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Executive Summary

Although the Kurds of Iran have enjoyed recognition and limited cultural rights since the late 1940s, they have long been subject to discrimination, in particular in the areas of economic and social development and political participation. The regions populated by the Kurds remain among the most underdeveloped in the country, with high unemployment and low literacy rates. Kurdish political organisations as well as any political activity on the basis of Kurdish identity are banned in Iran. It is estimated that hundreds of Kurds are imprisoned for their affiliation with Kurdish political parties. Moreover, the authorities tend to regard much Kurdish activism – whether social, cultural or political – as a potential threat to the country’s unity and stability. As a result, numerous Kurdish human rights advocates, journalists and civil society activists have been detained and prosecuted in Iran. The situation of Kurdish women remains particularly difficult, as they continue to face challenges associated with belonging to a marginalised minority community and living in a society governed largely by patriarchal customs.

Acronyms and Abbreviations

DFAT	Australian Department of Foreign Affairs and Trade
FGM	Female Genital Mutilation
HROK	Human Rights Organization of Kurdistan
KDPI	Kurdistan Democratic Party of Iran
KHRP	Kurdish Human Rights Project
KUF	Kurdish United Front
PJAK	Kurdistan Independent Life Party
PKK	Kurdistan Workers’ Party

1. Background and Current Situation

1.1 Population and Geographic Distribution

The Kurds constitute the second largest ethnic minority group in Iran, representing approximately 7 to 10 percent of the country's population.¹ Estimates of Iran's Kurdish population vary widely, ranging from 4.5² to 12 million.³ The majority of Iran's Kurds, around 70 percent, are Sunni Muslims and 20 percent are Shi'a.⁴

The Kurds of Iran mainly live in the provinces of Kordestan, Kermanshah, Ilam and West Azerbaijan in the northwest of the country. There is also a community of Kurds in the North Khurasan province in northeastern Iran. Sanandaj is the administrative centre of Kordestan,⁵ the only province officially recognised as Kurdish.⁶

The areas populated by the Kurds in Iran consist of mountains, plains, villages and urban centres. The Kurdish population are mainly situated in and around the big cities of Kermanshah, Sanandaj and Mahabad.⁷

1.2 Minority rights in Iran

The Constitution of the Islamic Republic of Iran grants equal rights to all ethnic minorities and allows for minority languages to be used in the media and education.⁸ Article 19 states: "All people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights; colour, race, language and the like, do not bestow any privilege."⁹ Article 15 of the Constitution also acknowledges Iran's ethnic diversity and allows for the use of "regional and tribal languages" in print media and in school literature.¹⁰

¹ "Kurds in Iran", *Australia: Department of Foreign Affairs and Trade (DFAT)*, 9 June 2004, CX96780; "Kurds form Front to demand rights", *Radio Free Europe / Radio Liberty (RFE/RL)*, 3 January 2006, CX234680; "State of the World's Minorities and Indigenous Peoples 2009 – Iran", *Minority Rights Group International (MRG)*, 16 July 2009, CX230497

² "Iran: Freedom of Expression and Association in the Kurdish Regions", *Human Rights Watch*, 9 January 2009, CIS#16900, p.6

³ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, p. 3.

⁴ "Iran: Freedom of Expression and Association in the Kurdish Regions", *Human Rights Watch*, 9 January 2009, CIS 16900. For more details, see Section 2.2 of this paper

⁵ The province of Kordestan is also referred to as Kurdistan

⁶ "Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc.", *Danish Immigration Service*, April 2009, CIS#17329, p. 8

⁷ "Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc.", *Danish Immigration Service*, April 2009, CIS#17329, p. 9

⁸ "Iran: Country Report on Human Rights Practices 2008", *US Department of State*, 25 February 2009

⁹ "World Directory of Minorities and Indigenous People: Iran 2009", *Minority Rights Group International (MRG)*, April 2009, CX234882

¹⁰ "Human Rights and the Kurds in Iran", *Kurdish Human Rights Project*, 26 August 2009, CIS#17868, p. 9

However, despite the constitutional guarantees of equality, ethnic minority groups, in particular those demanding greater respect for their cultural and political rights, have suffered varying degrees of discrimination and, in some cases, repression at the hands of the Iranian regime.¹¹ Reports indicate that the government disproportionately targets members of ethnic and religious minority groups for arbitrary arrests, prolonged detention and harassment.¹² These groups also often suffer economic, cultural and political discrimination in the form of regional socio-economic underdevelopment,¹³ denial of the right of schooling in minority languages and limited representation in government structures.¹⁴ Activists advocating for minority rights risk facing threats and imprisonment and are often prosecuted on charges of propaganda against the regime.¹⁵

Human rights observers note that under President Mahmoud Ahmadinejad's administration (2005-present), Iran's human rights record, including the situation of ethnic and religious minorities, has deteriorated considerably.¹⁶ A report by Minority Rights International states that there had been a "dramatic rise in repression of political and minority activists throughout 2008",¹⁷ while representatives of the Kurdish Human Rights Project argue that since Ahmadinejad's election, the level of discrimination against Kurds has risen and the level of tolerance has decreased.¹⁸

1.3 Kurdish nationalist movements and political organisations

The Kurds of Iran have a long history of seeking greater cultural and political rights, including regional autonomy, from the central authorities in Tehran. However, both the Pahlavi monarchs and the Islamic regime strongly opposed these ambitions and tried to

¹¹ "State of the World's Minorities and Indigenous Peoples 2009 - Education Special", *Minority Rights Group International*, July 2009, CIS#17680, p. 204; "Human Rights Watch World Report Iran 2009", *Human Rights Watch (HRW)*, 14 January 2009, CX218224

¹² "Iran: Country Report on Human Rights Practices 2008", *US Department of State*, 25 February 2009; "Amnesty International Annual Report Iran 2009", *Amnesty International*, 28 May 2009, CX227413; "State of the World's Minorities and Indigenous Peoples 2009 – Iran", *Minority Rights Group International (MRG)*, 16 July 2009, CX230497

¹³ John R. Bradley, "Iran's Ethnic Tinderbox", *The Washington Quarterly*, Winter 2006-2007, CIS#17983; "Amnesty International-UA: 271/09: Halt Executions of Kurdish Prisoners", *Amnesty International*, 8 October 2009, CX234694

¹⁴ "Iran: Worsening Repression of Dissent as Election Approaches", *Amnesty International*, February 2009, CIS#17899; "Human Rights Watch World Report Iran 2009", *Human Rights Watch (HRW)*, 14 January 2009, CX218224; "Iranian Kurdistan: A simmering cauldron", *International Relations and Security Network (ISN)*, 12 November 2007, CX235648

¹⁵ "Human rights situation in the Islamic Republic of Iran", *International Federation for Human Rights (FIDH)*, March 2009, CIS#17193; "Human Rights and the Kurds in Iran", *Kurdish Human Rights Project*, 26 August 2009, CIS#17868

¹⁶ "Iran: Rights Crisis Escalates", *Human Rights Watch and International Campaign for Human Rights in Iran*, 18 September 2008, CIS#16484; "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293; "Human rights situation in the Islamic Republic of Iran", *International Federation for Human Rights (FIDH)*, March 2009, CIS#17193

¹⁷ "State of the World's Minorities and Indigenous Peoples 2009 - Education Special", *Minority Rights Group International*, July 2009, CIS#17680, p. 204

¹⁸ Cited in "Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc.", *Danish Immigration Service*, April 2009, CIS#17329, p.11

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integrate and assimilate the Kurds, along with other minorities, into the dominant Persian society.¹⁹

In 1946, a revolt by Qazi Mohammed and the Kurdistan Democratic Party of Iran (KDPI) against the central government led to the establishment of a short-lived Kurdish Republic of Mehabad in the northwest of Iran.²⁰ Following the defeat of the Mehabad Republic by the Iranian army, opposition Kurdish political organisations continued operating underground. The most prominent among them was the KDPI.²¹

In the aftermath of the Islamic Revolution of 1979, the KDPI once again put forward demands for a Kurdish autonomy, which were rejected by the central authorities.²² The idea of an autonomous Kurdistan did not accord with the idea of the unity of the Islamic community advocated by the regime and its founder Khomeini, who argued that ethnic autonomy violated the universalism implicit in Islam.²³ Subsequently, the KDPI and a leftist Kurdish movement, Komala, conducted a guerrilla war against the central government, which died down by the late 1980s. Since the early-1990s, realising that their armed struggle had little prospect for success, the KDPI and Komala, had rejected the armed opposition and began exploring peaceful avenues for a political resolution of their conflict with the central government.²⁴

In 2004, an armed group called the Kurdistan Independent Life Party (PJAK) began operating in Iran, staging attacks on Iranian security forces.²⁵ PJAK is believed to be a branch of Turkey's Kurdistan Workers' Party (PKK).²⁶ It has bases in Northern Iraq and appears to be the only active armed Kurdish group operating on the territory of Iran.²⁷ It is unclear how much support PJAK maintains on the ground in the Kurdish regions of Iran. The Iranian authorities contend that PJAK is a terrorist organisation sponsored by the US.²⁸ In February 2009, the US Department of the Treasury designated PJAK a

¹⁹ Nader Entessar, *Kurdish Ethnonationalism*, Lynne Rienner Publishers, Boulder, 1992, pp. 6-7, 11-48; "State of the World's Minorities and Indigenous Peoples 2009 - Education Special", *Minority Rights Group International*, July 2009, CIS#17680, p. 205

²⁰ "Human Rights and the Kurds in Iran", *Kurdish Human Rights Project*, 26 August 2009, CIS#17868

²¹ Ch. G. MacDonald, "The Kurdish Question in the 1980s", in M. Esman & I. Rabinovich eds., *Ethnicity, Pluralism and the State in the Middle East*, Ithaca, Cornell University Press, 1988, p. 242.

²² "Human Rights and the Kurds in Iran", *Kurdish Human Rights Project*, 26 August 2009, CIS#17868

²³ F. Koochi-Kamali, 'The development of Nationalism in Iranian Kurdistan', in P. Kreyenbroek and S. Sperl eds., *The Kurds: a contemporary overview*, London, Routledge, 1992, p. 190; "World Directory of Minorities and Indigenous People: Iran 2009", *Minority Rights Group International (MRG)*, April 2009, CX234882

²⁴ Yildiz and Taysi, *The Kurds in Iran: the past, present and future*, Pluto Press, London 2007, p. 110;

"Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS16293

²⁵ "Amnesty International-UA: 271/09: Halt Executions of Kurdish Prisoners", *Amnesty International*, 8 October 2009, CX234694

²⁶ "Iran: Freedom of Expression and Association in the Kurdish Regions", *Human Rights Watch*, 9 January 2009, CIS 16900. For more on PJAK, see "Iran's Kurdish threat: PJAK", *Jamestown Foundation*, 15 June 2006, CX235557; "Kurdish militants' other front: Iran", *The New York Times*, 22 October 2007, CX235590; Yildiz and Taysi, *The Kurds in Iran: the past, present and future*, Pluto Press, London 2007, pp. 110, 111-112

²⁷ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293

²⁸ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, p. 6

terrorist organization controlled by the PKK.²⁹ Clashes between the Iranian security forces and PJAK guerrillas were reported in August and October 2009.³⁰

In 2006, a new Kurdish organisation, the Kurdish United Front (KUF), was formed. According to its founder, the KUF aims to peacefully advocate for democracy and equal right for the Kurds in Iran and to help Kurdish representatives gain seats in city councils and the national parliament.³¹

It should be noted that while Kurdish candidates had been elected to the Iranian Parliament, they are prevented from forming a pro-Kurdish faction or party and hold their seats as independent candidates.³² In 2005, President Ahmadinejad rejected demands by Kurdish MPs to include Kurds in his cabinet.³³

1.4 Cultural rights and socio-economic development

The Kurds of Iran have enjoyed limited cultural rights since the late 1940s. Currently, the existence of Kurdish media and publications of books in the Kurdish language are broadly tolerated.³⁴ Expressions of Kurdish culture, such as dress and music are also respected.³⁵ However, Kurds continue to face problems of discrimination on the grounds of their ethnicity,³⁶ particularly in such areas as employment, housing³⁷ and education.³⁸ Kurds are reportedly denied employment in the state sector as well as in parts of the private sector and the use of the Kurdish language in education is frequently thwarted.³⁹ Teaching in state schools is carried out in Persian at all levels and no measures have been introduced in the education system to facilitate teaching of minority languages.⁴⁰

²⁹ "Treasury designates Free Life Party of Kurdistan a terrorist organization", *United States of America (USA): Department of the Treasury*, 4 February 2009, CX235658

³⁰ "Iran Revolutionary Guards 'kill 26 Kurdish rebels'", *Trend News Agency*, 23 August 2009, CX232190; "Iran kills 2 PJAK members", *AK News*, 23 July 2009, CX235706; "Iran strikes 'major blow' to PJAK", *United Press International (UPI)*, 24 August 2009, CX235608

³¹ "Kurds form Front to demand rights", *Radio Free Europe*, 3 January 2006, CX234680; Yildiz and Taysi, *The Kurds in Iran: the past, present and future*, Pluto Press, London 2007, p. 111

³² "Ethnic and Religious Groups in the Islamic Republic of Iran: Policy suggestions for the integration of minorities through participation in public life", *UN Commission on Human Rights*, 12 May 2002, CX97068; "Iran: Country Report on Human Rights Practices 2008", *US Department of State*, 25 February 2009

³³ "Iran's new president snubs Kurds", *Iran Focus*, 6 July 2005, CX126174

³⁴ "Human Rights and the Kurds in Iran", *Kurdish Human Rights Project*, 26 August 2009, CIS#17868; "Iran: Freedom of Expression and Association in the Kurdish Regions", *Human Rights Watch*, 9 January 2009, CIS#16900, pp. 15-16

³⁵ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, p. 1

³⁶ "Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures", *Danish Immigration Service*, April 2009, CIS#17329, p. 9; "Kurds form Front to demand rights", *Radio Free Europe*, 3 January 2006, CX234680

³⁷ "Report of the Special Rapporteur on adequate housing - mission to the Islamic Republic of Iran", *UN Economic and Social Council*, 21 March 2008, CIS#16062

³⁸ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, pp. 9-13.

³⁹ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, pp. 1, 9

⁴⁰ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, p. 11

The regions populated by the Kurds remain among the most economically underdeveloped in the country.⁴¹ For example, only six large-scale factories operate in the province of Kordestan, which has a high unemployment rate.⁴² Kurdish women's rights advocate Roya Toloue claims that compared to the country's average, Kurds have a significantly lower life expectancy, per capita income, literacy and education levels.⁴³

1.5 Government attitudes toward Kurdish activism

According to several sources, the Iranian government appears to treat much Kurdish activism – whether social, cultural or political – as linked to the overall “separatist” threat.⁴⁴ Kurdish Human Rights Project states that the government's tendency to conflate all assertions of Kurdish identity with a potential threat to the country's unity makes the Kurds of Iran particularly vulnerable to government mistreatment.⁴⁵ It is also reported that even Kurds who are not politically active face increasing difficulties with the Iranian authorities, including discrimination and harassment, solely on the grounds of their ethnicity.⁴⁶

1.6 Clashes between Kurdish demonstrators and security forces

In recent years, several mass protests and clashes between Kurdish demonstrators and Iranian security forces were reported in the media.

The largest protest took place in July 2005, when police clashed with Kurds, protesting against the shooting of a Kurdish activist Shawaneh Qaderi.⁴⁷ According to some estimates, 21 people were killed and 200 protesters arrested by the security forces.⁴⁸ The protests spread to a number of Kurdish towns and continued for several weeks.⁴⁹ Amnesty International claims that the protests of July 2005 marked the start of a new

⁴¹ “Kurds form Front to demand rights”, *Radio Free Europe / Radio Liberty (RFE/RL)*, 3 January 2006, CX234680; “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS16293, p. 6, “Kurds in Iran”, *Australia: Department of Foreign Affairs and Trade (DFAT)*, 9 June 2004, CX96780; “Human Rights and the Kurds in Iran”, *Kurdish Human Rights Project*, 26 August 2009, CIS#17868, p. 3

⁴² “Iranian Kurdistan: A simmering cauldron”, *International Relations and Security Network (ISN)*, 12 November 2007, CX235648

⁴³ “Double oppression: the bitter reality of life for Kurdish women in the Islamic Republic - Interview with Roya Toloue”, *Gozaar*, 1 October 2006, CX237895

⁴⁴ “Human Rights and the Kurds in Iran”, *Kurdish Human Rights Project*, 26 August 2009, CIS#17868; “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293, p. 1; “Iran: Freedom of Expression and Association in the Kurdish Regions”, *Human Rights Watch*, 9 January 2009, CIS#16900

⁴⁵ “Human Rights and the Kurds in Iran”, *Kurdish Human Rights Project*, 26 August 2009, CIS#17868 p. 14

⁴⁶ “Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures”, *Danish Immigration Service*, April 2009, CIS#17329, p.9

⁴⁷ “Iran: Freedom of Expression and Association in the Kurdish Regions”, *Human Rights Watch*, 9 January 2009, CIS#16900; “Iran arrests dozens of restive Kurds”, *Iran Focus*, 17 July 2005, CX127596

⁴⁸ “Challenging Repression: Human Rights Defenders in the Middle East and North Africa”, *Amnesty International*, 11 March 2009, CIS#17132

⁴⁹ “Iran press reports Kurdish riots”, *British Broadcasting Corporation (BBC)*, 26 July 2005, CX128839; “World citizen: ethnic divisions are Iran's other achilles' heel”, *World Politics Review*, 22 October 2009, CX235522

wave of state repression against Kurds, in which those who spoke up for Kurdish rights were targeted.⁵⁰

Clashes between Kurdish demonstrators and security forces reportedly also took place in February and March 2006 and in February 2007.⁵¹ On 23 June 2009, Kurdish shop-owners went on a strike in the province of Kordestan to protests against the crackdown on anti-government demonstrators in Tehran and other parts of the country.⁵² On 12 November 2009, dozens of Kurds were reportedly arrested in Sanandaj during protests at the execution of Ehsan Fattahian.⁵³

2. Refugee Convention Issues

2.1 Political Opinion: Affiliation with Kurdish political parties

In Iran, there is little tolerance toward any form of political dissent as illustrated by the ruling regime's repression of its opponents and critics in the aftermath of the June 2009 presidential election.⁵⁴ Human rights groups estimate that hundreds of political activists and government critics remain imprisoned in the country.⁵⁵ The authorities are particularly hostile to political dissent in areas populated by minorities, especially where there has been a history of separatist activities.⁵⁶ Kurdish Human Rights Project states that "When a particular minority group, such as the Kurds, is identified as presenting a broadly-defined 'separatist' or 'security' threat, the scope for human rights violations becomes even wider".⁵⁷

The Penal Code of Iran does not define what constitutes a political offence but the punishment for being a political opponent or "undermining the system" is severe.⁵⁸ Article 498 of the Penal Code criminalises the formation of groups aimed at "perturbing the security of the country" and subjects those who establish such groups to two to 10

⁵⁰ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, p. 21

⁵¹ "Iran: Country Report on Human Rights Practices 2008", *US Department of State*, 25 February 2009; "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS16293, p. 36; "Ethnic minorities facing new wave of human rights violations", *Amnesty International*, 26 February 2007, CX172524

⁵² "Iran's Kurds go on strike", *Iran Focus*, 23 June 2009, CX228726

⁵³ "Iran: Elections Contested, Repression Compounded", *Amnesty International*, December 2009, CIS#18098

⁵⁴ "Iran: Elections Contested, Repression Compounded", *Amnesty International*, December 2009, CIS18098

⁵⁵ "Iran: Country Report on Human Rights Practices 2008", *US Department of State*, 25 February 2009; "Amnesty International Annual Report Iran 2009", *Amnesty International*, 28 May 2009, CX227413; "Human Rights Watch World Report Iran 2009", *Human Rights Watch (HRW)*, 14 January 2009, CX218224

⁵⁶ "New death sentences for political activists", *International Federation for Human Rights (FIDH)*, 4 March 2009, CX234844; "Iran: Freedom of Expression and Association in the Kurdish Regions", *Human Rights Watch*, 9 January 2009, CIS#16900; "Human Rights Situation for Minorities, Women and Converts", *Danish Immigration Service*, April 2009, CIS#17329, p. 9

⁵⁷ "Human Rights and the Kurds in Iran", *Kurdish Human Rights Project*, 26 August 2009, CIS#17868, p. 9

⁵⁸ "Countries at the Crossroads 2007", *Freedom House*, September 2007, CX186543; "Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, etc.", *Danish Immigration Service*, April 2009, CIS#17329

years imprisonment.⁵⁹ It is alleged that politically active groups or individuals are likely to be considered a threat to national security by the Iranian authorities and can face punishment ranging from ten years' imprisonment to execution.⁶⁰ Moreover, weakness in the judicial system increases the possibility of arbitrary arrests and prosecution of political opponents. For example, judges are given freedom over whether to apply the Penal Code or the Shari'a Law.⁶¹ Since President Ahmadinejad came to power, there have reportedly been stricter rulings by the judiciary on cases involving organised political activities.⁶²

Kurdish political organisations as well as any political activity on the basis of Kurdish identity are banned in Iran and, as noted previously, the authorities generally view any form of Kurdish activism as linked to the "separatist" or security threat.⁶³ A number of observers claim that the persecution of Kurdish political activists in Iran is widespread: they are often accused of terrorism and condemned to heavy sentences after what are described as unfair trials.⁶⁴ A report by the Danish Immigration Service notes that being in possession of a CD or a pamphlet made by the KDPI, Komala or other Kurdish organisations, may be considered as an act against national security.⁶⁵

In September 2007, the KDPI reported that more than 300 people were in detention in Iran either accused or convicted of charges related to their support of Kurdish political groups.⁶⁶ Freedom House also notes that Kurdish opposition groups suspected of separatist aspirations, such as the KDPI, are brutally suppressed.⁶⁷ Amnesty International similarly believes that "scores if not hundreds" of political prisoners affiliated to the KDPI and other proscribed political parties were serving prison sentences, convicted after "unfair trials"; while others faced prosecution for membership of or sympathy with the KDPI.⁶⁸ According to a human rights activist, Saman Rasoulpur, in 2006-2007, "hundreds of Kurdish citizens have been detained and convicted for working with various Kurdish parties".⁶⁹

⁵⁹ "National Laws and Measures: Counter-Terrorism Regulation of Biology – Iran", *Interpol*, accessed on 2 November 2009, CIS#17997

⁶⁰ "Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, etc.", *Danish Immigration Service*, April 2009, CIS#17329, p. 9

⁶¹ "Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures.", *Danish Immigration Service*, April 2009, CIS#17329, p. 10

⁶² "Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures", *Danish Immigration Service*, April 2009, CIS#17329

⁶³ "Human Rights and the Kurds in Iran", *Kurdish Human Rights Project*, 26 August 2009, CIS#17868; "Iran: Freedom of Expression and Association in the Kurdish Regions", *Human Rights Watch*, 9 January 2009, CIS#16900; Yildiz and Taysi, *The Kurds in Iran: the past, present and future*, Pluto Press, London, 2007, p. 31

⁶⁴ "New death sentences for political activists", *International Federation for Human Rights (FIDH)*, 4 March 2009, CX234844; "The persecution of Kurdish political activists in Iran", *Kurdish Herald*, June 2009, CX235837

⁶⁵ "Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures", *Danish Immigration Service*, April 2009, CIS#17329, p. 9

⁶⁶ Cited in "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS16293, p. 5

⁶⁷ "Freedom in the World Country Report Iran 2009", *Freedom House*, 16 July 2009, CX230094

⁶⁸ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS16293, p. 5

⁶⁹ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS16293, p. 14

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In November 2009, the *New York Times* reported that thirteen Kurdish political activists were on death row in Iran,⁷⁰ while an Amnesty International report from October 2009 states that 11 Kurdish men and one woman were believed to be on death row in connection with their membership of and activities for proscribed Kurdish organisations.⁷¹ Many of the Kurds sentenced to death in Iran are accused of membership or support of PJAK.⁷²

Numerous cases of Kurds being prosecuted by the Iranian authorities for their imputed political opinion or membership of Kurdish organisations, including PJAK, had been reported by local human rights groups and in the international media:

- In July 2006, a civil society activist, Farzad Kamangar, was convicted of “endangering national security” and being a member of the Kurdistan Workers’ Party and sentenced to death.⁷³ According to his lawyer, no evidence was provided to support charges brought against Kamangar,⁷⁴ who is reported to have faced sustained abuse in detention.⁷⁵
- In April 2008, Anvar Hossein Panahi and Arsalan Oliya’i were sentenced to one and five years in jail respectively for “propaganda against the state” and “support” of the Komala party.⁷⁶
- In August 2008, a Kurdish student, Habibolah Latifi, was sentenced to death for “endangering state security” and “relations with illegal political organisations”⁷⁷ in a closed court, without the presence of his lawyer.⁷⁸ He was found guilty of “waging war against God” for cooperating with the PJAK.⁷⁹
- In June 2009, Kurdish political activists, Sayed Kamal Mohammadi and Mansour Mohammadi, were sentenced to seven and five years in prison respectively for acting against national security, supporting dissident groups and spreading propaganda against the government.⁸⁰

⁷⁰ “Iran executes Kurdish activist”, *The New York Times*, 11 November 2009, CX236313. See also “Execution sentence for a Kurdish political activist”, *Human Rights Activists In Iran*, 8 June 2009, CX227973

⁷¹ “Amnesty International-UA: 271/09: Halt Executions of Kurdish Prisoners”, *Amnesty International*, 8 October 2009, CX234694

⁷² “Iran: Worsening Repression of Dissent as Election Approaches”, *Amnesty International*, February 2009, CIS#17899; “Human rights situation in the Islamic Republic of Iran”, *International Federation for Human Rights (FIDH)*, March 2009, CIS#17193

⁷³ “Iran: Freedom of Expression and Association in the Kurdish Regions”, *Human Rights Watch*, 9 January 2009, CIS 16900, p. 22

⁷⁴ “The persecution of Kurdish political activists in Iran”, *Kurdish Herald*, June 2009, CX235837

⁷⁵ “Human Rights and the Kurds in Iran”, *Kurdish Human Rights Project*, 26 August 2009, CIS#17868

⁷⁶ “Death penalty overturned against two Iranian Kurds”, *The Washington Times*, 14 April 2009, CX225525, “Iran: Freedom of Expression and Association in the Kurdish Regions”, *Human Rights Watch*, 9 January 2009, CIS#16900, pp.23-24

⁷⁷ “Kurdish student sentenced to death”, *Adnkronos International Press News Agency (AKI)*, 13 August 2008, CX207814; “Iran sentences Kurdish activist to death – agency”, *Agence France Presse (AFP)*, 1 March 2009, CX221816

⁷⁸ “The persecution of Kurdish political activists in Iran”, *Kurdish Herald*, June 2009, CX235837; “Human Rights and the Kurds in Iran”, *Kurdish Human Rights Project*, 26 August 2009, CIS#17868, p.11

⁷⁹ “Iran sentences Kurdish activist to death – agency”, *Agence France Presse (AFP)*, 1 March 2009, CX221816

⁸⁰ “Activists sentenced in Iranian Kurdistan”, *Iran Focus*, 12 June 2009, CX228761. See also “Conviction of an activist from the province of Kurdistan”, *Human Rights Activists In Iran*, 9 June 2009, CX227976

- On 3 June 2009, Revolutionary Court in Oromiah charged Rahman Rahimpour with association with a Kurdish opposition group and spreading propaganda against the government and sentenced him to a three-year jail term.⁸¹
- On 11 November 2009, Ehsan Fattahian was executed after being charged with being *mohareb*, or an enemy of God. The authorities accused him of “armed struggle against the regime.”⁸² According to the *New York Times*, Fattahian was a member of PJAK.⁸³

2.2 Religion

Iran’s population is 98 percent Muslim – 89 percent is Shi’a and nine percent Sunni.⁸⁴ The country’s Constitution declares Islam as the official religion and Ja’afari (Twelver) Shi’ism as the doctrine followed.

The Kurds of Iran are largely Sunni Muslim, although there are also Shi’a Muslims, Sufis, Zoroastrians and Ahl-e Haq.⁸⁵ According to one estimate approximately 70 percent of Kurds in Iran are Sunni Muslim, 20 percent are Shi’a and most of the remaining 10 percent belong to the Ahl-e-Haq faith, which is also known as Yaresan.⁸⁶ Minority Rights Group International notes that Ahl-e Haq numbers in Iran are hard to ascertain and that the followers of this religion are variously categorised by outsiders as Shi’as, Sufis or as followers of an independent religion.⁸⁷

2.2.1 Sunni Muslims

The Constitution provides Sunni Muslims a degree of religious freedom, however, Sunnis claim government discrimination, including in the areas of accessing employment in powerful government positions and religious education in public schools.⁸⁸ The US Department of State’s International Religious Freedom report notes that while many Sunnis in Iran claim government discrimination against them, it is difficult to distinguish whether the cause of discrimination is religious or ethnic, since most Sunnis are also members of ethnic minorities, such as Kurds and Azeris.⁸⁹

⁸¹ “Kurdish student sentenced to jail”, *Iran Human Rights Voice*, 11 June 2009, CX228765

⁸² “Iran’s death penalty is seen as a political tactic”, *The New York Times*, 22 November 2009, CX236728

⁸³: “Iran executes Kurdish activist”, *The New York Times*, 11 November 2009, CX236313

⁸⁴ “World Factbook: Iran”, *Central Intelligence Agency (CIA)*,

<https://www.cia.gov/library/publications/the-world-factbook/geos/ir.html>, accessed on 22 December 2009;

“Iran: International Religious Freedom Report 2008”, *US Department of State*, 26 October 2009 (CISNET)

⁸⁵ “Kurds in Iran”, *Center for Public Integrity*, 1 June 2009, CIS#17457

⁸⁶ Cited in “Iran: Freedom of Expression and Association in the Kurdish Regions”, *Human Rights Watch*, 9 January 2009, CIS#16900, p. 6. See also “Human Rights and the Kurds in Iran”, *Kurdish Human Rights Project*, 26 August 2009, CIS#17868, p. 8

⁸⁷ “World Directory of Minorities and Indigenous People: Iran 2009”, *Minority Rights Group International (MRG)*, April 2009, CX234882

⁸⁸ “Annual Report of the United States Commission on International Religious Freedom May 2009”, *United States Commission on International Religious Freedom*, May 2009, CIS#17356, p.37; “Iran: International Religious Freedom Report 2008”, *US Department of State*, 26 October 2009 (CISNET); “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS16293, pp.7-8.

⁸⁹ “Iran: International Religious Freedom Report 2008”, *US Department of State*, 26 October 2009

Reports indicate that Sunni Kurdish clerics have, on occasion, suffered human rights violations and at least one cleric was killed in suspicious circumstances.⁹⁰ In January 2008, a Sunni Kurdish cleric, Ayoub Ganji, went missing for 13 days after delivering a Friday prayer in Sanandaj, during which he criticised the government.⁹¹ He was released from detention on 8 February, reportedly suffering effects of extreme trauma.⁹² In October 2008, another Sunni Kurdish cleric, imam Abubakr Tina from the town of Mahabad, was shot dead by two gunmen. No one claimed responsibility for his murder but the security forces cordoned off the mosque and the residence of the imam to prevent possible protests.⁹³

A Human Rights Watch report states that a Sunni Kurdish religious movement Maktabe Koran had been targeted by the authorities. The report claims that, on 14 October 2007, security forces in the city of Bukan in the Kordestan province arrested several followers of Maktabe Koran.⁹⁴ On 6 January 2008, another follower of this movement, Abdullah Fazi, was reportedly arrested.⁹⁵

2.2.2 *Ahl-e Haq*

According to a number of sources, members of the Ahl-e Haq faith – most of whom are ethnic Kurds and live in the Kermanshah province – face particular discrimination in Iran.⁹⁶ Amnesty International states that Ahl-e Haq are “not recognised under Iranian law and their rituals are prohibited. They are also banned from discussing their faith with the media.”⁹⁷ An order from the Governor General of Kermanshah, issued on 22 October 2007, states that the construction of Ahl-e Haq places of worship had “no basis, legally or with respect to Sharia”.⁹⁸

In recent years, Iranian school administrators were required by government officials to report the presence in their schools of members of “subversive sects”, including Ahl-e

⁹⁰ “Human Rights Watch urges government to end persecution and official discrimination against Religious and ethnic minorities”, *Human Rights Watch*, 24 September 2004, CX123882; “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293, pp. 7-8; “A Sunni clergy was gunned down in Piranshahr”, *National Council of Resistance of Iran*, 3 October, 2008, CX237801

⁹¹ “Iran: Freedom of Expression and Association in the Kurdish Regions”, *Human Rights Watch*, 9 January 2009, CIS#16900

⁹² “Detention of Majid Mamoosta-Ayoub Ganji”, *Iran Human Rights Voice*, 14 November 2008, CX237813

⁹³ “A Sunni Prayer Imam is Assassinated”, *Rooz*, 1 October 2008, CX211494; See also “A Sunni clergy was gunned down in Piranshahr”, *National Council of Resistance of Iran*, 3 October 2008, CX237801

⁹⁴ “Iran: Freedom of Expression and Association in the Kurdish Regions”, *Human Rights Watch*, 9 January 2009, CIS#16900, p. 26

⁹⁵ “Iran: Freedom of Expression and Association in the Kurdish Regions”, *Human Rights Watch*, 9 January 2009, CIS#16900, p. 26

⁹⁶ “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293, p. 8; “Human Rights and the Kurds in Iran”, *Kurdish Human Rights Project*, 26 August 2009, CIS#17868

⁹⁷ “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293, p. 8. See also “Report on the situation of human rights in the Islamic Republic of Iran”, *UN High Commission on Human Rights*, 16 January 2002, CX81194

⁹⁸ Reproduced in “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293, p. 47

Haq.⁹⁹ School administrators were also reminded that any activity and propaganda was forbidden by members of these groups.¹⁰⁰

2.3 Particular social groups

Under President Ahmadinejad, increased restrictions have been placed on the work of human rights advocates, civil society activists and journalists. This trend has been particularly evident in the Kurdish regions.¹⁰¹ Reports indicate that Kurdish human rights advocates, members of civil society organisations, journalists, students and authors face various degrees of restrictions on their activities and are often subject to arbitrary arrests and prosecution for the expression of their non-violent opinions.¹⁰² In prosecuting Kurdish journalists, writers and activists, the government often accuses them of having connections with opposition political parties.¹⁰³

In November 2008, the Australian Department of Foreign Affairs and Trade (DFAT) advised that there was “a discernible trend of Kurdish Iranian human rights activists being given harsher sentences than Persian Iranian human rights activists.”¹⁰⁴ At the same time, Amnesty International notes that journalists and news media publishing in Kurdish or covering Kurdish-related issues have been among those particularly targeted, especially since the July 2005 unrest¹⁰⁵ in the Kurdish region.¹⁰⁶

2.3.1 Human rights advocates

In recent years, numerous cases of Kurdish human rights activists being detained and prosecuted by the authorities have been reported by human rights organisations:

- According to Amnesty International, a number of human rights activists were arrested for helping to organise protest demonstrations of July 2005 against the killing of Shawaneh Qaderi.¹⁰⁷ These included Said Saedi, who helped to establish the East Kurdistan Cultural Research Institute, and Ajlal Qavami, a board member of HROK.¹⁰⁸

⁹⁹ “Amnesty International Annual Report Iran 2009”, *Amnesty International*, 28 May 2009, CX227413

¹⁰⁰ “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293

¹⁰¹ See, for example, “Declaration by the Presidency on behalf of the EU on the situation in Iran of individuals belonging to the Kurdish minority”, *Council of the European Union*, 6 August 2008, CX235657

¹⁰² See, for example, “Iran prisoners mount hunger strike”, *Kurdish Human Rights Project (KHRP)*, 10 September 2008, CX235858; “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293; “Death Penalty: a State Terror Policy”, *International Federation for Human Rights (FIDH)*, 28 April 2009, CIS#17337

¹⁰³ “Iran: Freedom of Expression and Association in the Kurdish Regions”, *Human Rights Watch*, 9 January 2009, CIS#16900, p. 7

¹⁰⁴ “Treatment of Kurds”, *Australia: Department of Foreign Affairs and Trade (DFAT)*, 25 November 2008, CX214911

¹⁰⁵ For information on the events of summer 2005 see Section 1.6 of this paper.

¹⁰⁶ “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293

¹⁰⁷ “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293, pp. 29-30

¹⁰⁸ “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293, pp. 29-30

- Mohammad Sadegh Kaboudvand, a prominent human rights defender, journalist, and founder of the Human Rights Organization of Kurdistan (HROK) was arrested in July 2008 and sentenced to 10 years in prison for "acting against national security by establishing the Human Rights Organization of Kurdistan, widespread propaganda against the system by disseminating news, opposing Islamic penal laws by publicizing punishments such as stoning and executions, and advocating on behalf of political prisoners."¹⁰⁹
- Other members of HROK arrested by the authorities include Saman Rasoulpour,¹¹⁰ Sarveh Komkar and Sherko Jihani.¹¹¹ They were charged with such offences as "distributing propaganda against the state" and "disturbing public order".
- Another prominent Kurdish human rights defender, Massoud Kordpour, was detained in August 2008.¹¹² Kordpour is one of the founders of the Foundation for Democracy and Human Rights in Iranian Kurdistan, a freelance journalist and civil society activist working on human rights and environmental issues. He was charged with "propaganda against the regime" because of interviews he did with foreign media, including the BBC and Voice of America (VOA). Kordpour was reportedly sentenced to one year in prison in October 2008.¹¹³

2.3.2 Women's rights activist

Kurdish women's rights activists have also been targeted by the authorities:

- Roya Toloue, a Kurdish civil society activist and women's rights advocate was arbitrarily detained in August 2005 for 66 days. She was held on what is described by Amnesty International as trumped-up charges for helping to organise July 2005 demonstrations in the Kurdish regions.¹¹⁴ She fled Iran after the authorities released her on bail.
- In November 2007, Hana Abdi, a member of the Campaign for Equality¹¹⁵ and its Kurdish affiliate NGO, the Azar Mehr Women's Organisation of Kurdistan, was arrested and charged with "enmity against God" and "gathering and colluding to harm national security".¹¹⁶ Her five year sentence was reduced to 18 months on appeal and she was

¹⁰⁹ "Mohammad Sadegh Kaboudvand awarded Hellman/Hammett Grant", *Human Rights Watch*, 21 January 2009, CX237323; "The persecution of Kurdish political activists in Iran", *Kurdish Herald*, June 2009, CX235837; "Iran: Freedom of Expression and Association in the Kurdish Regions", *Human Rights Watch*, 9 January 2009, CIS#16900, p. 20.

¹¹⁰ "Amnesty International: UA 213/08 Fear of torture or other ill-treatment - Saman Rasoulpour", *Amnesty International*, 1 August 2008, CX207084; "Iran: Country Report on Human Rights Practices 2008", *US Department of State*, 25 February 2009

¹¹¹ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, pp. 27 and 32

¹¹² "Kurdish human rights defenders pursue their hunger strike", *World Organisation Against Torture (OMCT)*, 4 September 2008, CX234827

¹¹³ "As media arrests mount, Iran solidifies a dishonour", *Committee to Protect Journalists (CPJ)*, 22 June 2009, CX237328

¹¹⁴ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, p.26; "Iran: Freedom of Expression and Association in the Kurdish Regions", *Human Rights Watch*, 9 January 2009, CIS#16900

¹¹⁵ Campaign for Equality is an Iranian women's rights initiative committed to ending legal discrimination against women

¹¹⁶ "Guarantee fair court hearings for two Kurdish women", *Human Rights Watch (HRW)*, 22 July 2008, CX238018

released in February 2009.¹¹⁷ Hana's Campaign for Equality colleague, Ronak Safarzadeh, was also detained in Sanandaj prison.¹¹⁸

- Zeynab Bayzeydi, a member of HROK and the One Million Signatures Campaign, was arrested on 9 July 2008.¹¹⁹ In August 2008, she was sentenced to four years' imprisonment on charges of being a member of unauthorised human rights associations and participating in the Campaign for Equality.¹²⁰

- On 14 January 2008, Fatemeh Goftari, a women's right activists and a member of Azar Mehr, was arrested in Sanandaj.¹²¹ She was sentenced to eight months' imprisonment. Her sentence was subsequently reduced to three months by the Court of Appeals of Kordestan.¹²²

- Kurdish feminist and journalist Neghin Sheikholeslami was arrested and detained in the capital Tehran's Evin prison in October 2008. Sheikholeslami is one of the founders of the Azar Mehr and is also associated with HROK.¹²³

2.3.3 Journalists and Media Workers

A report by Human Rights Watch states that after the protests of the Summer of 2005, officials began closing publications and targeting journalists who covered Qaderi's killing.¹²⁴ At least six daily and weekly bilingual Kurdish and Persian publications were banned, numerous journalists arrested and 38 of them convicted. Prosecuted journalists included Bahram Valad-Beigi, a civil society activist who founded the Cultural Institute of Kurdistan in 2000;¹²⁵ Barhan Lahnoni, the editor and the general manager of the *Ashti* daily;¹²⁶ and Asu Saleh of the weekly *Dang*.¹²⁷

¹¹⁷ "Kurdish women's rights activist released in Iran", *Amnesty International*, 18 March 2009, CX234682
See also "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, p. 27

¹¹⁸ "Kurdish women's rights activist released in Iran", *Amnesty International*, 27 February 2009, CX235653

¹¹⁹ "Amnesty International: UA 214/08 - Fear of torture or other ill-treatment - Zeynab Bayzeydi", *Amnesty International*, 1 August 2008, CX207087; "Updates on Prison Sentences, Detention and Imprisonment of Women's Rights Activists", *Change for Equality*, 12 October 2008, CX212346

¹²⁰ "The situation of human rights in the Islamic Republic of Iran - Report of the Secretary-General", *United Nations General Assembly*, 23 September 2009, CIS#17953, p. 12; "Declaration by the Presidency on behalf of the EU on the situation in Iran of individuals belonging to the Kurdish minority", *Council of the European Union*, 6 August 2008, CX235657

¹²¹ "Iran: Freedom of Expression and Association in the Kurdish Regions", *Human Rights Watch*, 9 January 2009, CIS#16900, p. 28; "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, p. 28

¹²² "Kurdish human rights defenders pursue their hunger strike", *World Organisation Against Torture (OMCT)*, 4 September 2009, CX234827

¹²³ "Kurdish feminist arrested", *Adnkronos International Press News Agency (AKI)*, 7 October 2008, CX211741; "Amnesty International: Further Information on UA 280/08: Women arbitrary arrest, fear of torture", *Amnesty International*, 12 December 2008, CX238026

¹²⁴ "Iran: Freedom of Expression and Association in the Kurdish Regions", *Human Rights Watch*, 9 January 2009, CIS#16900, p. 10

¹²⁵ "Iran: Freedom of Expression and Association in the Kurdish Regions", *Human Rights Watch*, 9 January 2009, CIS#16900

¹²⁶ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, p. 32

¹²⁷ "Iran: Freedom of Expression and Association in the Kurdish Regions", *Human Rights Watch*, 9 January 2009, CIS#16900, pp. 10-12.

DIAC-IN-CONFIDENCE

The government is particularly sensitive to any local coverage of Kurdish political parties, including KDPI and PKK.¹²⁸ In July 2009, *Reporters Without Borders* stated that seven Kurdish journalists were being held in the Iranian jails.¹²⁹

- Three editorial board members of the fortnightly *Rojhelat* – Farhad Aminpour, Reza Alipour and Saman Solaymani – were arrested in October 2006.¹³⁰ They were charged with “acting against national security”, but released a month later on bail.¹³¹ *Rojhelat* was banned on 11 April 2008 on the ground of receiving money from an outside source.¹³²

- On 28 August 2008, Kurdish journalist Anvar Sa’idi Muchashi was reportedly arrested by security forces in Sanandaj and taken to an unknown location.¹³³ Muchashi wrote for various local news outlets and has given interviews to Kurdish satellite channels.

- On 1 July 2009, Adnan Hassanpour, a Kurdish journalist whose death sentence was quashed in August 2008, was sentenced to 10 years in prison by a court that retried his case.¹³⁴ Hassanpour was arrested in January 2007 and initially sentenced to death for subversive activities against national security, espionage and separatist propaganda.¹³⁵ He wrote about the Kurdish issue for *Asou* magazine, which was banned in 2005. He also worked for foreign media, including the *Voice of America* and *Radio Farda*. Adnan Hassanpour’s colleague, a journalist and environmentalist, Abdolvahed "Hiva" Botimar, was also arrested and prosecuted on similar charges.¹³⁶

- Hassan Sheikh Aghaei, a cartoonist and reporter who was involved in campaigning activities for opposition politician Hossein Mousavi, and Ahmad Bahari, editor of the monthly *Mahabad*, were arrested in Mahabad in July 2009. They were freed on bail in late August.¹³⁷

- On 12 November 2009, the authorities detained Aso Kurdnasab of the weekly *Karfto*, after he took part in a demonstration against the execution of a political prisoner in Sanandaj.¹³⁸ He was released on bail on 30 November.¹³⁹ In 2007, Kurdnasab was

¹²⁸ “Iran: Freedom of Expression and Association in the Kurdish Regions”, *Human Rights Watch*, 9 January 2009, CIS#16900

¹²⁹ “Press freedom violations recounted in real time”, *Reporters Without Borders (RSF)*, 1 December 2009, CX237303

¹³⁰ “Iran Country Reports on Human Rights Practices – 2006”, *US Department of State*, 6 March 2007, CX173096

¹³¹ “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293

¹³² “Court closes Kurdish weekly for selling copies across border in Iraqi Kurdistan”, *Reporters Without Borders (RSF)*, 18 April 2008, CX234845; “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293

¹³³ “Two journalists held without charge”, *Committee to Protect Journalists (CPJ)*, 5 September 2008, CX209620

¹³⁴ “Kurdish journalist once under sentence of death gets 10-year jail term on retrial”, *Reporters Without Borders (RSF)*, 2 July 2009, CX234754

¹³⁵ “Iran court upholds death sentence on dissident”, *Reuters*, 10 November 2007, CX238079

¹³⁶ “Iran: Country Report on Human Rights Practices 2008”, *US Department of State*, 25 February 2009; “Kurdish journalist once under sentence of death gets 10-year jail term on retrial”, *Reporters Without Borders (RSF)*, 2 July 2009, CX234754; “Iran court upholds death sentence on dissident”, *Reuters*, 10 November 2007, CX238079

¹³⁷ “Iran: Elections Contested, Repression Compounded”, *Amnesty International*, December 2009, CIS#18098, p.23; “Press freedom violations recounted in real time”, *Reporters Without Borders (RSF) - France*, 1 December 2009, CX237303

¹³⁸ “Three more journalists arrested, relatives and lawyers subject to intimidation”, *Reporters Without Borders (RSF)*, 17 November 2009, CX236632

sentenced to six months in prison on a charge of “trying to overthrow the government by means of journalistic activities.”¹⁴⁰

2.3.4 Authors

Kurdish authors and publishers have also been targeted by the Iranian regime and face particular difficulties in obtaining publication permits from the authorities.¹⁴¹

- In December 2006, Kurdish novelist Shahram Ghavami was arrested and prosecuted for the publication of his novel “Birba” on charges of “insulting the state.” He was held in a detention centre in Sanandaj before being released on bail.¹⁴² *Article 19* states that the authorities required Ghavami to delete 761 pages in order to get a re-publication permit for his novel “Soheila”, which he refused to do.¹⁴³

- The Ministry of Culture and Islamic Guidance refused to grant Kurdish writer Behzad Khoshali a permission to publish new books and some of his old books, which were published with official permission and discussed Kurdish nationalism, were confiscated from bookstores.¹⁴⁴

- Abbas Jalilian, a prominent Iranian Kurdish author and linguist, was reportedly detained without charge for two and half months in early 2009.¹⁴⁵

2.3.5 Students

As elsewhere in Iran, student activists in the Kurdish areas are frequently targeted by the authorities.

- In December 2006, Souren Hosseini, head of the Sanandaj-based Democratic Student Union, was expelled from the campus on charges of “disturbing the public mind” by organising protests and transferred to another university.¹⁴⁶

- On 6 January 2008, security forces arrested Kurdish student Ebrahim Lotfallahi as he left a university exam. Nine days later, the authorities notified Lotfallahi's family of his death and told them he had committed suicide in prison.¹⁴⁷

¹³⁹ “Press freedom violations recounted in real time”, *Reporters Without Borders (RSF)*, 1 December 2009, CX237303

¹⁴⁰ “Year ends badly for press, with Kurdish weekly closed and one-year jail term for reporter in southwest”, *Reporters Without Borders (RSF)*, 4 January 2008, CX190700

¹⁴¹ “Article 19’s Submission to the UN Universal Periodic Review of Islamic Republic of Iran”, *Article 19*, 28 August 2009, CIS#17859

¹⁴² “Iran: Freedom of Expression and Association in the Kurdish Regions”, *Human Rights Watch*, 9 January 2009, CIS#16900; “Article 19’s Submission to the UN Universal Periodic Review of Islamic Republic of Iran”, *Article 19*, 28 August 2009, CIS#17859, p. 2

¹⁴³ “Article 19’s Submission to the UN Universal Periodic Review of Islamic Republic of Iran”, *Article 19*, 28 August 2009, CIS#17859

¹⁴⁴ “Iran: Freedom of Expression and Association in the Kurdish Regions”, *Human Rights Watch*, 9 January 2009, CIS#16900, p. 17

¹⁴⁵ “Iran’s harassed Kurdish minority”, *Voice of America (VOA)*, 24 February 2009, CX235642; “Another week of violations of human rights in Iran”, *Human Rights Activists In Iran*, 4 April 2009, CX225393

¹⁴⁶ “Iran: Freedom of Expression and Association in the Kurdish Regions”, *Human Rights Watch*, 9 January 2009, CIS#16900, p. 27

¹⁴⁷ “Iran: Country Report on Human Rights Practices 2008”, *US Department of State*,

- On 6 November 2008, Yasser Goli, a Kurdish rights activist and Secretary General of the Kurdish Students' Union of Iranian Universities, was sentenced to 15 years in prison for having contacts with "illegal Kurdish organisations".¹⁴⁸ In February 2009, his sentence was upheld on appeal.¹⁴⁹

2.4 Women

Gender-based discrimination and violence remain pervasive problems affecting women throughout Iran, including in the Kurdish regions.¹⁵⁰ Women continue to face discrimination in law and practice and those campaigning for women's rights often face harassment, prosecution, harsh sentencing and travel bans.¹⁵¹ Compared to city dwellers, women living in rural areas of Iran face a greater deal of social pressure, generally have less education and knowledge of their legal rights and are at a greater risk of early or forced marriage.¹⁵²

A number of observers note that Kurdish women face a double challenge to establish their rights in Iran: as members of a marginalised ethnic minority group and as women in a community governed largely by patriarchal customs.¹⁵³ According to KHRP, the slow socio-economic development of the Kurdish regions affects women disproportionately, according to KHRP,¹⁵⁴ further restricting their access to education, employment and political participation. Moreover, it is claimed that the widespread poverty and unemployment in the Kurdish areas lead to increased violence against women.¹⁵⁵ Kurdish women also face "patriarchal oppression" caused by the traditional conservative way of viewing women within the Kurdish community.¹⁵⁶ Problems facing Kurdish girls

25 February 2009; "Impunity Ad Infinitum", *International Campaign for Human Rights in Iran*, 4 February 2008, CX237383

¹⁴⁸ "Observatory for the Protection of Human Rights Defenders Annual Report 2009: Iran", *International Federation for Human Rights (FIDH)*, 18 June 2009, CX230065

¹⁴⁹ "Iran: Elections Contested, Repression Compounded", *Amnesty International*, December 2009, CIS#18098

¹⁵⁰ For the situation of women in Iran see, for example, "Human Rights Situation for Minorities, Women and Converts", *Danish Immigration Service*, April 2009, CIS#17329, pp. 22-28; "Honour Killings in Iran", *Landinfo*, 22 May 2009, CIS#17741; "Report of the Special Rapporteur on violence against women, its causes and consequences - Mission to the Islamic Republic of Iran", *UN Commission on Human Rights*, 27 January 2006, CIS#18148

¹⁵¹ See, for example, "Observatory for the Protection of Human Rights Defenders Annual Report 2009: Iran", *International Federation for Human Rights (FIDH)*, 18 June 2009, CX230065; "Amnesty International Annual Report Iran 2009", *Amnesty International*, 28 May 2009, CX227413; "Gender equality and social institutions in Iran, Islamic Rep.", *Social Institutions and Gender Index (SIGI)*, 2009, CX231254

¹⁵² "Honour Killings in Iran", *Landinfo*, 22 May 2009, CIS#17741, p. 7. See also "Double oppression: the bitter reality of life for Kurdish women in the Islamic Republic - Interview with Roya Tolouee", *Gozaar*, 1 October 2006, CX237895

¹⁵³ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293; Yildiz and Taysi, *The Kurds in Iran: the past, present and future*, Pluto Press, London 2007, p. 55

¹⁵⁴ "Human Rights and the Kurds in Iran", *Kurdish Human Rights Project*, 26 August 2009, CIS#17868, p. 7

¹⁵⁵ "Double oppression: the bitter reality of life for Kurdish women in the Islamic Republic - Interview with Roya Tolouee", *Gozaar*, 1 October 2006, CX237895

¹⁵⁶ Yildiz and Taysi, *The Kurds in Iran: the past, present and future*, Pluto Press, London 2007, p. 55

and women in Iran include domestic violence, “honour” killings by family members,¹⁵⁷ early and forced marriage and denial of education.

2.4.1 Violence against women

Although the extent and prevalence of violence against Kurdish women in Iran is difficult to establish, a number of sources suggest that discrimination and violence against women and girls in the Kurdish regions are both pervasive and widely tolerated.¹⁵⁸

A study undertaken by the Norwegian Country of Origin Information Centre *Landinfo* concluded that honour killings of women in Iran primarily occurred among minority groups, including Kurds, Lurs and Arabs, the majority of whom live in the socio-economically least developed and geographically most isolated areas of Iran. A predominantly Kurdish province of Ilam is identified by *Landinfo* as one of the Iranian provinces where honour killings are particularly prevalent.¹⁵⁹

Iran’s justice system provides little remedy to the violence facing women and girls. Police and judicial officials are often unwilling to arrest and prosecute perpetrators of violence against women in the Kurdish areas.¹⁶⁰ When arrests are made, police frequently fail to press charges against suspected perpetrators. Women are not encouraged to bring complaints against their attackers and fear bringing “dishonour” on the family as well as reprisals from the attacker and relatives.¹⁶¹

2.4.2 Self-immolation

An Amnesty International report states that inequality, discrimination and the various types of violence and social deprivation suffered by Kurdish women contribute to complex social problems, including high rates of suicide among them, notably by self-immolation.¹⁶² The report claims that some suicides may have been staged to cover up “honour” killings. It is also alleged that some of the women who resort to self-immolation do not want to die but have no other way of showing their distress.¹⁶³

The practice of self-immolation has reportedly been on the rise in the Kurdish areas,¹⁶⁴ where it appears to be more common than in other parts of Iran.¹⁶⁵ In 2006, a Tehran-

¹⁵⁷ The so-called “honour” killings are murders in which women and girls are killed by members of their families to “rectify” a perceived insult to the honour of the family.

¹⁵⁸ “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293; CX121267; Yildiz and Taysi, *The Kurds in Iran: the past, present and future*, Pluto Press, London 2007, p. 56

¹⁵⁹ “Honour Killings in Iran”, *Landinfo*, 25 May 2009, CIS#17741, p. 7

¹⁶⁰ “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293

¹⁶¹ “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293

¹⁶² “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293

¹⁶³ “Self-immolation of Kurdish women brings concern”, *Radio Free Europe/Radio Liberty*,

9 February 2006, CX146304; “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293, pp. 22-23

¹⁶⁴ Dastgiri S., Kalankesh LR, Pourafkary N, “Epidemiology of self-immolation in the North-West of Iran”, *European Journal of General Medicine*, 2005, CIS#18153; “Self-immolation of Kurdish women brings concern”, *Radio Free Europe/Radio Liberty*, 9 February 2006, CX146304

¹⁶⁵ “Human Rights Abuses against the Kurdish Minority”, *Amnesty International*, 30 July 2008, CIS#16293

based Kurdish Human Rights Organisation published the names of more than 150 Kurdish women from the West Azerbaijan province who committed suicide, mainly by self-immolation, in a nine month period between 2005 and 2006.¹⁶⁶ In December 2008, Azar Mehr Women's Association reported that three Kurdish women committed suicide by self-immolation during one month.¹⁶⁷

Domestic violence, forced marriage and social injustice are cited as the main reasons for self-immolation among women.¹⁶⁸ During her visit to Iran, the UN Special Rapporteur on Violence against Women found that some of the cases of self-immolation in the province of Ilam were linked to "the lack of legal protection for women victims of violence, lack of shelters, difficulty in obtaining a divorce, child custody laws that favour the father and pervasive gender discrimination throughout society."¹⁶⁹

2.4.3 Education

According to Amnesty International, there appear to be serious shortcomings in the provision of education for Kurdish girls and women, with a drop-out rate among Kurdish girls being particularly high.¹⁷⁰ The UN Special Rapporteur on Violence against Women noted that in Iran, a Kurdish man decides "whether or not his daughter, sister or spouse attends school ... For this reason, the literacy rate of Kurdish women and girls, particularly in the rural areas is either the lowest or one of the lowest in the country."¹⁷¹ UNICEF figures from 1998 indicate that 57 percent of Kurdish women compared to 79 percent of men were literate.¹⁷²

2.4.4 Forced and early marriage

Forced and early marriages of girls are common among Kurds in Iran. These practices have reportedly become more widespread in recent years because of growing poverty.¹⁷³ According to Dr. Anke Stock of the Kurdish Human Rights Project, Kurdish girls and women are often coerced into arranged marriages, sometimes at the age of 12-13. They also suffer under the practice of *berdel*, which involves the exchange of girls – the girl from one family marrying the son of another family while his sister is given in marriage in return. *Berdel* is often done to avoid having to pay 'bride prices' for the daughters or to strengthen ties within clans and or villages."¹⁷⁴

¹⁶⁶ Yildiz and Taysi, *The Kurds in Iran: the past, present and future*, Pluto Press, London 2007, p. 56

¹⁶⁷ "Three Kurdish women commit suicide by self-immolation", *Iran Human Rights Voice*, 24 December 2008, CX237823

¹⁶⁸ "Three Kurdish women commit suicide by self-immolation", *Iran Human Rights Voice*, 24 December 2008, CX237823; "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, pp. 22-25; Anke Stock, "Violence against Kurdish Women in Iran", *Kurdish Media*, 29 August 2004, CX121267

¹⁶⁹ "Report of the Special Rapporteur on violence against women, its causes and consequences - Mission to the Islamic Republic of Iran", *UN Commission on Human Rights*, 27 January 2006, CIS#18148

¹⁷⁰ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, p. 20

¹⁷¹ Cited in "State of the World's Minorities and Indigenous Peoples 2009 - Education Special", *Minority Rights Group International*, July 2009, CIS#17680, p. 79

¹⁷² Cited in "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293

¹⁷³ "Human Rights Abuses against the Kurdish Minority", *Amnesty International*, 30 July 2008, CIS#16293, pp. 18, 25

¹⁷⁴ Anke Stock, "Violence against Kurdish Women in Iran", *Kurdish Media*, 29 August 2004, CX121267

2.4.5 Female Genital Mutilation

Several sources suggest that Female Genital Mutilation (FGM) is practised among Iran's Kurds,¹⁷⁵ in particular in Mokravan and Baban regions.¹⁷⁶ According to one researcher, approximately 70 percent of women in the Kurdish regions of Iran are circumcised.¹⁷⁷ However, no other information was located to support these findings. The Kurdish Human Rights Project states that there is little hard evidence of the practice of FGM in the Kurdish regions of Iran.¹⁷⁸

2.4.6 Women's Rights NGOs

Despite challenges facing Kurdish women in Iran, they have been in the vanguard of the struggle for women's rights. A number of organisations have been established to advocate for the rights of Kurdish women, including the Azar Mehr Women's Association of Kurdistan¹⁷⁹ and the Committee Against Sexual Violence.¹⁸⁰ Kurdish women activists engaged in promoting women's rights have been targeted particularly harshly by the authorities and security forces.¹⁸¹

¹⁷⁵ "Kurdish woman are also victims of circumcision", *Kurdish Media*, 7 February 2008, CX229202; "Female genital mutilation said to be widespread in Iraq's, Iran's Kurdistan", *Radio Free Europe / Radio Liberty (RFE/RL)*, 10 March 2009, CX222384

¹⁷⁶ "Kurdish woman are also victims of circumcision", *Kurdish Media*, 7 February 2008, CX229202

¹⁷⁷ "Kurdish woman are also victims of circumcision", *Kurdish Media*, 7 February 2008, CX229202

¹⁷⁸ Pranjali Acharya, "The Practice of Female Genital Mutilation (FGM) in the Kurdish Regions", *Kurdish Human Rights Project*, 29 May 2009, CIS#17613

¹⁷⁹ "State of the World's Minorities and Indigenous Peoples 2009 – Iran", *Minority Rights Group International (MRG)*, 16 July 2009, CX230497

¹⁸⁰ "Female genital mutilation said to be widespread in Iraq's, Iran's Kurdistan", *Radio Free Europe / Radio Liberty (RFE/RL)*, 10 March 2009, CX222384

¹⁸¹ See Section 2.3.2 of this paper for more details. See also "Human Rights and the Kurds in Iran", *Kurdish Human Rights Project*, 26 August 2009, CIS#17868

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4. Attachment 1: Maps

4.1. Iran: Provinces



4.2 Iran: Ethno-religious Distribution

