities.

There were numerous reports of prisoner suicides throughout the year. According to HRANA, Saeed Naderi Gol Dareh, imprisoned in Ghezelhasar Prison in Karaj on drug-related charges, committed suicide on June 10 by ingesting chemicals.

Administration: Prisoners generally had weekly access to visitors and telephone and other correspondence privileges, but authorities often revoked these privileges. Prisoners practicing a religion other than Shia Islam reported experiencing discrimination while incarcerated. Prisoners were able to submit complaints to judicial authorities but often faced censorship and retribution.

Authorities did not initiate credible investigations into allegations of inhuman conditions. Families of executed prisoners did not always receive notification of their deaths, and authorities frequently denied them the ability to perform funeral rites.

Independent Monitoring: The government did not permit independent monitoring of prison conditions. Prisoners and their families often wrote letters to authorities and, in some cases, to UN bodies to highlight and protest their treatment. The UNSR reported that authorities sometimes threatened prisoners after accusing them of contacting her office.

In July authorities arranged a visit for representatives from numerous foreign diplomatic missions to Evin Prison. According to Amnesty International and other sources, however, the representatives were not allowed unrestricted access to the entire prison.

Prisoner hunger strikes occurred frequently at Evin Prison and elsewhere, and reports on Evin Prison's inhuman conditions continued. These included infestations with cockroaches and mice, chronic overcrowding, poor ventilation, prisoners being forced to sleep on the floor with little bedding, and insufficient food.

For more information on treatment of political prisoners, see section 1.e., Political Prisoners and Detainees.

d. Arbitrary Arrest or Detention

Although the constitution prohibits arbitrary arrest and detention, the practices occurred frequently during the year. President Rouhani's 2016 "Citizen's Rights Charter" enumerates various freedoms, including "security of their person, property, dignity, employment, legal and judicial process, social security and the like." The government has not implemented these provisions. Detainees may appeal their sentences in court but are not entitled to compensation for detention.

Role of the Police and Security Apparatus

Several agencies shared responsibility for law enforcement and maintaining order, including the Ministry of Intelligence and Security and law enforcement forces under the Interior Ministry, which report to the president, and the IRGC, which reports directly to the supreme leader.

The Basij, a volunteer paramilitary group with local organizations across the country, sometimes acted as an auxiliary law enforcement unit subordinate to IRGC ground forces. Basij units often engaged in repression of political opposition elements or intimidation of civilians accused of violating the country's strict moral code, without formal guidance or supervision from superiors. The supreme leader holds ultimate authority over all security agencies.

Impunity remained a problem within all security forces. Human rights groups frequently accused regular and paramilitary security forces, such as the Basij, of committing numerous human rights abuses, including acts of violence against protesters and participants in public demonstrations. According to remarks from Tehran Prosecutor General Abbas Jafari-Dolatabadi, the attorney general is responsible for investigating and punishing security force abuses, but the process was not transparent, and there were few reports of government actions to discipline abusers. In a notable exception, in November authorities sentenced former Tehran prosecutor Saeed Mortazavi to two years in prison for his alleged responsibility for the torture and death of protesters in 2009.

Arrest Procedures and Treatment of Detainees

The constitution and law require a warrant or subpoena for an arrest and state that arrested persons should be informed of the charges against them within 24 hours. Authorities, however, held some detainees, at times incommunicado, for days, weeks, or months without charge or trial and frequently denied them contact with family or timely access to legal representation.

The law obligates the government to provide indigent defendants with attorneys 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, effectively silencing them due to fear of losing their families' property.

The government continued to use house arrest without due process to restrict movement and communication. At year's end former presidential candidates Mehdi Karroubi and Mir Hossein Mousavi, as well as Mousavi's wife Zahra Rahnavard, remained under house arrest imposed in 2011 without formal charges. Security forces continued to restrict their access to visitors and information. In August, 79-year-old Karroubi went on a hunger strike to demand a public trial and protest the continuing presence of security guards in his house. According to reports Intelligence Ministry agents departed Karroubi's house but continued to control access from outside. Concerns persisted over Karroubi's deteriorating health, reportedly exacerbated by his treatment by authorities.

Arbitrary Arrest: Authorities commonly used arbitrary arrests to impede alleged antiregime activities. 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 assurances of due process.

Individuals often remained in detention facilities for long periods without charges or trials, and authorities sometimes prevented them 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 individuals released on bail or pending trial.

On February 23, according to a CHRI report, authorities arrested Kurdish civil rights activist Farzaneh Jalali without a warrant. They held her at an Intelligence Ministry detention center until she was released, without charge, on March 13.

Dual nationals--individuals who are citizens of both Iran and another country--continued to be targeted for arbitrary and prolonged detention on the basis of politically motivated charges during the year. Like other Iranians in similar situations, dual nationals faced a variety of due process violations, including lack of prompt access to a lawyer of their choosing and brief trials during which they were not allowed to defend themselves. In some cases courts sentenced such individuals to 10 years or more in prison, and such sentences were generally affirmed on appeal.

Pretrial Detention: Pretrial detention was often arbitrarily lengthy, particularly in cases involving alleged violations of national security law. In other cases authorities held persons incommunicado for lengthy periods before permitting them to contact family members. According to Human Rights Watch (HRW), a

judge may prolong detention at his discretion, and pretrial detentions often lasted for months. Often authorities held pretrial detainees in custody with the general prison population.

Detainee's Ability to Challenge Lawfulness of Detention before a Court:

Detainees may appeal their sentences in courts of law but are not entitled to compensation for detention and were often held for extended periods without any legal proceedings.

e. Denial of Fair Public Trial

The constitution provides that the judiciary be “an independent power” that is “free from every kind of unhealthy relation and connection.” The court system was subjected to political influence, and judges were appointed “in accordance with religious criteria.”

The supreme leader appoints the head of the judiciary. The head of the judiciary, members of the Supreme Court, and the prosecutor general were clerics. International observers 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 law, a defendant has the right to a fair trial, to be presumed innocent until convicted, to have access to a lawyer of his or her choice, and to appeal convictions in most cases that involve major penalties. These rights were not upheld.

Panels of judges adjudicate trials in civil and criminal courts. Human rights activists reported trials in which authorities appeared to have determined the verdicts in advance, and defendants did not have the opportunity to confront their accusers or meet with lawyers. The law restricts the choice of attorneys to a government-approved list for defendants charged with crimes against national security and for journalists.

When postrevolutionary statutes do not address a situation, the government advised judges to give precedence to their knowledge and interpretation of sharia (Islamic law). Under this method judges may find a person guilty based on their own “divine knowledge,” or they may issue more lenient sentences.

During the year human rights groups noted the absence of procedural safeguards in criminal trials. According to the CHRI, the government sentenced 11 Christian converts to prison during a period of less than two months in trial proceedings that lacked due process.

Courts admitted as evidence confessions made under duress or torture. In her August 14 report, the UNSR stated that the government relied on physical and mental torture to coerce confessions from prisoners during pretrial detention and interrogations. Authorities also allegedly tortured prisoners and forced them to make videotaped confessions that the government later televised.

The Special Clerical Court is headed by a Shia Islamic legal scholar, overseen by the supreme leader, and charged with investigating alleged offenses committed by clerics and issuing rulings based on an independent interpretation of Islamic legal sources. The constitution does not provide for the court, which operated outside the judiciary's purview. Clerical courts were used to prosecute Shia clerics who expressed controversial ideas and participated in activities outside the sphere of religion, such as journalism or reformist political activities.

In November 2016 the Qom branch of the Special Clerical Court sentenced prominent cleric Hojjatoleslam Ahmad Montazeri to six years in prison for "endangering national security" and "leaking secrets of the Islamic system" after he posted audio recordings of his father, the late dissident cleric, Hossein Ali Montazeri, condemning the 1988 mass execution of political prisoners. On February 21, Montazeri was arrested to begin serving his sentence. According to reports, however, the cleric was granted furlough and released the following day, allegedly at the direction of the supreme leader.

Political Prisoners and Detainees

Statistics regarding the number of citizens imprisoned for their political beliefs were not available. United for Iran estimated there were 746 prisoners of conscience in the country during the year, including those jailed for their religious beliefs.

The government often charged political dissidents with vague crimes, such as "antirevolutionary behavior," "corruption on earth," "siding with global arrogance," moharebeh, and "crimes against Islam." Prosecutors imposed strict penalties on government critics for minor violations.

A 2016 political crimes law defines political crimes and provides for the treatment of political prisoners. The law defines a political crime as an insult against the government, as well as “the publication of lies.” Political crimes are those acts “committed with the intent of reforming the domestic or foreign policies of Iran,” while those with the intent to damage “the foundations of the regime” are considered national security crimes. The court and the public prosecutor’s office retain responsibility for determining the nature of the crime.

The political crimes law grants the accused certain rights during arrest and imprisonment. According to the law, political criminals should be held in detention facilities separate from ordinary criminals. They should also be exempt from wearing prison uniforms, not subject to rules governing repeat offenses, not subject to extradition, and exempt from solitary confinement unless judicial officials deem it necessary. Political criminals also have the right to see and correspond with immediate family regularly and to access books, newspapers, radio, and television.

Many of the law’s provisions have not been implemented, and the government continued to arrest and charge students, journalists, lawyers, political activists, women’s activists, artists, and members of religious minorities with “national security” crimes that do not fall under the political crimes law. Political prisoners were also at greater risk of torture and abuse in detention and often were mixed with the general prison population. The government often placed political prisoners in prisons far from their families, denied them correspondence rights, and held them in solitary confinement for long periods. Human rights activists and international media also reported cases of political prisoners confined with accused and convicted violent criminals, and with criminals carrying contagious diseases like HIV or hepatitis. Former prisoners reported that authorities often threatened political prisoners with transfer to criminal wards, where attacks were more likely.

The government reportedly held some detainees in prison for years on unfounded charges of sympathizing with alleged terrorist groups.

The government issued travel bans on some former political prisoners, barred them from working in their professional sectors for years after incarceration, and imposed internal exile on others. The government did not permit international humanitarian organizations or UN representatives access to political prisoners.

According to the CHRI, authorities sentenced Faezeh Hashemi to a six-month prison term in March for “spreading falsehoods,” “disturbing public opinion,” and “propaganda against the state,” although a final ruling was said to be pending appeal. Hashemi, the daughter of former president Akbar Hashemi Rafsanjani, is a women’s rights activist and former member of parliament.

In May 2016 a revolutionary court in Tehran sentenced prominent human rights defender and journalist Narges Mohammadi to 16 years in prison. The court charged Mohammadi with “propaganda against the state,” “assembly and collusion against national security,” and establishing the illegal “Step by Step to Stop the Death Penalty” organization, allegedly harming national security. Prison authorities repeatedly denied Mohammadi medical attention for significant health problems and denied her family visitation and telephone calls, according to media reports. In April the Supreme Court rejected Mohammadi’s request for judicial review.

The CHRI reported that on August 14, authorities sentenced women’s rights activist and photojournalist Alieh Matlabzadeh to three years in prison for participating in a women’s empowerment seminar in Tbilisi, Georgia, in 2016. Matlabzadeh, a member of the One Million Signatures for Gender Equality campaign, who made a documentary titled, *Let’s Not Forget Victims of Violence against Women in Society*, was arrested in November 2016 shortly after returning from Georgia.

According to the Bahai International Committee, two Bahai leaders--Mahvash Sabet and Fariba Kamalabadi--were released in September and October, respectively, after serving almost 10 years in prison. They were among seven Bahai leaders, known as the Yaran, who were arrested in 2008, convicted of “disturbing national security,” “spreading propaganda against the regime,” and “engaging in espionage,” and sentenced to 20 years in prison. Their sentences were subsequently reduced to 10 years. The other five Yaran leaders--Jamaloddin Khanjani, Afif Naeimi, Saeid Rezaie, Behrouz Tavakkoli, and Vahid Tizfahm--remained imprisoned for activities related to their beliefs and the practice of their faith.

During the year authorities occasionally gave political prisoners suspended sentences and released them on bail with the understanding that renewed political activity could return them to prison. The government also tried to intimidate activists by temporarily suspending court proceedings against them, while leaving open the option of rearrest at any time. The government summoned activists

repeatedly for questioning and confiscated personal belongings such as mobile phones, laptops, and passports.

Lawyers who defended political prisoners were occasionally arrested. The government continued to imprison lawyers and others affiliated with the Defenders of Human Rights Center advocacy group. Abdolfattah Soltani, a human rights lawyer affiliated with the center, has been imprisoned since 2011, according to a recent CHRI report. He was serving a 13-year prison sentence for “being awarded the [2009] Nuremberg International Human Rights Award,” “interviewing with the media about his clients’ cases,” and “cofounding the Defenders of Human Rights Center” with Nobel Peace laureate Shirin Ebadi.

A judicial official reportedly stated that the Intelligence Ministry, as the arresting authority, opposed releasing Soltani despite his poor health and eligibility under the law for parole. Article 58 of the Islamic Penal Code specifies that prisoners may be conditionally released after serving a third of their sentence.

Civil Judicial Procedures and Remedies

Citizens had limited ability to sue the government and were not able to bring lawsuits against the government for civil or human rights violations through domestic 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 ethnic and religious minorities in invoking this provision.

f. Arbitrary or Unlawful 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.” 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.

g. Abuses in Internal Conflicts

Syria: Iran, primarily through the Islamic Revolutionary Guard Corps-Quds Force, as well as Hizballah forces there, continued to support the Assad regime in Syria, thus prolonging the civil war, which has led to the deaths of hundreds of thousands of Syrian civilians. Iran provided arms, financing, and training to Syrian militias, and recruited Iraqi, Afghan, and Pakistani Shia fighters to support the Assad regime. According to HRW (see section 1.d.), the IRGC has recruited thousands of undocumented Afghans living in Iran to fight in Syria since at least 2013, allegedly both offering incentives to potential recruits, such as legal residence, and threatening forced deportation.

Child Soldiers: In an October 1 report, HRW asserted that the IRGC has recruited Afghan children as young as age 14 to fight in the Fatemiyoun Brigade, reportedly an Iranian-supported Afghan group fighting alongside government forces in Syria, and noted that at least 14 Afghan children have been killed fighting in the Syrian conflict.

Iraq: Iran directly supported certain Iraqi Shia militias, including designated foreign terrorist organization Kata'ib Hizballah, which have been complicit in summary executions and other human rights abuses of civilians in Iraq.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution provides for freedom of expression, including for the press, except when words are deemed “detrimental to the fundamental principles of Islam or the rights of the public.” According to the law, “anyone who engages in any type of propaganda against the Islamic Republic of Iran or in support of opposition groups and associations shall be sentenced to three months to one year of imprisonment.”

Article 26 of the 2016 Charter on Citizens’ Rights acknowledges the right of every citizen to freedom of speech and expression. The charter grants citizens the right freely to seek, receive, publish, and communicate views and information, using any means of communication, but it has not been implemented.

The law provides for prosecution of persons accused of instigating crimes against the state or national security or “insulting” Islam. The government severely restricted freedom of speech and of the press and used the law to intimidate or prosecute persons who directly criticized the government or raised human rights

problems, as well as to bring ordinary citizens into compliance with the government's moral code.

Freedom of Expression: Authorities did not permit individuals to criticize publicly the country's system of government, supreme leader, or official religion. Security forces and the judiciary punished those who violated these restrictions, as well as those who publicly criticized the president, cabinet, and parliament.

The government monitored meetings, movements, and communications of its citizens and often charged persons with crimes against national security and insulting the regime based on letters, emails, and other public and private communications. Authorities threatened arrest or punishment for the expression of ideas or images they viewed as violations of the legal moral code.

Former president Mohamed Khatami remained barred from giving public remarks, and media remained banned from publishing his name or image. According to national and international media reports, the former president was further barred in October from making public appearances for three months, including at meetings, theater performances, and concerts. Activists reportedly said this ban was one of the latest signs of the continuing crackdown within the regime on reformists.

Press and Media Freedom: The government's Press Supervisory Board issues press licenses, which it sometimes revoked in response to articles critical of the government or the regime, or did not renew for individuals facing criminal charges or incarcerated for political reasons. During the year the government banned, blocked, closed, or censored publications deemed critical of officials.

The Ministry of Culture and Islamic Guidance ("Ershad") severely limited and controlled foreign media organizations' ability to work in the country by requiring foreign correspondents to provide detailed travel plans and topics of proposed stories before granting visas, limiting their ability to travel within the country, and forcing them to work with a local "minder."

Under the constitution private broadcasting is illegal. The government maintained a monopoly over all television and radio broadcasting facilities through government agency Islamic Republic of Iran Broadcasting. Radio and television programming, the principal source of news for many citizens (especially in rural areas with limited internet access), reflected the government's political and socioreligious ideology. The government jammed satellite broadcasts as signals entered the country, a continuing practice since at least 2003. Satellite dishes

remained illegal but ubiquitous. Those who distributed, used, or repaired satellite dishes faced fines up to 90 million rials (\$2,500). Police launched campaigns to confiscate privately owned satellite dishes throughout the country under warrants provided by the judiciary.

Under the constitution the supreme leader appoints the head of the audiovisual policy agency, a council composed of representatives of the president, judiciary, and parliament. The Ministry of Culture reviews all potential publications, including foreign printed materials, prior to their domestic release, and may deem books unpublishable, remove text, or require word substitutions for terms deemed inappropriate.

Independent print media companies existed, but the government severely limited their operations.

Violence and Harassment: The government and its agents harassed, detained, abused, and prosecuted publishers, editors, and journalists, including those involved in internet-based media, for their reporting. The government also harassed many journalists' families. Reporters Without Borders (RSF) reported that the government summoned at least 10 families of foreign-based journalists during the year for interviews with intelligence officers to pressure them to "stop collaborating with enemy media." As in previous election years, there were numerous reports of the government's widespread crackdown on journalists in the runup to the May presidential and local elections.

In August it was widely reported that the government had frozen the assets of more than 150 BBC Persian service present-day and former staff and contributors, banning them from buying or selling property, cars, or other nonliquid assets.

In September, RSF reported at least 50 Iranian journalists based abroad had been threatened during the year, including at least 16 who received death threats. RSF noted that alleged sources used by international media in the country continued to be targeted and harassed. Mehdi Khazali, editor of the blog *Baran*, was arrested in Tehran in August for sending "false information about the government to counterrevolutionary websites based abroad and to VOA."

Reformist journalists Issa Saharkhiz, Ehsan Mazandarani, Afarin Chitsaz, and Saman Safarzai were originally arrested in 2015 on charges of membership in "an infiltration group connected to the United States and United Kingdom." Saharkhiz was conditionally released from prison in April after having been sentenced to

three years in August 2016 for “insulting the supreme leader” and “propagating against the state.” In October, according to an RSF report, Saharkhiz was banned from international travel.

According to the CHRI, the government sentenced Mazandarani, a reporter for reformist daily newspaper *Etemad* and the former editor of *Farhikhtegan*, to seven years’ imprisonment in April 2016 for “assembly and collusion against national security” and “propaganda against the state.” The sentence was reduced on appeal to two years in July 2016. On February 11, Mazandarani was released from prison but subsequently detained and returned to Evin Prison in March as part of the government’s crackdown on journalists in the runup to the May elections. RSF reported his release from prison on October 31.

Censorship or Content Restrictions: The law forbids government censorship but also prohibits dissemination of information the government considers “damaging.” During the year the government censored publications that criticized official actions or contradicted official views or versions of events. “Damaging” information included discussions of women’s rights, the situation of minorities, criticism of government corruption, and references to mistreatment of detainees.

Officials routinely intimidated journalists into practicing self-censorship. Public officials often filed criminal complaints against newspapers, and the Press Supervisory Board, which regulates media content and publication, referred such complaints to the Press Court for further action, including possible closure, suspension, and fines. According to the IHRDC, the Islamic Republic News Agency determined the main topics and types of news to be covered and distributed topics required for reporting directly to various media outlets.

According to RSF, on October 5, the Tehran prosecutor’s office for culture and media suspended *Mostaghel* (or *Independent*), a reformist daily newspaper, for publishing a photo of former prime minister Mir Hossein Mousavi, along with photos of other prime ministers from 1979-89. This action was considered a violation of an order by the High Council for National Security and Justice banning media coverage of the leaders of the 2009 protests that followed the disputed presidential election (see section 1.d., Arrest Procedures and Treatment of Detainees).

According to international and local media reports, in the runup to the May presidential election, the country’s state television censored a documentary released by President Rouhani’s campaign that showed supporters chanting for

2009 presidential candidate Mir Hossein Mousavi, who has been under house arrest since 2011. A picture of former president Mohammad Khatami, whose name and image have been banned from use in media since 2015, was also cut from the video.

Libel/Slander Laws: 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. By law “insult” or “libel” against the government, government representatives, or foreign officials while they are on Iranian soil, as well as “the publication of lies” with the intent to reform (but not undermine the government) are considered political crimes and subject to certain trial and detention procedures (see section 1.e.). The government applied the law throughout the year, often citing statements made in various media outlets or internet platforms that criticized the government, to arrest, prosecute, and sentence individuals for crimes against national security.

Internet Freedom

The government restricted and disrupted access to the internet, monitored private online communications, and censored online content. Individuals and groups practiced self-censorship online.

The Ministries of Culture and of Information and Communications Technology are the main regulatory bodies for content and internet systems in the country. The supreme leader’s office also includes the Supreme Council of Cyberspace (SCC) charged with regulating content and systems. The government collected personally identifiable information in connection with citizens’ peaceful expression of political, religious, or ideological opinion or beliefs.

According to the International Telecommunication Union, 53 percent of the population used the internet. According to the Ministry of Culture, 70 percent of youth between the ages of 15 and 29 used the internet. NGOs reported the government continued to filter content on the internet to ban access to particular sites and to filter traffic based on its content. The law makes it illegal to distribute circumvention tools and virtual private networks, and Minister of Information and Communications Technology Jahromi was quoted in the press in September saying that using circumvention tools is illegal.

The Ministry of Culture and Islamic Guidance must approve all internet service providers. The government also requires all owners of websites and blogs in the country to register with the agencies that comprise the Commission to Determine the Instances of Criminal Content (also referred to as the Committee in Charge of Determining Unauthorized Websites or Committee in Charge of Determining Offensive Content), the governmental organization that determines censoring criteria. These include the Ministry of Culture and Islamic Guidance, Ministry of Information and Communications Technology, Intelligence Ministry, and the Tehran Public Prosecutor's Office.

Ministry of Information and Communications Technology regulations prohibit households and cyber cafes from having high-speed internet access. The government periodically reduced internet speed to discourage downloading material.

According to media reports, former minister of information and communications technology Mahmoud Vaezi announced that the government had improved methods to control the internet and had shut down a number of online platforms. According to a CHRI report in July, Vaezi vowed to "get rid" of foreign social media and described the government's efforts to block popular foreign products like WeChat and WhatsApp.

In a June speech, Supreme Leader Khamenei emphasized the importance of the country's National Information Network (NIN), launched in 2016 to "allow higher speeds and easier access while eliminating threats." RSF reported that the NIN acts like an intranet system, with full content control and user identification. Authorities may disconnect this network from World Wide Web content and reportedly intended to use it to provide government propaganda, while blocking access to independently reported news or freely gathered information.

Authorities continued to block online messaging tools, such as Facebook, YouTube, and Twitter, although the government operated Twitter accounts under the names of Supreme Leader Khamenei, President Rouhani, Foreign Minister Zarif, and other government-associated officials and entities.

During the year the social media platform Telegram was widely used by government officials, activists, media organizations, and citizens, although the government restricted access to some Telegram content. In August the SCC announced new regulations requiring that all foreign social media platforms, like Telegram, move all their data to servers inside the country or risk being closed.

Telegram users in the country were harassed throughout the year for content posted through its servers. RSF reported in June that 173,000 Telegram accounts were blocked and 94 internet users, mainly Telegram users, had been arrested since the start of the year. In April, Prosecutor General Mohammad Jafar Montazeri announced that Telegram's new voice-call option was blocked in the country because "intelligence agencies cannot monitor it." In March, eight Telegram administrators were arrested, with no reason provided.

Government organizations, including the Basij "Cyber Council," the Cyber Police, and the Cyber Army, which observers presumed to be controlled by the IRGC, monitored, identified, and countered alleged cyber threats to national security. These organizations especially targeted citizens' activities on officially banned social networking websites such as Facebook, Twitter, YouTube, and Flickr, and reportedly harassed persons who criticized the government or raised sensitive social problems.

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 prohibiting independent student organizations, imprisoning student activists, removing faculty, preventing students from enrolling or continuing their education because of their political or religious affiliation or activism, and restricting social sciences and humanities curricula.

Authorities barred Bahai students from higher education and harassed those who pursued education through the unrecognized online university of the Bahai Institute for Higher Education (see the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/).

The government maintained controls on cinema, music, theater, and art exhibits and censored those productions deemed to transgress Islamic values. The government censored or banned films deemed to promote secularism, non-Islamic ideas about women's rights, unethical behavior, drug abuse, violence, or alcoholism.

According to the IHRDC, the nine-member film review council of the Ministry of Culture and Islamic Guidance, made up of clerics, former directors, former parliamentarians, and academics, must approve the content of every film before

production and again before screening. Films may be barred arbitrarily from screening even if all the appropriate permits were received in advance.

In January, Minister of Culture and Islamic Guidance Reza Salehi Amiri reportedly boasted about the banning of 10 films from the Tehran Fajr International Film Festival. Amiri was quoted saying that for the first time, films with “feminist and inappropriate themes” had been removed.

Officials continued to discourage teaching music in schools. Authorities considered heavy metal and foreign music religiously offensive, and police continued to repress underground concerts and arrest musicians and music distributors. The Ministry of Culture must officially approve song lyrics, music, and album covers as complying with the country’s moral values, although many underground musicians released albums without seeking such permission.

Mehdi and Hossein Rajabian and Yousef Emadi were arrested in 2013 and sentenced to six years’ imprisonment following a 15-minute trial by a revolutionary court, which found them guilty of “insulting Islamic sanctities,” “spreading propaganda against the system,” and “illegal audio-visual activities” for the distribution of unlicensed music. Authorities shut down their website, and Amnesty International reported the three were beaten and given electric shocks in detention. In June the Rajabian brothers were released, but in September, according to a CHRI report, a revolutionary court sentenced Emadi to an additional year in prison, plus two years of internal exile, for “propaganda against the state” and his alleged dissemination of information to foreign media while in Evin Prison.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The constitution permits assemblies and marches of unarmed persons “provided they do not violate the principles of Islam.” The government restricted this right and closely monitored gatherings such as 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 to prevent anything it considered as antiregime.

According to activists the government arbitrarily applied rules governing permits to assemble, with proregime groups rarely experiencing difficulty, while groups viewed as critical of the regime experienced harassment regardless of whether authorities issued a permit.

In January authorities charged Baktash Abtin, a poet and senior member of the Iranian Writers Association, with “propaganda against the state.” In December 2016 authorities arrested Abtin along with three others at a peaceful gathering marking the 18th anniversary of the extrajudicial killings of dissidents. Abtin was charged in connection with posting a photo on Instagram of Mazdar Zarafshan, another board member of the Iranian Writers Association arrested in December, that illustrated physical abuse by security forces.

The government cracked down on small protests that began in the city of Mashad on December 28. These protests subsequently spread across the country and included broader economic and political grievances with the nation’s leadership. According to media reports, at least two protestors were killed and hundreds were arrested as of the end of the year. Human rights organizations and media reported that the government also throttled internet speeds and restricted some social media applications in response to the protests.

Freedom of Association

The constitution provides for the establishment of political parties, professional and political associations, and Islamic and recognized religious minority organizations, as long as such groups do not violate the principles of freedom, sovereignty, national unity, or Islamic criteria, or question Islam as the basis of the country’s system of government. The government limited the freedom of association through threats, intimidation, the imposition of arbitrary requirements on organizations, and the arrests of group leaders and members.

The government barred teachers from commemorating International Labor Day and Teachers’ Day. Several teachers and union activists either remained in prison or were awaiting new sentences, including Mahmoud Beheshti Langroudi, Esmail Abdi, Mohammad Reza Niknejad, Mehdi Bohlooli, and Mahmoud Bagheri (see section 7.a.). The Free Union of Workers of Iran reported that intelligence officials interrogated and warned several trade unionists not to organize gatherings on May 1.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights, with some exceptions, particularly concerning migrants and women. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) with regard to refugees from Afghanistan and Iraq.

Abuse of Migrants, Refugees, and Stateless Persons

In-country Movement: Judicial sentences sometimes included internal exile after release from prison, which prevented individuals from traveling to certain provinces. Women often required the supervision of a male guardian or chaperone to travel and faced official and societal harassment for traveling alone.

Foreign Travel: The government required exit permits for foreign travel for all citizens. Citizens who were educated at government expense or received scholarships had either to repay the scholarship or receive a temporary permit to exit the country. The government restricted the foreign travel of some religious leaders, members of religious minorities, and scientists in sensitive fields.

Several journalists, academics, opposition politicians, human and women's rights activists, and artists remained subject to foreign travel bans and had their passports confiscated during the year. Married women were not allowed to travel outside the country without prior permission from their husbands.

Exile: The law does not provide for forced exile abroad. Many citizens practiced self-imposed exile to express their beliefs freely or escape government harassment.

Protection of Refugees

According to UNHCR, the government has granted registration to 951,000 Afghan and 28,000 Iraqi refugees under a system known as "Amayesh," through which authorities provide refugees with cards identifying them as legally registered refugees. The cards enable refugees to access basic services and facilitate the issuance of work permits.

Additionally, approximately 1.4 million “nonrefugee” Afghans held visas under a Joint Action Plan for formerly undocumented Afghans. A large number of undocumented Afghans lived in the country and were unable to register as official refugees or visa holders.

HRW and other groups reported that the government continued its mistreatment of many Afghans in Iran, including physical abuse by security forces; deportations; forced recruitment to fight in Syria (see section 1.g.); detention in unsanitary and inhuman conditions; forced payment for transportation to and accommodation in deportation camps; forced labor; forced separation from families; restricted movement within the country; and restricted access to education or jobs.

Refoulement: According to activist groups and NGOs, authorities routinely arrested Afghan refugees and sometimes threatened them with refoulement. According to the International Organization for Migration, from the beginning of the year to November, more than 147,000 undocumented Afghans returned to Afghanistan, with many said to have believed they were pressured to leave, while more than 232,000 had been deported there throughout the year.

Access to Asylum: The law provides for the granting of asylum or refugee status to qualified applicants. While the government reportedly has a system for providing protection to refugees, UNHCR did not have information regarding how the country made asylum determinations. According to HRW the government continued to block many Afghans from registering to obtain refugee status.

Afghans not registered under the Amayesh system who had migrated to Iran in the past decades of conflict in their home country continued to be denied asylum or access to register with the United Nations as refugees for resettlement. NGOs reported many of these displaced asylum seekers believed they were pressured to leave the country but could not return to Afghanistan because of the security situation in their home provinces.

Freedom of Movement: Refugees faced restrictions on in-country movement and faced restrictions from entering 27 provinces, according to UNHCR.

Employment: Only refugees with government-issued work permits as part of the Amayesh system were able to work. NGO sources reported that cards were difficult to renew and were often prohibitively expensive for refugees to maintain due to steep annual renewal fees.

Access to Basic Services: Amayesh cardholders had access to primary education and received primary health care, including vaccinations, prenatal care, maternal and child health, and family planning from the Ministry of Health. They also benefited from a universal basic health insurance package for hospitalization and paraclinical services (medicine, doctor's visits, radiology, etc.) similar to Iranian citizens, and those with qualifying "special diseases" got comprehensive coverage.

The government claimed to grant refugees access to schools. According to a UNHCR report in June, approximately 52,000 undocumented Afghans were enrolled in the national education system for the 2016-17 year, in addition to an estimated 360,000 documented Afghan children. According to media reporting on schools for Afghan children, however, Afghans continued to have difficulty gaining access to education. The government sometimes imposed fees for children of registered refugees to attend public schools.

There were barriers to marriage between citizens and displaced Afghans. Authorities required Afghans to obtain documentation from their embassy or government offices in Afghanistan to register their marriage in the country, according to media reporting. The law states, "Any foreigner who marries an Iranian woman without the permission of the Iranian government will be sentenced to two to five years in prison plus a cash penalty." Furthermore, authorities only considered children born from such unions eligible for citizenship if the child's father is a citizen and registers the child as his, leaving many children stateless.

Most provinces' residency limitations on refugees effectively denied them access to public services, such as public housing, in the restricted areas of those provinces.

Stateless Persons

There were no accurate numbers on how many stateless persons resided in the country. Stateless persons included those without birth documents or refugee identification cards. They were subjected to inconsistent government policies and relied on charities, principally domestic, to obtain medical care and schooling. Authorities prohibited stateless persons from receiving formal government support or travel documents.

Women may not directly transmit citizenship to their children or to noncitizen spouses. Only children born to Iranian mothers and non-Iranian fathers who reside

in Iran for 18 years and whose parents' marriage is officially registered with the government are eligible to apply for citizenship. According to media reports, between 400,000 and one million persons lacked Iranian nationality despite having an Iranian citizen mother, due to limitations on citizenship transmission (see section 6, Children).

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose the president, as well as members of the Assembly of Experts and parliament, peacefully through elections based on universal suffrage. Candidate vetting conducted by unelected bodies, however, abridged this right in all instances. Reported government constraints on freedom of expression and the media; peaceful assembly; association; and the ability to freely seek, receive, and impart information and campaign also limited Iranians' right to freely choose their representatives in elections.

The Assembly of Experts, which is composed of 86 popularly elected clerics who serve eight-year terms, elects the supreme leader, who acts as the de facto head of state and may be removed only by a vote of the assembly. The Guardian Council vets and qualifies candidates for all Assembly of Experts, presidential, and parliamentary elections based on criteria that include candidates' allegiance to the state and Shia Islam. The council consists of six clerics appointed by the supreme leader and six jurists nominated by the head of the judiciary and approved by parliament.

There is no separation of state and religion, and certain clerics have significant influence in the government.

Elections and Political Participation

Recent Elections: Presidential and local council elections were held in May. The country's electoral system continued to fall short of international standards for free and fair elections because of the Guardian Council's controlling role in the political process, including determining which individuals could run for office, and in certain instances, arbitrarily removing winning candidates.

Voters re-elected Hassan Rouhani as president. The Interior Ministry announced that Rouhani won 57 percent of the votes, with a 73 percent turnout of eligible voters. The Guardian Council approved six Shia male candidates for president from a total candidate pool of 1,636 individuals (0.37 percent of total applicants).

Candidates for local elections were vetted by monitoring boards established by parliament, resulting in the disqualification of a number of applicants. Observers asserted that reformist candidates like Abdollah Momeni, Ali Tajernia, and Nasrin Vaziri, previously imprisoned for peacefully protesting the 2009 election, were not allowed to run due to their political views.

Political Parties and Political Participation: The constitution provides for the formation of political parties, but the Interior Ministry granted licenses only to parties deemed to adhere to the “velayat-e faqih” system of government embodied in the constitution. Registered political organizations that adhered to the system generally operated without restriction, 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. The government maintained bans on several opposition organizations and political parties. Security officials continued to harass, intimidate, and arrest members of the political opposition and some reformists (see section 1.e.). In her August 14 report, the UNSR noted a number of arrests and detentions of members of opposition parties in the months before the May elections.

Hengameh Shahidi, a member of the Etemad Melli (National Trust) opposition party, was arrested in March without a warrant and without being informed of the charges. Reports in May expressed concern about Shahidi’s condition while on a hunger strike in prison. Authorities reportedly released Shahidi in August.

Participation of Women and Minorities: Women faced significant legal, religious, and cultural barriers to 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, the Guardian Council, or the Expediency Council, and as certain types of judges.

The Guardian Council disqualified all 137 women who registered as candidates for the May presidential election. Almost 18,000 female candidates, or 6.3 percent of all candidates, were permitted to run for positions in the local elections.

All cabinet-level ministers were men. A limited number of women held senior government positions, including that of Vice President for Legal Affairs, Minister

of Environmental Protection, Vice President of Women and Family Affairs, and the president's assistant for civil rights.

Practitioners of a religion other than Shia Islam are barred from serving as supreme leader or president, as well as being a member in the Assembly of Experts, Guardian Council, or Expediency Council. The law reserves five seats in parliament for members of recognized minority religious groups, although minorities may also be elected to nonreserved seats. The five reserved seats were filled by one Zoroastrian, one Jew, and three Christians. 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 implemented the law arbitrarily, sometimes pursuing apparently legitimate corruption cases against officials while bringing politically motivated charges against regime critics or political opponents. Most officials continued to engage in corrupt practices with impunity. Many expected bribes for providing routine services or received bonuses outside their regular work, and individuals routinely bribed officials to obtain permits for otherwise illegal construction.

Endowed religious charitable foundations, or “bonyads,” accounted for a quarter to a third of the country's economy, according to some experts. Government insiders, including members of the military and clergy, ran these tax-exempt organizations, which are defined under law as charities. Members of the political opposition and international corruption watchdog organizations frequently accused bonyads of corruption. Bonyads received benefits from the government, but no government agency is required to approve their budgets publicly.

Numerous companies and subsidiaries affiliated with the IRGC engaged in trade and business activities, sometimes illicitly, including in the telecommunications, mining, and construction sectors. Other IRGC entities reportedly engaged in smuggling pharmaceutical products, narcotics, and raw materials. The domestic and international press reported that individuals with strong government connections had access to foreign currency at preferential exchange rates, allowing them to exploit a gap between the country's black market and official exchange rates.

Corruption: On September 13, the *Financial Times* reported, based on information provided by an Iranian government official, that at least a dozen IRGC members

had been arrested during the year on corruption charges, while others had been forced to pay back money gained through questionable business deals.

President Rouhani's brother, Hossein Ferydoun, was arrested in July on undisclosed corruption charges. Many observers believed the arrest of Ferydoun, one of President Rouhani's closest advisers, was politically motivated.

Financial Disclosure: Regulations require government officials, including cabinet ministers and members of the Guardian Council, Expediency Council, and Assembly of Experts, to submit annual financial statements to the government inspectorate. Little information was available on whether the government effectively implemented the law, whether officials obeyed the law, or whether financial statements were publicly accessible.

In March parliamentarian Mahmood Sadeghi, citing a report by the National Organization of Investigations, announced that the judiciary had paid more than \$75 million in extra salaries and bonuses to its employees in violation of the law. The *Iran Newspaper*, which published Sadeghi's remarks, reported in July that a court had charged the newspaper with "spreading lies with the purpose of incitement," despite the fact that the newspaper had apparently taken the remarks from parliament's official website. Shortly afterwards Sadeghi tweeted that he had been indicted by Tehran's prosecutor for the speech.

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

The government restricted the operations of and did not cooperate with local or international human rights NGOs investigating alleged violations of human rights. The government restricted the work of domestic activists and often responded to their inquiries and reports with harassment, arrests, online hacking, and monitoring of individual activists and organization workplaces.

By law NGOs must register with the Ministry of Interior and apply for permission to receive foreign grants. Independent human rights groups and other NGOs faced continued 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 some human rights defenders, civil society activists, journalists, and scholars from traveling abroad. Human rights

activists reported intimidating telephone calls, threats of blackmail, online hacking attempts, and property damage from unidentified law enforcement and government officials. Government officials sometimes harassed and arrested family members of human rights activists. Courts routinely suspended sentences of human rights activists, leaving open the option for authorities to arrest or imprison individuals arbitrarily at any time on the previous charges.

In her report and statements throughout the year, UNSR Jahangir expressed concern about the arrest, arbitrary detention, and sentencing of human rights defenders, student activists, journalists, and lawyers. She noted acts of intimidation and reprisals in detention, including torture and mistreatment, as well as reports of reprisals against human rights defenders for engaging the UNSR and cooperating with other UN mechanisms.

According to NGO sources, including HRW and Amnesty International, the government's rights record and its level of cooperation with international rights institutions remained poor. The government continued to deny requests from international human rights NGOs to establish offices in or to conduct regular investigative visits to the country. The most recent visit of an international human rights NGO was by Amnesty International in 2004 as part of the European Union's human rights dialogue with the country.

The United Nations or Other International Bodies: The government continued to deny repeated requests by the UNSR on the situation of human rights in Iran to visit the country during the year.

On November 14, for the 15th consecutive year, the UN General Assembly adopted a resolution expressing serious concern about the country's continuing human rights violations. The resolution repeated its call for the country to cooperate with UN special mechanisms, citing the government's failure to approve any request from a UN thematic special procedures mandate holder to visit the country in more than a decade. It drew attention to the government's continued failure to allow the UNSR into the country to investigate human rights abuses despite repeated requests. The most recent visit by a UN human rights agency to the country was in 2005.

Government Human Rights Bodies: The High Council for Human Rights, headed by Mohammad Javad Larijani, is part of the judicial branch of the government and lacks independence. The council continued to defend the imprisonment of high-profile human rights defenders and political opposition leaders, despite domestic

and international pressure. Larijani continued to call for an end to the position of the UNSR. There was no information available on whether the council challenged any laws or court rulings during the year.

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

Women

Rape and Domestic Violence: Rape is illegal and subject to strict penalties, including death, but it remained a problem. The law considers sex within marriage consensual by definition and, therefore, does not address spousal rape, including in cases of forced marriage.

Most rape victims likely did not report the crime because they feared retaliation or punishment for having been raped, including charges of indecency, immoral behavior, or adultery, the last of which carries the death penalty. Rape victims also feared societal reprisal or ostracism.

For a conviction of rape, the law requires four Muslim men or a combination of three men and two women or two men and four women, to have witnessed a rape. A woman or man found making a false accusation of rape is subject to 80 lashes.

The law does not prohibit domestic violence. Authorities considered abuse in the family a private matter and seldom discussed it publicly.

An August report by the CHRI referenced a study presented at the nongovernmental Imam Ali Foundation's May conference in Tehran on violence against women in the country, according to which 32 percent of women in urban areas and 63 percent in rural areas had been victims of domestic violence. In March a government official was quoted saying that 11,000 cases of domestic abuse had been registered by the National Welfare Organization.

Female Genital Mutilation/Cutting (FGM/C): The law criminalizes FGM/C and states, "the cutting or removing of the two sides of female genitalia leads to 'diyeh' (financial penalty or blood money) equal to half the full amount of 'diyeh' for the woman's life."

FGM was reportedly most common in Hormozgan Province and also practiced in Kurdistan, Kermanshah, and West Azerbaijan provinces. According to a Radio Farda report in February, 46 percent of women in Kermanshah Province and 31

percent in West Azerbaijan Province had undergone FGM. Traditional midwives were said to perform approximately 98 percent of the mutilations.

Other Harmful Traditional Practices: There were no official reports of killings motivated by “honor” or other harmful traditional practices during the year, although human rights activists reported that such killings continued to occur, particularly among rural and tribal populations.

The law reduces punitive measures for fathers and other family members who are convicted of murder or physically harming children in domestic violence or “honor killings.” If a man is found guilty of murdering his daughter, the punishment is between three and 10 years in prison rather than the normal death sentence or payment of “diyeh” for homicide cases.

Sexual Harassment: The law addresses sexual harassment in the context of physical contact between men and women and prohibits physical contact between unrelated men and women. There was no reliable data on the extent of sexual harassment, but women and human rights observers reported that sexual harassment was the norm in many workplaces. There were no known government efforts to address this problem.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

Discrimination: The constitution provides for equal protection for women under the law in conformity with its interpretation of Islam. The government did not enforce the law, and provisions in the law, particularly sections dealing with family and property law, discriminate against women.

Women may not transmit citizenship to their children or to a noncitizen spouse. 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.

The law permits a man to have as many as four wives and an unlimited number of “sigheh” (temporary wives), based on a Shia custom under which couples may

enter into a limited-time civil and religious contract, which outlines the union's conditions.

A woman has the right to divorce if her husband signs a contract granting that right; cannot provide for his family; has violated the terms of their marriage contract; or is a drug addict, insane, or impotent. A husband is not required to cite a reason for divorcing his wife. The law recognizes a divorced woman's right to part of shared property and to alimony. These laws were not always enforced.

The law provides divorced women preference in custody for children up to age seven, but fathers maintain legal guardianship rights over the child and must agree on many legal aspects of the child's life (such as issuing travel documents, enrolling in school, or filing a police report). After the child reaches the age of seven, the father is granted custody unless he is proven unfit to care for the child.

Women sometimes received disproportionate punishment for crimes such as adultery, including death sentences. Islamic law retains provisions that equate a woman's testimony in a court of law to half that of a man's and value a woman's life as half that of a man's. According to the law, the "diyeh" (blood money) paid in the death of a woman is half the amount paid in the death of a man, with the exception of car accident insurance payments.

Women have access to primary and advanced education. According to media reports during the year, women gaining admission to universities nationwide outnumbered men by 13 percent. Quotas and other restrictions nonetheless limited women's admissions to certain fields and degree programs.

As UNSR Jahangir reported during the year, women's participation in the job market remained as low as 16 percent. Women were said to earn 41 percent less than men for the same work. Unemployment among women in the country was twice as high as it was among men.

Women continued to face discrimination in home and property ownership, as well as access to financing. In cases of inheritance, male heirs receive twice the inheritance of their female counterparts. The government enforced gender segregation in many public spaces. Women must ride in a reserved section on public buses and enter some public buildings, universities, and airports through separate entrances.

The law provides that a woman who appears in public without appropriate attire, such as a cloth scarf veil (“hijab”) over the head and a long jacket (“manteau”), or a large full-length cloth covering (“chador”), may be sentenced to flogging and fined. Absent a clear legal definition of “appropriate attire” or of the related punishment, women were subjected to the opinions of various disciplinary and security force members, police, and judges.

February media reports stated that morality police beat and detained a 14-year-old girl for wearing ripped jeans. Authorities released the girl and her friends only after they signed pledges promising to dress modestly.

In September, according to media and reporting from human rights groups, women were barred from attending a World Cup qualifying match in Tehran between Iran and Syria. Female Syrian fans were present, and a protest outside Azadi stadium ensued.

As noted by the UNSR and other organizations, several Iranian female athletes were also barred from participating in international tournaments, either by the country’s sport agencies or by their husbands.

The ability of civil society organizations to fight for and protect women’s rights was significantly challenged by judicial harassment, intimidation, detention, and smear campaigns.

Children

The country established the National Body on the Convention on the Rights of the Child in 2012 to promote the Convention on the Rights of the Child, to which it is a signatory. The body, which reviews draft regulations and legislation relating to children’s rights, is overseen by the Ministry of Justice.

The country last underwent a periodic panel review by the UN Committee on the Rights of the Child in January 2016. The review noted many concerns, including discrimination against girls; children with disabilities; unregistered, refugee, and migrant children; and lesbian, gay, bisexual, transgender, and intersex (LGBTI) minors.

There is a separate juvenile court system. Male juvenile detainees were held in separate Rehabilitation Centers in most urban areas, but female juvenile detainees and male juvenile detainees in rural areas were held alongside adults in detention

facilities, according to NGO reports presented to the UN Committee on the Rights of the Child.

Birth Registration: Only a child's father conveys citizenship, regardless of the child's country of birth or mother's citizenship. Birth within the country's borders does not confer citizenship, except when a child is born to unknown parents. The law requires that all births be registered within 15 days.

Education: Although primary schooling until age 11 is free and compulsory for all, media and other sources reported lower enrollment in rural areas, especially for girls.

In December 2016 Deputy Labor Minister Ahmad Meydari was quoted saying that 130,000 children had been left out of the country's education system that year. A CHRI report in July noted that it was unclear whether the number cited by Meydari included children without Iranian citizenship. Children without state-issued identification cards are denied the right to education.

Child Abuse: There was little information available on how the government dealt with child abuse. The law states, "Any form of abuse of children and juveniles that causes physical, psychological, or moral harm and threatens their physical or mental health is prohibited," and such crimes carry a maximum sentence of three months in confinement or 10 million rials (\$275). The law does not directly address sexual molestation nor provide punishment for it. In March a government official stated that 12,000 cases of child abuse had been registered by the National Welfare Organization, but the time frame for the cases was not clear.

Early and Forced Marriage: The legal minimum age of marriage for girls is 13, but girls as young as nine years old may be married with permission from the court and their fathers. In 2016 UNICEF reported that 17 percent of girls in the country were married before reaching age 18. NGOs reported that many families did not register underage marriages, indicating the number may be higher.

In her March 17 report, UNSR Jahangir cited statistics from the Tehran-based Association to Protect the Rights of Children, according to which 17 percent of all marriages in the country involved girls married to "old men."

Sexual Exploitation of Children: The legal age requirements for consensual sex are the same as those for marriage, as sex outside of marriage is illegal. There are

no specific laws regarding child sexual exploitation, with such crimes either falling under the category of child abuse or sexual crimes of adultery.

According to the CHRI, the legal ambiguity between child abuse and sexual molestation could lead to child sexual molestation cases being prosecuted under adultery law. While no separate provision exists for the rape of a child, the crime of rape, regardless of the victim's age, is potentially punishable by death.

Displaced Children: There are thousands of Afghan refugee children in the country, many of whom were born in Iran but could not obtain identity documents. These children were often unable to attend schools or access basic government services and were vulnerable to labor exploitation and trafficking.

In its January 2016 report, the UN Committee on the Rights of the Child noted continued "allegations of abuse and ill treatment of refugee and asylum-seeking children by police and security forces." UNHCR stated that school enrollment among refugees was generally higher outside camps and settlements, where greater resources were available.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's Annual Report on International Parental Child Abduction at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

The law recognizes Jews as a religious minority and provides for their representation in parliament. According to the 2011 census, the Jewish community numbered approximately 8,700. Siamak Moreh Sedgh is the Jewish member of parliament. Officials continued to question the history of the Holocaust, and anti-Semitism remained a pervasive problem.

According to human rights organizations, unidentified assailants vandalized two synagogues in the city of Shiraz on December 24-25 (see the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/).

Trafficking in Persons

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

Persons with Disabilities

The law generally prohibits discrimination by government actors against persons with disabilities but does not apply to private actors. No information was available regarding authorities' effectiveness in enforcing the law. The law prohibits those with visual, hearing, or speech disabilities from running for seats in parliament. While the law provides for government-funded vocational education for persons with disabilities, according to domestic news reports vocational centers were only located in urban areas and unable to meet the needs of the entire population.

The law provides for public accessibility to government-funded buildings, and new structures appeared to comply with these standards. There were efforts to increase the access of persons with disabilities to historical sites. Government buildings that predated existing accessibility standards remained largely inaccessible, and general building accessibility for persons with disabilities remained a problem. Persons with disabilities had limited access to informational, educational, and community activities.

National/Racial/Ethnic Minorities

The constitution grants equal rights to all ethnic minorities, allowing minority languages to be used in the media. Article 101 of the Charter on Citizens' Rights grants the right of citizens to learn, use, and teach their own languages and dialects. In practice, minorities did not enjoy equal rights, and the government consistently barred use of their languages in school as the language of instruction.

The government disproportionately targeted minority groups, including Kurds, Ahvazis, Azeris, and Baluchis, for arbitrary arrest, prolonged detention, and physical abuse. In its January 2016 panel review on the country, the UN Committee on the Rights of the Child reported "widespread discrimination against children of ethnic minorities," as well as "reported targeted arrests, detentions, imprisonments, killings, torture, and executions against such groups by the law enforcement and judicial authorities."

These ethnic minority groups reported political and socioeconomic discrimination, particularly in their access to economic aid, business licenses, university

admissions, job opportunities, permission to publish books, and housing and land rights.

The law, which requires religious screening and allegiance to the concept of “velayat-e faqih,” not found in Sunni Islam, impaired the ability of Sunni (many of whom are also Baluch, Ahvazi, or Kurdish) to integrate into civic life and to work in certain fields.

Human rights organizations observed that the government’s application of the death penalty disproportionately affected ethnic minorities. In pretrial detention authorities reportedly repeatedly subjected members of minority ethnicities and religious groups to more severe physical punishment, including torture, than other prisoners, regardless of the type of crime for which authorities accused them.

Amnesty International reported on the forced disappearances of five Kurdish men on June 23-24. According to the report, Ramin Panahi, a member of the Komala armed opposition group, was arrested after taking part in an armed clash with the IRGC in Sanandaj, Kurdistan Province. IRGC guards then arrested Panahi’s brother and three other relatives, none of whom were reported to be involved with the armed clashes.

The estimated eight million ethnic Kurds in the country frequently campaigned for greater regional autonomy. The government continued to use the law to arrest and prosecute Kurds for exercising their rights 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.

Authorities suppressed legitimate activities of Kurdish NGOs by denying them registration permits or bringing security charges against persons working with such organizations. Authorities did not prohibit the use of the Kurdish language in general.

Amnesty International reported that on May 12, authorities released Mohammad Sediq Kaboudvand from Evin Prison. The government originally arrested Kaboudvand in 2007 and sentenced him to 10 years in prison for “acting against national security” and “propaganda against the state.” According to the CHRI, authorities continually denied medical treatment or furlough to Kurdish women’s activist Zeinab Jalalian, despite her need for surgery. Jalalian was serving a life sentence for “enmity against God.”

International human rights observers, including the IHRDC, stated that the country's estimated two million Ahvazi Arabs, representing 110 tribes, faced continued oppression and discrimination. Ahvazi rights activists reported the government continued to confiscate Ahvazi property to use for government development projects, refusing to recognize the paper deeds of the local population from the prerevolutionary era.

In June, 13 activists were reportedly arrested in Ahvaz as they gathered to celebrate Eid al-Fitr on the day before an annual protest for Arab ethnic rights. The activists had planned to walk to the homes of political prisoners and the families of those who have been unjustly executed. Officials also prevented the demonstrations planned for the next day, which had been held since 2005.

Ethnic Azeris, who numbered approximately 13 million, or 16 percent of the population, were more integrated into government and society than other ethnic minority groups and included the supreme leader. Azeris reported that the government discriminated against them by harassing Azeri activists or organizers, and changing Azeri geographic names.

According to a CHRI report in February, authorities arrested four Azeris and charged them with "forming an illegal group" and "assembly and collusion against national security" for peaceful activism on International Mother Language Day. Alireza Farshi was sentenced to 15 years in prison and two years in exile, while Akbar Azad, Behnam Sheikhi, and Hamid Manafi were sentenced to 10 years in prison and two years in exile. The activists were reportedly opposing a government ban on the teaching of Turkish alongside Persian in schools.

Local and international human rights groups alleged discrimination during the year against the Baluchi ethnic minority, estimated at between 1.5 and two million persons. Areas with large Baluchi populations were severely underdeveloped and had limited access to education, employment, health care, and housing, and Baluchi activists reported that more than 70 percent of the population lived below the poverty line.

According to activist reports, the law limited Sunni Baluchis' employment opportunities and political participation. Activists reported that throughout the year, the government sent hundreds of Shia missionaries to areas with large Sunni Baluch populations to try to convert the local population. According to Baluchi

rights activists, Baluchi journalists and human rights activists faced arbitrary arrest, physical abuse, and unfair trials.

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

The law criminalizes consensual same-sex sexual activity, which is punishable by death, flogging, or a lesser punishment. The law does not distinguish between consensual and nonconsensual same sex intercourse, and NGOs reported this lack of clarity led to both the victim and the perpetrator being held criminally liable under the law in cases of assault. The law does not prohibit discrimination based on sexual orientation and gender identity.

Security forces harassed, arrested, and detained individuals they suspected of being gay or transgender. In some cases security forces raided houses and monitored internet sites for information on LGBTI 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 between women.

According to international and local media reports, on April 13 at least 30 men suspected of homosexual conduct were arrested by IRGC agents at a private party in Isfahan Province. The agents reportedly fired weapons and used electric Tasers during the raid. According to the Canadian-based nonprofit organization Iranian Railroad for Queer Refugees, those arrested were taken to Dastgerd Prison in Isfahan, where they were led to the prison yard and told they would be executed. The Iranian LGBTI activist group 6Rang noted that, following similar raids, those arrested and similarly charged were subjected to forced “anal” or “sodomy” tests and other degrading treatment and sexual insults.

The government censored all materials related to LGBTI issues. Authorities particularly blocked websites or content within sites that discussed LGBTI issues, including the censorship of Wikipedia pages defining LGBTI and other related topics. There were active, unregistered LGBTI NGOs in the country. Hate crime laws or other criminal justice mechanisms did not exist to aid in the prosecution of bias-motivated crimes.

The law requires all male citizens over age 18 to serve in the military but exempts gay and transgender women, who are classified as having mental disorders. New military identity cards listed the subsection of the law dictating the exemption.

According to 6Rang this practice identified the men as gay or transgender and put them at risk of physical abuse and discrimination.

The government provided transgender persons financial assistance in the form of grants of up to 45 million rials \$1,240 and loans up to 55 million rials \$1,500 to undergo gender reassignment surgery. Additionally, the Ministry of Cooperatives, Labor, and Social Welfare required health insurers to cover the cost of such surgery. Individuals who undergo gender reassignment surgery may petition a court for new identity documents with corrected gender data, which the government reportedly provided efficiently and transparently. NGOs reported that authorities pressured LGBTI persons to undergo gender reassignment surgery.

HIV and AIDS Social Stigma

Despite government programs to treat and provide financial and other assistance to persons with HIV/AIDS, international news sources and organizations reported that individuals known to be infected with HIV/AIDS faced widespread societal discrimination. Individuals with HIV/AIDS, for example, continued to be denied employment as teachers.

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 law specifies trade union rights. The law states that workers may establish an Islamic labor council or a guild at any workplace, but the rights and responsibilities of these organizations fell significantly short of international standards for trade unions. In workplaces where workers established an Islamic labor council, authorities did not permit any other form of worker representation. The law requires prior authorization for organizing and concluding collective agreements. Strikes are prohibited in all sectors, although private sector workers may conduct “peaceful” campaigns within the workplace. The law does not apply to establishments with fewer than 10 employees.

Authorities did not respect freedom of association and the right to collective bargaining, and the government did not effectively enforce applicable laws. The government severely restricted freedom of association and interfered in worker attempts to organize. Labor activism was seen as a national security offense. The law does not prohibit antiunion discrimination and does not require reinstatement

of workers fired for union activity. Antiunion discrimination occurred, and the government imprisoned, harassed, and restricted the activities of labor activists.

The Interior Ministry, the Ministry of Cooperatives, Labor, and Social Welfare, and the Islamic Information Organization determined labor councils' constitutions, operational rules, and election procedures. Administrative and judicial procedures were lengthy. The Workers' House remained the only officially authorized national labor organization, and its leadership oversaw, granted permits to, and coordinated activities with Islamic labor councils in industrial, agricultural, and service organizations with more than 35 employees.

According to the CHRI, 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. The councils, nevertheless, sometimes could 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. According to the CHRI, workers were routinely fired and risked arrest for striking, and labor leaders were charged with national security crimes for trying to organize workers.

According to reports from UNSR Jahangir, a number of trade unionists were imprisoned during the year for their peaceful activism, including Mehdi Farahi Shandiz, a member of the Committee to Pursue the Establishment of Labor Unions in Iran, who in March was transferred to a remote prison in Qazvin Province. Shandiz continued serving a three-year sentence, having been convicted of "insulting the supreme leader" and "disrupting public order."

Many others faced lengthy sentences for peaceful trade union activities, including Mahmoud Salehi, a member of the Coordinating Committee to Help Form Workers' Organizations in Iran, and Jafar Azimzadeh and Shapour Ehsanirad from the Free Union of Workers of Iran.

The government continued to arrest and harass teachers' rights activists Teachers Association (see section 2.b., Freedom of Association). According to a CHRI

report, Mahmoud Beheshti-Langroudi, the former spokesman for the Iranian Teachers' Trade Association (ITTA), was incarcerated in Evin Prison in September to begin serving a 14-year combined sentence for charges associated with his peaceful defense of labor rights. He commenced a hunger strike in September demanding a public trial, which at year's end he had not received.

Esmail Abdi, a mathematics teacher and former secretary general of ITTA, continued serving a six-year prison sentence for labor rights activism. He was arrested in 2015 and convicted in 2016 for "propaganda against the state" and "collusion against national security." The CHRI reported in October the judiciary had declined a request to review Abdi's prison sentence.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, but the government did not effectively enforce the law and made no significant effort to address forced labor during the year. 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.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employment of minors under age 15 and places restrictions on employment of minors under age 18, such as prohibiting hard labor or night work. The law does not apply to domestic labor and permits children to work in agriculture 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.

In its January 2016 concluding observations, the UN Committee on the Rights of the Child cited a 2003 law that exempts workshops with fewer than 10 employees from labor regulations as increasing the risks of economic exploitation of children. It also noted serious concerns with the large number of children employed under hazardous conditions, such as in garbage collection, brick kilns, and industrial workshops, without protective clothing and for very low pay.

There were reportedly significant numbers of children, especially of Afghan descent, detained as street vendors in major urban areas. According to several social media sources, Tehran's gubernatorial office arrested more than 300 child laborers on Tehran's streets over the first half of September, including many Afghan children. The Afghan children were reportedly sent to a camp on the border with Afghanistan. On September 22, the Iranian Students' News Association quoted the head of the Welfare Organization's Social Affairs Department in Tehran saying that 255 child laborers had been handed over to welfare centers from September 4 to 22 and that a similar practice had been followed during the first three months of the year.

The Committee on the Rights of the Child reported that street children in particular were subjected to various forms of economic exploitation, including sexual abuse and exploitation by the public and police officers. Child labor also reportedly was used in the production of carpets. Children worked as beggars, and there were reports that criminals forced some children into begging rings.

d. Discrimination with Respect to Employment and Occupation

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. According to the constitution, "everyone has the right to choose any occupation he wishes, if it is not contrary to Islam and the public interests, and does not infringe on the rights of others."

Despite this constitutional provision, the government made systematic efforts to limit women's access to the workplace. An Interior Ministry directive required all officials to hire only secretaries of their own gender. Women remained banned from working in coffee houses and from performing music alongside men, with very limited exceptions made for traditional music. Women in many fields were restricted from working after 9 p.m. Hiring practices often discriminated against women, and the Ministry of Cooperatives, Labor, and Social Welfare guidelines stated that men should be given preferential hiring status.

On August 23, guidelines were reportedly posted on the Education Ministry's website with discriminatory recommendations disqualifying, among others, persons with disabilities and persons based on their appearance from being hired as teachers. Following heavy criticism on social media, the guidelines were removed. The Education Ministry's human resources director was quoted as saying the

guidelines were under review and that a new draft, without many of the disqualifications, would soon be published.

e. Acceptable Conditions of Work

The Supreme Labor Council, the government body charged with proposing labor regulations, agreed in March to raise the minimum wage by 14.5 percent to approximately 9.29 million rials (\$255) per month. There were reported complaints that the minimum wage did not rise in proportion to the existing living wage threshold (estimated to be 24.8 million rials (\$680) for a family of three and one-half members to meet basic needs, including such essentials as shelter, nutrition, and clothing) and that the wage protections afforded by the law had once again been violated.

According to media reports, this was one of the lowest minimum-wage increases in the country over the last 10 years and failed to keep pace with inflation. Domestic labor organizations published reports stating workers' purchasing power has eroded during the past few years as yearly increases in the minimum wage have continually failed to keep pace with inflation.

The law establishes a maximum six-day, 44-hour workweek with a weekly rest day, at least 12 days of paid annual leave, and several paid public holidays. Any hours worked above that total entitles a worker to overtime. The law mandates a payment above the hourly wage to employees for any accrued overtime, and provides that overtime work is not compulsory. The law does not cover workers in workplaces with fewer than 10 workers, nor does it apply to noncitizens.

Employers sometimes subjected migrant workers, most often Afghans, to abusive working conditions, including below-minimum-wage salaries, nonpayment of wages, compulsory overtime, and summary deportation without access to food, water, or sanitation facilities during the deportation process.

According to media reports, many workers continued to be employed on temporary contracts under which they lacked protections available to full-time, noncontract workers and could be dismissed at any time without cause. Large numbers of workers employed in small workplaces or in the informal economy similarly lacked basic protections. Low wages, nonpayment of wages, and lack of job security due to contracting practices continued to be major drivers for strikes and protests.

In March teachers reportedly held countrywide rallies demanding wage increases. Separately, a report by Radio Zamaneh in September highlighted continuing protests by workers and pensioners over delayed wages, saying that such labor protests have become frequent in Tehran and other cities. The report cited state statistics that there were 1,600 labor protests in Tehran in 2016.

Little information was available regarding labor inspection and related law enforcement. While the law provides for occupational health and safety standards, the government sometimes did not enforce these standards in either the formal or informal sectors. Workers reportedly lacked the power to remove themselves from situations that endangered their health or safety without jeopardizing their employment.

Labor organizations alleged that hazardous work environments resulted in the deaths of thousands of workers annually. In May the Mehr News Agency published a report calling Iran “one of the most accident-prone countries in the world” for workers. The following day, on May 3, a coalmine explosion claimed the lives of at least 40 workers and injured dozens of others, according to a CHRI report.