

HUMAN RIGHTS WATCH

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April 8, 2015

Hon Julie Bishop MP
Foreign Minister
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

Re: Rights Concerns During Iran Visit

Dear Foreign Minister,

We write to you on behalf of Human Rights Watch regarding your upcoming visit to Iran to urge you to put human rights on the agenda of your meetings with Foreign Minister Mohammad Javad Zarif and others. As the first senior figure in the Australian government to visit the country in more than a decade, this is a decisive opportunity for Australia to play a key role in promoting and protecting human rights in Iran.

Despite hopes for an improvement in the situation after Hassan Rouhani became president in August 2013, repressive elements within Iran's security and intelligence forces and a compliant judiciary continue to commit serious human rights abuses in the country.

While in Iran, we hope you will call for an end to widespread restrictions on freedom of expression and association in the country, while raising concerns over the persecution of ethnic and religious minorities, discrimination against women and gay and lesbian people, as well as Iran's alarming rate of executions, including of children.

Violations of fundamental rights

As you will be aware, [Australia](#) received 4,953 asylum requests from Iranians in 2012-2013. Of the first-instance cases decided during that time, Australia recognized as refugees 70 percent of "irregular maritime arrival" (IMA) Iranians seeking asylum, and granted protection for 72 percent of the non-IMA Iranian asylum seekers. As of February 2015, there were 451 Iranians in immigration detention, higher than any other nationality group. These high rates of asylum approval and high number of asylum applicants provide an added

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basis for Australia to ask Iran to address the human rights violations that compel asylum seekers to flee Iran and to seek protection and refugee status in Australia.

Among the pressing human rights issues in Iran that generate flight and cause some Iranians to fear persecution if returned, are:

- Several thousand protesters, political opposition members, and activists arbitrarily arrested following the 2009 election remain in detention, including opposition figures and former 2009 presidential candidates Mir Hossein Mousavi and Mehdi Karroubi. Authorities have held Mousavi, Karroubi, and Mousavi's wife Zahra Rahnava under house arrest since February 2011 without charge.
- Security authorities continue to clamp down on free speech and dissent. In October, Iran held at least 48 journalists, bloggers, and social media activists in detention.
- Members of religious and ethnic minorities face widespread discrimination and are denied religious freedom, including Baha'is, Iran's largest non-Muslim religious minority. As you noted in May 2014, seven Baha'i leaders remain imprisoned in Iran solely for their peaceful religious or civic activities.
- The government restricts cultural as well as political activities among the country's Azeri, Kurdish, Arab, and Baluch minorities. Afghan refugees and migrant workers, estimated at between 2.5 and 3 million, face abuses such as ill-treatment, physical abuse and summary deportation.
- Iranian women face discrimination in many aspects of their lives, including personal status matters related to marriage, divorce, inheritance, and child custody. In 2014, authorities announced or implemented discriminatory policies, including restricting the employment of women in coffee shops, certain restaurants, and other public spaces and limiting access to family planning as part of official measures to boost Iran's population.
- Gay and lesbian people continue to face harassment, discrimination, arrest and possibly death sentences as consensual same-sex conduct between adults remains criminalized. In August 2014, the Iranian state media reported that two men were publicly executed on charges of sodomy without providing additional details about their case.

Australia's treatment of Iranian and other asylum seekers

The Iranian government has previously raised concerns about the treatment of asylum seekers that Australia diverted to offshore detention facilities funded by Australia, following the death of Iranian Reza Barati. Iran may do so again on this trip. Australia should proactively acknowledge failings in the treatment of asylum seekers, including Iranians that it has diverted to offshore detention, and should commit to improving reception conditions and to ensuring that onshore and offshore asylum claims are dealt with thoroughly, fairly, and promptly, in accordance with the Refugee Convention and subject to judicial review.

Death penalty

In 2014 Iran conducted the second highest number of executions of any country in the world. The number of executions has risen rapidly since Rouhani's election in 2013. According to the Oslo-based Iran Human Rights group, Iran carried out an average of two executions daily in 2014. Nearly half of the executions in 2014 were for drug-related charges.

According to Amnesty International, in 2014 Iran reportedly executed at least 14 child offenders, making it the country with the world's highest number of executions of people who committed crimes when they were children.

Australia should strongly restate the recommendation it made in the United Nations 25th Regular Session Interactive Dialogue with the Special Rapporteur on Iran, urging Iran to impose a moratorium on the death penalty, noting with particular concern the reported increase in executions since mid-2013, and the continued execution of child offenders. Raising the recent rise in executions of child offenders is critical not only because Iran is one of a handful of countries still carrying out such death sentences, but because there is increasing support among Iranian government officials and the public at large to put an end to this horrendous practice.

Your statements against the death penalty in Indonesia regarding the impending executions of Australian citizens Andrew Chan and Myuran Sukumaran for drug-related offenses sent a strong and important message. For Australia's position not to come off as only interested in the lives of its own citizens, it is important that Australia raise the issue of Iran's death penalty in meetings in Iran.

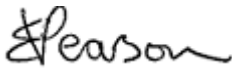
Shia militias

Australia has shared security interests with Iran with respect to the armed group Islamic State (known as ISIS) in neighboring Iraq. Australia has invested an estimated \$A350 million per year in assistance to the Iraqi government, with 200 special force troops in Iraq and a 600-strong RAAF task force operating out of a major base near Dubai. We know Australia shares our concerns about reports of abuses by pro-government militias in Iraq, many of whom are Shia. In March Human Rights Watch documented how the militias have looted property of Sunni civilians who had fled fighting, burned their homes and businesses, and destroyed at least two entire villages, in violation of the laws of war. Iran has leverage over these militias and is also providing support to the Iraqi government to fight ISIS.

Australia should urge Iran to require that the Iraqi government take immediate and concrete steps to end widespread serious abuses by security forces and pro-government militias before providing military equipment, training and financial assistance to Iraqi government security forces and militias.

Madam Foreign Minister, your upcoming visit to Iran is a valuable opportunity to demonstrate Australia's concerns for the human rights of all Iranians. In line with Australia's previous public statements, you should request that Iran immediately release detained Baha'i leaders and end discrimination in law and practice against all religious and ethnic minorities. You should also call for the unconditional release of all persons detained solely for peacefully exercising their rights to freedom of expression, association, and peaceful assembly. Lifting restrictions on free expression and political opposition is crucial to building respect for human rights in Iran so that its residents will not need to seek freedom from oppression elsewhere. In placing these concerns at the forefront of discussions, Australia can make a lasting contribution to improving the human rights situation in Iran.

Sincerely,



Elaine Pearson
Australia Director



Sarah Leah Whitson
Executive Director, Middle East and North Africa Division

CC: Ambassador to Iran, Mr Paul Foley
First Assistant Secretary for Middle East and Africa Division, Mr Marc Innes-Brown