



IRAN
Unrepresented Nations and Peoples Organization (UNPO)
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The Unrepresented Nations and Peoples Organization (UNPO) is an international, nonviolent, and democratic membership organization. Its members are indigenous peoples, minorities, and unrecognized or occupied territories who aim to protect and promote their human and cultural rights and to find nonviolent solutions to conflicts which affect them.

A. Introduction

Key Words: constitution, minority rights, political representation, ethnic discrimination, freedom of religion, freedom of expression, unsafe water, forced resettlement, excessive use of force, human trafficking, death penalty, arbitrary arrest and detention, extrajudicial executions

This report is structured in the following Sections:

- In **Section A**, UNPO introduces its four members in Iran, the Baloch, Southern Azerbaijanis, Turkmen and Kurds, four non-Persian ethnic groups in Iran.
- In **Section B**, UNPO raises concern about the limited provision of rights for non-Persian ethnicities in the 1979 Iranian constitution, the failure of the Iranian state to fulfill its obligations as signatory of several international agreements pertaining to the rights of ethnic and religious minorities and Iran's non-ratification of key human rights treaties.
- In **Section C**, UNPO outlines the failure of the Iranian state to provide equal economic, political, cultural and linguistic rights to all of Iran's ethnic groups and subjects members of these groups to arbitrary arrest and detention, torture and extrajudicial executions.
- In **Section D** UNPO makes a number of recommendations in the areas of concern listed.

The four UNPO Members located in the peripheries of Iran are Ahwaz, Southern Azerbaijan, Western Balochistan and Iranian Kurdistan. In the absence of official population figures, it should be emphasized that the CIA factbook which cites 1.4 million Ahwaz, 16 million Southern Azerbaijani, 1.4 million Baloch and 5 million Iranian Kurds actually *underestimates* these populations.

Most Kurds, Turkmen, Baloch and some Arabs are Sunni, which represent some 10% of Iran's population. They can be discussed as ethnic groups as they tend to express their identity in ethnic terms, rather than in religious terms. Although it can be convenient to describe these groups as minorities when discussing language rights and political rights within Iran, it must be emphasized that these ethnic groups do not form a minority in their regions within Iran. Therefore this report shall use the terms '*regional language rights*' and the political participation of '*regional ethnicities*' or '*non-Persian groups*'.

B Normative and Institutional Framework of Iran

Constitution

The 1979 Constitution of Iran contains a number of contradictory articles and several articles concerning the rights of non-Persian groups which are not consistent with international human rights standards and conventions to which Iran is a signatory. **Article 19** bestows equal rights upon 'all people of Iran, whatever the ethnic group or tribe' and states that 'color, race, language, and the like, do not bestow any privilege'. This conforms to international expectations of equality, but is directly contradicted by **Article 12 on religion** and **Article 15 on linguistic rights**.

Article 12 on religion states: "the official religion of Iran is Islam and the Twelve Ja'fari School of Thought and this principle shall remain eternally immutable". This article provides no right to practice other religions and its implicit endorsement of a school of Shia Islam alienates the Kurds, Baloch, Southern Azerbaijanis and Ahwaz, who practice Sunni Islam. Moreover, the rights of non-Shia Iranians are further restricted by the provisions of **Article 115, which excludes non-Shias from holding the office of the Presidency of the Republic**, thus reducing the Kurds, Baloch, Southern Azerbaijanis and Ahwaz to the status of second-class citizens.

The **15th Article** of the Iranian Constitution, states that the government language is Persian (Farsi), and that "the use of regional and tribal languages in the press and mass media, as well as for teaching of their literature in schools, is allowed in addition to Persian". **Article 15 contradicts Article 19** since the Islamic Republic of Iran has made Persian (the mother tongue of 35% of the Iranian Population) the official language over 65% of the other ethnicities in Iran. It will be argued in Section C that these minority linguistic rights guaranteed by the constitution are not provided in practice.

International Agreements affecting the Rights of Minorities

Iran is a signatory of the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) as well as the *Convention on the Rights of the Child* (CRC) and the *International Convention on the Elimination of All Forms of Racial Discrimination* (ICERD). These conventions should guarantee the Kurds, Baloch, Southern Azerbaijanis and Ahwaz the right to work, to adequate housing, food and water, to education, to the highest attainable standard of health and to equal participation in cultural life. However, Section C will outline the disparities between regional ethnic and majority groups and will argue that the Iranian authorities are failing to comply with these international obligations.

Iran is also a party to the *International Covenant on Civil and Political Rights* (ICCPR), which in Article 26 upholds equal protection of the law and non-discrimination in the exercise of human rights. Article 27 of the ICCPR provides that “*In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.*” As UNPO will outline in Section C, the Ahwaz, Baloch, Kurds and Southern Azerbaijanis experience frequent violations of these rights.

Arbitrary Detention, the Death Penalty and Excessive Use of Force

Under Iranian law, people may be sentenced to death for certain ‘crimes against God’ defined by Islamic law (hodoud) and certain ‘discretionary crimes’ which are not defined by Islamic law (Ta’zir). Hodoud cites the death penalty as punishment for those convicted of the vaguely worded offences of “enmity with God” (moharebeh) and “corruption on earth” (ifsad fil arz). According to Iranian legal sources, the following charges are ‘mohareb’ and punishable by the death sentence: membership of, or support for, an organization which seeks to overthrow the Islamic Republic; plotting to overthrow the Islamic Republic; engaging in espionage and forming a group to harm state security.

As a signatory of the International Covenant on Civil and Political Rights, the authorities in Iran have agreed to prohibit the arbitrary deprivation of life and to prohibit arbitrary arrest and detention. Some of the cases outlined in Section C suggest that the Iranian authorities may have been responsible for violating these key international human rights standards. On several occasions, membership of organizations which aim to promote the rights of the Ahwaz, Baloch, Kurds and Southern Azerbaijanis (Regional Ethnicities) has been punished by death.

C Promotion and Protection of Minority Rights on the Ground

Despite the equality provisions in Article 19 of the Iranian Constitution and Iran’s signature of the ICESCR, the CRC and the ICERD, there have been numerous reports of disparities between Persians and regional ethnic groups in relation to literacy, access to education, adequate housing and cultural and religious expression. These ethnic cleavages, along with reports of “land grabbing”, forced evictions, arbitrary arrests, detentions, severe punishments, including execution for joining organizations which aim to promote the rights of the regional ethnicities, all suggest that the Iranian authorities are failing to comply with their international obligations.

Curtailed of Linguistic and Cultural Rights

Despite the language provisions in the Iranian constitution and Article 27 of the ICCPR, the Ahwaz, Baloch, Kurds and Southern Azerbaijanis face difficulties in exercising their rights to use their own languages, in private and in public. For example, all state-schooling in Baloch areas is conducted exclusively in Persian¹. Furthermore “Iranian” history is focused on Persian histories alone, entirely neglecting those of other national groups. Some bilingual Persian-Balochi papers are published in Zahedan, Iranshahr and Tehran but these papers have been suspended periodically. There are reports of limited programming in Baloch on state radio, but no programming in Baloch on state-run provincial television, which apparently counts only one Baloch staff member among its broadcasters².

Inadequate Political Representation of Ethnic Groups

Although the Ahwaz, Baloch, Southern Azerbaijanis and Kurds inhabit historically-defined geographic areas, these regions have not been constituted or recognized as separate administrative. Furthermore, areas inhabited by regional ethnic groups have been divided into strategic administrative divisions by the government. In fact, each ethnic region has been arbitrarily divided into several parts and incorporated in different provinces. Many groups feel that this policy reflects a deliberate policy of Persianization.

The regional ethnic groups are largely excluded from decision-making positions at local, provincial, and central government levels. Apart from high-profile Southern Azerbaijanis such as Ayatollah Khamenei and presidential candidate Mousavi, there is little representation of ethnic groups in decision-making positions in central government and almost all provincial governors, city mayors, and the heads of all provincial departments are Persians appointed by the central government. For example, only 2 Ahwazi Arabs occupy the top 25 governmental positions only 15% of municipal administration and 5% of

¹ Jahani, C. *State Control and its Impact on Language in Balochistan*

² Iran: Human Rights Abuses Against The Baluchi Minority, Amnesty International Report, 17 September 2007

provincial administration is Arab. Similarly, no Baloch has ever served as a minister of cabinet or as an ambassador. Even the number of the Baloch in the provincial administration is no more than five percent of the total civil servants³.

Economic Discrimination against Ethnic Regions

Iran is a signatory of the International Covenant on Civil and Political Rights (ICCPR) which in Article 1.2 that “*all peoples may, for their own ends, freely dispose of their natural wealth and resources... in no case may a people be deprived of its own means of subsistence*”. Despite this obligation, the Iranian state exploits the resources of the ethnic regions of Iran while depriving the regional peoples of any financial benefit. The regional ethnic groups express frustration with the highly-centralized nature of economic planning, which is implemented through the Persian-controlled provincial bureaucracy and leads to a growing economic and social gap between ethnic regions and Persian-dominated regions of Iran.

Although Iranian Balochistan is known to be rich in minerals including gas, oil, gold, and marine resources, it is one of the poorest and least developed provinces in Iran. According to the UN Common Country Assessment for Iran, Balochistan has the worst indicators among Iranian provinces for life expectancy, school enrollment, adult literacy, infant mortality, and access to drinking water and sanitation⁴. Mohammad Reza Sarawani, deputy of Social Affairs of Balochistan province announced that 76 percent of the Baloch people live under the poverty line, as against the national average figure 11 percent for people living under poverty line in Iran⁵

Similarly the Ahwazi Arab homeland in Iran's Khuzestan province is one of the most oil-rich regions in the world it continues to endure extreme levels of poverty, unemployment and illiteracy. The unemployment rate in the province's Persian majority city of Dezful is 7%, whereas in the Arab majority cities of Abadan and Mohammerah the rate is 41% and 60% respectively. Although Khuzestan province produces 90% of Iran's oil resources, the Iranian government refuses to allocate just 1.5% of oil revenues to the Ahwazi Arabs⁶.

Demographic Policy

Despite Iran's signature of the *International Convention on the Elimination of All Forms of Racial Discrimination* (ICERD) there is strong evidence that the Iranian authorities are encouraging land confiscation, the forced migration of ethnic groups and the resettlement of Persians in the ethnic regions⁷. The regime is encouraging ethnic Persians to settle on the land confiscated from Ahwazi Arab farmers by placing advertisements in Farsi-speaking provinces and providing provides economic incentives - such as zero-interest loans which are not available to Arabs to re-settle non-Arab people onto expropriated Arab farmlands.

According to Directives by the Ministry of Agriculture, over 47,000 hectares of Ahwazi Arab farmland in the Jofir area has been transferred to “Isargaran” Persian settlers and the families of members of the security forces. A further 25,000 hectares has been taken from Ahwazi Arab farmers and given to the government-owned “Shilat” corporation and government agencies. More than 15,000 Arab farmers, who have been made landless by the government's land confiscation program, have been forced to resettle in a camp named “Bhehsheti” outside city of Mashahd in the north eastern Iranian province of Khorassan.

After the election of President Ahmadinejad in 2005 many Baloch were reported to have been forced from their jobs in a widespread purge of government employees. Molavi Ali Akbar Mollazadeh, a Baloch cleric, explains: “*If they (Persians) make a factory, they give the job...to their own people. They bring in hundreds of thousands of people, to make them a majority in Balochistan and in Kurdistan. They are not actually sending Baloch out, but they are pushing them out by these discriminatory policies. There are now 200,000 Baloch working in Gulf countries, because they can't get jobs in Balochistan*”⁸.

Inadequate Housing and Infrastructure

As a signatory of the International Covenant on Economic, Social and Cultural Rights (ICESCR), Iran has recognized in Article 11.1 ‘*the right of everyone to an adequate standard of living... including adequate food, clothing and housing, and to the continuous improvement of living conditions*’. The Iranian State is not living up to its responsibilities under this Covenant as over a million Ahwazi Arabs in Khuzestan live in shanty towns which are cut off from non-Arab settlements with separation walls. These areas lack everyday necessities such as plumbing, electricity, telephone, pavements, street lighting, public transport, sewerage systems, schools, clinics, hospitals, shops and parks.

³ Hosseinbor, Oppression of Ethnic and Religious Minorities in Iran: The Case of Baloch and Balochistan

⁴ www.undp.org.ir/reports/npd/CCA.pdf

⁵ Baloch 'Appeal for international help to stop executions in Baluchistan' accessed <http://www.unpo.org/content/view/7462/236/>

⁶ Forced Migration and Land Confiscation: Ahwazi Arabs in Iran's Khuzestan Province, British Ahwazi Friendship Society, (<http://www.ahwaz.org.uk/land.pdf>)

⁷ See reference to the "ethnic restructuring" program outlined in 2005 in secret correspondence between vice-President Sayed Mohammad-Ali Abtahi and General Gholamali Rasheed⁷. Ahwaz Human Rights dossier page 10 (<http://www.hic-mena.org/documents/dossier.pdf>)

⁸ Iran: Human Rights Abuses Against The Baluchi Minority, Amnesty International Report, 17 September 2007

In July-August 2005 the UN Special Rapporteur on the Right to Adequate Housing visited Iran and expressed concern regarding *“the continued discrimination faced by ethnic and religious minorities and nomadic groups, as reflected in the disproportionately poor housing and living conditions of these groups; the considerable number of alleged cases of land confiscation and forced evictions...”* He recommended that the Iranian authorities should end forced evictions and allocate budget resources to historically marginalized provinces in order to assist the realization of human rights in these areas. These recommendations have not yet been implemented⁹.

Water Provisions

The right to water has been explicitly recognised in the Convention on the Rights of the Child and forms an implicit part of rights guaranteed within the ICCPR and the ICESCR. Although Khuzestan Province has huge water resources (about 33% of Iran's total), the region is suffering from a water crisis, caused by the long-term ecological mismanagement of the Karoon River, including the presence of sugar cane factories, a petrochemical complex and schemes to divert the water to other regions.

In many areas in Khuzestan province, the water is so heavily polluted by the heavy oil industry that water needs more treatment to be fit to drink. Some villages report that their children's teeth have turned yellow as a result of too much chlorine in the water. Furthermore, in Khafjeh, in the western part of the province, the situation has become so bad that schools are failing to provide safe drinking water to children and have closed. Rural people like the marsh Arabs whose lives are based on hunting and fishing are in great danger. According to a report published last year by some researchers, in one small village there were 10 cases of pregnant women losing their baby.

Ensuring the Rights of Women and Girls from Ethnic Groups

Although progress has been made in Iran in improving conditions for girls and women, women regional ethnic groups have more problems accessing education and health care their Persian counterparts. The UN Special Rapporteur on Violence Against Women, who visited Iran in January-February 2005 reported that women from minorities experienced multiple forms of discrimination. She also highlighted the issue of trafficking in girls and women, stating that most *“trafficking...occurs in the eastern provinces and mainly in border towns with Pakistan and Afghanistan [which are mainly Baloch areas] where women are kidnapped, bought or entered into temporary marriage in order to be sold into sexual slavery in other countries”*.

Exclusion of Religious Minorities

Kurds, Turkmen, Southern Azerbaijanis and most Baloch adhere to Sunni school of Islam Together, the Iranian Sunnis constitute more than a quarter of Iran's estimated population of 60 million. Despite its claim to the leadership of the Islamic world, the Islamic Republic of Iran has subjected its Sunni population to religious discrimination and, in some instances, to forceful conversion to Shi'ism. Despite the presence of over a million Sunnis in Tehran, they have not been allowed to build a mosque there. Amnesty has documented the arbitrary arrest, torture and assassination of numerous Sunni clerics from Balochistan and Kurdistan¹⁰.

A widely used practice which discriminates against regional ethnic Sunnis is Gozinesh, meaning selection. Gozinesh is an ideological test requiring applicants to universities and candidates for government jobs to demonstrate allegiance to Shia Islam and the Islamic Republic of Iran including the concept of Vilayat-e Faghih (Governance of Religious Jurist), a concept not adhered to by Sunnis. The adherence to this practice effectively excludes Ahwaz, Baloch, Southern Azerbaijanis and Kurds from admission to universities or employment by government and, in some cases, the private sector.

Violations of the Right to Freedom of Expression and Assembly

Many ethnic groups boycotted the recent election process once their preferred candidates were officially excluded or forced to withdraw their candidature. After the election result, demonstrations were widespread in the ethnic regions of Iran. In response, the Iranian security service arrested many people and the Police opened responded with live ammunition in Ahwaz, Kurdistan, Balochistan and Azerbaijan. In Azerbaijan and Ardabil at least 3 people were killed during demonstrations, as at over 6 people in Susa city (Ahwaz), Mariwan city (Kurdistan) and Zahedan (Balochistan). In the aftermath of the elections, the Iranian Minorities' Human Rights Organization (IMHRO) reports that many more inhabitants of Ahwaz, Kurdistan, Balochistan and Southern Azerbaijan have been killed or arrested.

The Use of Repressive Measures to Discourage Regional Activism

Organizations which aim to promote the rights and interests of regional ethnic groups are often treated as criminal groups and members are often subjected to arbitrary arrests, torture and in some cases execution. This repression is often justified with reference to the Iranian Penal Code and legal articles and precedents, which view 'forming a group to harm state security' as punishable by execution. However, as a signatory of the International Covenant on Civil and Political Rights,

⁹ Iran: Human Rights Abuses Against The Baluchi Minority, Amnesty International Report, 17 September 2007

¹⁰ Iran: Human Rights Abuses Against The Baluchi Minority, Amnesty International Report, 17 September 2007

Iran is obliged to uphold Article 6 which prohibits the arbitrary deprivation of life and Article 9, which prohibits arbitrary arrest or detention.

Arbitrary Arrest and Detention

On 8 June, 2006, the Khuzestan Revolutionary Court announced that 35 Ahwazi Arabs were sentenced to death following a one-day trial conducted in the absence of both lawyers and witnesses. Two of the men sentenced to death, Nazem Bureihi and Abdolreza Nawaseri, were already serving prison sentences during the time of the attacks they were tried and sentenced for committing.¹¹ In May 2007, six members of the **Voice of Justice of the Young People's Society** (a Baloch cultural association which organized concerts, art exhibitions, and educational courses) were arrested. The head of the organization, Mr. Ya'qub Mehrmehad, was tried in secret and was executed in August 2008¹². On September 10th 2008, security agents arrested more than nineteen Azeri-Iranians -- journalists, university instructors, and poets -- gathered in a private home in Tehran for an Iftar celebration.¹³

Excessive Use of Force

In contravention to all human rights conventions and charters, the Iranian authorities continue to dismember human rights activists, political workers and dissidents. For example, on 7th January 2007 Iranian state media: Iran Focus reported that 'The Iranian authorities amputated the hands and legs of five individuals as punishment for alleged crimes in the volatile province of Sistan-va-Balochistan'. The five men were identified as A. Rigi, A.B. Rigi, A.R. Roudini, D. Pahlevan, and M.A. Jalali all ethnic Baloch.

Wide application of the death penalty to Punish Activism

The death penalty continues to be applied in political cases, where individuals are commonly accused of "enmity against God". By August 2007, Amnesty International had received reports of the execution of up to 50 Baloch, out of a total of 166 executions across the country since the beginning of the year. At least 14 members of Iran's Kurdish minority are now said to have been sentenced to death for membership of the Party for a Free Life in Kurdistan (PJAK) or other groups over the last two years.¹⁴ Legislation passed in 2008 extended the application of the death penalty to audio-visual crimes such as the production of pornographic material. Other legislation currently under debate would, if passed, introduce the death penalty for apostasy, heresy and witchcraft and for certain internet-related crimes such as those found responsible for websites deemed to "promote corruption and apostasy".¹⁵

D Recommendations

On linguistic and Cultural Rights

- Honour Article 15 of the Constitution and recognize the right to use regional languages
- End the 'securitization' and persecution of ethnic cultural organizations

On Freedom of Religious Expression

- Remove the discriminatory *gozinesh* criteria governing employment and public office.
- Facilitate the construction of a Sunni Mosque in Tehran

On Political and Economic Inclusion

- Ensure the political representation of regional ethnicities at the local, provincial and state levels
- Ensure that peoples of the regional provinces can access to the natural resources of their lands
- Take urgent action to improve the water supply to Khuzestan Province
- End forced evictions and any policy of land expropriation or population transfer which is discriminatory or otherwise contrary to international human rights law and standards.

On Girls and Women

- Take measures to improve the economic conditions of women and reduce the risk of trafficking
- Ratify the Convention on the Elimination of All Forms of Discrimination against Women 1979

On the Use of Repressive Measures to Discourage Minority Rights' Activism

- End arbitrary arrest and detention in accordance with international legal principles
- Take steps to reduce the wide application of the death penalty with a view to abolishing it

¹¹ (UNPO statement on Ahwazi Arabs sentenced to death 10 January 2007)

¹² Oppression of Ethnic and Religious Minorities in Iran: The Case of Baluch and Baluchistan- A Presentation Before The United States Congress, Thursday March 13, 2008. By Dr. M. HOSSEINBOR <http://www.ahwazstudies.org/index.php/English/Oppression-of-Ethnic-and-Religious-Minorities-in-Iran-The-Case-of-Baluch-and-Balochistan-Dr.Bor.html>

¹³ (Iranian Kurdistan: Minorities Suffer in Iran Tuesday, 30 September 2008 <http://www.unpo.org/content/view/full/8722/236/>)

¹⁴ Amnesty 30 year Report on Iran page 6

¹⁵ Amnesty 30 year Report on Iran page 7