



CDR Background Papers on Refugees and Asylum Seekers

Background Paper on Refugees and Asylum Seekers from Iran

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PREFACE

Iran has been an important source country of refugees and asylum-seekers over a number of years. This paper seeks to define the scope, destination, and causes of their flight.

In the first part, the paper provides a statistical overview of Iranian refugees and asylum-seekers in the main European asylum countries, describing current trends in the number and origin of asylum requests as well as the results of their status determination. The data are derived from government statistics made available to UNHCR and are compiled by its Statistical Unit.

The second part of the paper contains information regarding the conditions in the country of origin, which are often invoked by asylum-seekers when submitting their claim for refugee status. The Country Information Unit of UNHCR's Centre for Documentation and Research (CDR) conducts its work on the basis of publicly available information, analysis and comment, with all sources cited.

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1. Country Profile of Iran

1.1 Basic Country Information

The Islamic Republic of Iran, or *Jomhuri-ye Eslami-ye Iran*, is located in southwestern Asia, and has boundaries on the north with the Caspian Sea and the CIS states of Armenia, Azerbaijan and Turkmenistan. In the east, Iran borders Pakistan and Afghanistan, in the west Turkey and Iraq, and in the south the Persian Gulf and the Gulf of Oman (**NetIran**, October 1997). Its total area of 1.6 million square kilometers is divided into two distinct geographical regions: a barren interior plateau covered by salt swamps (*kavirs*) and salt flats (*dashts*), and surrounding mountain ranges of various elevations (**Regional Surveys of the World**, 1998, 441; **NetIran**, October 1997). Iran is divided into 28 provinces (*ostan*), each headed by an appointed governor, or *ostandar* (**Europa World Yearbook 1998**, 1998, 1725; **NetIran**, October 1997).

Iran's population is estimated at 63.8 million, more than half of which (61 per cent) live in urban areas (**EIU Country Profile 1998-99**, 1998, 19). As of 1991, most of the population (54.7 per cent) was between the ages of 15 and 74. The average birth rate is estimated at 33.7 births per 1,000 inhabitants, and the life expectancy for the total population is 67.82 years (**NetIran**, October 1997; **Britannica Book of the Year**, 1998, 624). As of 1994, the literacy rate of Iranians over the age of 15 was approximately 72.1 per cent (**Britannica Book of the Year**, 1998, 624). About 6.7 million people live in the capital city, Tehran. Other major urban areas include the cities of Mashhad to the northeast and Isfahan to the south (**EIU Country Profile 1998-99**, 1998, 3).

In addition to the Persians who make up 51 per cent of the Iranian population, Iran is home to several other ethnic groups. Azerbaijanis, who reside mainly in northwest Iran, account for 24 per cent of the population. Eight per cent of the population consists of Gilaki and Mazandarani groups. Kurds (seven per cent), who differ from Persians in religion, physical appearance and language, are found mostly in the Zagros mountain range, while Arabs (three per cent) are concentrated near the Persian Gulf close to the border with Iraq. Lur, who live in the south of the country, make up two per cent of the population, as do Baluchis and Turkomans. Various other ethnicities make up the remaining one per cent (**NetIran**, October 1997; **Encyclopedia of the Third World**, 1992, 869).

Persian (Farsi), "an Indo-Aryan language related to the languages of western Europe", is the official language of Iran and is spoken by about 58 per cent of the population (**Regional Surveys of the World**, 1998, 442; **World Factbook 1997**, March 1998). Other languages include several Turkic dialects (26 per cent), Indo-Iranian languages such as Kurdish (nine per cent), Luri (two per cent) and Baluchi (one per cent), as well as Arabic (one per cent) and Turkish (one per cent). English and French are widely used among the elite (**Regional Surveys of the World**, 1998, 442; **World Factbook 1997**, March 1998; **Encyclopedia of the Third World**, 1992, 869).

Islam of the Ja'fari sect (Shi'ite) is the official religion of Iran as laid out in the Constitution of 1979. The constitution also states that other Islamic sects are valid and recognized (**Regional Surveys of the World**, 1998, 502). The majority of Persians and Azerbaijanis are Shi'a Muslims (89 per cent), while other ethnic groups are largely Sunni (ten per cent) (**Ibid.**; **NetIran**, October 1997). Christians, Jews and Zoroastrians make up one per cent of the population, and are officially recognized as religious minorities. About 300,000 Iranians follow the Baha'i faith, which originated in Iran (**Regional Surveys of the World**, 1998, 502). However, Baha'is were banned from engaging in religious activity in 1983 (**Encyclopedia of the Third World**, 1992, 870).

Iran's natural resources consist of petroleum, natural gas and some mineral deposits (**U.S. DOS Background Notes**, 1994). Average GDP growth rate is 5.9 per cent (1989-1996), and per capita income is estimated at US\$1,500 (**NetIran**, October 1997; **U.S. DOS Background Notes**, 1994). Unemployment is estimated at 30 per cent (**NetIran**, October 1997). Iran's major industries include petroleum, petrochemicals, textiles, cement and building materials, food processing and metal fabricating. Major agricultural products consist of wheat, rice, sugar, beets, fruits, nuts, cotton, dairy products, wool and caviar (**U.S. DOS Background Notes**, 1994). Iran's principal exports consist of oil and gas (80 per cent). Major Iranian imports include raw materials and intermediate goods (**EIU Country Report**, 2nd Quarter 1998, 5; **MER**, Summer 1998).

Following the overthrow of the last Iranian Shah (or monarch) in 1979 after years of popular discontent over poor economic conditions and increasing Western domination of Iranian society, Ayatollah (or high-ranking Islamic cleric) Ruhollah Khomeini returned from exile in France to establish a theocratic republic guided by Islamic principles (**Europa World Yearbook**, 1998, 1720). An Islamic Republic was declared in April 1979, vesting ultimate executive authority in a Supreme Spiritual Leader, or *Vali-e Faqih* (initially Khomeini), enacting Muslim codes and suppressing Western influences (**Regional Surveys of the World**, 1998, 448; **Encyclopaedia Britannica**, 1988, 376). In the years that followed the revolution, intense rivalries within the Government between traditionalist clerical elements and radical technocrats became increasingly apparent (**Regional Surveys of the World**, 1998, 449).

The regime's first President, Abolhasan Bani-Sadr, took office in January 1980 only to be ousted a year later because of his opposition to the conservative Prime Minister and the powerful Islamic Republican Party (IRP) linked to Ayatollah Khomeini (**Regional Surveys of the World**, 1998, 448). Mr. Bani-Sadr's opponent, Muhammad Ali Rajai, succeeded to the presidency, but was killed along with the new Prime Minister (Muhammad Javad Bahonar) by a bomb explosion engineered by the *Mujahidin-e-Khalq*, the main anti-government opposition group (**Encyclopaedia of the Third World**, 1992, 871). By the autumn of 1981, Hojatolislam Ali Khomeini, a leading figure of the IRP, had been elected President, and Mir Hossein Mousavi appointed Prime Minister. Both of them remained in power until the death of Ayatollah Khomeini in 1989 (**Regional Surveys of the World**, 1998, 448, 449).

Throughout the period of political maneuvering under Ayatollah Khomeini's rule, Iran was also engaged in a war with Iraq sparked by an invasion of Iranian territory around the important Shatt al-Arab waterway in September 1980 (**Europa World Yearbook**, 1998, 1720). Iran's acceptance of a UN cease-fire resolution ended the fighting in August 1988 (**EIU Country Profile 1998-99**, 1998, 5).

Ayatollah Khomeini died in June 1989, and was succeeded by the former President, Sayyed Ali Khamenei, who was appointed by the Assembly of Experts to the less exalted position of *Rahbar*, or Leader (**EIU Country Profile 1998-99**, 1998, 5). The Constitution of 1979 was subsequently amended, abolishing the post of Prime Minister and expanding the powers of the Executive (**EIU Country Profile 1998-99**, 1998, 6). The former Speaker of the *Majlis*, Ali Akbar Hashemi-Rafsanjani, was then elected President in August 1989 with 95.9 per cent of the total votes cast (**Europa World Yearbook**, 1998, 1722). Mr. Rafsanjani's government was generally "regarded as a balanced coalition of 'conservatives', 'reformers' and technocrats", and eventually implemented gradual economic and social reforms (**Europa World Yearbook**, 1998, 1722; **EIU Country Profile 1998-99**, 1998, 5). In June 1993 President Rafsanjani was re-elected with a considerably lower proportion of the votes cast (63.2 per cent) evidencing a loss of popular support (**Regional Surveys of the World**, 1998, 456).

In May 1997, Hojjatolislam val Moslemin Sayyed Mohammed Khatemi, the most moderate of the four candidates approved by the Council of Guardians out of 238 nominations, was elected President with 69 per cent of the votes cast by 91 per cent of the electorate (**Regional Surveys of the World**, 1998, 456; 1998, 5; **Britannica Book of the Year**, 1998, 440; **Baktiari, B.**, 24 February 1998; **Amnesty International**, 4 August 1997; **Kian-Thiebaut, A.**, January 1998). Most of his support came from women and young people, who were said to be frustrated with hard-line policies such as the Islamic dress code and restrictive economic policy, and thus attracted to his promise of political change (**Britannica Book of the Year**, 1998, 440; **MER**, Summer 1998; **IRNA**, 3 August 1998(b)). Mr. Khatemi, himself a cleric, is said to be "aiming for . . . freedom within the framework of the constitution and the Islamic regime" (**The Economist**, 30 May 1998). One year after taking office, he reportedly maintains wide popular support (**Britannica Book of the Year**, 1998, 440; **MER**, Summer 1998; **IRNA**, 3 August 1998(b)). He is credited with revolutionizing Iranian politics and bringing about 'fundamental change in the views of the people', thus triggering 'irreversible political, social and cultural developments' (**Lyons, J.**, 9-15 August 1998), while the national press has praised his efforts to institutionalize the rule of law and to push through political reform (**IRNA**, 3 August 1998(a); **Lyons, J.**, 9-15 August 1998).

1.2 National Institutions

The Supreme Spiritual Leader

The Islamic Republic of Iran is described as a clerical regime, in which all the power is vested on parts of the clergy (**Lawyers Committee for Human Rights**, January 1997, 27). Constitutionally, the Supreme Spiritual Leader, or *Vali-e Faqih* ('Supreme Jurist'), is

above the legislative, executive and judiciary powers of the country. Article 4 of the Constitution stipulates that "the whole set of rules and regulations which are civilian, penal, financial, economic, administrative, cultural, military or political, must be based on Islamic precepts" (**Ibid.**). This principle also applies to other articles of the Constitution as well as all other laws and regulations (**Ibid.**). In 1989, amendments to the Constitution abolished the requirement that the spiritual leader be a supreme theological authority (**NetIran**, 1996(b)).

The *Vali-e Faqih* establishes and executes general policies and appoints or nominates various government officials including judicial authorities. The Supreme Spiritual Leader is also commander-in-chief of the armed forces (**Hassan-Yari, H.**, 24 February 1998; **EIU Country Profile 1998-99**, 1998, 6). The Assembly of Experts, a body elected by universal suffrage, is charged with selecting the *Vali-e Faqih* (**Middle East Monitor**, July 1998). Former President Khamenei became Iran's Supreme Spiritual Leader after the death of Ayatollah Khomeini in June 1989 (**EIU Country Profile 1998-99**, 1998, 5).

The Executive

The Constitution of 1989 abolished the post of Prime Minister, and placed the President at the head of the administration. The President is elected by "universal adult suffrage for a term of four years" (**EIU Country Report**, 2nd Quarter 1998, 4; **Europa World Yearbook**, 1998, 1725). The Head of State "appoints and supervises the Council of Ministers (members of the cabinet), coordinates government decisions, and selects government policies" to be debated in the legislature (**U.S. DOS Background Notes**, 1994). The Constitution stipulates that the President must be a Shi'a Muslim, thereby excluding members of religious minorities. Women are also banned from becoming President (**HRW/Middle East**, May 1997). The interior ministry oversees the National Police and is empowered to allow the formation of political parties (**MEM**, July 1998; **NetIran**, 1996(c)).

The Legislature

The legislative branch comprises two important institutions: the National Assembly, or Parliament, and the Council of Guardians. The National Assembly, or *Majlis-e Shora-ye Islamic* (Islamic Consultative Assembly), consists of 270 members elected for four-year terms by direct and secret ballot (**NetIran**, 1996(c)). Although political parties do not play a role in the Iranian parliament, officially recognized political groups recommend *Majlis* candidates (**EIU Country Report**, 2nd Quarter 1998, 4). Elections to the fifth *Majlis* took place in March 1996, resulting in the loss of an overall majority for the conservative clergy (**Regional Surveys of the World**, 1998, 500; **EIU Country Profile 1998-99**, 1998, 5). The 'hard-line' Speaker of the Assembly, Ali Akbar Nateq-Nouri, claimed victory over a supporter of reformist President Mohammed Khatemi when he was re-elected to this post for the third time in June 1998 (**BBC News**, 1 June 1998; **EIU Country Report**, 2nd Quarter 1998, 4).

Islamic precepts are not defined either by the Constitution or any other legal texts, but are instead determined by the 12-member Council of Guardians, or *Shora-ye Negahban-e Qanun-e Assassi* (**LCHR**, January 1997, 27; **NetIran**, 1996(c)). Six clerical lawyers of the 12-member Council of Guardians are chosen by the Supreme Spiritual Leader. The High Council of the Judiciary appoints the Council's remaining six civil jurists after receiving approval by the *Majlis* (**Encyclopedia of the Third World**, 1992, 871). Council members serve six-year terms (**NetIran**, 1996(c)). Articles 91-99 of the Constitution stipulate that the Council must safeguard Islamic canon and the Constitution by reviewing and either approving or rejecting laws passed by the *Majlis* (**NetIran**, 1996(c)). Council members also "select and screen candidates for elections [and]...interpret what qualifies a candidate", a function which President Khatemi reportedly strongly opposes (**Baktiari, B.**, 24 February 1998; **MER**, Summer 1998). Currently, the Council is made up mostly of conservative clergy and Revolutionary Guards including Ahmad Jannati, who is said to be "determined to keep the clergy in control of government and to prevent any compromising of the revolution" (**MEM**, July 1998; **Middle East Report**, Summer 1998; **Wright, R.**, Summer 1996).

The Judiciary

The judiciary is headed by Ayatollah Yazdi, said to be a "leading hardliner", who is directly appointed by Supreme Spiritual Leader Ayatollah Khamenei (**BBC News**, 5 April 1998). Ayatollah Yazdi heads both the Supreme Court and the four-member High Council of the Judiciary, which are together responsible for "supervising the enforcement of all laws and for establishing judicial and legal policies" (**U.S. DOS Background Notes**, 1994).

Iran's court system comprises four types of tribunals: regular courts hear criminal and civil cases, while clerical courts try and punish "misdeeds by the clergy". Revolutionary courts hear and try "charges of terrorism and offences against national security". Lastly, Courts of Administrative Justice are "authorized to investigate any complaints or objections by people with respect to government officials, organs and statutes" (**NetIran**, 1993(b)).

Under article 163 of the Constitution, the observance of religious principles determines the qualities and conditions necessary to be a judge (**Lawyers Committee for Human Rights**, January 1997, 28). Moreover, article 167 of the Constitution states that "in the absence of codified provisions, judgement must be based on Islamic sources which have authority and which are based on an authentic *fatwa* (formal legal opinion of a qualified specialist)" (**Ibid.**). It is also reported that there are "numerous judgements, death sentences, especially against political prisoners and prisoners of opinion, which are based on . . . clerical opinions and not on codified law" (**Ibid.**).

The Assembly of Experts

Composed of 83 senior clerics, the Assembly of Experts, or *Majlis-e Khobregan*, meets once a year to "either endorse the spiritual leader, remove him from his post, appoint a new leader or form a leadership committee" (**Middle East International**, 22 May 1998; **NetIran**, 1993(a)). Members of the Assembly are elected by the people and serve eight-year terms (**NetIran**, 1993(a)). Elections to the second Assembly were held in October 1990, and in February 1998, the Assembly reconfirmed Ayatollah Khamenei as the Supreme Spiritual Leader (**Regional Surveys of the World**, 1998, 500; **AFP**, 4 February 1998). New elections are scheduled to take place on 23 October 1998 (**Reuters**, 16 August 1998(a), **Foreign Report**, 25 June 1998).

The Expediency Council

Ayatollah Ruhollah Khomeini created the Expediency Council, or *Majma-e- Tashkhis-e Maslahat-e Nezam*, in February 1988 in order to arbitrate disputes between *Majlis* and the Council of Guardians (**NetIran**, 1997(a)). As stated in article 112 of the amended 1989 Constitution, the Expediency Council

shall be convened at the order of the Leader . . . in cases where the Council of Guardians finds an approval of the *Majlis* against the principles of *Sharia* (religious law) or the Constitution, and the *Majlis*[.] . . . is unable to satisfy the Council of Guardians . . . (**Ibid.**).

Members of the Expediency Council comprise seven government officials and the six clerical lawyers of the Council of Guardians (**Regional Surveys of the World**, 1998, 500). Currently, the Council is headed by former President Hojatolislam Ali Akbar Hashemi Rafsanjani (**EIU Country Profile 1998-99**, 1998, 8).

The National Security Council

Headed by the President, the National Security Council was formed in July 1989 to "coordinate defence and national security policies, the political programme and intelligence reports, and social, cultural and economic activities related to defense and security" (**Regional Surveys of the World**, 1998, 500). Serving on the Council are two representatives of the *Vali-e Faqih*, the Speaker of the *Majlis*, the Head of the Judiciary, the Chief of the Supreme Command Council of the Armed Forces, the Minister of Foreign Affairs, the Minister of the Interior, the Minister of Information and representatives of the Army and Revolutionary Guards (**NetIran**, 1997(b)). As Commander-in-Chief, Ayatollah Khamenei serves as Chairman of the Council (**Regional Surveys of the World**, 1998, 507). A supporter of President Khatemi, interior minister Abdolvahed Mousavi Lari, was recently appointed to a senior position within the Council (**Lyons, J.**, 9-15 August 1998).

Iran's defense and security forces can be divided into three categories: regular armed forces, irregular and special armed forces, and law enforcement agencies. The regular armed forces comprising the Iranian army, navy, air and air defense forces protect "the integrity of the Iranian territory" (**Hassan-Yari, H.**, 24 February 1998). The special armed forces comprising the Islamic Revolutionary Guard Corps (*Pasdaran-e Enghelab-e Islami*) and the Mobilization of the Oppressed, or *Basijis-e Mostrazafan* (*Basijis*), defend the Islamic Revolution in Iran and protect the country from foreign forces (**Ibid.**). Iran's law enforcement forces, or *Nirouhay-e Entezami*, are charged with maintaining internal security (**Ibid.**). Armed vigilante groups of *hezbollahis*, said to be

supported by the conservative clergy who are known to frequently disrupt anti-government activities, are another important element of Iranian national security (**Revolutionary and Dissident Movements**, 1991, 148).

Regular Armed Forces

Excluding the *Pasdaran*, Iranian armed forces are estimated to total close to 400,000 men. The army consists of 345,000 regulars and conscripts divided into four armoured and seven infantry divisions and an airborne brigade. The navy comprises 18,000 sailors, 2,000 of whom are marines. The Iranian air force numbers 30,000 (**EIU Country Profile 1998-99**, 1998, 11-12). It is estimated that Iran spends about 2.6% (1995) of its GDP on defense (**Britannica Book of the Year**, 1998, 624).

Islamic Revolutionary Guard Corps

A product of the 1979 revolution and the subsequent war with Iraq (1980- 1988), the Revolutionary Guards reportedly influence every neighbourhood in every town and village through a vast network of paramilitary volunteers (**MEI**, 8 May 1998). Established by Ayatollah Khomeini, who gave them the "responsibility of preserving the revolution", the Revolutionary Guards are said to have traditionally relied on "ideological rhetoric, religious and revolutionary fervour and a notion of class struggle" (**MEI**, 8 May 1998; **U.S. Library of Congress**, December 1987).

Their ground forces number close to 100,000, while their naval forces are estimated at 20,000 (**EIU Country Profile 1998-99**, 1998, 12). Their navy is reported to be "very active in the Persian Gulf region" (**Hassan-Yari, H.**, 24 February 1998). Administrative issues concerning the Revolutionary Guards are handled by the Ministry of the *Pasdaran*, which also supervises the *Basijis*, and operates an intelligence unit (**Hassan-Yari, H.**, 24 February 1998). The *Pasdaran* commander-in-chief, Major-General Yahya Safavi, recently voiced his criticism of President Khatemi's liberalization programme (**Middle East International**, 8 May 1998). Senior officers of the *Pasdaran* reportedly support Iran's conservative clergy (**MER**, Summer 1998).

The *Basijis*, who come under the command of the Revolutionary Guards, were responsible for the "mobilization of volunteers for the war effort, civil defence and distribution of ration goods" during the war with Iraq (**Hassan-Yari, H.**, 24 February 1998; **EIU Country Profile 1998-99**, 1998, 12). Today, they are reported to recruit volunteers mainly among Iranian youth, and are said to engage in public activities in mosques, schools and factories (**AFP**, 12 March 1998). The *Basijis* also "enforce the wearing of the *hajib* (veil) [and]...ensure that every woman is accompanied by a 'legal' male guardian, ...[such as her] husband, father or brother" (**MER**, Summer 1998). The *Basijis* reportedly mobilize very quickly if needed, and can number up to five million. The current size of the force is estimated at several hundred thousand (**AFP**, 12 March 1998). Muhammad Ali Rahmani is the present *Basijis* commander (**Regional Surveys of the World**, 1998, 507).

Law Enforcement Forces

In 1990, the Islamic regime decided to consolidate the Revolutionary Committees, or *Komiteh'haay-e Enqelaab*, the National Police and the Gendarmerie into one law-enforcement unit called *Nirouhay-e Entezami* (**Hassan-Yari, H.**, 24 February 1998). Constitutionally, this unit is controlled by the supreme spiritual leader, Ayatollah Khamenei, who then delegates his authority to the minister of interior (**BBC News**, 5 April 1998; **Hassan-Yari, H.**, 24 February 1998).

Hezbollahis (Children of the Party of God)

Iranians who fervently support the revolution, strict adherence to Islamic codes of behaviour, and who advocate a dominant role for religion in Iranian society call themselves *hezbollahis* (**Regional Surveys of the World**, 1998, 449; **U.S. Library of Congress**, December 1987). *Hezbollahis* are said to serve as Revolutionary Guards, volunteers at mosque-related associations, and personal staff of leading ayatollahs (**U.S. Library of Congress**, December 1987). Organized militant gangs of *hezbollahis* act as vigilante groups or street fighters, and are reportedly used by the fundamentalist clergy to agitate anti-government demonstrations, or to intimidate secular opposition factions (**Revolutionary and Dissident Movements**, 1991, 148; **U.S. Library of Congress**, December 1987). *Hezbollahis* claim to be followers of Ayatollah Khomeini, and generally act without meaningful police restraint or fear of persecution (**Human Rights Watch/Middle East**, August 1993).

1.3 Recent Political Developments

President Khatemi's administration, described as a progressive coalition of Islamic leftists, senior technocrats, and elements of the private sector, has reportedly made moves to counter the influence of the conservative clergy, many of whom are said to hold influential positions in the administration, judiciary, media and security forces such as the Revolutionary Guards (**EIU Country Profile 1998-99**, 1998, 6; **Lyons, J.**, 2-8 August 1998; **Darwish, A.**, July 1998). It is generally assumed that the conservative clergy is led by Supreme Spiritual Leader Ayatollah Khamenei, while the reformists are led by the President himself (**BBC News**, 21 November 1997). Their differences center mainly on the legitimacy of the principle of *Velayat-e-Faqih* ("Rule by the Supreme Jurist"), which is the basis of Islamic theocracy in Iran, or in other words, the struggle for primacy between Islam and the republic (**Ibid.**).

President Khatemi's supporters not only question the God-given legitimacy and vast powers of the Supreme Spiritual Leader, but would like to see him directly elected by the people, whom they regard as the source of power, and to be accountable to parliament (**Ibid.**). They are also reported to have urged President Khatemi to "take control of the police force, the armed forces and the state radio and television" (**Ibid.**). The conservative clergy, on the other hand, are said to demand total obedience to the Supreme Spiritual Leader, whose legitimacy they believe derives from God, while even more conservative elements argue that "elections and parliaments are Western concepts and have no place in Islam" (**Ibid.**). Another supporter, former president Akbar Hashemi Rafsanjani, is reported to have declared that the institution of *Velayat-e-Faqih* guarantees the national unity of Iran, arguing that, without it, Iran could become another Afghanistan (**Ibid.**).

Allegedly fearing that change, democracy and liberalization would lead to the regime's collapse, the conservative clergy are said to "advocate a return to the basic tenets of the revolution, accelerated 'shari'atization' and increased control over the electoral process through careful screening of candidates" (**MER**, Summer 1998). Consequently, led by the judiciary, they have mounted an attack on President Khatemi mainly through "harrassement of his closest allies" (**Ibid.**). Other tactics reportedly used include making important changes in the budget, and using *Ansar-e Hezbollah* gangs to disrupt demonstrations and rallies (**Hirst, D.**, 9 August 1998; **AFP**, 31 May 1998). Conversely, the reformists are said to benefit from their strategy of maintaining polite, albeit bitter relations with the conservative clergy, from the avoidance of direct confrontation, and from demonstrations of student and public support (**Hirst, D.**, 9 August 1998; **MEI**, 3 July 1998).

Tensions between Iran's reformers and conservative clergy deepened after President Khatemi appointed his progressive colleague, former interior minister Abdollah Nouri, to the post of Vice-President in charge of development and social affairs. The appointment followed Mr. Nouri's impeachment, in a motion of censure carried by 137 votes to 117, by the conservative-dominated parliament, or *Majlis*, for "creating social tensions and making provocative speeches" (**Reuters**, 22 June 1998; **BBC News**, 21 June 1998) after he granted permits for student demonstrations in favour of reform (**Middle East Monitor**, July 1998; **Reuters**, 21 June 1998(b), (c)). The move to impeach Mr. Nuri had been initiated by 31 members of parliament opposed to President Khatemi's "liberal, conciliatory policies" (**Foreign Report**, 18 June 1998). Mr. Nuri is reported to favour the creation of political parties, on the grounds that they would "add strength to Iran's political fabric" (**Reuters**, 21 June 1998(a)). He had earlier criticized the detention of Tehran mayor Gholamhossein Karbaschi, whose treatment he said "called into question the competence of the judiciary officials investigating the case against him" (**BBC News**, 7 April 1998).

Mr. Karbaschi, who was instrumental in the election victory of President Khatemi and has been widely praised for transforming Tehran by building low-cost housing and financing public parks (**Ibid.**), was tried and convicted on charges of embezzlement, fraud and mismanagement of public funds in July 1998 (**BBC News**, 7 June 1998; **Oxford Analytica Executive Brief**, 29 July 1998). Despite Mr. Karbaschi's claim that his trial was political in nature, the former mayor was sentenced to five years in prison, banned from public office for 20 years, and fined heavily (**Oxford Analytica Executive Brief**, 29 July 1998; **IRNA**, 25 July 1998). Subsequently, the conservative-dominated parliament, aiming to reduce tensions, approved President Khatemi's appointment of "liberal" Abdollah Mousavi-Lavi as interior minister (**Oxford Analytica, Executive Brief**, 29 July 1998; **IRNA**, 22 July 1998(a)). Mr. Mousavi-Lari, who now has the power to approve political demonstrations and to oversee elections, has reportedly pledged to continue the policies of expanding public freedoms begun by his predecessor, Abdollah

Nouri (**Oxford Analytica Executive Brief**, 29 July 1998; **BBC News**, 22 July 1998). However, *Majlis* deputies were allegedly quick to note that similar behaviour by the new minister could also lead to impeachment (**IRNA**, 22 July 1998(b)).

Student demonstrations and rallies on the streets of Tehran are said to have become "the front line of Iran's political battlefield" between the conservative clergy and reformists. In March 1998, close to 3,000 students and hardliners violently clashed at the Tehran University campus during a protest against the elimination by the Council of Guardians of several pro-Khatemi candidates for the parliamentary bi-elections (**Wright, R.**, 18 July 1998). The incident led to conservative clergy criticisms of interior minister Abdollah Nuri, who had authorized the event, and eventually his impeachment by parliament (**AFP**, 9 March 1998; **Middle East Times**, 2-8 August 1998). Students led by the Office for Islamic Unity organized another protest in April 1998 against the arrest of Tehran mayor Gholamhossein Karbaschi. Despite efforts by Ayatollah Khamenei to prevent the rally by releasing the mayor, hundreds of people still demonstrated and were attacked by *Ansar-e Hezbollahis* gangs (**Wright, R.**, 18 July 1998; **MEI**, 24 April 1998, 16).

On 23 May 1998, thousands of students supporting President Khatemi called for reforms and criticized the conservative clergy at a victory rally marking the first anniversary of the president's election (**Wright, R.**, 18 July 1998). Two days later, students took to the streets again to demand that women and non-clerics be included as candidates in October's Assembly of Experts elections (**ibid.**). The rally, approved by the interior ministry, was attacked by *hezbollahis* who reportedly injured several dozen protesters (**Deutsche Presse Agentur**, 25 May 1998). The next day, in response to the pro-democracy student action, up to 40,000 conservative clerics held their own rally in the holy city of Qom (**Wright, R.**, 18 July 1998; **AP**, 26 May 1998).

The trial of reformist Tehran mayor Gholamhossein Karbaschi also sparked several rallies in the capital city in July 1998. Following the verdict of the trial, hundreds of *Ansar-e Hezbollah* members took to the streets demanding that the mayor's lenient sentence be replaced with the death penalty (**Oxford Analytica Executive Brief**, 29 July 1998). A few days later, students demonstrated in defense of the mayor and of President Khatemi's administration in general (**Middle East Times**, 2-8 August 1998).

The battle between reformists and conservatives worried about the declining power of the clergy is said to be just beginning: preparations for the October 1998 elections for the Assembly of Experts, which is empowered to select Iran's Supreme Spiritual Leader, have led various groups to call for increased public participation in the process. Some analysts argue that it is up to Ayatollah Khamenei to find a compromise between the conservative clerics, who call for an election of candidates approved by the state, and the reformists and the Iranian people, who push for free elections (**IRNA**, 22 August 1998(a), (b); **Middle East International**, 22 May 1998). In addition, rumours are reportedly circulating predicting Ayatollah Khamenei's replacement at the upcoming Assembly next year, due to a lack of consensus over his religious and political policies (**Kian-Thiebaut, A.**, January 1998).

Foreign Relations

President Khatemi is said to have successfully implemented a foreign policy of "detente" since his election, managing to reduce tensions with regional states and with the European Union, and to initiate a dialogue with the U.S. (**Lyons, J.**, 9-15 August 1998; **IRNA**, 3 August 1998(a)). In December 1997, Iran hosted the summit of the Organization of the Islamic Conference (OIC) for the first time, marking the start of its three-year presidency of the world's largest Muslim body (**The Economist**, 13 December 1997). In July 1998, IRNA reported that the remains of another 183 soldiers who died during the Iran-Iraq war (1980-1988) were exchanged between the two countries, the latest swap since 6,000 POWs from both sides were released and repatriated in April (**Reuters**, 28 July 1998(b)).

European Union states (except Greece) suspended their relations with Iran in April 1997 after a German court ruled that the Iranian government was involved in the Berlin murder of the Kurdish Democratic Party of Iran leader Sadeq Sharifkandi in 1992 (**U.S. Committee for Refugees**, 1998; **BBC News**, 18 July 1998). The European Union resumed contact with Iran in February 1998, returning its ambassadors and sending its troika of present, past, and future Commission presidents to Tehran for high-level talks in July 1998 (**IRNA**, 3 August 1998(b); **BBC News**, 18 July 1998; **Foreign Report**, 5 March 1998). The recent visit of French Foreign Minister Hubert Vedrine strengthened diplomatic relations between the two countries after both economies were boosted by the investment of the French oil company Total in the Iranian market (**IRNA**, 24 August

1998(a); **Reuters**, 6 August 1998). U.S. economic sanctions against European companies investing in Iran were lifted in May 1998 (**Collett, N.**, August 1998).

Relations with the U.S. remain "problematic" despite urges from the business community for closer economic ties and President Khatemi's call for better understanding between the two nations (**Reuters**, 2 August 1998). Analysts say that U.S. President Clinton's conciliatory remarks in response to Khatemi "may do more harm than good" as Iranian fundamentalists could "destroy" their President should he actively attempt to establish closer ties (**Foreign Report**, 25 June 1998).

Iran's relations with neighbouring Afghanistan have been placed under great strain as the Taliban continue to increase their control over that country. Shortly after the August 1998 fall of Mazar-e-Sharif in northern Afghanistan to Taliban forces, eleven Iranian diplomats and one journalist were reported missing, fueling fear and anger within Iran (**BBC News**, 6 September 1998; **IRNA**, 6 September 1998). Subsequent rumours that the hostages had been killed further heightened tensions (**IRNA**, 4 September 1998). Since then, Iranian authorities are said to have appealed to the UN for international support, and have reportedly carried out "unprecedented" military exercises with 70,000 troops, tanks, heavy artillery and attack aircraft, along its border with Afghanistan (**BBC News**, 6 September 1998; **Iran News**, as reported by AFP, 6 September 1998). The Government of Iran, which is said to support the Afghan opposition militarily and financially, has reportedly claimed to be ready "to take the necessary measures within the framework of legitimate defense . . . [should the] . . . aggressive confrontations" of the Taliban continue (**BBC News**, 5 September 1998).

1.4 Profiles of Political Groups

Article 26 of the Constitution allows for the establishment of political parties, provided that they do not violate the principles of "freedom, sovereignty, and national unity", and do not undermine the Islamic Republic (**U.S. Department of State Country Reports for 1997**, 1998). However, except for the ruling cleric-dominated Islamic Republican Party (IRP) disbanded in 1987, and the once officially recognized moderate opposition group, Liberation Movement of Iran (LMI), or *Nezhat-Azadi*, political parties as such have not existed in Iran since the revolution (**Regional Surveys of the World**, 1998, 500; **Islam and Islamic Groups**, 1992, 105, 110). Furthermore, opposition and independent movements are reportedly suppressed by the government (**U.S. Department of State Country Reports for 1997**, 1998). In 1988, activities of all political parties were suspended, and groups were thereafter required to register with the interior ministry for permission to exist (**Xinhua News Agency**, 27 April 1995; **Islam and Islamic Groups**, 1992, 110).

At present, political factions or groupings, such as the conservative Militant Clergy Association (*Jame-ye Ruhaniyyat-e Mobarez*), or the radical Militant Clerics Society (*Majma-e Ruhaniyun-e Mobarez*), nominate candidates for legislative and presidential elections (**Oxford Analytica Executive Brief**, 3 June 1998; **Islam and Islamic Groups**, 1992, 105). Recent developments, such as the election of President Khatemi and the appointment of reformists Ayatollah Mohajerani as culture and Islamic guidance minister and Abdollah Nuri as interior minister, have paved the way for demands for official recognition from several political groups. Among those granted permission to become political parties were the Islamic Iran Solidarity Party and the radical Association of Forces Following the Imam's Line, in January, and former Tehran mayor Karbaschi's faction, the Servants of Construction, in May (**Oxford Analytica Executive Brief**, 3 June 1998). Other applications are reportedly being considered by the Special Commission on Political Parties (**Ibid.**). Following is a list of important political factions which exist or have existed in Iran. [It is important to note that political groupings in Iran cannot always be linked to clear 'liberal' or 'conservative' tendencies, and that especially during run-ups to an election, alliances and platforms tend to shift and change.]

Islamic Republican Party (IRP)

The Islamic Republican Party was founded in 1978 by the late Ayatollah Mohammed Hossein Beheshti and identified with the policies of the *Vali-e Faqih*, Ayatollah Khomeini (**Islam and Islamic Groups**, 1992, 110; **Regional Surveys of the World**, 1998, 448). Although the IRP played an integral part in the revolution and was the ruling party for several years, it was disbanded in 1987 by the Ayatollah himself because it had apparently become "an excuse for discord and factionalism" (**Regional Surveys of the World**, 1998, 451, 500).

Militant Clergy Association (*Jame-ye Ruhaniyyat-e Mobarez*)

Also called Society of Combatant Clergy and Association of Combatant Clerics, *Ruhaniyyat* is said to be a conservative Islamic faction formerly allied with President Rafsanjani's government, and supported by present Majlis speaker Ali Akbar Nateq-Nuri, as well as several clerical organizations and traditional bazaar merchants (**Oxford Analytica Executive Brief**, 3 June 1998; **Islam and Islamic Groups**, 1992, 110). Formally recognized by the interior ministry in 1989, the faction's "unofficial patron" is said to be Ayatollah Khamenei (**Regional Surveys of the World**, 1998, 456; **Oxford Analytica Executive Brief**, 3 June 1998). During the run-up to the April 1992 parliamentary elections, the *Ruhaniyyat* was said to advocate greater economic liberalization and warmer relations with foreign countries (**Political Parties of Africa and the Middle East**, 1993, 125). Despite winning 70 per cent of the *Majlis* seats in 1992, the faction lost its overall majority in the elections of April 1996 (**Regional Surveys of the World**, 1998, 456). Most members of the organization also supported Ali Akbar Nateq Nouri, President Khatemi's opponent in the presidential election of May 1997 (**Eurpoa World Year Book**, 1998, 1722). The *Ruhaniyyat* is reportedly against the formation of official western-style political parties (**Oxford Analytica Executive Brief**, 3 June 1998).

Militant Clerics Society (*Majma-e Ruhaniyun-e Mobarez*)

The *Ruhaniyun*, also called Combatant Clergy Group or Association of Combatant Clergy, is a radical faction which engages in fundamentalist revolutionary rhetoric, opposes closer relations with the U.S. and Israel, advocates exporting the revolution overseas, and pushes for a centralized economy as well as subsidies to protect the lower classes (**Islam and Islamic Groups**, 1992, 110). The grouping, which broke away from the *Ruhaniyyat*, resumed political activity in October 1996 after having withdrawn from public scrutiny following defeat in the 1992 *Majlis* elections (**Oxford Analytica Executive Brief**, 3 June 1998). The *Ruhaniyun*'s leading figure is the cleric Hojjatoleslam Mehdi Karrubi. Radical groups supporting the faction include the Mojahidin of the Islamic Revolution, and the Office of Strengthening Unity, which, together with the *Ruhaniyun*, form the Assembly of Forces following the Line of Imam (*Ibid.*).

Servants of Iran's Construction (*Kargozaran-e Sazandegi*)

Leading moderate executives of former President Akbar Hashemi Rafsanjani, along with Tehran mayor Glohamhossein Karbaschi, Bank Governor Moshen Nourbakhsh and Culture and Islamic Guidance Minister Ataollah Mohajerani, established the technocratic Servants of Construction, or Group of Six (G-6), in order to contest the elections of the fifth *Majlis* in April 1996 (**Reuters**, 26 July 1998(a); **Europa World Year Book**, 1998, 1722; **BBC Summary of World Broadcasts**, 3 February 1998). The grouping, which advocates political and economic modernization, is said to have won 90-100 seats in the 270-seat parliament (**Oxford Analytica Executive Brief**, 3 June 1998; **Europa World Year Book**, 1998, 1722).

This group was also integral to the victory of Karbaschi over the conservative clerics in the Tehran mayoral election of May 1997 (**Reuters**, 26 July 1998(a)). In May 1998, the Servants of Iran's Construction were given a permit to form an official political party by the ministry of interior (**Oxford Analytica Executive Brief**, 3 June 1998). Despite his conviction on graft charges in July 1998, Karbaschi serves as the organization's secretary-general, and expects the group to "take an active role" in the October 1998 Assembly of Experts election (**Reuters**, 16 August 1998(b)). In view of this important upcoming election, the Servants of Iran's Construction recently asked the *Majlis* to drop a bill approved by the parliament's domestic affairs commission raising the voting age to 16 (**IRNA**, 19 August 1998).

Islamic Iran Solidarity Party

The Islamic Iran Solidarity Party received permission from the interior ministry for its formation in January 1998. It is the first party allowed to be formed after the 1979 Islamic Revolution. Its members are supporters of President Khatemi, who reportedly aim to "provide . . . a healthy political atmosphere to develop freedom and a civil society" (**BBC News**, 31 January 1998). Its founders are moderate reformists including five *Majlis* deputies, a provincial governor, and Gholamreza Ansari, head of Iran's Welfare Organization, who are expected to "support [President] Khatemi more effectively against the conservative clerical establishment" (**MEM**, July 1998; **BBC Summary of World Broadcasts**, 3 February 1998).

Association of Forces Following the Imam's Line

Also called the Line of Imam, the association is said to be another moderate group supportive of President Khatemi and his reformist policies (**Iran-e Farda**, 28 May-3 June 1998). The organization is reportedly in favour of populist economic policies, and efforts to help Iran's poor. In some ways the group is said to resemble the pro-Khatemi Servants of Construction, although contrary to the latter, the Line of Imam did not push for the President's involvement in the Karbaschi affair (**Ibid.**). The organization was one of the first groups to be given permission by the interior ministry to become a political party (**Oxford Analytica Executive Brief**, 3 June 1998).

Office for Islamic Unity

Reportedly the "largest and most significant" student group operating in Iran today, the Office for Islamic Unity was recently behind the organization of a student rally, which was cancelled at the last minute, against the arrest of former Tehran mayor Karbaschi in April 1998 (**Wright, R.**, 18 July 1998). According to one of the six leaders of the group, Ali Reza Taheri, they aim "to create a country with freedoms for everyone, not just one sector, and a society without harshness . . . [and] . . . to correct the mistakes of the past, not repeat them" (**Ibid.**).

Islamic Culture and Communication Organization (*Tabligaht Islami*)

In June 1998, Ayatollah Khamenei reportedly created *Tabligaht Islami* in order to better coordinate the actions overseas of five groups charged with exporting the Iranian revolution. The new organization is headed by the 60-year old cleric Mohammed Ali Taskhiri, and unites the Organization for Islamic Information, the World Assembly of the House of the Prophet, the Assembly for the Unification of Islamic Doctrines, the Information Bureau of Qom, and the Foundation for the Martyrs (**Le Monde du Renseignement**, 4 June 1998). The organization answers directly to the office of the Supreme Spiritual Leader, Ayatollah Khamenei, and will reportedly operate in 17 countries in the Middle East, Asia and Africa (**Ibid.**).

Supporters of the Party of God (*Ansar-e-Hezbollah*)

Described as a "hardliner" group, it has been active against people whom it deems to be against the interests of the Islamic Republic, and reportedly "wield[s] considerable influence" in Iranian politics and society. In March 1998, its members attacked students participating in a rally outside Tehran University, who were protesting the conservative authorities' rejection of President Khatemi's supporters as candidates for the parliamentary by-elections (**BBC News**, 5 April 1998 [Internet]; **EIU Country Profile 1998-99**, 1998, 8). In May 1998, a group of 60 or more of its members reportedly attacked a gathering of students in Tehran who were "demanding that non-clerics and women be allowed to run in elections later this year for the powerful Assembly of Experts" (**BBC News**, 25 May 1998). Following the verdict in the trial of the former mayor of Tehran, the leader of *Ansar-e Hezbollah*, Hossein Allahkaram, called for Karbaschi's execution (**Reuters**, 24 July 1998). Members of *Ansar-e-Hezbollah* are also reported to have attacked a conference of surgeons critical of a move to segregate health care by gender (**BBC News**, 25 May 1998).

Liberation Movement of Iran (*Nehzat -Azadi*, LMI)

The Liberation Movement of Iran, also known as the Freedom Movement, was founded in 1961 by moderate Muslim forces and enjoyed official recognition as the only opposition group until 1988, when activities of all political groups were suspended (**Islam and Islamic Groups**, 1992, 110; **U.S. Library of Congress**, 1987). In August 1995, the LMI was reportedly refused permission to formally register as a political party (**Regional Surveys of the World**, 1998, 456). Presently led by Ibrahim Yazdi, an important figure in the 1979 revolution and a former foreign minister, the group reportedly promotes basic human rights as defined by Islam, and operates a military affiliate, the Holy Warriors (**Regional Surveys of the World**, 1998, 501; **BBC News**, 16 December 1997(a), (b); **Encyclopedia of the Third World**, 1992, 875). Mr. Yazdi is said to be one of the most prominent critics of the rule by conservative clergymen led by Supreme Spiritual Leader Khamenei (**BBC News**, 16 December 1997(a), (b)). On 13 December 1997, Mr. Yazdi signed a letter demanding respect for the rights of the dissident cleric Ayatollah Montazeri, whose home in the holy city of Qom had been attacked earlier after he questioned the authority of Ayatollah Khamenei (**Ibid.**, **Le Monde**, 17 December 1997). Mr. Yazdi was arrested for unspecified reasons on 15 December 1997 and released on bail in late December (**BBC News**, 16 December 1997(a),(b); **Amnesty International**, 1998).

National Council for Resistance (NCR)

After being forced out of the country in June 1981, former President Abolhasan Bani-Sadr fled to Paris where he formed the National Council for Resistance with the former Iranian leader of the *Mujahidin-e-Khalq*, Massoud Rajavi (**Regional Surveys of the World**, 1998, 448). Mr. Bani-Sadr was declared the Council's preferred presidential candidate of an alternative government, and by 1984, 15 anti-fundamentalist opposition groups operating under cover in Iran or in exile, including the Kurdish Democratic Party of Iran (KDPI), were aligned with the NCR (**Regional Surveys of the World**, 1998, 501; **Revolutionary and Dissident Movements**, 1991, 151). In March 1984, reportedly due to differences with Mr. Rajavi over alliances with Iraq and suspicions as to his previous relations with the ruling regime, Mr. Bani-Sadr left the NCR (**Revolutionary and Dissident Movements**, 1991, 151). In 1985, the KDPI was expelled from the Council for alleged relations with the regime, and in June 1986, France asked Mr. Rajavi to leave the country, forcing the NCR to relocate its headquarters to Baghdad, Iraq (**Regional Surveys of the World**, 1998, 501; **Revolutionary and Dissident Movements**, 1991, 151). The NCR reportedly advocates the separation of church and state in Iran, and recently elected a woman, Maryam Rajavi, as their provisional government President (**National Council of Resistance**, 21 July 1998).

Holy Warriors of the People (*Mujahidin-e-Khalq*)

Also known as People's Mujahidin Organization of Iran (PMOI), *Mujahidin-e-Khalq* is a leftist Islamic guerilla group founded in the early 1970s (**Islam and Islamic Groups**, 1992, 110; **Encyclopedia of the Third World**, 1992, 875). Supported by those seeking an alternative to the present regime, the PMOI has carried out politically motivated assassinations directed against the former Shah, the U.S. government, and since 1981, against Ayatollah Khomeini and the present regime (**Encyclopedia of the Third World**, 1992, 875). In June 1981, the *Mujahidin* sided with President Bani-Sadr against the fundamentalist clergy's use of *Hezbollah* (Children of the Party of God) to suppress anti-government demonstrations, and when Mr. Bani-Sadr was forced to flee, became the target of a violent government campaign against political opposition (**Revolutionary and Dissident Movements**, 1991, 148). In that same year, Massoud Rajavi, the leader of the group, established the National Council of Resistance in Paris with the ousted President (**Revolutionary and Dissident Movements**, 1991, 149).

In 1986, due to increased pressure by the French authorities, the PMOI moved their headquarters to Iraq where they were the frequent target of Iranian air force bombardment (**Islam and Islamic Groups**, 1992, 110; **Revolutionary and Dissident Movements**, 1991, 149). A 10-15,000-strong National Liberation Army was established by Mr. Rajavi to serve as the *Mujahidin's* military wing in June 1987 (**Regional Surveys of the World**, 1998, 501). Following the end of the Iran-Iraq war and thus the *Mujahidin's* usefulness to the Iraqi regime, the group's headquarters was expelled from Baghdad in October 1989 (**Revolutionary and Dissident Movements**, 1991, 149).

It is said that the *Mujahidin* lack support within Iran, and that their role has been reduced to an "irregular irritant" (**Wright, R.**, Summer 1996). In June 1998, the *Mujahidin* claimed responsibility for two bomb explosions, one which killed three people at a court house and another in a Tehran industrial building. The organization was reportedly aiming to attack the Revolutionary Guards' headquarters in the capital (**International Herald Tribune**, 4 June 1998). In August, the group admitted to killing Assadollah Ladjevardi, the former head of the Iranian prisons organization and "devoted crusader of Islam", at a commercial centre in Tehran (**IRNA**, 24 August 1998(b); **Le Temps**, 24 August 1998, 6).

People's Fighters (*Fedayin-e Khalq*)

Also known as the Warriors of the People, *Fedayin* is a militant Marxist guerilla group established in 1971 in opposition to the Shah (**Revolutionary and Dissident Movements**, 1991, 148; **Organization of the Iranian People's Fedaian**, 8 February 1998). *Fedayin* initially supported the Islamic Revolution, but became the target of attack by the regime's Revolutionary Guards after criticising the lack of democratic institutions (**Revolutionary and Dissident Movements**, 1991, 148). The organization reportedly "aims to replace the present theocracy with a democratic republic", and has carried out several violent attacks on Iranian missions in Europe (**Revolutionary and Dissident Movements**, 1991, 148; **Organization of the Iranian People's Fedaian**, 8 February 1998). Some of the organization's members reportedly supported the rebellion of Turkoman autonomists against Revolutionary Guards in the north-east of Iran in the early 1980s (**Revolutionary and Dissident Movements**, 1991, 153).

Communist Party of Iran (*Hezb-e-Komunist-e-Iran, CPI*)

The CPI was formed in 1979 by several Marxist groups reportedly opposed to the Tudeh Party's links to Moscow (**Revolutionary and Dissident Movements**, 1991, 148). The party operates underground in Iran, but relies on broad social support in Iran's Kurdish areas coordinated by *Komala*, the Kurdish wing of the party (**Communist Party of Iran**, 11 January 1998). *Komala*, or *Hezb-e-Kumelah* (Party of the Toilers), predates the CPI, having been established in 1969, and advocates "the linking up of the Kurdish people's efforts of struggling for freedom with those of the working people in the whole of Iran" (*Komala*, 23 December 1998; **Encyclopedia of the Third World**, 1992 875). In support of a social revolution, *Komala* has reportedly staged guerilla attacks against government forces since 1979 (**Revolutionary and Dissident Movements**, 1991, 151).

Tudeh Party (*Hezb-e-Tudeh*)

The Tudeh Party, a pro-Soviet communist group, was founded in 1941 by Iraj Eskendari and former communist political prisoners under the regime of the Shah (**Encyclopedia of the Third World**, 1992, 875, **Tudeh Party**, November/December 1997). Declared illegal in 1949, it established its headquarters in the former German Democratic Republic, but was allowed to carry out activities again in 1979 under the Islamic regime (**Revolutionary and Dissident Movements**, 1991, 149). The Tudeh Party advocated "an alliance of all socialist forces which would enjoy the support of the Soviet Union", but soon saw its support for the ruling clergy decline as the regime became increasingly fundamentalist (*Ibid.*). In 1983, the government arrested leading Tudeh members forcing them to confess to treason and espionage, and eventually declared the organization "illegal and counter-revolutionary" (*Ibid.*).

Organization Struggling for the Freedom of the Working Class (*Sazmaney Peykar dar Rahe Azadieh Tabaqe Kargar*)

In 1975, Marxist elements of the *Mujahidin* split from the group and created the Organization Struggling for the Freedom of the Working Class, or *Peykar* (**Abrahamian, E.**, 1989, 145). The organization is said to recruit in factories, oilfields and among the urban proletariat, and is thought to have a network of 10,000 supporters recruited in 1980 in university areas (**Delury, G.**, 1987, 521). *Peykar* reportedly stages guerilla attacks in the north of the country (**Hiro, D.**, 1987, 209).

Kurdish Democratic Party of Iran (*Hezb Democrat Kurdistan, KDPI*)

The KDPI was established by Kurdish rebels seeking autonomy from Iran. Shortly after a former *Tudeh* Party member, Abd ar-Rahman Qasemlu, was elected secretary-general of the organization in 1979, the KDPI boycotted the referendum on the establishment of an Islamic Republic, claiming that their demands for autonomy were being ignored (**Revolutionary and Dissident Movements**, 1991, 151-152). Violent clashes with Revolutionary Guards followed, leading to increased government military presence in Iran's Kurdish areas (*Ibid.*).

Collaboration with the guerilla group *Mujahidin* led to the KDPI joining the National Council for Resistance in 1981, only to be expelled in 1985 after allegedly seeking closer ties with the regime (**Revolutionary and Dissident Movements**, 1991, 153). The KDPI, said to be one of the strongest Kurdish opposition groups, reportedly engages in armed resistance against the Islamic regime from its bases in Iraq (**Regional Surveys of the World**, 1998, 500; **Le Monde**, 18 March 1993). The group claims that the Iranian government has carried out assassinations and air strikes on its members in northern Iraq (**U.S. Committee for Refugees**, 1998). In April 1997, a German court convicted four Iranians of killing three KDPI leaders and their interpreter in a Berlin cafe in 1992, and accused the Iranian political leadership of ordering the murders (**Amnesty International**, 1998).

National Resistance Movement (NRM)

The NRM, also called National Movement of the Iranian Resistance, is a monarchist opposition group founded by the last Prime Minister under the Shah, Shahpur Bakhtiar (**Abidi, A.**, 1989, 117). After being ousted from power by Ayatollah Khomeini in 1979, Mr. Bakhtiar fled to Paris where he established the NRM, and staged an unsuccessful *coup d'etat* against the new Islamic regime (**Revolutionary and Dissident Movements**, 1991, 151). The organization is said to advocate the separation of religion and state in Iran, and the "liberation of Iran from religious fanaticism" (**National Movement of Iranian Resistance**, 18 May, 1996). Mr Bakhtiar was murdered in Paris in August 1991, following the killing of another NRM member in the same city (**Revolutionary and Dissident Movements**, 1991, 151; **National Movement of Iranian Resistance**, 18 May, 1996).

Kayivani Banner of Iran (*Derafsh Kaviani*)

Said to be one of the most important monarchist groups in Iran, the Kayivani Banner organization aims for a parliamentary democracy in Iran, and operates from several underground cells in the country which distribute audio and video tapes to the Iranian population (**BBC News**, 30 September 1991). As of 1993, the group's leader was said to be Manoucher Gandji, a former minister under the Shah (**Whitley, A.**, 22 March 1993).

Babak Khorramdin Organization (BKO)

The BKO has been described as a monarchist and strongly anti-clerical group (**Hooglund, E.**, 30 March 1993). The organization is said to engage in armed attacks around the country, and allegedly claimed responsibility for an attempt to assassinate President Rafsanjani in February 1993, as well as for the "execution" of five Revolutionary Guards several days later (**Haeri, S.**, 13 February 1993; **Haeri, S.**, 19 February 1993).

2. The Human Rights Situation

2.1 International Legal Framework

Iran is a state party to a number of international instruments, most of which it ratified or acceded to prior to the establishment of the Islamic Republic in 1979. It ratified the 1966 International Covenant on Civil and Political Rights and the 1966 International Covenant on Economic, Social and Cultural Rights (24 June 1975), and the 1989 Convention on the Rights of the Child (13 July 1994). It acceded to the 1951 Convention Relating to the Status of Refugees and its Protocol (28 July 1976), to the 1969 International Convention on the Elimination of All Forms of Racial Discrimination (29 August 1968), to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (14 August 1956), and to the 1973 International Convention on the Suppression and Punishment of the Crime of Apartheid (17 April 1985). Iran is not a state party to the 1954 Convention on the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, the 1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment, the 1948 Convention on the Political Rights of Women, or the 1979 Convention on the Elimination of All Forms of Discrimination Against Women.

2.2 National Legal Framework and Legislation

Iran's judicial system is based on Islamic law. Under Article 4 of the 1979 Constitution,

All civil, penal, financial, economic, administrative, cultural, military, political, and other laws and regulations must be based on Islamic criteria. This principle applies absolutely and generally to all articles of the Constitution as well as to all other laws and regulations, and the *fuqahā'* of the Guardian Council [Council of Constitutional Guardians] are judges in these matters (**Constitution of the Islamic Republic of Iran**, 24 October 1979, as amended to 28 July 1989).

In Shi'a tradition, the sources of Islamic law are said to be the *Qur'an* and the *Sunna*, referring if needed to the secondary or dependent sources of *Ijma* and *Aql* (**LCHR**, 1993, 8). The *Qur'an* is regarded as "the holy book of Muslims . . . the words of God revealed to Mohammed" whose short revelations are open to interpretation, while *Sunna* means "a manner of acting, a rule of conduct, a mode of life", and the *Qur'an* prevails when there are contradictions between the two. *Ijma* is referred to as "the consensus of the community expressed through its competent religious representatives . . . which might change with circumstances". When a problem cannot be resolved through either the *Qur'an*, *Sunna* or *Ijma*, then there is a recourse to *Aql*, a process whereby "jurists must derive an appropriate rule by logical inferences and analogy" (**Ibid.**).

In March 1997, the Law of *Hodoud* and *Qissas*, which had originally been approved for a five-year period, was extended by parliament for ten years. It contains provisions for corporal punishments such as lashing and amputation as well as execution by stoning (**Human Rights Watch**, Annual Report 1998).

2.3 General Respect for Human Rights

In October 1997, the Special Representative of the United Nations Commission on Human Rights noted that "there had been some progress and some backsliding on the human rights situation in Iran . . . [but that] . . . in most areas the pace of change for the better has been imperceptible, or so modest as to represent little substantive improvement" (**UN General Assembly**, A/52/472, 15 October 1997). In January 1998, he stated that President Khatemi's government was attempting to promote a "more liberal view of dissent . . . [amidst] . . . great resistance (**UN Commission on Human Rights**, E/CN.4/1998/59, 28 January 1998). He further welcomed the formation of the Islamic Human Rights Commission and its initiative to investigate the arrest of former cabinet member and well-known politician Ibrahim Yazdi, the tension among clerical figures in Qom, and attacks on movie theatres in Isfahan and Amol believed to have been the work of *Ansar-e Hezbollah* groups (**Ibid.**).

However, the Special Representative also reported that there has been a sharp increase in the number of executions; that the use of cruel, inhuman or degrading treatment continues unabated, and that the treatment of religious dissidents and the activities of extrajudicial groups remains a serious concern (**Ibid.**). The **U.S. Department of State** cites extrajudicial killings and summary executions, disappearance, widespread use of torture and other degrading treatment, harsh prison conditions, arbitrary arrest and detention, unfair trials, infringement on citizens' privacy, and restriction of the freedoms of speech, press, assembly, association, religion and movement (**U.S. DOS Country Reports for 1997**, 1998). **Amnesty International** and **Human Rights Watch** likewise refer to the use of torture and ill-treatment, as well as to the continuing detention of political prisoners and prisoners of conscience, to detention without charge or trial, to judicial punishments of flogging, and disappearances (**Annual Report 1998**; **HRW World Report 1998**, 1997). Among the victims of these violations were religious leaders opposed to government policies and their followers; journalists, writers and independent thinkers; members of opposition political groups, or of religious and ethnic minorities (**Ibid.**).

Extrajudicial execution

In December 1997, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Bacre Waly Ndiaye, indicated that the reported rate of executions in Iran for 1997 would most likely double the number of those carried out in 1996 (**UN Commission on Human Rights**, E/CN.4/1998/68/Add.1, 19 December 1997). He added that there were indications that the death penalty was being imposed on minors and "for crimes which cannot be considered to be 'most serious'" (**Ibid.**). In January 1998, the Special Representative of the United Nations Commission on Human Rights, Maurice Copithorne, stated that the Iranian press had reported a continuing increase in the number of executions, with the 1997 total reaching 199, of which 95 were said to have been carried out in public. He added that Iranian authorities have claimed that most of these executions were related to drug trafficking (**UN Commission on Human Rights**, E/CN.4/1998/59, 28 January 1998). In an earlier report, the Special Representative cited the August 1997 Iranian radio broadcast concerning a new law that would "increase the seriousness of [drug] trafficking tenfold" and would give judicial authorities 'a free hand' to deal with drug traffickers (**UN General Assembly**, A/52/472, 15 October 1997). The **U.S. Department of State** noted that exiles and human rights monitors alleged that many of those executed for criminal offenses, primarily narcotics charges, were political dissidents (**U.S. DOS Country Reports for 1997**, 1998).

The **U.S. Department of State** also refers to a November 1995 law which "criminalized dissent and applied the death penalty to offenses such as 'attempts against the security of the State, outrage against high-ranking Iranian officials, and insults against the memory of Imam Khomeini and against the leader of the Islamic Republic'" (**Ibid.**). The UN Special Rapporteur reported that Ebrahim Zalzadeh, editor of *Mayar* magazine, who criticized government censorship and persecution of writers, was believed to have been killed by agents of the Ministry of Information: he disappeared on 23 February 1997 and on 27 March his family was asked to remove his body from the Tehran morgue, which showed multiple stab wounds to the chest (**UN Commission on Human Rights**, E/CN.4/1998/68/Add.1, 19 December 1997; **U.S. DOS Country Reports for 1997**, 1998). On 9 August 1997, attorney Mohammed Assadi was executed on charges of taking part in an attempted *coup d'état* in 1990, visiting Israel prior to the 1979 revolution, and for being a Freemason as well as a member of the International Lions Club organization (**UN General Assembly**, A/52/472, 15 October 1997).

Extrajudicial executions of exiled dissidents were reported to have occurred outside Iran: on 24 January 1997 the seventh Criminal Court in Istanbul sentenced an Iranian citizen for the murder of two members of the People's Mojahidin Organization, which he

allegedly carried out under the supervision of the Iranian Ministry of Intelligence and Security (**U.S. DOS Country Reports for 1997**, 1998). On 10 April 1997, the Berlin Superior Court stated that the 1992 murder of three Iranian Kurdish dissidents and their translator had been ordered by the Supreme Spiritual Leader, the President and the Minister of Intelligence and Security (**ibid.**). In June 1997, a Swiss judge indicated that the 1990 killing of Kazem Rajavi, a member of the National Council of Iranian Resistance, appeared to have been ordered by the Iranian authorities (**ibid.**). Throughout 1997, 91 mostly Kurdish Iranian opponents in Iraq died in targeted killings or in armed clashes, apparently instigated by the Iranian regime (**ibid.**). On 12 February 1997, the 15 Khordad Foundation, an organisation closely linked to the conservative clerics, reportedly increased its offer of a reward for the murder of British novelist Salman Rushdie, making the offer also available to non-Muslims (**UN General Assembly**, A/52/472, 15 October 1997; **Amnesty International**, Annual Report 1998; **HRW World Report 1998**, 1997). The organization is said to be 'non-governmental', but is believed to have close ties to the clerical leadership (**ibid.**). In January 1998, the UN Special Representative reported that the spokesman of the Ministry of Foreign Affairs had recently issued a statement saying that "contrary to press reports, the Government would not provide a written guarantee that it would not seek to carry out the death threat" (**UN Commission on Human Rights**, E/CN.4/1998/59, 28 January 1998).

Torture

Article 38 of the Constitution prohibits the use of torture "for the purpose of extracting confession or acquiring information", and Article 39 states that "[a]ll affronts to the dignity and reput[ation] of persons arrested, detained, imprisoned, or banished in accordance with the law, whatever form they may take, are forbidden and liable to punishment" (**Constitution of the Islamic Republic of Iran** [electronic format], **NetIran**, accessed on 23 July 1998). These principles were reiterated by Ayatollah Jannati, the Secretary of the Guardians Council, at the Second International Seminar on Human Rights and Constitutional Controls held in Yerevan, Armenia, on 22 October 1997 (<http://www.arminco.com/iran/seminar.htm>, accessed 18 June 1998).

Human Rights Watch reports, however, that torture and ill-treatment continued throughout 1997, with the most frequently used methods being beatings, severe burns, electric shocks, sleep deprivations, threatened executions and threats to relatives (**World Report 1998**, 1997). The **U.S. Department of State** refers to a July 1996 law which "strengthens Islamic punishments such as flogging, stoning, amputations, and public executions" (**U.S. DOS Country Reports for 1997**, 1998). In October 1997, the UN Special Representative expressed his concern over the practice of stoning, which is the punishment for adultery by a married woman under Article 82(b) of the Islamic Criminal code, and cited four cases of execution by stoning during 1996 and 1997 (**UN General Assembly**, A/52/472, 15 October 1998). In January 1998, he noted that stonings occur at a greater rate than previously reported, some of them in the larger cities such as Tehran, Hamedan, Isfahan and Kermanshah (**UN Commission on Human Rights**, E/CN.4/1998/50, 28 January 1998). He added that these incidents are not "random acts of excess" as they must first be endorsed by the Supreme Court (**ibid.**). In July a Geneva-based human rights monitor published an appeal on behalf of Zoleykhah Kadkhada, a woman accused of having sexual relations outside marriage and condemned to death by decree of the religious magistrate of her village, Kanirash, in Bukan (**SOS Torture**, July 1998). Although the execution was suspended through public intervention, **SOS Torture** remained concerned about her being sentenced to a second stoning (**ibid.**).

Moreover, the punishment of flogging was reportedly imposed for a wide range of offenses, "sometimes in conjunction with prison sentences or the death penalty" (**HRW World Report 1998**, 1997). The **U.S. Department of State** indicates that it has credible reports that security forces torture detainees and prisoners (**U.S. DOS Country Reports for 1997**, 1998). In June 1997, it was reported that torture was inflicted on most of the detained followers of at least three dissident senior religious figures held under house arrest (**ibid.**).

Arbitrary Arrest and Detention

According to **Human Rights Watch**, hundreds of people arrested for suspected espionage, promoting Pan-Turkism or counter-revolution, together with other political prisoners, remained in detention without charge or trial at the end of 1997 (**World Report 1998**, 1997). Despite legislation providing for the right to legal representation, detainees were said to have been denied access to a lawyer of their choice or to any other legal counsel (**ibid.**). Among those detained were nearly 300 oil workers who had participated in a February 1997 non-violent demonstration outside the oil ministry in

Tehran, in protest over pay and working conditions (**Ibid.**, **World Confederation of Free Trade Unions**, Annual Report 1998, 128). In June 1997, **Amnesty International** issued a detailed report on the arrest and detention in recent years, especially since 1995, of Shi'a religious leaders opposed to "fundamental tenets of the Iranian political system such as *velayat-e faqih* or government policies", together with "dozens, if not hundreds, of their followers" (June 1997). At least three Grand Ayatollahs were believed to remain under house arrest at the end of 1997, including Grand Ayatollah Sayyed Hassan Talataba'i-Qomi, who was allegedly being denied medical treatment for heart disease (**Amnesty International**, Annual Report, 1998). The UN Special Representative added that two other supporters of Grand Ayatollah Shirazi were "forcibly arrested in Qum on 15 October 1997 by agents of the Clergy Courts" (**E/CN.4/1998/59**, 28 January 1998). After several years under house arrest in Qom, Grand Ayatollah Hossein Ali Montazeri was reportedly detained in November 1997 after making a speech allegedly critical of the government (**Ibid.**). In July 1998, a cleric known for his support of women's rights, Mohsen Saidzadeh, was arrested without charge, although it is believed that he "may have angered the authorities by writing a newspaper article in which he claimed that a rigid interpretation of Islam in Iran could lead to views similar to those of the Taleban in Afghanistan" (**BBC News**, 1 July 1998).

In March 1997 Iran's Chief Justice, Ayatollah Mohammed Yazdi, is reported to have issued a decree applicable to ordinary, revolutionary and military tribunals, prohibiting the pre-trial detention of suspects, especially if they are old, in poor health, women or young people, except in cases deemed urgent or as required by law (**AFP**, 2 mars 1998). Moreover, allegedly on the Chief Justice's recommendation, Iran's Supreme Spiritual Leader Ayatollah Khamenei issued an amnesty in July 1998 for 1,041 prisoners who had been sentenced by the revolutionary and public courts (**Xinhua News Agency**, 11 July 1998). Iran is said to have about 110,000 prisoners, of whom half were reportedly jailed in connection with drug offenses (**Ibid.**). However, it is argued that the government often arrests people on charges of espionage or drug trafficking when their real "offenses" are political (**U.S. DOS Country Reports for 1997**, 1998).

Unfair Trials

Article 165 of the Constitution stipulates that "trials shall be held in open sessions and free to the public unless the court decides that open sessions would be contrary to public decency or public order, or when in private litigations the parties thereto request that the trials should not be held in open sessions" (**Constitution of the Islamic Republic of Iran**, 24 October 1979, as amended 28 July 1989). Moreover, defendants may "choose their own lawyer and have the right of appeal" (**U.S. DOS Country Reports for 1997**, 1998). Trials are reportedly adjudicated by a panel of judges and there is no jury system (**Ibid.**). When a situation is not addressed by statutes enacted after the 1979 revolution, the government "advises judges to give precedence to Islamic law rather than rely on statutes enacted under the Shah's regime" (**Ibid.**). However, the independence of the judiciary is questioned, as judges, who are appointed for their ideological beliefs, are legally empowered to act as prosecutor and judge in the same case (**Ibid.**). According to **Amnesty International**, unfair trials have led to long prison terms for "supporters of the PMOI, members of the *Mohajerin* movement, the *Tudeh* party, *Peykar* as well as factions of the Organization of People's *Fedaiyan* of Iran, supporters of the Kurdish groups such as *Komala* and the KPDI, and supporters of other groups representing minorities such as the Baluchis and Arabs (Annual Report, 1998).

Trials are reportedly held in either traditional courts, which adjudicate civil and criminal offenses, or Islamic revolutionary courts, established in 1979 to try political offenses, narcotics crimes, and "crimes against God" (**U.S. DOS Country Reports for 1997**, 1998). In June 1984, Grand Ayatollah Khomeini established the Special Court for the Clergy, which was tasked with

investigat[ing] crimes such as counter-revolution, corruption, fornication, unlawful acts, accusations which are incompatible with the status of the clergy, and all crimes committed by 'pseudo-clergy', both in terms of the ugly acts they commit and the effect they have on the reputation of the clergy (**Amnesty International**, June 1997).

Trials before the Special Court for the Clergy are said to fall short of international standards (**HRW World Report 1998**, 1997).

Freedom of Expression

In a recent speech to Iran's official news agency, IRNA, President Khatemi called for increasing press and religious freedom, insisting that "these are important principles of

our nation and they should be defended" (**Reuters**, 28 July 1998(a)). Under his administration, there has been an increase in the distribution of press licenses, with 991 publications authorized in one year alone, thereby encouraging articles to be published on subjects formerly forbidden (**Ibid.**; **AFP**, 22 mai 1998). In October 1997, the UN Special Representative reported the existence of a "lively debate on the role of the clergy in Government and the limitations on the authority of the President", albeit within implicit or explicit boundaries (**UN General Assembly**, A/52/472, 15 October 1997). He added, however, that "the rights of the press and the media in general, the film industry, authors, publishers and bookstores appear in practice to be significantly circumscribed" by a number of official or unofficial controls, such as a press tribunal, restricted access to newsprint, the required approval of book and film manuscripts, various licensing systems and "unofficial strong-arm enforcers of their own view of religion and morality" (**Ibid.**). Moreover, the **U.S. Department of State** reported that

[c]omplaints against journalists, editors, and publishers are frequently levied by public officials and even rival publications, and the offending writer is often subject to a trial, with fines, suspension from journalistic activities, lashings, and imprisonment being common punishments if found guilty of offenses ranging from propaganda against the State to insulting the leadership of the Islamic Republic. *Ansar-e Hezbollah* have in the past attacked the offices of liberal publications and bookstores without interference from the police or prosecution by the courts (**U.S. DOS Country Reports for 1997, 1998**).

According to **Human Rights Watch**, the banning of newspapers and magazines critical of the government continued in 1997, as did prosecutions of independent writers (**HRW Annual Report 1998, 1997**). In March 1998, Iran's Chief Justice, Ayatollah Mohammed Yazdi, is reported to have warned the local press not to misuse the new political atmosphere and not to insult Islamic sanctities or rules (**Deutsche Presse Agentur**, 27 March 1998), while other opponents of the President "have complained about the new critical tone of moderate newspapers" (**Reuters**, 13 July 1998). In April 1998, the Iranian parliament reportedly approved a law prohibiting the publication of unveiled women in Iranian newspapers (**AFP**, 12 April 1998). In June 1998, clashes between moderates and conservative clergy over freedom of the press issues were renewed when the pro-Khatemi newspaper *Jameah* (Society), which "had become a barometer of political and social changes in Iran" (**Los Angeles Times**, 16 June 1998), was banned by the courts for allegedly "attacking the foundations of the Islamic Republic" and publishing controversial remarks by a senior Iranian military official (**Hirst, D.**, 9 August 1998; **Guardian Weekly**, 9 August 1998; **Reuters**, 2 August 1998). The Tehran judiciary allegedly also claimed that a serialized novel published in *Jameah* contained "immoral material", while cartoons on its front page "insulted the judiciary" (**Reuters**, 25 July 1998; **Le Monde**, 11 juillet 1998; **AFP**, 29 juin 1998; **Deutsche Presse Agentur**, 13 June 1998). The paper immediately appeared under another name, *Tous*, with the same editorial staff, layout and typography, only to be banned by the Justice Department one week after its launch (**Ibid.**) for "illegally" replacing its predecessor (**AFP**, 4 août 1998). The paper had also questioned the authority of the Supreme Spiritual Leader, Ayatollah Khamenei, "asking how an unelected person could wield more power than the President, who won more than 20 million votes in last year's elections" (**AP**, 1 August 1998). In response, the Ministry of Culture and Islamic Guidance, led by the President's supporter, Ayatollah Mohajerani, called for a revocation of the ban and promptly licensed the paper under a third name, *Aftab-e Emrouz* (Today's Sun) (**IRNA**, 2 August 1998). The new paper's first edition led with an account of an attack on the paper's head office and on *Jameah* editor Mahmoud Shams by *Ansar-e Hezbollah* gangs (**Hirst, D.**, 9 August 1998).

Similarly, Mohammed-Reza Za'eri, himself a cleric and the editor of another newspaper, *Khaneh*, was arrested after publishing remarks from a woman critical of the late Ayatollah Khomeini (**Hirst, D.**, 9 August 1998; **IRNA**, 28 July 1998), in which she cited, among others, the *fatwa* against the writer Salman Rushdie and the "horrors of the Iran-Iraq war" (**Agence France Presse**, 29 July 1998; **Reuters**, 26 July 1998(b)). *Khaneh* is said to be an organ of the House for Young Journalists, a press society affiliated to the Ministry of Culture and Islamic Guidance (**Ibid.**).

Mohammed Mahdavi Khorrami, publisher of the popular *Gozaresh-e Rouz*, was detained for five days in June 1998 and released on bail (**AP**, 13 June 1998; **Deutsche Presse Agentur**, 13 June 1998; **AFP**, 30 May 1998; **Reporters without borders**, July 1998), after his newspaper was banned from publication by the Press Supervisory Board, which had charged it with violating press ethics by printing a picture of a teenage boy and girl together (**AP**, 14 June 1998). The newspaper had previously been accused of "launching a pro-Western cultural campaign" because it had printed an article that

claimed Iranian government officials were transferring foreign capital abroad (**Comtex Scientific Corporation**, 14 June 1998 [Internet]).

2.4 The Situation of Ethnic Minorities

Article 15 of the Constitution declares Persian as the official language of Iran, but allows the additional use of "regional and tribal languages in the press and mass media, as well as for teaching of their literature in schools" (**Constitution of the Islamic Republic of Iran**, 24 October 1979, as amended 28 July 1989). Article 19 stipulates that "all people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights; and color, race, language, and the like, do not bestow any privilege" (**Ibid.**).

The Arabs

Reports differ as to the number of Arabs in Iran: one source refers to one million, mainly Shi'a, most of whom live in the province of Khuzestan and in the south (**Minority Rights Group**, 1997, 342), while another says that they constitute 70 per cent of the three million inhabitants of Khuzestan (**HRW/Middle East**, September 1997). Sunni Arabs live primarily on the Gulf coastline, migrating between the east and west sides of the Gulf, and are thus considered neither wholly Iranian nor wholly Arab (**Ibid.**). While attempts to attain autonomy in 1979 gave way to support for Iran during the Iran-Iraq war (**Minority Rights Group**, 1997, 342), Arab activists allege that the government is trying to stamp out their culture (**HRW/Middle East**, September 1998), and many reportedly live in "exceptionally depressed conditions" holding lower-paying jobs than non-Arabs in the oil industry and agribusiness (**Keddie**, 1995, 140). In March 1998, eight people were reported killed and 12 others wounded in a clash between two groups of Arab tribes in the southwestern region of Sepidar (**AFP**, 29 March 1998), an area noted for its "overcrowded apartment blocks where nomads of Arab descent were settled during the 1980-1988 war against Iraq . . . [who] . . . had come from the rural areas worst affected by the war" (**Ibid.**).

Baluchis

A Sunni Muslim minority numbering between one and two million, living mainly in southeastern Iran, and part of a "larger community which extends into Pakistan and Afghanistan" (**HRW/Middle East**, September 1997; **Minority Rights Group**, 1997, 341). Baluchis "constitute one of the poorest and least developed communities in Iran, residing in a remote part of the country where the influence of the central government has never been strong" (**HRW/Middle East**, September 1997). Moreover, they are said to complain that, as Sunnis, they are subject to institutional discrimination in the economic, educational and cultural fields, and that attempts to form political organizations are suppressed by the authorities (**Ibid.**).

Kurds

The Kurdish population in Iran is believed to number about six million, who live mainly along the borders with Iraq and Turkey (**Minority Rights Group**, 1997, 340). The 1979 Islamic Revolution was seen as an opportunity to gain autonomy, which the KDPI, led by Abdul Rahman Ghassemlou, quickly seized by taking over much of the area from Mahabad to Sanandaj (**Minority Rights Group**, November 1996). The Islamic government responded by mobilizing the Revolutionary Guards and instituting mobile revolutionary courts, where Kurdish fighters, along with other "suspected supporters or sympathizers of other armed opposition groups which centered many of their military operations in the mountainous Kurdish region", were sentenced to death by execution after summary trials (**HRW/Middle East**, September 1997). The end of the Iran-Iraq war brought an increase in military resources to stamp out Kurdish opposition, even more so after the creation of the Kurdish autonomous zone in northern Iraq at the end of the Gulf War (**Ibid.**) More than 200,000 troops are said to be permanently stationed in Kurdish areas, and the Iranian military is reported to have "destroyed villages, expelled village populations, and mined broad areas" (**Ibid.**) More than 271 Iranian Kurdish villages were reportedly destroyed and depopulated between 1980 and 1992, and a further 113 villages were bombed during a major offensive against Kurdish armed groups between July and December 1993 (**Ibid.**). Moreover, Kurdish political leaders have been the targets of assassinations: Abdul Rahman Ghassemlou was killed in Vienna in 1989, and his successor, Sadik Sharafkindi, was assassinated in Berlin in 1992 (**Minority Rights Group**, 1997, 341; **AP**, 19 September 1992).

In 1997, the UN Special Representative reported on attacks which were allegedly

carried out by persons working for the Iranian Government against Iranian Kurdish refugees in the Iraqi province of Suleimania, especially against members of the Democratic Party of Iranian Kurdistan, which left a casualty toll of 85 victims, both dead and wounded (**UN General Assembly**, A/52/472, 15 October 1997). In March 1998, the Iraqi Kurdistan Democratic Party (KDP), led by Mas'ud Barzani, issued a statement denouncing the killing of one of its prominent members while in detention for unspecified charges, as well as the "unexpected campaign of arrests" of its members, who have been refugees in Iran since the 1970s and 1980s (**BBC Summary of World Broadcasts**, 13 March 1998). The arrests have reportedly taken place in the cities of Ziveh, Karaj, Naqadeh, Sardasht, Kermanshah and Marivan (**Ibid.**). The refugees were reportedly charged with espionage (**AP**, 16 March 1998). Iran is said to support the rival Iraqi Kurdish group, the Patriotic Union of Kurdistan (PUK) (**Ibid.**).

2.5 The Situation of Religious Minorities

Article 13 of the Constitution states that "Zoroastrian, Jewish, and Christian Iranians are the only recognized religious minorities, who, within the limits of the law, are free to perform their religious rites and ceremonies, and to act according to their own canon in matters of personal affairs and religious education" (**Constitution of the Islamic Republic of Iran**, 24 October 1979, as amended 28 July 1989). Moreover, Article 64 provides for the representation in the *Majlis* of members of the recognized religious minorities (**Ibid.**).

However, apostasy, or conversion from Islam to another religion, is not acceptable in Islamic law. The most prominent cases of apostasy appear to be those of conversions from Islam to Christianity, and a number of converts who have subsequently proselytized have been executed: Evangelical church leader Mehdi Dibaj, Bishop Haik Hovsepian Mehr, and the Reverend Tatavous Mikaelian were reportedly killed between 1993 and 1994 (**International Herald Tribune**, 2 August 1994; **MEI**, 22 July 1994; **Amnesty International**, May 1995). Apostates who practice their new religion openly are said to endure various degrees of harassment, ranging from confiscation or refusal to grant a passport, surveillance, threatening mail, detention and verbal or physical abuse (**Iranian Christians International**, September 1995).

Baha'is

The Baha'i faith, with about 350,000 members, was founded in Iran in the 1840s and is not protected by the Constitution. It is said to be an offshoot of Shi'a Islam, advocating "peace, universal education and sexual equality . . . [and opposing] . . . all forms of prejudice . . . [or belonging to] . . . a political party" (**Minorities at Risk**, 1995 [Internet]). Membership in the faith is "not automatic at birth but must be taken consciously once a child reaches maturity" (**Ibid.**). While the Iranian Shi'a Muslim clergy are said to consider Baha'is as heretics and have opposed them since their inception, Iranian authorities reportedly regard Baha'ism not as a religion but as "a web of espionage activities" (**UN General Assembly**, A/52/472, 15 October 1997).

According to the UN Special Representative, the human rights of members of the Baha'i community continue to be violated, through "extrajudicial executions, arbitrary detentions, refusal of entry to universities, confiscation of property and dismissal from employment" (**UN General Assembly**, A/52/472, 15 October 1997). Participation in Baha'i activities and meetings is reportedly considered an offense, and "[s]hort-term detention . . . disregard of their private ownership of property, eviction from and confiscation of their houses and destruction of their holy places" continue to be reported (**Ibid.**). Moreover, Baha'is are said to be frequently accused of being "imperialist spies", especially as their religious headquarters are located in the area that became Israel (**Minorities at Risk**, 1995). They are also "generally denied identity cards and passports . . . [and] . . . subject to vilification by the state-controlled media" (**Ibid.**).

At the end of 1997, according to **Amnesty International**, at least 12 members of the Baha'i faith, four of whom had been sentenced to death, continued to be held in detention (Annual Report 1998). The London-based organization also reported that the Supreme Court had confirmed the death sentences of Dhabihullah Mahrami and Musa Talibi (**Ibid.**), who had converted to this religion from Islam and were the object of a 3 February 1997 appeal by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Bacre Waly Ndiaye (**UN Commission on Human Rights**, E/CN.4/1998/68/Add.1, 19 December 1997). On 21 July 1998, Ruhollah Rowhani, charged with converting a Muslim woman to the Baha'i religion, was reportedly hanged by the Iranian authorities (**United Nations**, Press Release, 24 July 1998; **Reuters**, 28 July 1998, 24 July 1998; 23 July 1998). The incident raised fears that three other Baha'is, Ata'ullah Hamid Nasirizadih, Sirus Dhabih-Muqaddam and Hidayat-Kashifi,

were facing imminent execution following death sentences pronounced in secret trials (**Ibid.**). It also elicited an appeal by President Khatemi for the protection of non-Moslems (**Reuters**, 28 July 1998(b)), as well as by UN High Commissioner for Human Rights, Mary Robinson (**United Nations**, Press Release, 24 July 1998; **Reuters**, 28 July 1998(c)).

Christians

Most of Iran's nearly 200,000 Christians are said to belong to churches "identified with distinct ethnic groups, including the Armenian, Assyrian, and Chaldean Orthodox churches . . . [which account] . . . for more than 90 per cent of Iran's Christians" (**HRW/Middle East**, September 1997). They conduct their services in their own languages and have been involved in "little if any proselytization in the broader society" (**Ibid.**). They are allowed to maintain their own schools and participate in a broad range of cultural activities, but when these activities extend beyond their own community, they are allegedly subjected to "the same discriminatory treatment as other non-Muslim citizens" (**Ibid.**). This is said to occur especially in areas such as education, employment, housing and the court system (**Iranian Christians International**, 3 February 1998). For example, in 1996 the UN Special Rapporteur on religious intolerance, Mr. Abdelfattah Amor, reported that

. . . especially at the lower levels of public courts, minority plaintiffs are usually discriminated against by judges, who treat them as members of a minority and not as Iranian citizens, applying their brand of Islam and taking decisions that are very often in favour of Muslims (**UN Commission on Human Rights**, E/CN.4/1996/95/Add.2, 9 February 1996)

On the other hand, there are 10,000 to 15,000 members of Protestant groups in Iran, especially Evangelicals, whose origins date back to Western missionary activity during the 19th century and whose churches are "built on a tradition of evangelism and conversion from other Christian denominations and other religions, including Islam" (**HRW/Middle East**, September 1997). They reportedly conduct their services in Farsi, and likewise attempt to disseminate their Bible and other Christian texts, in this language (**Ibid.**). In addition to their origins, their links with similar congregations in Europe and the United States have "fueled government suspicion and hostility towards Iran's Protestants . . . [and] . . . their treatment since the creation of the Islamic Republic has been markedly worse than that of the majority Christian denominations" (**Ibid.**). According to **Iranian Christians International**, Muslim converts to Christianity, together with other Evangelical Christians including pastors and church leaders, continue to be "arrested, threatened, imprisoned and tortured simply because of their religion" (3 February 1998). **ICI** reports an increase in activities targeting Muslim converts to Christianity and other Evangelical Christians since the summer of 1997, and cites numerous such examples in its February 1998 press release (3 February 1998).

Jews

One of the recognized religious minorities of Iran, their numbers have decreased from 100,000 in 1979 to about 40,000, of whom 25,000 live in Tehran (**Minority Rights Group**, 1997, 339; **Christian Science Monitor**, 3 February 1998). One of the reasons for their emigration since the establishment of the Islamic Republic is said to be their "fear of persecution in a militant religious state in which official opposition to Israeli policies is often expressed in anti-Semitic language" (**HRW/Middle East**, September 1997). Jews are reportedly allowed to practice their religion freely, provided they do not proselytize. Their laws on divorce and burial are accepted by the Islamic courts, they are represented in Parliament by their elected deputy, and enjoy a certain degree of self-administration (**Ibid.**, **Christian Science Monitor**, 3 February 1998). While in general they are not persecuted because of their religion, Jews are said to encounter difficulties of a "social or bureaucratic nature" (**Ibid.**), such as denial of access to senior-level positions in the airline or oil industry, or of promotions, or having to wait longer for the obtention of travel documents (**Christian Science Monitor**, 3 February 1998). **Human Rights Watch** cites, however, the case of Hedayat Zendehtdel, a convert to Islam who was brought to trial in 1996 on charges of conspiracy, arms trafficking and espionage, whose Jewish origins were depicted in a defamatory manner (September 1997). More recently, an active member of the Jewish community, Ruhollah Kad-Kuhzadeh, was believed to have been executed "for helping Jews leave the Islamic state" (**AP**, 11 June 1998(b)).

Sabeans (Mandaeans)

Also known as Mandeans and "Christians of Saint John the Baptist", the Iranian Sabeans are included among the recognized religious minorities (**Keddie**, 1995, 150). They are said to live mainly in Khuzistan, near the Iraqi border, reportedly work in agriculture and with precious metals, and are reportedly "neither numerous nor politically important" (**ibid.**). In 1995, C. Chaqueri of Encyclopedia Iranica indicated that Sabeans are "ill-treated and discriminated against by the Iranian authorities, given that they fall into the category of 'undesirables'" (telephone interview, 23 January 1995).

Sunni Muslims

Sunni Muslims are said to be the largest religious minority in Iran, numbering approximately 12 to 15 million people and encompassing "the great majority of Iranian Kurds, Baluchis and Turkmen . . . [who] . . . inhabit the areas closer to the borders of the Islamic Republic of Iran" (**UN General Assembly**, A/52/472, 15 October 1997; **HRW/Middle East**, September 1997). Nearly one million Sunnis are said to live in Tehran (**ibid.**). Sunnis are not recognized as a minority, being part of the same Islamic family and in theory enjoying the same status (**AFP**, 1 juin 1998). However, Sunni activists are reportedly "denied by law or practice access to such government positions as cabinet minister, ambassador, provincial governor or mayor" (**ibid.**), and Sunni schools and mosques have allegedly been destroyed, while Sunni leaders have been, *inter alia*, imprisoned, executed or assassinated (**UN General Assembly**, A/52/472, 15 October 1997; **Iran Press Service**, 11 February 1997). Their situation is said to have worsened since the formation of the Islamic Republic (**ibid.**). In February 1994, "violent protests" reportedly broke out over the destruction of a Sunni mosque in the northeastern holy city of Mashad (**AFP**, 1 juin 1998). The 2 December 1996 death of a prominent Sunni cleric, Mollah Mohammed Rabi'i, was followed by three days of clashes between Sunnis and the security forces in the Kurdish city of Kermanshah, which subsequently spread to other areas of the region and left numerous casualties, including one police officer (**HRW/Middle East**, September 1997). In June 1998, Sunni imam Molavi Emam-Bakhch Narouhi was killed in the southeastern region of Zabol "by unknown aggressors who escaped" according to official news sources (**AFP**, 1 juin 1998).

Zoroastrians

One of the religious minorities protected by the Constitution, Zoroastrians, or *Mazda-yasnie*, are said to number around 45,000 people living mostly in the regions known as Yazd and Kirman (**Minority Rights Group**, 1997, 338; **Keddie**, 1995, 149-50). They are reportedly "self-employed . . . [or] . . . working their ancestral land, to which they are strongly committed" (**Minority Rights Group**, 1997, 338). While they are free to practice and teach their religion and are represented by their elected deputy in Parliament (**AFP**, 26 mars 1998), the state is said to generally "reject Zoroastrian job applicants, particularly for teaching or military service, by introducing strict Islamic tests, but also occasionally uses them in appointments that require financial probity" (**Minority Rights Group**, 1997, 889).

2.6 The Situation of Women

Article 20 of the Constitution states that "all citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social and cultural rights, in conformity with Islamic criteria" (**Constitution of the Islamic Republic of Iran**, 24 October 1979, as amended 28 July 1989). Article 21 stipulates that "the government shall guarantee the women's rights in every respect . . . and shall proceed to . . . create a favourable atmosphere for upgrading the personality of women and restoration of their material and spiritual rights" (**ibid.**).

Women in Iran are said to have "the right to vote and to hold office, and work as teachers, lawyers, doctors and businesswomen" (**New York Times**, 26 May 1998). According to the Iranian news agency, President Khatemi has appointed two women as cabinet ministers, and also increased budget allocations to support employment facilities for women (**IRNA**, 3 August 1998(c)). At the end of 1997 four women were reportedly appointed as judges in family courts (**Reuters**, 25 December 1997). The first woman prosecutor was appointed in 1996, and 20 women lawyers are reportedly being trained as investigative judges (**ibid.**).

However, women cannot work or get a passport without the husband's permission, cannot marry without the father's written consent, and can be divorced by their husbands for no reason and, as a result, "automatically lose custody of their children"

(**New York Times**, 26 May 1998). According to Iranian anthropologist Shahla Haeri, the loss of financial security after divorce, and the fear of losing their children, force many women to stay in bad marriages (**InterPress Service**, 18 February 1998). Another source, however, notes that family courts in Iran are facing "a new wave of divorce-willing and independence-seeking women" (**Deutsche Presse Agentur**, 7 February 1998), and that the divorce rate has increased by nine per cent while marriages have increased by only four per cent (**Ibid.**). The reason for this, according to an unnamed Iranian female sociologist, is that

Because of economic hardships after the revolution, the basic philosophy of women remaining as housewives has virtually diminished, with both sides forced to work . . . [t]he number of female graduates and new female students has drastically increased, and more and more women have begun occupying top jobs in public and private companies, and are paid either the same as or in some cases even more than their husbands (**Ibid.**).

Domestic violence is said to occur, but little is known about its extent and there are no official statistics on the subject (**U.S. DOS Country Reports for 1997**, 1998). Abuse in the family is said to be a private matter and seldom discussed publicly (**Ibid.**). Shahla Haeri again notes that although there is a law against rape, few cases are reported, marital rape is not considered as such, and "violence against women may even be condoned as a male prerogative" (**InterPress Service**, 18 February 1998).

In February 1997, the judicial centre in Tehran charged with prosecutions for dress violations reportedly issued new regulations stating that women who wear a 'thin or short scarf' or who otherwise violate the requirement to cover the hair and the back of the neck, are to be subjected to fines, prison terms of up to three months, or up to seventy-four lashes (**HRW World Report 1998**, 1997). In May 1998, approximately 20 young women were arrested in Tehran for not conforming with the Islamic dress code (**AFP**, 18 mai 1998), and for being in the company of young men (**Ibid.**).

Contacts between unmarried or unrelated men and women are proscribed by strict laws (**New York Times**, 22 April 1998). This separation of the sexes is enforced at wedding ceremonies and other public places such as hotels and restaurants (**Deutsche Presse Agentur**, 26 April 1998). In April 1998, the *Majlis* approved a bill calling for the separation of the sexes to be extended to the medical practice, despite doubts that there would be enough women doctors to cope with the extra demand (**Deutsche Presse Agentur**, 26 April 1998; 22 April 1998; **New York Times**, 22 April 1998). The new law prompted protests by male doctors, who in a critical statement complained about the haste in the approval of the new law, which they considered "an insult to the holy profession of medicine" (**News Network International**, 6 May 1998).

3. Trends in Asylum Applications and Adjudication

Applications

Asylum applications in Europe from nationals of the Islamic Republic of Iran reached a peak in 1990, when approximately 18,000 persons applied for asylum in the 19 European countries listed in the annexed tables. In 1997, 8,300 Iranians applied for asylum, almost 20 per cent fewer than in 1996 (10,100).

Germany was the main receiving country during 1990-1997, accounting for some 45 per cent of all Iranian asylum applications submitted in Europe. Germany's share of applicants in 1997 (54 per cent) was almost the same as in 1996 (52 per cent). The Netherlands was the second country of destination during 1990-1997, receiving about 21 per cent of all Iranian applications. Austria was third, receiving seven per cent of Iranian asylum applications during the same period.

1951 UN Refugee Convention Status Recognition

In 1997, approximately 1,810 Iranian asylum seekers were granted 1951 UN Convention refugee status recognition, mostly in first instance only, a decrease from nearly 2,700 in 1996. A peak was reached in 1991, when about 5,000 Iranians were granted Convention refugee status.

Rejections

More than 52,000 Iranian requests for asylum were rejected during 1990-1997.

Humanitarian Status

In 1997, humanitarian status recognition was granted to 260 Iranian asylum seekers, a significant decrease from 1,400 in 1995 and 400 in 1996.

Recognition Rates

The 1951 UN Convention recognition rate for Iranian asylum seekers has been relatively high (29 per cent) during the past eight years, and has remained fairly stable since 1994 (at about 24 per cent).

The total recognition rate (including both Convention and humanitarian status recognitions) for Iranian nationals in Europe was over 40 per cent during 1990-1997, although it decreased to less than 30 per cent in 1996 and 1997.

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