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Ministry of Immigration  
and Integration

The Danish  
Immigration Service

## IRAN

### *Issues concerning persons of ethnic minorities, Kurds and Ahwazi Arabs*

Joint report from the Danish Immigration Service and The Danish Refugee Council based on interviews in Tehran, Iran, Ankara, Turkey and London, United Kingdom, 9 September to 16 September 2017 and 2 October to 3 October 2017

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## Disclaimer

This report was written according to the EASO COI Report Methodology.<sup>1</sup> The report is based on approved notes from meetings with carefully selected sources. Statements from sources are used in the report and all statements are referenced.

This report is not, and does not purport to be, a detailed or comprehensive survey of all aspects of the issues addressed in the report and should be weighed against other available country of origin information on issues concerning the Kurdish and Ahwazi Arab ethnic minorities, including presence and activities of the Iranian authorities in the Kurdish area in Iran and in Khuzestan, prevalence of family members of former or current Kurdish and Ahwazi activists being targeted by the authorities and persecution of former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period.

The report at hand does not include any policy recommendations or analysis. The information in the report does not necessarily reflect the opinion of the Danish Immigration Service or the Danish Refugee Council.

Furthermore, this report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

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<sup>1</sup> European Union: European Asylum Support Office (EASO), EASO Country of Origin Information report methodology, 10 July 2012. <http://www.refworld.org/docid/4ffc33d32.html>

## Methodology

The report at hand is a product of a joint mission conducted by the Country of Origin Information Division, Danish Immigration Service (DIS) and the Danish Refugee Council (DRC) to Tehran, Iran and Ankara, Turkey, from 9 September to 16 September 2017 and a follow-up visit to London, Great Britain from 2 October to 3 October 2017.

The purpose of the mission was to collect updated information on five issues recurring in cases regarding Iranian asylum seekers in Denmark:

- Judicial issues
- Relations outside of marriage in Iran and marriages without the accept of the family
- Issues concerning persons of ethnic minorities, (Kurds and Ahwazi Arabs)
- House churches and converts
- Recruitment to the war in Syria.

The present report focuses on issues concerning the Kurdish and Ahwazi Arab ethnic minorities, including presence and activities of the Iranian authorities in the Kurdish area in Iran and in Khuzestan, prevalence of family members of former or current Kurdish and Ahwazi activists being targeted by the authorities and persecution of former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period. The findings regarding the four other issues are reported in separate reports.

The terms of reference (TOR) for the mission were drawn up jointly by DIS and DRC, in consultation with the Danish Refugee Appeals Board as well as an advisory group on COI ("Referencegruppen").<sup>2</sup> The terms of reference are included at the end of the report (Annex C).

In the scope of compiling this report, the delegation consulted eight sources in Tehran, comprising representatives from the Iranian authorities, diplomatic representations, an international organisation as well as an analyst. The Danish Embassy in Tehran provided valuable assistance in identifying some of the interlocutors based in Tehran relevant to the terms of reference, and provided also assistance during the mission to Tehran, where an official from the embassy also participated in the meetings held in Tehran. Due to the limited access to sources in Iran, the delegation also sought to consult four sources outside of Iran, these being a consulting agency and an international organisation based in London, an academic based in Copenhagen and finally an anonymous source based in Ankara.

Many of the sources consulted emphasized that it is difficult to gain insight into the situation in both the Kurdish and Ahwazi Arabs areas in Iran as access to these areas for many is restricted by the Iranian authorities. As a result, limited reporting proved feasible when it comes to the situation of the Kurds and Ahwazi Arabs.

The sources interviewed were selected by the delegation based on their expertise, merit and experience relevant to the mission.

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<sup>2</sup> The group consists of Danish Refugee Council, Amnesty International in Denmark, Danish Institute for Human Rights, Dignity, representatives of two Christian organizations ("Europamissionen" and "Åbne Døre"), the National Commissioner of Police and the Danish Bar and Law Society (representing asylum lawyers).

The sources consulted during the mission to Tehran, Ankara and London, are listed in Annex A and all interviews were conducted in English.

The sources were asked how reference might be made in the report. Most sources requested varying degree of anonymity for the sake of discretion and upholding tolerable working conditions. All sources are referred in the report according to their own request.

The interlocutors were informed about the purpose of the mission and the fact that their statements would be included in a public report. The notes from the meetings with the sources were forwarded to them for approval and amendment, allowing the opportunity to offer corrections of their statements. All sources, except one,<sup>3</sup> have approved their statements. The source whose statements have not been approved did not revert with an answer before the report's finalisation, despite having been contacted several times. These notes have been included in the report in the forwarded form.

Two diplomatic sources consulted in Tehran provided background information to the report, but the notes from these meetings have not been included in the report, in accordance with the sources. In addition, the delegation met with the National Institute of Population Research in Iran which provided background information not directly linked to the TOR. Finally, the delegation paid a courtesy visit to the department for consular affairs in the Iranian Ministry of Foreign Affairs. Records from these two meetings are not included, either.

The report is a synthesis of the sources' statements, and does thus not include all details and nuances of each statement. In the report, care has been taken to present views of the sources as accurately and transparently as possible. All sources' statements relevant for the topic of the report have been extracted from the full meeting note with each of the particular sources and incorporated into the report and are found in Annex B of this report.

Paragraphs in the meeting notes in Annex B have been given consecutive numbers, which are used in the report when referring to the statements of the sources in the footnotes. The intention hereby is to make it easier to find the exact place of a statement in each note.

The research and editing of this report was finalised by the beginning of January 2018.

The report is available on the websites of DIS, <https://www.nyidanmark.dk/da/Ord-og-begreber/US/Asyl/Landerappporter/> and DRC, <https://flygtning.dk/nyheder-og-fakta/publikationer/rapporter> and thus available to all stakeholders in the refugee status determination process as well as to the general public.

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<sup>3</sup> Deputy Director General of the High Council for Human Rights and Judicial Cooperation

# 1. Issues concerning persons of ethnic minorities, Kurds and Ahwazi Arabs

## 1.1 Kurds

### 1.1.1. Presence and activities of the Iranian authorities in the Kurdish areas in Iran

The Iranian authorities have military presence in the Kurdish areas.<sup>4</sup> The military presence is not always visible. Sometimes the military does not appear as ordinary military but in plain clothes. Civil guards may also be connected to the military.<sup>5</sup> The presence of the authorities is also in terms of intelligence.<sup>6</sup> The surveillance conducted in the Kurdish areas is not systematic, but structured, and it is not random but targeted, an associate professor stated.<sup>7</sup>

The presence of the authorities in the Kurdish areas has increased lately.<sup>8</sup> The expansion is caused by the presumed increased extremism among Kurds, one source explained.<sup>9</sup> The Iraqi Kurdistan independence referendum of 25 September 2017 was also mentioned by another source as a cause.<sup>10</sup>

### 1.1.2. Kurds being targeted by the authorities

Kurds asserting their ethnic and religious identity are a target,<sup>11</sup> as well as Kurds engaging in or associated with political activities.<sup>12</sup> Further, Kurds promoting or perceived to be promoting separatism are also a target.<sup>13</sup> Families, individuals or tribes who are affiliated with women rights are also a target.<sup>14</sup>

A Western embassy (4) noted that there is no persecution of Kurds solely because of their ethnicity in Iran.<sup>15</sup> Another Western embassy (3) mentioned that according to the Iranian laws, Kurds in Iran enjoy the same rights as other Iranian citizens;<sup>16</sup> even though both embassies said that Kurds may be oppressed.<sup>17</sup> Middle East Consultancy Services added that arbitrary detainment occurs.<sup>18</sup>

The authorities may interfere in cultural activities conducted in the Kurdish areas, but it is difficult to point out when the red line is crossed and why the authorities intervene.<sup>19</sup> An associate professor explained that it depends on time and event.<sup>20</sup> Further, activities framed as Kurdish are regarded with suspicion,<sup>21</sup> Middle

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<sup>4</sup> An associate professor: 55; Amnesty International: 18; Middle East Consultancy Services: 94; a Western embassy (4): 17

<sup>5</sup> An associate professor: 56

<sup>6</sup> Amnesty International: 18; an associate professor: 55; an anonymous source: 34

<sup>7</sup> An associate professor: 60

<sup>8</sup> Amnesty International: 18; an associate professor: 58; a Western embassy (4): 15

<sup>9</sup> An associate professor: 58

<sup>10</sup> Amnesty International: 18

<sup>11</sup> An associate professor: 59; Middle East Consultancy Services: 95

<sup>12</sup> An anonymous source: 34; Middle East Consultancy Services: 95; an associate professor: 59; a Western embassy (4): 16

<sup>13</sup> An associate professor: 59; an anonymous source: 34; a Western embassy (3): 7

<sup>14</sup> An associate professor: 59

<sup>15</sup> A Western embassy (4): 16

<sup>16</sup> A Western embassy (3): 5

<sup>17</sup> A Western embassy (4): 16; A Western embassy (3): 5

<sup>18</sup> Middle East Consultancy Services: 95

<sup>19</sup> Amnesty International: 19; an associate professor: 62

<sup>20</sup> An associate professor: 62

East Consultancy Services stated that Iranian Kurds are free to celebrate cultural occasions such as Norooz. However, cultural events becoming political are an issue<sup>22</sup> Middle East Consultancy Services mentioned as examples shouting political statements or carrying political iconography during the celebrations.<sup>23</sup>

Other activities that may trigger the attention of the authorities are gatherings of more than a few people. The authorities might interrogate the gathered people and arrest or question them without further prosecution, or with subsequent prosecution. This type of interference is intended to discourage people from gathering and to send a signal that the authorities are keeping individuals and groups under surveillance, Amnesty International said.<sup>24</sup>

Furthermore, it is reasonable to assume that people active on the social media are under some kind of monitoring by the authorities, an associate professor noted.<sup>25</sup>

As regards trial cases related to Kurdish activists, Middle East Consultancy Services noted that in 2016, dozens of Kurds were reportedly arrested without warrant for suspected affiliations with the Democratic Party of Iranian Kurdistan, KDPI.<sup>26</sup> The source referred to Amnesty International reporting on Kurds serving prison sentences or awaiting execution for having a membership of banned Kurdish opposition groups or being sympathetic with such groups.<sup>27</sup> The source added that KDPI, PJAK and Komala are actively underground; they do not exist as armed groups, but as political groups.<sup>28</sup> An associate professor said that there used to be much attention on PJAK, but the source did not have updated information on, who the authorities typically target. The parties PJAK and Komala do appear less active today.<sup>29</sup>

A person will not be punished for just one activity; however, the punishment always depends on the type of activity. A continuation of political activities will result in an accusation, one source mentioned. However, it all depends on the political agenda. The source informed the delegation that it had never heard about a Kurdish political activist being accused for only one low level political activity such as distribution of leaflets etc.<sup>30</sup> On the other hand Middle East Consultancy Services stated that if the authorities find a person with political material, or find a person drawing political slogans on a wall, that person would be arrested.<sup>31</sup>

If a Kurd has performed political activities in Europe, as for instance being critical about political freedom in Iran in a blog or in another online media, or if the person has provided information to foreign media, it would have significance when returning to Iran. However, the severity of the problem that this person

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<sup>21</sup> An associate professor: 62

<sup>22</sup> Middle East Consultancy Services: 95

<sup>23</sup> Middle East Consultancy Services: 95

<sup>24</sup> Amnesty International: 20

<sup>25</sup> An associate professor: 59

<sup>26</sup> Middle East Consultancy Services: 98

<sup>27</sup> Amnesty International, 'Iran: 2016/2017', <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iran/report-iran/>

<sup>28</sup> Middle East Consultancy Services: 96

<sup>29</sup> An associate professor: 66

<sup>30</sup> An Anonymous source: 34, 37,38

<sup>31</sup> Middle East Consultancy Services: 95

might face by the authorities would depend on the content and scope of activities abroad, as well as the person's level of activism upon return to Iran, a source said.<sup>32</sup>

### 1.1.3. Prevalence of family members of former or current Kurdish activists being targeted by the authorities

The Iranian law prescribes that only the person who has been involved in a crime may be held responsible.<sup>33</sup> There is no 'kin liability' (or Sippenhaft)<sup>34</sup>, and collective punishment (kin punishment) is absent, a source informed the delegation.<sup>35</sup>

An associate professor said that it is not possible to confirm whether family members of former or current Kurdish activists with a political conflict will be targeted by the authorities, nor is it possible to tell if there is a systematic targeting of family members by the authorities. While one security agency can act systematically in this regard, another would not. In Iran, there are a number of different intelligence services; those affiliated with the Ministry of Interior, those affiliated with the military and those affiliated with the Revolutionary Guard. Furthermore, the intelligence agencies play different roles and follow different chains of command.<sup>36</sup> Family members of former or current Kurdish activists will be monitored, but it depends on the profile of the active family member and the level of his/her political activities.<sup>37</sup> Furthermore, if a Kurd is not politically active and does not have a politically active family member with a significant profile, it is less probable that he/she would be targeted.<sup>38</sup>

Descendants of politically active parents, who have not participated in political activities opposing the official line, will in principle not face any risk, a Western embassy (3) stated.<sup>39</sup> Another source noted on the contrary that descendants of Kurdish activists may risk surveillance because of their parents' activities.<sup>40</sup> According to Amnesty International, whether descendants of Kurdish activists are a target for the authorities depends on the profile of the parents, how well-known the parents' activities are, and what the parents have been advocating.<sup>41</sup>

Some local Sunni-Muslim sheikhs are also a target and recently, they have been accused of Wahhabi and Islamic State propaganda by the authorities.

In general, it cannot be ruled out that conflicts related to religious activities will be inherited from generation to generation.<sup>42</sup>

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<sup>32</sup> An anonymous source: 39

<sup>33</sup> An anonymous analyst: 33; a Western embassy (3): 9

<sup>34</sup> "Sippenhaft" means liability of a family for the crimes of one of its members. (Institut für Rechtspolitik an der Universität Trier, Krey, Volker et. al., "Interrogational Torture in Criminal Proceedings – Reflections on Legal History" – Volume I, 2014, page 17, [https://www.uni-trier.de/fileadmin/fb5/inst/IRP/Rechtspolitisches\\_Forum/68\\_Krey\\_EBook\\_gesch%C3%BCtzt.pdf](https://www.uni-trier.de/fileadmin/fb5/inst/IRP/Rechtspolitisches_Forum/68_Krey_EBook_gesch%C3%BCtzt.pdf))

<sup>35</sup> An anonymous analyst: 33

<sup>36</sup> An associate professor: 65

<sup>37</sup> An anonymous source: 40

<sup>38</sup> An anonymous source: 35

<sup>39</sup> A Western embassy (3): 7

<sup>40</sup> An anonymous source: 41

<sup>41</sup> Amnesty International: 23

<sup>42</sup> An associate professor: 59, 60



One source pointed out that the authorities may make investigations on persons whose family members have strong links with former prominent Kurdish activists. Sometimes the interrogation will take place to intimidate people and sometimes it will be to get specific information. If the person interrogated is not high profiled, he/she will probably be warned and released, but still monitored to see whom he/she meets with.<sup>43</sup>

#### **1.1.4. Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/or their family members**

Several sources informed the delegation that they did not have certain information about former Iranian refugees of Northern Iraq.<sup>44</sup>

Officially, former Iranian refugees of Northern Iraq can return to Iran.<sup>45</sup>

Official requirements for returning to Iran after having stayed in Northern Iraq include holding Iranian identity documents.<sup>46</sup> If former Iranian refugees of Northern Iraq do not hold Iranian Id-documents, they can apply for them.<sup>47</sup> According to one source, those who return must return with the official approval of the Iranian state. Returning is negotiated with authorities on a case by case basis.<sup>48</sup>

When it comes to the actual return of Iranian refugees from Northern Iraq, Middle East Consultancy Services explained that the refugees can be divided into two categories: the post-2010 refugees, reported as often crossing the border secretly to see family and celebrate special occasions, and persons from the initial wave of Iranian refugees who fled to Northern Iraq; no evidence has been provided of this group returning to Iran.<sup>49</sup> Further, the source said that it has not come across any case of the return of descendants of former politically active parents to Iran.<sup>50</sup> Another source stated that around 2004, the Iranian authorities allowed the return of some former Iranian refugees. However, upon arrival they were immediately arrested, questioned and afterwards they had difficulties in establishing a life in Iran; as a result some of them returned to Northern Iraq. The source said this was the last mass return from Northern Iraq to Iran, it is informed about.<sup>51</sup> A Western embassy (3) noted that there have been returns to Iran of descendants of former politically active Iranian Kurdish parents, but the embassy did not have statistic on returns from Northern Iraq.<sup>52</sup> Amnesty International did not have information about permanent

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<sup>43</sup> An Anonymous source: 34, 37, 38

<sup>44</sup> An associate professor: 54; International Organization for Migration: 90; a Western embassy (4): 10; an anonymous source: 46, a Western embassy (1): 2

<sup>45</sup> A Western embassy (4): 15; Middle East Consultancy Services: 100; International Organization for Migration: 90; Deputy Director General, General Directorate of Human Rights and Women, Ministry of Foreign Affairs, Iran : 76; Dep. Director General of the High Council for Human Rights and Judicial Cooperation: 82

<sup>46</sup> An anonymous analyst: 31; International Organization for Migration: 90; a Western embassy (3): 9; Dep. Director General of the High Council for Human Rights and Judicial Cooperation: 82

<sup>47</sup> International Organization for Migration: 89; Western Embassy (3): 9

<sup>48</sup> An anonymous analyst: 31

<sup>49</sup> Middle East Consultancy Services: 101

<sup>50</sup> Middle East Consultancy Services: 101

<sup>51</sup> An anonymous source: 42

<sup>52</sup> A Western embassy (3): 10

return from Northern Iraq, but it was aware of people crossing the borders on a regular basis.<sup>53</sup> Other sources noted that illegal border crossings are quite prevalent.<sup>54</sup>

Iranian returnees from Northern Iraq who are not actively supporting Kurdish opposition parties like KDPI and Komala would not directly be targeted by the authorities upon return to Iran, according to two sources.<sup>55</sup> However, they might be questioned about their lives in Northern Iraq, an anonymous source noted. The case differs when it comes to returnees who have carried weapons and politically active persons, who risk persecution if returning to Iran.<sup>56</sup> Amnesty International said that returning from Northern Iraq might be problematic as staying in one of the Kurdish camps in Northern Iraq could be considered as affiliation with the Kurdish opposition parties.<sup>57</sup> A Western embassy (3) noted that it is unknown how Iranian Kurdish refugees returning from Iraq are treated by Iranian authorities upon return, but the source assumed that there might be difference in how these people will be received.<sup>58</sup> A Western embassy (4) noted that it does not play a role whether it is 20 years ago the former Iranian refugees have been politically active or two weeks ago; they will risk persecution by the authorities upon return to Iran.<sup>59</sup>

Descendants of former politically active Iranian Kurdish parents do not necessarily risk persecution upon return to Iran.<sup>60</sup> Whether a returned descendant would be persecuted upon return to Iran depends on the parents' profile and how well-known their activities are.<sup>61</sup> A source stated that they might risk being questioned by the authorities, but if they can prove they are not politically active and that they have not been involved in armed activities nothing will happen.<sup>62</sup>

## 1.2 Ahwazi Arabs

### 1.2.1. Presence and activities of the Iranian authorities in Khuzestan and other places where Ahwazi Arabs live

The Revolutionary Guard as well as the Ministry of Intelligence<sup>63</sup> are conducting activities in Khuzestan and other places where Ahwazi Arabs live.<sup>64</sup> However, the authorities' presence is lesser than in the Kurdish areas, two sources highlighted.<sup>65</sup>

### 1.2.2. Ahwazi Arabs being targeted by the authorities

For Iranian authorities, the red line is crossed when activities conducted by Ahwazi Arabs are interpreted as separatist.<sup>66</sup> A source added that long prison sentences will be issued in cases related to separatist

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<sup>53</sup> Amnesty International: 24

<sup>54</sup> A Western embassy (3): 9; Amnesty International: 24; an anonymous analyst: 32

<sup>55</sup> An anonymous source: 43; an anonymous analyst: 32

<sup>56</sup> An anonymous analyst: 32; a Western embassy (4): 15

<sup>57</sup> Amnesty International: 24

<sup>58</sup> A Western embassy (3): 10

<sup>59</sup> A Western embassy (4): 15

<sup>60</sup> A Western embassy (3): 9; Middle East Consultancy Services: 103

<sup>61</sup> Middle East Consultancy Services: 103; a Western embassy (1): 1

<sup>62</sup> A Western embassy (3): 9

<sup>63</sup> Amnesty International: 25

<sup>64</sup> Amnesty International: 25; an associate professor: 68

<sup>65</sup> An associate professor: 68; an anonymous source: 48

<sup>66</sup> An associate professor: 68; a Western embassy (3): 13; Amnesty International: 27

activities.<sup>67</sup> Two sources explained that the Iranian government accepts the Ahwazi Arabs' culture.<sup>68</sup> Based on anecdotal evidence, an associate professor informed the delegation that different activities including cultural, social and political are accepted for all ages, but it depends on how they are framed. Some of the local tribal leaders in Khuzestan and other places where Ahwazi Arabs live have been successfully elected to the local councils, and they have even been much outspoken.<sup>69</sup>

Ahwazi Arab journalists may be in the authorities' spotlight,<sup>70</sup> as well as activists advocating for Ahwazi Arabs' minority rights.<sup>71</sup> Further, Ahwazi Arabs conducting activities perceived as political may be on the authorities' radar.<sup>72</sup> Shiite Ahwazi converting to Sunni-Islam may also attract the authorities' attention.<sup>73</sup>

Ahwazi academics, activists working with Ahwazi history and authors writing in Arabic are under surveillance, a source said.<sup>74</sup> According to another source, the Arabic language is welcome in the Iranian establishment; as an example, the source highlighted the use of Arabic in the call to prayer. Further, most clerics and top leaders have Arabic language skills.<sup>75</sup>

A Western embassy (4) noted that the Ahwazi community has many grievances towards the Iranian state, and it has been quite vocal about it, especially the groups in exile. However, these grievances are not alive in the Iranian society.<sup>76</sup>

### **1.2.3. Prevalence of family members of former or current Ahwazi activists being targeted by the authorities**

Regarding family members of former or current Ahwazi activists being targeted by the authorities, a source said it is complicated; not all Ahwazi tribes are Arab nationalists and some are ethnically mixed. The targets will often be high profiled persons who are Ahwazi Arab ethnic activists.<sup>77</sup>

Ahwazi Arabs act within the extended family group, one source explained. The leader of the family group advises and leads. Activities conducted by Ahwazi Arabs are accepted, as long as they are kept within the community. Infiltration of the community by the authorities might be difficult, as the members of the community know each other. With that said, the source added, it can occur that a group becomes infiltrated by an internal person that has switched side and now works for the authorities.<sup>78</sup>

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<sup>67</sup> A Western embassy (3): 13

<sup>68</sup> An associate professor: 70; a Western embassy (3): 14

<sup>69</sup> An associate professor: 70

<sup>70</sup> An anonymous source: 50; Amnesty International: 27

<sup>71</sup> An associate professor: 72; Amnesty International: 27

<sup>72</sup> An anonymous source; 50; Amnesty International: 27

<sup>73</sup> An associate professor: 69; Amnesty International: 27

<sup>74</sup> An associate professor: 68

<sup>75</sup> A Western embassy (3): 14

<sup>76</sup> A Western embassy (4): 17

<sup>77</sup> An associate professor: 72

<sup>78</sup> An anonymous source: 47

#### 1.2.4. Language skills

Language skills were addressed by several sources.<sup>79</sup> It might occur that Ahwazi Arabs who have not completed an education or have not attended an elementary school lack Persian language skills.<sup>80</sup> The same applies for Ahwazi Arabs living in the countryside.<sup>81</sup>

Amnesty International noted that the official language in Iran is Persian, and if Ahwazi Arabs do have contact with the authorities it must be in Persian. Furthermore, a person who does not speak Persian would not have access to the job market, and a whole host of other opportunities within the public sector.<sup>82</sup>

It is not uncommon to see Ahwazi Arabs who speak Persian, but do not read or write the Persian language. Usually, it is Ahwazi Arab women who lack Persian language skills. Typically, the men have more contact with the state institutions, and have served in the military, and need to speak Persian, one source said.<sup>83</sup>

An associate professor stated that Ahwazi Arabs returning to Iran will have to do some paperwork, but they will not be met with any requests related to language tests or similar; if the paperwork can be done, there will be not be any administrative reason to reject them, the source assumed.<sup>84</sup>

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<sup>79</sup> An associate professor: 73; an anonymous source: 52; Amnesty International: 28

<sup>80</sup> An associate professor: 73; an anonymous source: 52; Amnesty International: 28

<sup>81</sup> An associate professor: 73; an anonymous source: 52

<sup>82</sup> Amnesty International: 29

<sup>83</sup> An anonymous source: 52

<sup>84</sup> An associate professor: 73

## Annex A: Consulted sources

1. A Western embassy (1)
2. A Western embassy (2)
3. A Western embassy (3)
4. A Western embassy (4)
5. Amnesty International
6. An anonymous analyst
7. An anonymous source
8. An associate professor
9. Deputy Director General, General Directorate of Human Rights and Women, Ministry of Foreign Affairs, Iran
10. Deputy Director General of the High Council for Human Rights and Judicial Cooperation
11. International Organization for Migration
12. Middle East Consultancy Services

## Annex B: Meeting notes

### Meeting with a Western Embassy (1)

Tehran, 11 September 2017

#### Issues concerning persons of ethnic minorities, including Kurds and Ahwaz Arabs

**Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/or their family members**

1. The source assumed that descendants of former politically active parents would not be persecuted upon return to Iran; but it depends on the level of their parents' political activity, and if the family is well-known for political activities. The Western embassy (1) said, if they do not have blood on their hands, they may return.
2. The Western embassy (1) did not have information on concrete cases concerning returned former Iranian refugees. It is hard to say something general about the Kurds due to the diversity in the cases. Many have families in Iraq and some may have returned to Iran; the returnees will typically settle down in the Kurdish areas in Iran. Generally, there are not many Kurds, who would settle in non-Kurdish areas in the country.

### Meeting with a Western Embassy (2)

Tehran, 10 September 2017

#### Issues concerning persons of ethnic minorities, including Kurds and Ahwazi Arabs

##### Presence and activities of the Iranian authorities in the Kurdish areas in Iran

3. It is difficult to get information from the Kurdish areas as access by foreigners is restricted. On the surface, there is a lot of wealth (oil) but not for the general population. There are many environmental problems in the area. Protests are quickly dealt with by the local authorities. Rouhani was very active in the Kurdish areas during his election campaign and many Kurds voted for him.

**Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/or their family members**

4. The embassy had no information about the situation of former Iranian refugees of Northern Iraq and their possibilities to return to Iran.

## Meeting with a Western Embassy (3)

Tehran, 12 September 2017

### **Issues concerning persons of ethnic minorities, including Kurds and Ahwaz Arabs**

#### **Presence and activities of the Iranian authorities in the Kurdish areas in Iran**

5. According to the Iranian laws, the Kurds in Iran enjoy the same rights as other Iranian citizens. The Western embassy (3) stated the situation for Iranian Kurds is significantly better than the situation for Kurds in the region. With that said, ethnic and religious minorities in Iran might face obstacles; Kurds in Tehran are, for instance, not allowed to have their own mosque. There are, however, Sunni mosques in Kurdistan. Generally, the lack of Sunnis and ethnic minorities in the administration is problematic. Rouhani has given the Kurds a lot of promises during his latest election campaign, and some improvements have taken place. For instance, the teaching of the Kurdish language in universities and schools has been introduced.
6. After the terrorist attacks in Iran on 7 June 2017 in Tehran, the Iranian authorities have conducted a number of raids and arrests in several areas including Kurdistan, where many Kurds live. The authorities have cracked down on Islamic extremists, referring to Islamic State terrorism as a reason for the arrests. This crackdown was short lived, and the Iranian media have tried not to address the Kurdish nationality in this connection.

#### **Prevalence of family members of former or current Kurdish activists being targeted by the authorities**

7. The source said that Kurds with affiliation to the traditional separatist Kurdish parties, Komala, KDPI and PJAK which advocate separatism and anti-state activities, will be persecuted. With regard to persecution of descendants to politically active parents, the Western embassy (3) stated these descendants typically follow in their parent's footsteps. If someone is caught in a political gathering, he would be arrested because of this background. However, the source underlined that descendants to politically active parents, who have not participated in political activities opposing the official political line, in principle would not face any risk.
8. The election turnout in the latest Presidential election in 2017 was high among Kurds, which means that Kurds also feel a form of national identity.

#### **Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/or their family members**

9. According to the available information, the law does not prescribe that descendants of former politically active parents will be persecuted upon return to Iran. But that is what is on the paper; reality might differ. They might risk being questioned by the Iranian authorities, but if they can prove, they are not politically active and that they have not been involved in armed activities, nothing will happen. The Western embassy added if the descendants have been politically active, they might risk persecution. It is easy to cross the Iranian-Iraqi border without papers, and movements across the border, including

the smuggling of goods, happen frequently. If Iranian Kurds have their Id-documents, they will not face problems. If they are not holding any Id-documents, they can apply for them. In this connection, they risk being questioned by the Iranian authorities.

10. Regarding returned former Iranian refugees of Northern Iraq who have stayed in camps in Iraq, the Western embassy stated, the practice on this matter is unknown. There might be differences in how these people will be received. The Western embassy (3) informed there have been returns to Iran of descendants of former politically active Iranian Kurdish parents, but the source did not have statistic on returns from Northern Iraq. The source did not have further information on this matter.

#### **Presence and activities of the Iranian authorities in Khuzestan and other places where Ahwazi Arabs live**

11. The Western embassy (3) explained the environmental situation in Khuzestan is characterized by high pollution which makes the local inhabitants' daily life difficult; the water is undrinkable and there is a high prevalence of electricity shortage. Furthermore, Ahwazi Arabs in Khuzestan do not enjoy the benefits of the oil industry in the area. The source added there is a kind of disintegration in the area.
12. Ahwazi Arabs have participated at the front in the Iran-Iraq war, which indicate that they have felt a kind of national tie. Meanwhile, because of the difficult situation in Khuzestan, the Ahwazi Arabs are generally disappointed with their living conditions and are therefore more likely to become dissidents.
13. The source did not have information about recent trial cases involving Ahwazi Arabs, and added that long prison sentence will be issued in cases related to separatist activities.
14. Regarding the Ahwazi Arabs' culture and language, the Western embassy (3) stated it is very welcome in the Iranian establishment. Arabic is for instance the language used in the call to prayer. Most clerics and top leaders have Arabic language skills. The source did not have knowledge about anyone being arrested due to practicing the Arabic language, unless the person was connected to the separatist movement.

### **Meeting with a Western Embassy (4)**

Tehran, 12 September 2017

#### **Issues concerning persons of ethnic minorities, including Kurds and Ahwazi Arabs**

##### **Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/or their family members**

15. Regarding the situation for former Iranian refugees, who have lived for a longer period in Northern Iraq, and their possibility to return to Iran, it was explained that the official position of Iran is that these people can come back; the source added the same applies for Iranian exiles coming back to Iran after a while abroad. However, in practice it is assumed that the Iranian government will check on the



diaspora. There have not been any specific incidents, but the embassy found that people who requested asylum on this background should be cautioned to return. There are no legal obstacles for a return, but it could not be recommended. It does not play a role whether it is 20 years ago the former Iranian refugees have been politically active or two weeks ago; they will risk persecution by the authorities upon return to Iran. The space has shrunk for ethnic and religious minorities, and even more so for the Kurds. There are clashes in the border areas and several military operations. The Iranian government is very critical of the Kurdish independence referendum of 25 September 2017 in Northern Iraq, as it fears it could give aspirations for the Kurds in Iran. The embassy described it as an exile phenomenon; separatist trends inspiring Kurds in Iran.

16. The embassy had not heard of instances regarding family members of former or current Kurdish activists being targeted by the authorities. People who are politically active would be monitored, but this would not necessarily have any significance on a day to day basis. There is no persecution of Kurds solely because of their ethnicity in Iran even though some of them may be severely oppressed. However, there has been a change in the situation after the terrorist attack on Tehran in June 2017. There is now a shrinking space for politically active groups, especially in the border areas, and there are more military activities.

#### **Presence and activities of the Iranian authorities in Khuzestan and other places where Ahwazi Arabs live**

17. The Ahwazi community has many grievances towards the Iranian state, and it has been quite vocal about it, especially the groups in exile. However, these grievances are not alive in the Iranian society. Regarding the situation in Khuzestan, it is a border area which, similarly to the Kurdish area, has occasional military activities.

## **Meeting with Amnesty International**

London, 3 October 2017

### **Issues concerning persons of ethnic minorities, including Kurds and Ahwaz Arabs**

#### **Presence and activities of the Iranian authorities in the Kurdish areas in Iran**

18. Regarding the presence of the Iranian authorities in the Kurdish areas, Amnesty International stated the Ministry of Intelligence is present, and to some degree the Revolutionary Guard, too. The situation is different in Tehran, where the Revolutionary Guard is more present than the Ministry of Intelligence. The source added that the presence of police increased in Kurdistan in connection with the Iraqi Kurdistan independence referendum of 25 September 2017, due to rallies and gatherings held by people supporting the voting in the neighbouring country.
19. According to the source, even when peaceful cultural activities remain purely cultural without a political aspect to them, the authorities can decide to intervene, including intervening in the name of protecting Islam or public decency. Cultural rights of minorities are routinely violated, contrary to Iran's international obligations. Amnesty International added Iran is sensitive with regard to activities related

to separatism and autonomy, including peaceful activities; the source underscored, however, it is difficult to say when the line is crossed, and why the authorities interfere in specific activities.

20. Gatherings of more than a few people will trigger the authorities' attention. The authorities might further interrogate the gathered people and arrest or question them without further prosecution, or with subsequent prosecution. This type of interference is intended to discourage the ability to peacefully exercise the right to freedom of assembly, and to send a signal that the authorities are keeping individuals and groups under constant surveillance. Generally, people in Iran, and not only Kurds, know they might be monitored by the authorities.

21. The source assumed that more men than women were targeted by the authorities.

#### **Prevalence of family members of former or current Kurdish activists being targeted by the authorities**

22. Amnesty International highlighted a case from June 2017, where Ramin Hossein Panahi, member of the Kurdish party, Komala, was arrested after taking part in armed clashes with Iran's Revolutionary Guards in the city of Sanandaj, Kurdistan province, and was subsequently injured. His brother and three other relatives were afterwards arrested by the Revolutionary Guards. Information received by Amnesty International suggests that these four men, all relatives of Ramin Hossein Panahi, were not involved in the armed clashes, but were arrested due to their relation to him. The brother as well as one of the three is still in detention, and the last two were released on bail but charged; the whereabouts of Ramin Hossein Panahi are not known until late October 2017, when his mother was able to have a visit with him. Amnesty International underscored that this case is not just a case of political involvement, as Ramin Hossein Panahi is a member of the Komala armed opposition group and involved in violent clashes.

23. Regarding targeting descendants of Kurdish activists, Amnesty International stated it depends on the profile of the parents, how well-known their activities are, and it further depends on what the parents have been advocating. The source did not have information about cases where descendants of Kurdish activists have been targeted by the authorities.

#### **Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/or their family members**

24. According to Amnesty International, returning former Iranian refugees from the Northern Iraq to Iran might be problematic as staying in one of the Kurdish parties' camp in Northern Iraq could be considered as affiliation with these parties by the Iranian authorities. The source did not have information about permanent return from Northern Iraq, but stated it was aware of people crossing the borders on a regular basis; these crossings are quite prevalent, but usually they are illegal.

#### **Presence and activities of the Iranian authorities in Khuzestan and other places where Ahwazi Arabs live**

25. The Ministry of Intelligence and the Revolutionary Guard are present in Khuzestan. In general, the authorities are very sensitive to minorities seeking peacefully exercise their civil and political rights, as

well as their economic, social, and cultural rights. The source did not assume that the sensitivity has increased, but Iran has been influenced by the general situation in the wider Middle East region, and has, due to that, taken actions domestically.

26. According to the source, NGOs and activists based outside of Iran working with issues related to Ahwazi Arabs have sources in the region who can report on arrests and detentions, and other violations against the community. However, if a person gets arrested, it can be difficult to get information about the case after the arrest.
27. As regards whom the authorities target, the source informed that cultural activists, who are asserting their rights, including their rights to local resources, might be considered as political activists. Some of them are teachers or journalists or environmental activists, and some of them might be converted from Shia to Sunni Islam and therefore on the authorities' radar. Amnesty International underlined the organisation is not present in Khuzestan, and so makes determinations on whether activities taking place in the area are cultural or political, or both, on a case by case basis after conducting remote research. Intelligence and security forces frequently associate proponents of minority rights with "separatist currents", and accuse them of inciting tension to divide the nation and undermine Iran's territorial integrity. The Iranian government does not necessarily have an increased sensitivity towards the Ahwazis, but is more alerted to what is going on in the region, due to activities in the neighbouring countries.

#### **Prevalence of family members of former or current Ahwazi activists being targeted by the authorities**

28. It is possible that some Ahwazi Arabs do not speak Persian fluently or well, and the same lack of Persian language skills could also be found in other ethnic minority groups. Usually, Ahwazi Arabs with no Persian language skills have not been able to obtain an education. Further, formal education in minority languages (or mother tongue language) is for the most part not permitted by the state. Satellite televisions are illegal in Iran; however, they are widespread and Ahwazi Arabs have their own Arabic language satellite channels which they watch.
29. The official language in Iran is Persian, and if Ahwazi Arabs do have contact with the authorities it must be in Persian. Furthermore, a person who does not speak Persian would not have access to the job market, and a whole host of other opportunities within the public sector.

### **Meeting with an anonymous analyst**

Tehran, 10 September 2017

#### **Issues concerning persons of ethnic minorities, including Kurds and Ahwazi Arabs**

##### **Presence and activities of the Iranian authorities in the Kurdish areas in Iran**

30. Regarding the present situation in the Kurdish areas of Iran, the prejudice against the Kurds is much less in Iran compared to the situation in Turkey, and the Kurdish areas of Iran are considered much safer. However, the people are facing economic hardship due to unemployment, and the non-violent

local opposition by some circles of activists and militants could be rising especially after the “abortive” referendum for independence in Iraqi Kurdistan.

**Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/or their family members**

31. Regarding the possibility for former Iranian refugees of Northern Iraq to return to Iran after having lived in Northern Iraq for a longer period, the source explained that those who return must return with the official approval of the Iranian state, and they have to hold an Iranian ID card or otherwise be able to document their Iranian citizenship. Asked on which conditions such Kurds could return, the source said that it has to be negotiated with the Iranian authorities on a case by case basis. As sometimes safe conduct is negotiated and offered to those not guilty of blood crimes or active opposition against the Iranian state.
32. Asked if Kurds who have lived in camps known to be organized by the Kurdish opposition parties like KDPI and Komala in Iraq would be able to return, the source assumed that mere sympathy and not active support to these parties would probably not cause a problem. However, if it is a high-profile person, who is known to have carried weapons or known to have crossed the border illegally (on other than commercial purposes such as smuggling goods other than narcotics because mere illegal cross border transportation of goods would not give rise to that serious punishment and is somehow tolerated if the person crossing the border is lucky enough not to be shot at while attempting to cross the border illegally), the situation would be different. It is well known that the Iranian intelligence is present and well informed in Iraq, and a person who could become a trouble would not be let in. In case of return the governor of the province should issue a “laissez passer” to facilitate a legal crossing on the border.
33. Regarding the prevalence of family members of former or current Kurdish activists being targeted by the authorities, the source emphasized that according to Iranian law, there is no ‘kin liability’(or Sippenhaft) and collective punishment (kin punishment) is absent and only, the person who has been involved in a crime may be held responsible.

## **Meeting with an anonymous source**

Tehran, 15 September 2017

### **Issues concerning persons of ethnic minorities, including Kurds and Ahwaz Arabs**

#### **Presence and activities of the Iranian authorities in the Kurdish areas in Iran**

34. The source stated the Iranian General Security Forces do conduct surveillance in the Kurdish areas. The security forces do not only monitor activities and movements among the Kurdish activists but also their families. When the General Security Forces notice unusual movements, the involved persons will be summoned and interrogated. The source informed the General Security Forces might make investigations on persons whose family members have strong links with former prominent Kurdish

activists. The interrogation will be about affiliation with certain people, travel patterns through the border etc. Sometimes the interrogation will take place just to intimidate people and sometimes it will be to get specific information. If the person interrogated is not high profiled he will probably just be warned and released, but still monitored to see whom he meets with. A person will not be punished for just one activity; however, the punishment always depends on the type of activity. If the person is caught again in making opposition or separatist activities he could face harsh consequences and most likely be arrested. During the arrest the person could also be accused of other crimes that would humiliate him e.g. drugs placed in his house.

35. According to the source if a Kurd is not politically active and does not have a politically active family member with a significant profile, it is less probable that he/she might be targeted by the authorities. But if he/she has some other social or cultural activities, he/she might still attract the attention of the authorities.
36. The source stated if the accused Kurdish political activist continues his activities, he might be imprisoned for six months to three years. On the other hand, if he is a prominent political activist, he might risk being accused for espionage. Furthermore, there is no standard for accusation and punishment; it changes from court to court.
37. The source informed the delegation it had never heard about a Kurdish political activist being accused for only one low level political activity such as distribution of leaflets and etc. Usually the indictment includes more than one accusation.
38. A continuation of political activities will result in an accusation. The anonymous source underscored it all depends on the political agenda, i.e. before an election it would be more harsh.
39. If a Kurd has performed political activities in Europe, as for instance written critical things about the political freedom in Iran in a blog or in another online media, or if the person has provided information to foreign media, it would have significance. However, the severity of the problem that this person might face by the authorities would also depend on the content and scope of activities abroad, as well as his level of activism upon return to Iran.

#### **Prevalence of family members of former or current Kurdish activists being targeted by the authorities**

40. The source stated family members of former or current prominent Kurdish activists will always be monitored by the Iranian authorities, but it all depends on the profile of the active family member and the level of his/her political activities.
41. Regarding descendants of Kurdish activists, the source informed they might risk surveillance because of their parents' activities. The source stated the authorities have a quite well-established system with strong records on families in generations, especially on Kurds.

**Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/or their family members**

42. Regarding former Iranian refugees of Northern Iraq, the source informed the delegation that around 2004, the Iranian authorities allowed the return of some former Iranian refugees. However, upon arrival they were immediately arrested, questioned and afterwards they had difficulties in establishing a life in Iran. They had significant problems, with for instance obtaining Id-documents and some returned to the Northern Iraq. The Iranian authorities tried to intimidate the returnees and get information on activities in Northern Iraq. The source said this was the last mass return from Northern Iraq to Iran, the source is informed about.
43. According to the anonymous source returnees from Northern Iraq will not directly be targeted, unless they are involved in certain activities, as for instance if they maintain links to the Kurdish political parties in Northern Iraq. The source did not assume they will be targeted for nothing.
44. As regards the returned former Iranian refugees, the anonymous source stated, the returnees are being disturbed, questioned about their lives in Northern Iraq and about whether they have received training. Furthermore, they are questioned about whether they are affiliated with any Kurdish party. The Iranian authorities want information about what is going on in Northern Iraq.
45. Some of the former Iranian refugees of Northern Iraq have kept their political affiliation, and keep expressing themselves against the government and are targeted for this. Some of them leave again before they are faced with serious legal accusations.
46. The source underlined that its information about former Iranian refugees of Northern Iraq is not based on any specific research but based on what they hear from locals.

**Presence and activities of the Iranian authorities in Khuzestan and other places where Ahwazi Arabs live**

47. The Ahwazi Arabs act within the extended family group. The leader of this group advises and leads. According to the anonymous source, activities conducted by Ahwazi Arabs' are accepted, as long as they are kept within their own community. But as soon as it spreads, or if they start defending their rights, the authorities will react.
48. The Iranian authorities are present in Khuzestan and other places where Ahwazi Arabs live. According to unconfirmed information the authorities increased their presence in Khuzestan during the Arab Spring; however the presence of the Iranian authorities in Khuzestan and other places where Ahwazi Arabs live is not at the same level as in the Kurdish areas.
49. The anonymous source explained that the Iranian authorities have informers everywhere. But in the case of Ahwazi Arabs, it is different, because they act within their established groups; they all know each other, which reduce the risk of infiltration by informers. With that said, the source added, that it had heard about cases where the groups have been infiltrated by an internal person that had switched

side and now works for the authorities. The Iranian authorities are good at making informers by e.g. pardons in exchange for information.

50. The source stated, as long as the conducted activities among Ahwazi Arabs are not politically, the authorities will not disturb them. Journalists and online activists might experience individual challenges with the authorities. People expressing an opposition to the Iranian authorities and carrying out online activities such as blogs face individual problems.
51. The authorities do collect information about critical writings; a publication of a book must go through the Ministry of Culture & Islamic Guidance which approves or rejects a specific book publication. Even books that have been rejected will be forwarded to the Ministry of Intelligence and thus the authorities get an overview of the critical voices.

#### **Prevalence of family members of former or current Ahwazi activists being targeted by the authorities**

52. As regards Ahwazi Arabs who do not speak Persian, the anonymous source informed it is possible if a person has not attended any school; usually it is Ahwazi Arab women, living in the villages in remote areas, who had not been educated or completed elementary school. The source added, what is more common is that these people speak Persian, but do not read or write the Persian language. Typically, the men have more contact with the state institutions, and have served in the military, and need to speak Persian.
53. The source did not have information about recent trial cases involving Ahwazi Arabs. The source stated that not all cases are published and as regards published cases it will be by the state. There are local media that will report on the cases, but it is not possible to reach all information about convictions and the like.

### **Meeting with an associate professor at a Danish University**

Copenhagen, 28 August 2017

#### **Issues concerning persons of ethnic minorities, including Kurds and Ahwaz Arabs**

##### **Presence and activities of the Iranian authorities in the Kurdish areas in Iran**

54. According to the source, information on issues related to for instance Kurds is very difficult to obtain inside Iran. It is usually outside Iran that information will be collected, which entails other issues of reliability.
55. Generally, the Iranian authorities are very much present in the Kurdish areas and in all terms, including; military, intelligence and civil administration. The Iranian authorities are present in all corners of the Kurdish areas in Iran.
56. On the question of which military activities the Iranian authorities conduct in the Kurdish areas, the source said it is activities such as smuggling surveillance, border control and surveillance of Islamic State or similar Sunni radical activism. The source explained that there are areas where the Iranian

military has a permanent presence, including in the cities Hamadan and Paweh. The military presence is not always visible. Sometimes the military does not appear as ordinary military but in plain clothes. Civil guards may also be connected to the military.

57. Regarding the intelligence agencies' activities in the Kurdish areas, the source said the agencies, according to Kurdish activists, are monitoring the mosques and Sunni groups who are suspected of being radicalised and affiliated with Wahhabism and Islamic State. The Kurdish Sunnis are allegedly infiltrated by the intelligence.
58. The civil administration has always been present in the Kurdish areas in Iran. According to local opposition activities in Iran, the general presence of the Iranian authorities in the Kurdish areas has expanded recently due to presumed increased extremism among Kurds, but the established media have not reported about it. Inhabitants of these areas are aware of the Iranian authorities' presence in their areas.
59. With regard to whom the authorities will target, the source explained that anyone outspoken about Kurdish ethnic and religious rights and Sunni identity on for example social media can be in focus. Furthermore, the source said, it is reasonable to assume that people active on the social media are a target of some kind of monitoring by the authorities. People belonging to particular tribes and particular mosques are a target. Families, individuals or tribes who are affiliated with women rights, Kurdish rights or suspected of having separatist sympathies are targeted. In this connection it was mentioned that families traditionally affiliated with political parties and families connected to smuggling are a target of monitoring by the regime. Some local Sunni-Muslim sheikhs are also a target and recently, they have been accused of Wahhabi and Islamic State propaganda by the authorities. The information concerning the sheikhs is difficult to verify but it has been mentioned in the media.
60. The surveillance in the Kurdish areas is not systematic, but structured, and it is not random but targeted. The source explained that the surveillance does not appear to be coordinated across the different intelligence agencies. The source added, when the regime single out a person as a risk, the authorities will persecute him/her and his/her family; but it is difficult to confirm it. It cannot be ruled out that conflicts related to religious activities will be inherited from generation to generation.
61. According to the source Sunni radicalism appears to be a growing phenomenon. The Jihadism threat can be used by the authorities to persecute and monitor people, even though they are not involved in it.
62. Regarding the authorities' presence at certain activities, the source said it is not unthinkable that authorities will intervene in cultural activities. The source explained that the issue in Iran is that everything is individualized. It depends on time and event. Furthermore, it depends on the local people and the local authorities. There can be a difference in the conduct of the local authorities during an election campaign and after the election. Cultural activities are always regarded with suspicion by the intelligence if it is framed as Kurdish.
63. Regarding authority surveillance in non-Sunni Kurdish areas, the source did not have confirmed information on this matter. There were anecdotal reports of surveillance in Yarsan dominated areas. In



addition, the source mentioned that the tense border is under close attention. The source assumed the level of attention on the border is directly related to the events and situation in Iraq.

#### **Prevalence of family members of former or current Kurdish activists being targeted by the authorities**

64. With regard to family members of former or current Kurdish activists with a political conflict and whether they will be persecuted by the Iranian regime, the source said it is not possible to answer. The source added there was anecdotal information regarding some tribes involved in the traditional Kurdish parties, but some of their youth seem to be active in Salafi groups today.
65. On the question of systematic targeting of family members by the authorities, the source could not tell to what extent it is systematic. In one agency it can be systematic, while in another it is not. In Iran, there are a number of different intelligence services; those affiliated with the Ministry of Interior, those affiliated with the military and those affiliated with the Revolutionary Guard. Furthermore, the intelligence agencies play different roles and follow different chains of command. It cannot be known under which agency the specific intelligence officer is working.
66. The source said there used to be much attention on PJAK, but the source did not have up to date information on, who the authorities typically target. The parties PJAK and Komala did appear less active today. There are some active groups in the Kurdish areas, but the source did not have confirmed information about it.

#### **Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/or their family members**

67. The source did not have information on the returning of former Iranian refugees of Northern Iraq.

#### **Presence and activities of the Iranian authorities in Khuzestan and other places where Ahwazi Arabs live**

68. The authorities are also present in the parts of Khuzestan where Ahwazi Arabs live. But the type of presence is different. The border question for instance is more critical in the Kurdish areas. The areas are still securitized and the Revolutionary Guard is active, but the normal military seems to be less active. Ahwazi academicians and activists working with Ahwazi history and minority rights can be sure that they are under surveillance. Authors writing in Arabic are also under surveillance. Non-Arabs in Khuzestan will furthermore tell that there is a resurrection of Arabic language use in the area. The government accepts the cultural difference as long as it is not expressed in a separatist way.
69. Additionally, the source said some Shiite Ahwazis are becoming Sunnis, and in this way getting closer to the Saudi-Wahhabism. The Arabs in Khuzestan are traditionally Shiites. Nonetheless, some young people do not feel represented in the wider society; they do not watch Iranian television, they do not read Iranian newspapers and they do not associate themselves with Iran. As a result, they become radicalized in the sense that they do not feel represented in Iran. The government is concerned about this development. The source mentioned it is a new phenomenon, based on anecdotal evidence.

70. Based on anecdotal evidence, the source informed that different activities including cultural, social and political are accepted for all ages, but it depends on how it is framed. Some of the local tribal leaders have been successfully elected to the local councils, even that they have been much outspoken.
71. The source's impression is that Ahwazi Arabs outside Iran might exaggerate in their portrayal of conditions for Ahwazi Arabs inside Iran.

#### **Prevalence of family members of former or current Ahwazi activists being targeted by the authorities**

72. Regarding family members of former or current Ahwazi activists being targeted by the authorities, the source said that it is complicated; not all Ahwazi tribes are Arab nationalists and some are ethnically mixed. Outspoken ethnic activists who are affiliated with – or blamed for being affiliated with - separatist groups become a target; the targets will often be high profiled persons who are ethnic activists. There are examples of young people from particular tribes and families who have been barred from universities, when it appeared that they are active, but the information is not confirmed.
73. With regard to Ahwazi Arabs who do not speak Persian, the source had never met anyone in Iran that could not speak some measure of Persian. There can be a political statement related to speaking Arabic, but if they have been to public school, they have learnt Persian to some extent. Exceptionally, people living in the countryside and who have never undergone a formal education can have difficulties with the language, but on the other hand, national radio and television is in Persian. Ahwazi Arabs returning to Iran will have to do some paperwork, but they will not be met with any requests related to language tests or similar; if the paperwork can be done, there will be not be any administrative reason to reject them, the source assumed.

### **Meeting with the Deputy Director General, General Directorate of Human Rights and Women, Ministry of Foreign Affairs, Iran**

Tehran, 13 September 2017

#### **Human rights in general**

74. The Dep. Director General emphasized that Iran has a dialogue with EU countries and other countries on human rights. However, human rights are exploited for political reasons, according to the Dep. Director General. There are double standards for human rights in the region. In some regional countries which are considered allies of United States and European countries, even some basic rights are not observed, while they are not under human rights monitoring system. These double standards cause confusion about the real intention behind stances of western countries on human rights. It has to be accepted that no county is perfect with regard to promotion and protection of human rights, thus no country is immune to critics.

## **Issues concerning persons of ethnic minorities, including Kurds and Ahwazi Arabs**

### **Present and activities of the Iranian authorities in the Kurdish areas in Iran**

75. About the situation in the Kurdish areas of Iran, the Dep. Director General explained that the situation is normal and peaceful. Kurds are allowed to have their political activities and political parties. The Dep. Director General explained that the Iranian society consists of many different ethnic groups. According to the Dep. Director General there are no special challenges for ethnic minorities in Iran.

### **Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/or their family member**

76. Regarding the situation for Kurds who have stayed many years in Northern Iraq, and their possibility to return to Iran, the Dep. Director General pointed out that Iranian citizens are not restricted or prevented from returning. According to the Constitution, nobody can prevent a citizen from returning.

## **Meeting with Dep. Director General of the High Council for Human Rights and Judicial Cooperation**

Tehran, 12 September 2017

77. Initially the Dep. Director General explained that the Council for Human Rights deals with all issues related to Human Rights in Iran and outside Iran. It is a government institution and comprises representatives and members from all branches in Iran, i.e. the legislative bodies, the executive bodies and the judiciary. The Council is the focal body for all matters relating to human rights issues, including policy making and policy implementation, as well as international policy, including the Universal Policy Review (UPR). The Council holds dialogues with a number of countries and exchanges best practices on human rights through these bilateral dialogues.

78. The Dep. Director General underlined that Iran is an Islamic country which does not expel refugees. He referred to the situation for one million Afghans who are registered with UNHCR in Iran. In addition to this number, another two million live as illegal foreign nationals in Iran, as they are not registered. However, Iran provides the necessary facilities to this group, including education. The Deputy Director General compared the situation with European countries which have closed their borders, whereas Iran's borders are open.

## **Issues concerning persons of ethnic minorities, including Kurds and Ahwazi Arabs**

79. Iran is a country composed of a variety of ethnic groups, including Kurds and Awaze Arabs. These groups are not seen as minority groups. There are religious minorities in Iran, but no ethnic minorities according to the Dep. Director General. The Dep. Director General mentioned a number of people in high ranking positions in the government of Iran, who belong to various ethnicities including Kurds and Azeri.

80. Similarly, Kurds in Iran have their rights as other citizens, and they are not seen as a minority group. However, it was emphasized that no country will tolerate separatist activities and separatist movements.
81. Various ethnic groups have their own cultural activities. For this reason, human rights may be implemented differently, according to the source, i.e. the situation for women may be different in Ahwazi communities compared to other communities.

**Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/ or their family members**

82. Kurds living in Iraq are seen as Iraqis. Iranian Kurds in Iraq have to prove that they are Iranians, if they want to return to Iran. If they are able to document their Iranian identity, they will be able to return. Regarding Iranian Kurds, who have stayed in camps in Iraq, organized by Kurdish political parties like KDPI and Komala, because of their parents' engagement with these parties, they will also be able to return, if they did not commit any crimes. In general, this would not cause any problems according to the Dep. Director General, as it is also reflected in the Iranian judicial legislation that only the person who has committed a crime is responsible, and no other family members.

## **Meeting with International Organization for Migration**

Tehran, 11 September 2017

83. International Organization for Migration in Iran (IOM) informed that the organization has a huge case load from Europe. European countries receive many cases from Iran, including Iranian nationals and Afghans.
84. Today Iranian asylum seekers are less qualified, skilled, educated and experienced, compared to former asylum seekers from Iran.
85. It is hard to motivate the Iranian asylum seekers in Europe to return on a voluntary basis. The source explained that it only engages in voluntary repatriations; voluntary return of Iranian nationals is a must for the Iranian government.
86. From January 2017 until May 2017 IOM has assisted 40 Iranian asylum seekers with voluntary return from Denmark to Iran.
87. With regard to the root causes to migration from Iran, IOM informed the delegation that many are seeking a better life, but there are different "push and pull" factors. Most Iranian asylum seekers in the Scandinavian countries are well-educated. From 2004 until 2010 the main reason to migration was economically related. Today, the Iranian migrant is seeking better options abroad. However, IOM

underlined that it is hard to identify the main cause of migration. If they return, the authorities check them in the systems.

88. With regard to returning, when exiting the country illegally, IOM informed, it is possible to return, but returnees will be questioned about how they exited the country and through which channels. Sometimes they will be called in several times.

### **Issues concerning persons of ethnic minorities, including Kurds and Ahwaz Arabs**

#### **Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/or their family members**

89. With regard to former Iranian refugees of Northern Iraq returning to Iran, the source said, it is old cases and most of these people have left to the United Kingdom and France. As regards the younger generation of former Iranian refugees of Northern Iraq, they are welcome in Iran.
90. If the former Iranian Refugees of Northern Iraq do not have Id-documents and want to return to Iran, they can contact the Iranian embassy in Iraq; if their Iranian origin can be proven, the Iranian Ministry of Foreign Affairs will entitle them to receive Id-documents.
91. The source stated its information on the Kurds is uncertain. There are no Iranian Kurds voluntarily returning from Europe.

#### **Prevalence of family members of former or current Ahwazi activists being targeted by the authorities**

92. In general terms, the Ahwazi Arabs in Iran are well-established, and the economy in the area where they live, is good due to the oil industry. According to IOM's knowledge, Ahwazi Arabs do not go to Europe but to Kuwait and Dubai.

### **Meeting with Middle East Consultancy Services**

London, 3 October 2017

93. Since the year 2000 Middle East Consultancy Services (MECS) has been serving the public and private sectors at local and international levels, including UK law firms, the UK Home Office, international clients as the Belgian Interior Ministry, the Dutch IND, UNHCR, and Australian, Dutch and Swedish solicitors. The primary objective of MECS is to provide research and analysis to enhance the quality of decisions made at senior levels of the public and private sectors, nationally and internationally. MECS' reports cover the following areas of expertise: Research, Country Expert Reports, Nationality/ Ethnicity disputes and Authentication. Among the countries MECS covers is Iran.

## Issues concerning persons of ethnic minorities, including Kurds and Ahwaz Arabs

### Presence and activities of the Iranian authorities in the Kurdish areas in Iran

94. Regarding the presence of the Iranian authorities in the Kurdish areas, MECS informed there are more troops stationed and checkpoints in minority areas. But the role of forces varies according to the region. Furthermore, the organisational structure of Basij units and training diverges from province to province.
95. When it comes to whom the authorities will target, the source stated arbitrarily detainment occurs. Kurds that assert their ethnic/religious identity may be arbitrarily detained, face unfair trials, torture and other ill-treatment and death penalty. The source added that persons involved in anti-government political activities, would be targeted. If a person is found with a weapon, he could be facing a death sentence. If the authorities find a person with political material, or find a person drawing political slogans on a wall, the person would be arrested. When asked about what is considered as a political activity, the source answered that Iranian Kurds are free to celebrate cultural occasions such as *norooz*. However, this becomes an issue when the cultural celebrations become political. For example, shouting political statements or carrying political iconography during the celebrations. The source mentioned that when celebrations erupted in Iran over the Iraqi Kurdistan Region's independence vote, there were documented arrests.

### Prevalence of family members of former or current Kurdish activists being targeted by the authorities

96. KDPI, PJAK and Komala (Kurdish Communist Party) are actively underground; they do not exist as armed groups, but as political groups.
97. As regards trial cases related to Kurdish activists, MECS highlighted several cases, including a case from May 2017, where Hesên Remezan was sentenced to death. He was arrested on the Maku Urmia border in 2011, and sentenced to 10 years in prison in 2015 for membership to PKK, but the sentence was later reduced to seven years. After being transferred to the *ettelaat* unit in the Urmia Prison in February 2016, he was forced to confess in front of cameras. He was then sentenced to death after being charged for murdering an *ettelaat* officer.<sup>85</sup>
98. In 2016, dozens of Kurds were reportedly arrested without warrant for suspected affiliations with the KDPI. Moreover, many Kurds served prison sentences or awaited execution for having a membership of banned Kurdish opposition groups or being sympathetic with such groups.<sup>86</sup>
99. In 2016, Iran executed 20 Kurdish militants that were deemed terrorists. It has been widely reported as the result of forced confessions under duress.<sup>87</sup>

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<sup>85</sup> ANF News, 'Death sentence for Rojavan Kurd in Iran', 22 May 2017, <https://anfenglish.com/culture/death-sentence-for-rojavan-kurd-in-iran-20116>

<sup>86</sup> Amnesty International, 'Iran: 2016/2017', <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iran/report-iran/>

<sup>87</sup> Middle East Eye, 'Iran Confirms Execution of 20 Kurdish Militants for "Terrorism"', 04 August 2016, <http://www.middleeasteye.net/news/iran-executes-20-kurdish-militants-1363741922>

100. In April 2013, the International Campaign for Human Rights in Iran reported the arrest of ten people on charges of cooperation with Kurdish groups. These men were interrogated, constantly relocated, and were put in the same ward as violent criminals.<sup>88</sup>

**Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/or their family members**

101. Officially, all Iranian nationals can return to their country of origin on a voluntarily basis. Iranian refugees in Northern Iraq (Kurdish region), can be divided into two categories: post-2010 refugees, reported as often crossing border secretly to see family and celebrate special occasions, and the initial wave of Iranian refugees, no evidence has been provided of this group returning to Iran. The initial wave has spent time in refugee camps in Iraq which are politicized with oppositional groups, and refugees that have lived in these camps, are treated with suspicion.

102. As regards descendants to former Iranian refugees of Northern Iraq wishing to return, the source stated, descendants have no connection and affiliation to Iran. They are born outside their country of origin and were raised up abroad. Furthermore, the identity documentation, if returning to Iran, is a big challenge.

103. Whether returned descendants would be persecuted upon return to Iran, depends on the parents'/father's profile, and how well-known their/his political activities are among the wider family/network. MECS added, it is not likely descendants would return to Iran. The source has not come across any returnee cases. It was added that Iranian opposition groups in the camps in Iraq have a lot of information on opposition political activities, which the Iranian authorities would be interested in, and that makes the Iranian Kurds scared to return.

**Presence and activities of the Iranian authorities in Khuzestan and other places where Ahwazi Arabs live**

104. Ahwazi Arabs are disproportionately subjected to arbitrary arrest, violent arrest, torture and unfair trials.

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The Guardian, 'Iran executes at least 10 Sunni prisoners despite unfair trial claims', <https://www.theguardian.com/world/2016/aug/03/iran-executes-sunni-prisoners-torture-unfair-trial-claims-human-rights>

<sup>88</sup> International Campaign for Human Rights in Iran, 'Ten Arrested in Orumiyeh on Charges of Cooperation with Kurdish Groups', 12 April 2013, <http://www.iranhumanrights.org/2013/04/kurdish-orumiyeh/>

## Annex C: Terms of Reference

### 1. Issues concerning persons of ethnic minorities, including Kurds and Ahwazi Arabs

- 1.1. Presence and activities of the Iranian authorities in the Kurdish area in Iran
- 1.2. Prevalence of family members of former or current Kurdish activists being targeted by the authorities
- 1.3. Former Iranian refugees of Northern Iraq who return to Iran after having lived in Northern Iraq for a longer period; challenges related to entry and language; persecution of former political activists and/or their family members
- 1.4. Presence and activities of the Iranian authorities in Khuzestan and other places where Ahwazi Arabs lives
- 1.5. Prevalence of family members of former or current Ahwazi activists being targeted by the authorities