



Rouhani in Paris: No business with Iran at the expense of human rights

Open Letter addressed to François Hollande

25 January 2016

Mr. President,

In light of the upcoming visit of Iranian President Rouhani to Paris, FIDH and its member organisations *La Ligue des Droits de l'Homme*, *La Ligue de Defence des Droits de l'Homme en Iran*, and *The Defenders of Human Rights Center* would like to convey our utmost concern over the grave human rights conditions in Iran, and request that you include these important issues in your discussion with President Rouhani and any interactions you have with the Iranian authorities.

Throughout the course of the nuclear negotiations with Iran over the past years, the issue of Iran's deplorable human rights record has remained glaringly off the agenda. This is despite numerous calls by civil society organisations and others, including previous UN High Commissioner for Human Rights, Navi Pillay, for the international community to include human rights issues in all of its dealings with Iran.

The international community's willingness to ignore the serious human rights situation in Iran has become even more obvious as numerous countries have sent delegations to Tehran or are welcoming Iranian officials into their own capitals. Discussions on trade and political rapprochement abound, but no government has yet included the important question of human rights in any of its public discourse on or with Iran.

In addition, the Iranian authorities continue to refuse to cooperate with UN human rights mechanisms. The last time any UN human rights expert visited Iran was in 2005.¹ The UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Dr Ahmed Shaheed, has never been granted access to Iran despite numerous requests since his appointment in 2011. Moreover, independent international human rights organisations, including FIDH, have not been permitted to send missions to Iran since early 1979. FIDH's Iranian member organisations, LDDHI and DHRC², are banned from working and monitoring the situation of human rights in their own country.

It is therefore imperative that nations engaging in political and economic relations with Iran, including France, use these opportunities to address the ongoing human rights crisis in the country. We therefore request that you, Mr. President, raise the key human rights concerns listed below during your meeting with the Iranian president, and that you insist on improvements of Iran's human rights situation.

¹ The UN Special Rapporteur on violence against women visited Iran from 29 January to 6 February 2005, and the UN Special Rapporteur on adequate housing from 19 to 30 July 2005.

² *The League for the Defence of Human Rights in Iran* (LDDHI), has been forced to operate abroad since its establishment in France in 1983. *Defenders of Human Rights Centre* (DHRC) was established in Iran in 2001 but was forcibly closed in 2008; since then its members have been harassed and imprisoned (see below).

1) Prisoners of conscience and other victims of brutal repression of freedom of expression, assembly and association

Iran ranks 173rd among 180 countries in the 2015 Reporters Without Borders press freedom index. Repression, censorship, and the use of vaguely-worded laws to imprison political dissidents and human rights defenders remain commonplace. Around 1,000 prisoners of conscience are believed to be behind bars in Iran today, including human rights defenders, journalists, independent trade unionists, women's rights and political activists, all jailed for peacefully exercising their rights to freedom of expression, freedom of assembly or freedom of association.

On 16 January 2016, on the day of implementation of the nuclear deal between Iran and the international community, four dual-nationality Iranian-American prisoners of conscience were released in prisoner swap with the United States of America. While welcoming their release, we point out that such one-off political negotiations do not solve the problem of mass repression and arbitrary detention in Iran. Hundreds of other Iranian citizens remain prisoners of conscience, with no other country to negotiate for their release. For many of these prisoners of conscience, no adequate information is available.

The UN Working Group on Arbitrary Detention has officially declared several people in Iran as being arbitrarily detained. 13 of these individuals are currently still in prison :

- ≡ Messrs. Mir Hossein Mousavi and Mehdi Karubi (two candidates in the disputed 2009 presidential elections), and Mr. Mousavi's wife Ms. Zahra Rahnavard
- ≡ Messrs. Mohammad-Seddiq Kaboudvand³ and Abdolfattah Soltani,⁴ (both human rights defenders)
- ≡ Khosro Kordpour (journalist), and
- ≡ 7 leaders of the Baha'i community who were sentenced to 20 years in prison in 2010.⁵

Unionists and civil rights defenders are among those most often targeted, harassed and jailed by the Iranian authorities. Some of these prisoners of conscience, who are serving long prison sentences under harsh conditions, include:

- ≡ Messrs. Reza Shahabi-Zakaria, Behnam Ebrahimzadeh and Jafar Azimzadeh (unionists);
- ≡ Ms Atena Farghadani and Ms Atena Da'emi (child rights activists); and
- ≡ Mr. Mohammad Seifzadeh,⁶ Ms Bahareh Hedayat and Ms Nargess Mohammadi (human rights defenders).⁷

Several other imprisoned unionists who had either completed or were close to completing their prison sentences were sentenced to new prison terms in order to block their release. Mr Shahrokh Zamani, a trade unionist who was serving an 11-year prison sentence for engaging in union activities, died under highly dubious conditions in prison on 13 September 2015.

³ Head of the Kurdistan Human Rights Organisation

⁴ A founding member of DHRC (Defenders of Human Rights Centre, an FIDH member organisation)

⁵ In November 2015, their sentences were reduced to 10 years in prison, which they are currently serving.

⁶ A founding member of DHRC, who has been denied proper medical care while in prison and whose health is consequently deteriorating.

⁷ Spokesperson of the DHRC, in prison since May 2015. Due to her failing health, she was briefly transferred to a hospital in October 2015 where she was chained to her bed. In the absence of their imprisoned mother, Ms. Mohammadi's 9-year-old twins have had to move to France to live with their father, a political refugee in this country.

Ms. Nasrin Sotoudeh, human rights lawyer and 2012 Sakharov laureate, was sentenced to 11 years in prison⁸ and suddenly released in September 2013. However, she is still forbidden from leaving the country, her personal communications are monitored by the State, and she and her husband have been facing intimidation and harassment by the Iranian authorities.

As of mid-January 2016, at least **38 journalists and bloggers were known to be in prison for exercising their right to free expression**. They include a number of journalists who were arbitrarily detained in November 2015 for allegedly being “members of a network of infiltrators within the country’s cyberspace and media who cooperate with hostile Western governments”, such as Messrs. Issa Saharkhiz, Ehsan Mazandarani, and Saman Safarzaie, and Ms. Afarin Chitzsaz. President Rouhani appeared to indirectly criticise the arrests of journalists, but it is not clear what action, if any, he has taken to end their arbitrary detention.

One need not be an activist or journalist to be a target of State repression in Iran. Any individual who dares openly oppose or question the government and its policies risks being charged with politically-motivated crimes. Some recent examples include:

- ≡ Mr. Mohammad Ali Taheri, an author of alternative medical theories and founder of the group *Erfan-e-Halgheh* (a self-described arts and culture institute in Tehran), was sentenced to death on charges of “sowing corruption on Earth” on 1 August 2015. His death sentence was reportedly repealed after he “repented”, but he remains in prison.
- ≡ Musicians Messrs. Mehdi Rajabian and Yousef Emadi, and filmmaker Hossein Rajabian were sentenced to six years in prison and a large fine in May 2015 for “insulting the sanctities” and “spreading propaganda against the state.” They currently appealing this sentence.
- ≡ On 13 October 2015, two poets, Mr. Mehdi Mousavi and Ms. Fatemeh Ekhtesari, were sentenced to 9 years and 11.5 years in prison respectively and 99 lashes each for “acting against national security, contacts with foreign media and opposition artists abroad.” They left Iran in December 2015 to avoid these arbitrary prison sentences.
- ≡ On 15 October 2015, documentary filmmaker Mr. Kaywan Karimi, was sentenced to 6 years imprisonment and 223 lashes for producing a film entitled “Writing on the city walls”, which dealt with graffiti in Tehran after the 1979 revolution. He was charged with “spreading propaganda against the state and insulting the sanctities.” He is currently appealing this sentence

2) Persecution of religious and ethnic minorities

Religious and ethnic minorities in Iran face extensive discrimination in law and in practice. Scores of followers of various religious minorities are currently in prison on politically-motivated charges or for “crimes” related to the practice of their religion. At the end of September 2015, they included 74 followers of the Baha’i faith, more than 90 Christians, at least five Dervish (Sufi) Muslims and an unknown number of Sunni Muslims.

The Baha’i minority faces particular discrimination, including not only arbitrary arrests, but also the closure of their businesses, raids on their homes, confiscation of property, desecration of their cemeteries, refusal to permit burial of their dead, and a ban on accessing higher education.

Sunni Muslims, also subject to arrests and discrimination, have been denied the right to erect mosques in big cities for many years. On 29 July, their private prayer centre in Tehran was attacked and almost demolished by the personnel of Tehran Municipality, supported by the State security forces.

⁸ Her sentence was reduced to 6 years on appeal.

Members of the Iranian Arab and Azeri ethnic minorities are also targeted by the authorities. Several individuals, including minors, have been arrested and detained for participating in peaceful protests.

The death penalty is also used disproportionately against members of ethnic and religious minorities, based largely on vaguely defined crimes: At least 11 members of the Kurdish minority and one Baloch prisoner were executed on political charges in 2015. More than 30 Sunni Muslims and around 20 Kurds, and an unknown number of people from the Baloch minority are currently on death row for politically-motivated charges.

3) Denial of women's rights

Iran ranked 135th among the 142 countries assessed by the World Economic Forum for women's political empowerment in 2014. The provisions of **the Constitution, the Civil Code and the Islamic Penal Code are extremely discriminatory against women** regarding marriage, divorce, custody of children, inheritance, and nationality. There are additional legislative plans under way that would effectively reduce women's participation in the labour market.

Women are also barred from entering certain university courses and even entering stadiums to watch men's competitions.

4) Increasing rise in the use of the death penalty, including executions which explicitly violate international law

The year 2014 witnessed a very high number of executions in Iran: at least 743, including 53 people executed in public. In 2015, around 1,000 people were executed, a record since 1989. About three quarters of those executed had been charged with drug-related crimes, many of whom were poor and marginalised individuals and members of the ethnic minorities, in particular the Kurds and the Baloch and Afghan migrants.

A very large number of crimes are punishable by death in Iran, including consensual sex between men, adultery, repeated consumption of alcohol, theft, cursing the prophets, certain economic crimes, certain religious and political offences, and drug trafficking. This is a direct violation of international human rights standards that state that the death penalty, if imposed, should be restricted to "the most serious crimes".

The execution of minors also continues to take place in Iran. Around 160 individuals who were under the age of 18 at the time they allegedly committed the crime are reported to be on death row. Up to 13 juvenile offenders were reportedly executed in 2014, and at least four were executed in 2015, while the nuclear negotiations were being concluded. One person executed in January 2016 is also thought to have been a minor at the time of the alleged crime.

5) Absence of free and fair parliamentary elections

Parliamentary elections are due to take place in Iran at the end of February 2016. In the past, the Iranian people have consistently been denied the right to freely participate, to stand for election, or to vote.

Over 12,000 candidates originally registered to run in the February 2016 Parliamentary elections. In the first of the two-stage vetting process, the administrative boards affiliated to the Executive approved the eligibility of nearly 11,000 candidates. On 16 January 2016, the ultra-conservative Guardian Council announced that it had disqualified 55% of the candidates, around 7,000 people, in the second stage of the vetting process. Groups known to support reformist policies announced that only 30 of their 3,000 candidates nationwide had been approved to stand for election.

On 20 January 2016, Iran's Supreme Leader Ayatollah Khamenei publicly declared that those who do not agree with the regime would not be deemed eligible to run in Parliamentary elections, and that it was the duty of all Iranians to vote for “eligible candidates”.

This manipulation of the electoral process is a direct violation of democratic principles, and of human and political rights enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which Iran has ratified.

With the welcome lifting of the economic sanctions against Iran, in the wake of the implementation of the nuclear agreement, we expect government leaders and representatives of the European Union, and in particular France, to use their renewed engagement with their Iranian counterparts to press for the improvement of human rights conditions in Iran. Likewise, we remind you Mr. President of France's obligation to ensure that French companies doing business in Iran comply with their human rights due diligence responsibilities.

Under the Iranian political system, the Supreme Leader has full power over the Executive, but the president is designated as the “highest official next to the Supreme Leader” under the Constitution. This affords the President of Iran certain powers, which enable him to intervene in favour of the people’s right to political participation.

We therefore call on you, Mr. President, to raise the above-mentioned issues in your dialogue with President Rouhani and demand that he use his power and influence to ensure the respect for and promotion of human rights in Iran in accordance with its obligations under the international human rights law.

Sincerely,

Françoise Dumont
President of LDH

Shirin Ebadi
President of DHRC

Karim Lahidji
President of LDDHI
President of FIDH