



**Australian Government**  
**Refugee Review Tribunal**

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# Country Advice

## Iran

Iran – IRN35739 – National Council of  
Resistance – Mojahedin-e-Khalk –  
University admission

3 December 2009

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**1. Do you have brief background information on how the Book of Martyrs was produced?**

The Book of Martyrs appears to refer to a list entitled ‘20,000 PMOI Martyrs’ available on the People’s Mujahadin Organization of Iran (PMOI) website.<sup>1</sup> There is no explanation about the history or method of compilation for producing this list on the website, or elsewhere.

**2. Please provide brief background on the National Council of Resistance.**

The National Council of Resistance (NCRI) was formed in 1981, in Paris, as an off-shoot of the Iranian Mujahadin-e Khalq organization (MEK).<sup>2</sup> The MEK, which advocates the violent overthrow of the Iranian government, attempted to topple the newly installed Islamic regime by launching a bombing campaign in Iran in 1981. This campaign included an attack against the head office of the Islamic Republic Party and the Prime Minister’s office, which killed some 70 high-ranking Iranian officials, including Chief Justice Ayatollah Mohammad Beheshti, President Mohammad-Ali Rajaei, and Prime Minister Mohammad-Javad Bahonar. These attacks resulted in a popular uprising against the MEK and an expanded Iranian government crackdown, which forced MEK leaders to flee to France. In Paris, the MEK formed what has been termed the political wing of the MEK under the name of the National Council of Resistance. The NCRI has a global support network with active lobbying and propaganda efforts in major Western capitals. NCRI also has a well-developed media communications strategy.<sup>3</sup>

The NCRI is led by Mrs. Mayram Rajavi, the wife of MEK founder Massoud Rajavi, who remains in hiding – possibly in Iraq. Mrs. Rajavi is an active leader, delivering numerous speeches and organising events and rallies in support of the organization, using offices located in several European capitals. Mrs. Rajavi is named to assume the position of temporary head

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<sup>1</sup> People’s Mujahadin Organization of Iran (PMOI) website  
<http://www.english.mojahedin.org/pagesEn/index.aspx> – Accessed 2 December 2009

<sup>2</sup> Department of the Parliamentary Library, Research Note No. 43, 16 June 2003, Behind the Mujahideen-e-Khalq (MEK)- Accessed 2 December 2009 <http://www.aph.gov.au/library/Pubs/RN/2002-03/03rn43.pdf> – Attachment 1

<sup>3</sup> See various sources: People’s Mujahiddin of Iran (PMOI) or Mujahiddin e Khalq (MEK): An update Standard Note: SN/IA/05020 Last updated: 23 March 2009 Author: Stephen Jones Section International Affairs and Defence Section, Library House of Commons. <http://www.parliament.uk/commons/lib/research/briefings/sn-ia-05020.pdf> – Accessed 2 December 2009 - Attachment 2, and UK Border Agency 2009, ‘Country of origin information report: Iran’, UK Home Office website, 21 April <http://www.homeoffice.gov.uk/rds/pdfs09/iran-220409.doc> - Accessed 23 April 2009 – Attachment 3.

of a new secular government in Iran, should the NCRI and MEK succeed in overthrowing the current regime.<sup>4</sup>

### **3. Please provide brief information on the Simay-Azadi channel.**

The pro-National Council of Resistance Simay-Azadi channel is funded mainly through contributions from Iranians living in exile who support regime change in Iran. Fund-raising efforts to keep this channel operating are conducted from time to time through the website and assisted by appeals by the NCRI. Simay-Azadi claims that many supporters and viewers in Iran risk fines and prosecution by Iranian authorities by contributing funds and viewing their channel illegally utilizing satellite dishes.<sup>5</sup>

A 2008 Freedom House report comments on the widespread use of illegal satellite dishes and highlights the steep penalties applicable if authorities wish to clamp down. Receiving content broadcast by dissident organizations is specifically banned:

Satellite dishes are illegal, though generally tolerated. However, there have been increasing reports of satellite dish confiscation and steep fines. The authorities have had some success in jamming broadcasts by dissident overseas satellite stations, and cooperation with Persian-language satellite channels is banned. ... Even the purchase of satellite images from abroad was deemed illegal.<sup>6</sup>

There is a contact address in the U.K. available on the website, but it is unclear where the channel is actually up-linked. The channel is available for viewing through numerous pay satellite television sites advertising on the Web, and several sites provide detailed information on frequency, signal, and satellite dish orientation used to receive the transmission.<sup>7</sup>

### **4. Could you provide background information on Mojahedin-e-Khalq, their objectives and modes of operation?**

The U.S. State Department Country Reports on Terrorism provides a succinct and informative overview of the MEK, as follows:

The Mujahadin-e Khalq Organization (MEK) advocates the violent overthrow of the Iranian government. The MEK is known by various names and aliases, including; MKO; Mujahadin-e Khalq (Iranian government name for group); Muslim Iranian Students' Society; National Council of Resistance; NCR; Organization of the People's Holy Warriors of Iran; the National Liberation Army of Iran; NLA; People's Mujahadin Organization of Iran; PMOI; National Council of Resistance of Iran; NCRI; Sazeman-e Mujahadin-e Khalq-e Iran.

The MEK emerged in the 1960s as one of the more violent political movements opposed to the Pahlavi dynasty and its close relationship with the United States. MEK ideology has gone

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<sup>4</sup> Fletcher, H. 2008, 'Backgrounder Mujahadeen-e-Khalq (MEK) (aka People's Mujahedin of Iran or PMOI)', Council on Foreign Relations, April 18 <http://www.cfr.org/publication/9158/%7C> – Accessed 7 December 2009 – Attachment 4

<sup>5</sup> Simay-Azadi Iran National TV website <http://www.irantv.com/en/> – Accessed 1 December 2009 – Attachment 5

<sup>6</sup> Freedom House 2008, 'Freedom in the World 2008 – Iran', 2 July <http://www.unhcr.org/refworld/docid/487ca215c.html> – Accessed 7 December 2009 – Attachment 6.

<sup>7</sup> wwiTV.com, "Watch Live TV Channel: Iran NTV (Simay Azadi), broadcasting from Iran" [http://wwitv.com/portal.htm?http://wwitv.com/tv\\_channels/6978.htm](http://wwitv.com/portal.htm?http://wwitv.com/tv_channels/6978.htm) – Accessed 1 December 2009 – Attachment 7.

through several iterations and blends elements of Marxism, Islam, and feminism. The group has planned and executed terrorist operations against the Iranian government for nearly three decades from its European and Iraqi bases of operations. Additionally, it has expanded its fundraising base, further developed its paramilitary skills, and aggressively worked to expand its European ranks. In addition to its terrorist credentials, the MEK has also displayed cult-like characteristics.

In 1981, MEK leadership attempted to overthrow the newly installed Islamic regime; Iranian security forces subsequently initiated a crackdown on the group, resulting in MEK leaders fleeing to France. In Paris the MEK formed what has been termed the political wing of the MEK under the name of the National Council of Resistance. For five years, the MEK continued to wage its campaign from its Paris headquarters. Expelled by France in 1986, MEK leaders turned to Saddam Hussein's regime for basing, financial support, and training. Near the end of the 1980-1988 Iran-Iraq War, Baghdad armed the MEK with heavy military equipment and deployed thousands of MEK fighters in suicidal, mass wave attacks against Iranian forces.

The MEK's relationship with the former Iraqi regime continued through the 1990s. In 1991, the group reportedly assisted the Iraqi Republican Guard's bloody crackdown on Iraqi Shia and Kurds who rose up against Saddam Hussein's regime. In April 1992, the MEK conducted near-simultaneous attacks on Iranian embassies and installations in 13 countries, demonstrating the group's ability to mount large-scale operations overseas. In April 1999, the MEK targeted key Iranian military officers and assassinated the deputy chief of the Iranian Armed Forces General Staff, Brigadier General Ali Sayyaad Shirazi.

In April 2000, the MEK attempted to assassinate the commander of the Nasr Headquarters, Tehran's interagency board responsible for coordinating policies on Iraq. The pace of anti-Iranian operations increased during "Operation Great Bahman" in February 2000, when the group launched a dozen attacks against Iran. One attack included a mortar attack against a major Iranian leadership complex in Tehran that housed the offices of the Supreme Leader and the President. In 2000 and 2001, the MEK was involved in regular mortar attacks and hit-and-run raids against Iranian military and law enforcement personnel, as well as government buildings near the Iran-Iraq border. Following an initial Coalition bombardment of the MEK's facilities in Iraq at the outset of Operation Iraqi Freedom, MEK leadership negotiated a cease-fire with Coalition Forces and voluntarily surrendered their heavy-arms to Coalition control. Since 2003, roughly 3,400 MEK members have been encamped at Ashraf in Iraq.

In 2003, French authorities arrested 160 MEK members at operational bases they believed the MEK was using to coordinate financing and planning for terrorist attacks. Upon the arrest of MEK leader Maryam Rajavi, MEK members took to Paris' streets and engaged in self-immolation. French authorities eventually released Rajavi. Although currently in hiding, Rajavi has made "motivational" appearances via video-satellite to MEK-sponsored conferences across the globe.

**Strength:** Estimates place MEK's worldwide membership at between 5,000 and 10,000 members, with large pockets in Paris and other major European capitals. In Iraq, roughly 3,400 MEK members are gathered at Camp Ashraf, the MEK's main compound north of Baghdad. As a condition of the 2003 cease-fire agreement, the MEK relinquished more than 2,000 tanks, armored personnel carriers, and heavy artillery. Between 2003-2006, a significant number of MEK personnel have voluntarily left Ashraf, and an additional several hundred individuals have renounced ties to the MEK and been voluntarily repatriated to Iran.

**Location/Area of Operation:** The MEK maintains its main headquarters in Paris and has concentrations of members across Europe, in addition to the large concentration of MEK located at Camp Ashraf in Iraq. The MEK's global support structure remains in place, with associates and supporters scattered throughout Europe and North America. MEK's political arm, the National Council of Resistance of Iran (NCRI), has a global support network with

active lobbying and propaganda efforts in major Western capitals. NCRI also has a well-developed media communications strategy.

**External Aid:** Before Operation Iraqi Freedom began in 2003, the MEK received all of its military assistance and most of its financial support from Saddam Hussein. The fall of Saddam's regime has led MEK increasingly to rely on front organizations to solicit contributions from expatriate Iranian communities.<sup>8</sup>

A UK Home office report referencing a Radio Free Europe / Radio Liberty report dated 26 January 2009 noted the EU no longer considers the MEK a proscribed terrorist organization, possibly allowing the MEK to pursue new political agendas in Europe:

“... the European Union has decided to remove the Mujahedin-e Khalq Organization ( MKO) from its list of terrorist organizations. The decision marks the first time the EU has ‘de-listed’ an organization from its terrorist index, and could free the MKO, also known as the People’s Mujahedin Organization of Iran, to expand its activities in Europe.”<sup>9</sup>

## **5. What recent information is there on treatment by the authorities of activists of Mojahedin, including discussion of arrest, detention and execution?**

There is no recent reporting on the treatment of MEK members; however, there are many current reports of anti-government activists of all stripes being detained and mistreated by authorities and security forces. Activists strenuously avoid revealing any public affiliation specifically with the MEK, as this would engender harsher treatment.

The government has broad authority under security legislation contained in Iran's Islamic Penal Code to arrest individuals without warrants, to deny due process to detainees, conduct interrogations, confine detainees in solitary, and to generally suppress any political dissent on the grounds of protecting national security. MEK sympathizers and supporters are even more likely to be subjected to stringent treatment under the Ahmadinejad administration, which has used security legislation to accuse political groups of espionage when there are perceived ties to foreign organizations providing guidance and funding from abroad. MEK members specifically linked, or implicated in criminal acts such as bombings, even risk being sentenced to death.<sup>10</sup>

The U.S. Department of State 2008 Human Rights Report that political activists, including MEK supporters, have been subjected to repeated arrests, extended prison sentences, and torture:

Authorities occasionally gave political prisoners suspended sentences or released them for short or extended furloughs prior to completion of their sentences, but they could be ordered back to prison at any time. These suspended sentences often were used to silence and intimidate individuals. The government also controlled political activists by holding a file in the courts that could be opened at any time and attempted to intimidate the activists by calling

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<sup>8</sup> U.S. Department of State 2009, 'Country Reports on Terrorism 2008', <http://www.state.gov/s/ct/rls/crt/2008/index.htm> – Accessed 27 November 2009 – Attachment 8

<sup>9</sup> UK Border Agency 2009, 'Country of origin information report: Iran', UK Home Office 21 April <http://www.homeoffice.gov.uk/rds/pdfs09/iran-220409.doc> - Accessed 23 April 2009 – Attachment 3

<sup>10</sup> Amnesty International 2006, Public Statement News Service No: 049 'Iran: Worrying trends in use of death penalt' 27 February <http://www.amnesty.org/en/library/asset/MDE13/020/2006/en/ec1b28dc-fa0b-11dd-b1b0-c961f7df9c35/mde130202006en.pdf> – Accessed 8 December 2009 – Attachment 9

them in repeatedly for questioning. Numerous observers considered Tehran public prosecutor Saeed Mortazavi the most notorious persecutor of political dissidents and critics.

Authorities routinely held political prisoners in solitary confinement for extended periods of time and denied them due process and access to legal representation. Political prisoners were also at greater risk of torture and abuse while in detention. The government did not permit access to political prisoners by international humanitarian organizations.

The government reportedly held some persons in prison for years under charges of sympathizing with outlawed groups, such as the terrorist organization Mujahedin-e-Khalq (MEK).<sup>11</sup>

Human Rights Watch reports, that in 2008, over a hundred student activists were arrested and detained. Some were tortured and others were held without notification to families:

The Ahmadinejad government shows no tolerance for peaceful protests and gatherings. Security forces arrested over a hundred student activists in 2008, often without informing their families of the arrests. According to some of the imprisoned students and their families, security forces subjected these students to mistreatment and abuse during their detention.<sup>12</sup>

Specific articles of the Security Laws with the Islamic Penal Code addressing these wide ranging powers to stifle dissent, such as any activities by MEK members, are very well summarized in an article by Human Rights Watch:

“The provisions of the Security Laws prohibit various forms of speech, assembly, and expression, allowing the state arbitrarily and subjectively to judge them as being “against” the nation or its security. Article 498 of the Security Laws criminalizes the establishment of any groups that aim to “disrupt national security.” Article 500 sets a sentence of three months to one year of imprisonment for anyone found guilty of “in any way advertising against the order of the Islamic Republic of Iran or advertising for the benefit of groups or institutions against the order.” Article 610 designates “gathering or colluding against the domestic or international security of the nation or commissioning such acts” as a crime punishable by two to five years of imprisonment. Article 618 criminalizes “disrupting the order and comfort and calm of the general public or preventing people from work.” In the words of an activist and law student in Iran who spoke to Human Rights Watch, “The articles on security are so general that you can detain anyone for anything and give him a prison sentence.”<sup>13</sup>

A November 2008 Freedom House report warns that students openly discussing human rights risk beatings, intimidation by security organizations, torture, and imprisonment:

Open discussions at universities as well as gatherings at concerts and other cultural events are frequently attacked by the Basij or Ansar-i Hezbollah. Protesters, especially students and ethnic minorities demanding human rights, risk public beatings and humiliation as well as routine surveillance, intimidation, prolonged interrogation sessions, torture, and imprisonment, including solitary confinement in cramped, unsafe conditions.<sup>14</sup>

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<sup>11</sup> U.S. Department of State 2009, ‘Country Report on Human Rights Practices Iran 2008’, 25 February – Attachment 10

<sup>12</sup> Human Rights Watch 2009, ‘World Report 2009’, HRW website, January <http://www.hrw.org/world-report-2009> – Accessed 30 November 2009 – Attachment 11

<sup>13</sup> Human Rights Watch 2007, “You Can Detain Anyone for Anything”: Iran’s broadening clampdown on independent Activism’, HRW website, January, p. 6

<http://hrw.org/reports/2008/iran0108/iran0108webwcover.pdf> – Accessed 4 December 2009 – Attachment 12

<sup>14</sup> Freedom House 2008, *Freedom of Association Under Threat – Iran, 21 November*. – Accessed 3 December 2009 <http://www.unhcr.org/refworld/publisher.FREEHOU.COUNTRYREP.,492a7518c,0.html> – Accessed 3 December 2009 – Attachment 13

Former MEK members are also likely to experience informal pressures and harassment in their environment emanating from a perception that the MEK supported traitors against Iran by fighting on the Iraqi side during the 1980-1988 Iran-Iraq War. Current government policies allow former MEK members to publicly renounce their affiliation with the MEK as part of a repatriation program, but societal distrust remains, as reported in a Danish Immigration Service Fact-finding report in April:

The MKO has conducted several bombing campaigns and other violent attacks in Iran and other countries and fought on Iraq's side in the 1980-1988 Iran-Iraq war, where MKO fighters were used in suicidal, mass wave attacks against Iranian forces. Even though the activities of many individual MKO members may be minor, MKO members are considered traitors by many Iranians.<sup>15</sup>

In October of this year, the first death penalty sentence was handed down to a defendant accused of involvement in mass anti-government protests surrounding the disputed re-election of president Ahamdinejad. The defendant, Mohammad Reza Ali-Zamani confessed to working for a little known exile group, Iran Monarchy Committee (IMC), labelled a terrorist organization by the Iranian government. What is notable is that Ali-Zamani is not a well known activist and he is alleged to have joined the organization at a grass roots, activist, level:

Unlike many others in detention, Ali-Zamani is not well known. His indictment said he had joined the Iran Monarchy Committee after hearing about it on a television satellite channel. His activities are said to have included distributing anti-regime CDs and propaganda, as well as copies of the Satanic Verses<sup>16</sup>.

Prosecutors alleged that the defendant was meeting with Americans, passing information, and plotting assassinations of Iranian officials in support of IMC goals. The IMC denounces these claims and alleges a confession was coerced from Ali-Zamani. Amnesty International is concerned that this trial paves the way for further death penalty trials for political activists.

## **6. Is there any information on corrupt procedures relating to university admission?**

There is no available information on corruption associated with university admission procedures; however, corruption is pervasive in Iranian society and likely extends to the university system. Human Rights Watch reports university students have been denied admission for politically sensitive activities:

The government has fired dissident university professors or forced them into early retirement, a trend that intensified in 2008. State universities also recently began banning some politically active students from registering for their next semester, putting pressure on student associations and their supporters to not criticize the government.<sup>17</sup>

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<sup>15</sup> Danish Refugee Council, Danish Immigration Service 2009, *Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc. Fact finding mission to Iran 24th August – 2nd September 2008*, Danish Immigration Service website, April, p.16

[http://www.nyidanmark.dk/NR/rdonlyres/90D772D5-F2DA-45BE-9DBB-87E00CD0EB83/0/iran\\_report\\_final.pdf](http://www.nyidanmark.dk/NR/rdonlyres/90D772D5-F2DA-45BE-9DBB-87E00CD0EB83/0/iran_report_final.pdf) – Accessed 27 November 2009 – Attachment 14

<sup>16</sup> Tait, R, 2009, 'Iran activist sentenced to death for election protests', Guardian, 8 October.

<http://www.guardian.co.uk/world/2009/oct/08/mohammad-reza-ali-amani-death> – Accessed 8 December 2009 – Attachment 15

<sup>17</sup> Human Rights Watch 2009, 'World Report 2009', HRW website, January <http://www.hrw.org/world-report-2009> – Accessed 30 November 2009 – Attachment 11

Transparency International, which published the 2009 annual Corruption Perception Index, ranks Iran in the bottom 10 nations of the world, at number 161. This ranking is worse than the previous year when Iran ranked 141<sup>st</sup><sup>18</sup>. The newspaper *The Independent* commented on this ranking, characterizing Iran as “one of the world’s most crookedly run countries,” and attributes the fall in rankings to negative international perceptions over the recent elections, and widespread allegations of election rigging.<sup>19</sup>

#### **7. Is there any information on a Natanz University protest on 8 March 2007?**

There is no information on the above protest from available sources. While it is possible that the protest did not take place, in Iran popular protests are deliberately under reported in the press, or even prohibited from publication. Furthermore, a small human rights protest, which did not result in physical damage or mass arrests, is less likely to be reported in any medium due to Iranian government restrictions on press.

#### **8. Is there any information on harassment of activists for distributing Maryam speeches or supporting Maryam? Would this information be readily available on the internet?**

No information was found reporting harassment of activists for specifically distributing Maryam speeches; however, any activities supporting Maryam’s goals, the MEK, or supporting anti-regime organizations, is against the law and vigorously suppressed by government authorities. A 2008 Danish fact finding mission reports that criminal laws specify up to ten years imprisonment for handing out MEK propaganda.<sup>20</sup> Iranian government controls are not able to block internet access to all MEK materials, including Maryam speeches, and supporters risk fines and other penalties for possessing these items.

Speeches by PMOI leader Maryam are widely available on the web through numerous sites. These sites include pro-MEK sites, biographical sites, news organizations, blogs, video clips, etc. Many pro-MEK websites report frequent harassment of reformists, human rights workers, and political activists by security forces in Iran. Many websites allege that heavy-handed Iranian government crackdowns during the 2009 elections included mock trials, arbitrary arrests and detentions, disappearances, and several death sentences handed down for MEK supporters and other political opposition activists.

The Iranian government filters, blocks, and otherwise limits citizen access to thousands, and possibly millions, of web sites containing material advocating political reform or challenging the current regime. The government employs an extensive body of laws, licensing agreements, and other regulatory mechanisms to restrict access to any sites deemed to be anti-government, anti-Islamic, and immoral. Pro-MEK websites, Maryam speech material, and political activist websites are vigorously blocked and filtered though it is not possible to block

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<sup>18</sup> ‘Corruption Perceptions Index 2009’ Transparency International website, – Accessed 30 November 2009 [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009/cpi\\_2009\\_table](http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table) – Accessed 27 November 2009 – Attachment 16

<sup>19</sup> Bland, A. 2009, Iran drops in corruption list amid calls for new urgency in the West’, *The Independent World*, 18 November- <http://www.independent.co.uk/news/world/middle-east/iran-drops-in-corruption-list-amid-calls-for-new-urgency-in-the-west-1822418.html> – Accessed 1 December 2009 – [Attachment 17](#)

<sup>20</sup> Danish Refugee Council, Danish Immigration Service 2009, *Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc. Fact finding mission to Iran 24th August – 2nd September 2008*, Danish Immigration Service website, April, p.16 [http://www.nyidanmark.dk/NR/rdonlyres/90D772D5-F2DA-45BE-9DBB-87E00CD0EB83/0/iran\\_report\\_final.pdf](http://www.nyidanmark.dk/NR/rdonlyres/90D772D5-F2DA-45BE-9DBB-87E00CD0EB83/0/iran_report_final.pdf) – Accessed 27 November 2009 – Attachment 14

all user access. Individuals accessing prohibited sites and content risk investigation by government authorities.<sup>21</sup>

## **9. Would a known activist be able to obtain a passport and leave the country freely?**

A known activist may have trouble obtaining a passport and leaving the country depending on their notoriety, police history, government records, and level of involvement in past and current activities restricted by the government. Lesser known activists, and those without a record, are not as likely to run into restrictions.

A Danish fact finding mission in 2008 found that the government has wide and undefined discretion in denying permission for individuals to leave the country. The mission interviewed Said Hamid Sajdrabi, in charge of passport border control at Imam Khomeini International Airport, Immigration Police, who stated that someone can be denied exit for “outstanding issues with the government” – not further defined, but presumed to include dissident activities at a level unacceptable to the government:

Sajdrabi informed that permission to leave Iran might be revoked in cases where the authorities find it necessary. This may be because a person has outstanding issues with the government or other reasons that may lead to the authorities revoking the permission. When asked, Sajdrabi did not specify the “other reasons”. Hence, a person may not be allowed to leave even though he or she has permission to do so.

Another source from the same fact finding mission confirmed the existence of list of people who are barred from leaving Iran for “relevant reasons”. It is reasonable to assume that high profile dissidents may be included on this list.

Mirfakhar confirmed that there is a list in the airport with names of people who cannot leave Iran. The people on the list have committed crimes and for this or other relevant reasons they are not allowed to leave the country. The other relevant reasons vary depending on the specific case. If a person on the list has already left Iran, the person may face problems on return. The seriousness of the problems depends on the crime that caused the person to appear on the list.<sup>22</sup>

All citizens wishing to leave Iran are required to obtain exit permits and there are several instances in which high profile activists have been denied permission to leave to attend human rights conferences, or even banned from foreign travel for a period of time. Low level sympathizers and students, who may have participated in political protests, are less likely to have trouble leaving the country, but the possibility cannot be ruled out, especially if there is a record of arrest or detention by authorities that may come to light. Some former members of the MEK, who have renounced their membership and former activities, have been successfully repatriated to Iran; however, their past activities leave them vulnerable to harassment, prosecution, and civil actions by individuals with personal grievances against former members.

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<sup>21</sup> RRT Research & Information 2008, Research Response IRN33389, 29 May – Attachment 18

<sup>22</sup> Danish Refugee Council, Danish Immigration Service 2009, *Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc. Fact finding mission to Iran 24th August – 2nd September 2008*, Danish Immigration Service website, April, p.16 Section 7.2 and 7.3 ([http://www.nyidanmark.dk/NR/rdonlyres/90D772D5-F2DA-45BE-9DBB-87E00CD0EB83/0/iran\\_report\\_final.pdf](http://www.nyidanmark.dk/NR/rdonlyres/90D772D5-F2DA-45BE-9DBB-87E00CD0EB83/0/iran_report_final.pdf) – Accessed 27 November 2009 – Attachment 14



The US Department of State 2008 report on human rights practices in Iran indicates that the Iranian government placed some restrictions on freedom of movement. According to the report:

The government required exit permits for foreign travel for all citizens. Some citizens, particularly those whose skills were in short supply and who were educated at government expense, had to post bond to obtain an exit permit. The government restricted the foreign travel of some religious leaders and individual members of religious minorities and scientists in sensitive fields, and it targeted journalists, academics, and activists for travel bans and passport confiscation.

On March 3, authorities removed human rights activist Parvin Ardalan from her flight, confiscated her passport, and served her with a court summons as she was leaving the country for Stockholm to receive a humanitarian award, according to Human Rights First. Authorities told her she must present invitations to conferences abroad as a precondition for the removal of her travel ban, although the law does not require individuals to seek prior permission to travel.<sup>23</sup>

Human Rights Watch in their 2009 Annual Report, notes increased government restrictions and pressure on foreign travel for high profile activists seeking to attend international forums and conferences. The report describes how the Iranian government uses government-controlled media channels to publicly warn dissidents against participating in public events overseas, and also uses political pressures on foreign governments to cancel conferences which have invited Iranian human rights activists.<sup>24</sup> In the Human Rights Watch 2007 Annual report, the Iranian government is accused of confiscating passports of activists and journalists attempting to attend international conferences, and in some cases detaining and interrogating activists as they return from overseas events.<sup>25</sup>

**10. Is there any information on geography of Eshfahan that may be relevant, for example the demographics there, or would there be less harassment in another part of Iran?**

There is no information available indicating that geographical location or demographics in Iran would alter the incidence of harassment or other pressures experienced by MEK members.

Esfahan, aka Isfahan, the capital of Esfahan Province, is located approximately 340 km south of Tehran. Esfahan city's population is 1.6 million and its metropolitan population is 3.4 million, making it the second largest metropolitan area in Iran, after Tehran. Of note, the areas of Esfahan and Natanz have recently been featured in many news reports regarding Iran's intentions with its nuclear development program. A uranium conversion plant is located in Esfahan and a uranium enrichment facility is located in Natanz.<sup>26</sup>

**11. Is there information on treatment of failed asylum seekers returning to Iran?**

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<sup>23</sup> US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – Iran*, February 25 <http://www.state.gov/g/drl/rls/hrrpt/2008/nea/119115.htm> – Accessed 4 December 2009 – Attachment 8

<sup>24</sup> Human Rights Watch 2009, 'World Report 2009', HRW website, 2009 <http://www.hrw.org/world-report-2009> – Accessed 4 December 2009 – Attachment 11

<sup>25</sup> Human Rights Watch 2007, 'Iran: Activists Barred From Traveling Abroad', Human Rights Watch website, 8 February. <http://hrw.org/english/docs/2007/02/08/iran15283.htm> – Accessed 27 April 2007 – Attachment 19

<sup>26</sup> 'Iran – concealed nuclear facility' 2009, BBC News, 25 November <http://news.bbc.co.uk/2/hi/8274903.stm> – Accessed 1 December 2009 – Attachment 20

While some failed asylum seekers have reportedly returned to Iran without experiencing significant problems, the treatment of returnees is unpredictable. Citizens who have a personal grievance against a returnee are also considered capable of engaging authorities and using security apparatus to harass and prosecute returnees. In a 2008 fact-finding mission to Iran, the Danish Refugee Council reports:

Several sources explained that while sympathisers and even former members of the MKO in many cases can return to Iran without facing problems, as many will be covered by the amnesty announced by President Khatami in 2003, it is not possible to conclude that all returnees will not face problems. Many sources pointed to the fact that prosecution and persecution of returnees does not depend solely on the acts committed by the returnee. The arbitrariness in the Iranian judicial system and the need of private people to settle personal scores leaves no room for certainty as to the safety of the returnee.<sup>27</sup>

It is important to note that the amnesty program does not apply to high profile MEK members, the program was announced prior to President Ahmadinejad's term and he does not recognize the program, and the amnesty is not codified in any law or regulation,<sup>28</sup> leaving former members vulnerable to many vagaries.

Former MEK members, even if they have renounced their prior activities, still face a sense of distrust and sometimes outright disdain from other citizens and authorities for their association with a group considered by some to be violent and engaged in treasonous acts. Human Rights Watch reported in 2007:

Even though the MKO has a worldwide network of members and supporters, it is an unpopular organisation among many Iranians because of its armed struggle against Iran during the past 30 years. This struggle has led to the losses of many official and civilian lives. The MKO has conducted several bombing campaigns and other violent attacks in Iran and other countries and fought on Iraq's side in the 1980-1988 Iran-Iraq war, where MKO fighters were used in suicidal, mass wave attacks against Iranian forces. Even though the activities of many individual MKO members may be minor, MKO members are considered traitors by many Iranians.<sup>29</sup>

The UK Home Office's April 2009 'Country of Origin Information report – Iran', notes that in most cases there is no evidence that returned asylum seekers or failed claimants, who have exited Iran illegally, face any significant problems upon return to Iran. However, high-profile activists and those advocating the violent overthrow of the government, such as MEK members, may face undefined difficulties:

The only exception to this, he stated, might be persons who are extremely critical and/or advocate the overthrow of the government through the use of force; he named the Mujahedin-e-Khalq Organization as an example. The representative stated that family members of these persons could face difficulties leaving the country, but added that the son of Massoud Rajavi,

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<sup>27</sup> Danish Refugee Council, Danish Immigration Service 2009, *Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc. Fact finding mission to Iran 24th August – 2nd September 2008*, Danish Immigration Service website, April, p.16 [http://www.nyidanmark.dk/NR/rdonlyres/90D772D5-F2DA-45BE-9DBB-87E00CD0EB83/0/iran\\_report\\_final.pdf](http://www.nyidanmark.dk/NR/rdonlyres/90D772D5-F2DA-45BE-9DBB-87E00CD0EB83/0/iran_report_final.pdf) – Accessed 27 November 2009 – Attachment 14.

<sup>28</sup> Ibid, p. 17.

<sup>29</sup> Human Rights Watch 2007, 'Iran: Activists Barred From Traveling Abroad', Human Rights Watch website, 8 February. <http://hrw.org/english/docs/2007/02/08/iran15283.htm> – Accessed 27 April 2007 – Attachment 19

the leader of the Mujahedin, lives in Iran and goes to university there. And also ...that relatives of high profile refugee claimants outside Iran could face some difficulties.<sup>30</sup>

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<sup>30</sup> UK Border Agency 2009, 'Country of origin information report: Iran', UK Home Office website, 21 April Section 27.13 <http://www.homeoffice.gov.uk/rds/pdfs09/iran-220409.doc> – Accessed 30 November 2009 – Attachment 3

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