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Denying the Right to Education

Introduction	1
Barred from Education.....	2
Admitted but Silenced.....	5
Suspensions by University Disciplinary Committees	6
Appendix	9

Introduction

When the new academic year started in Iran in late September 2006, several graduate students learned that the government was barring them from registering to take up university places. Because of their political beliefs and opinions, and in blatant violation of its international human rights obligations, the Iranian government is denying these students the right of access to education. Other students were informed that to be allowed to register they must sign a “commitment letter,” making the taking up or retaining of their university places conditional on toeing the line politically.

This development comes on the heels of a year-long official drive to punish student activists for political activities, beliefs, writings, and membership in student associations that are not officially endorsed. Several official organs within and outside of the universities have led a campaign against student activists, including university disciplinary committees, the Judiciary, the Ministry of Science, Research and Technology (SR&T Ministry), and the Ministry of Information. University supervision committees have also banned 19 student publications, and suspended or dissolved Islamic Students’ Associations in 15 universities.¹

Currently, the authorities have barred at least 17 students from higher education—six during the 2005-06 academic year, and 11 in September 2006. At least another 54 students (and possibly many more) have been registered on the condition that they cease their political activities. Also, since July 2005 university disciplinary committees have suspended at least 41 students for up to two semesters. (Human Rights Watch has obtained the names of a further 35 students convicted and sentenced by the Judiciary since July 2005 for activities relating to political activism and student association membership, and six students who have been prosecuted but whose punishments have not yet been announced. Their cases are not discussed in detail in this background paper, but they are listed in the appendix.)

¹ Amir Kabir University, Isfahan University and Medical Sciences, Hamedan University and Medical Sciences, Loristan University, Uromieh University, Sabzvar Teachers College, Birjand University, Sahand University of Tabriz, Alameh Tabataba’i University, Razi University of Kermanshah, Medical Sciences University of Kermanshah, Medical Sciences University of Shahrkurd, Medical Sciences University of Kashan, Shahid Rajai University, and Industrial University of Isfahan.

Iran is a party to both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).² As a party to the ICCPR, Iran has undertaken to respect the rights of everyone to freedom of expression and association. Under the ICESCR Iran has undertaken that higher education shall be made equally accessible to all. Both covenants oblige states parties to guarantee that the rights be exercised without discrimination of any kind as to political or other opinion. The actions of the Iranian authorities in excluding students from university on grounds of their political and religious opinion or activity, and prosecuting others on similar grounds, is in direct contravention of Iran's clear legal obligations under both covenants.

Barred from Education

During the last academic year (2005-2006), the Ministry of Science, Research and Technology notified six students that they can no longer pursue their higher education. They are: Mehdi Aminizadeh (Mofid University in Qom), Peyman Aref (Tehran University), Hamed Hasandoost (Teachers' College in Tehran), Ezattollah Torbatinejad (Kurdistan University), Towhid Alizadeh (Tehran University), and Muhammad Zamani (Zanjan University).

In September 2006, another 11 students discovered that, despite having been accepted to graduate programs, they were not allowed to register. They are: Hananeh Azizi (Alameh Tabataba'i University), Siamak Karimi (Hamedan University), Yashar Ghajar (Tabriz Polytechnic University), Zahra Janipour (Hamedan University), Gharib Sajadi (Alameh Tabataba'i University), Roozbeh Riazi-Moghadam (Amir Kabir University), Mansour Ezati (Industrial University of Isfahan), Saeed Ardeshiri (Kerman University), Shuresh Muradi (Kurdistan University), Salar Saket (Kurdistan University), and Mohsen Fatehi (Tehran University).

² International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force January 3, 1976, ratified by Iran on June 24, 1975. International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, ratified by Iran on June 24, 1975.

Interviews with some of these students, and official letters by the SR&T Ministry, obtained by Human Rights Watch, indicate that the ministry's barring these students is politically motivated and directly linked to their activism. Furthermore, according to student testimonies and official letters, it is not the SR&T Ministry but the Ministry of Information that is the main authority involved in deciding to bar them from education.

All of the above students, except for Hananeh Azizi, are either members of Islamic Students' Associations in their universities or have been outspoken activists. Apparently, Hananeh Azizi is being barred from her right of access to higher education because her father is the persecuted writer Yusuf Azizi Banitoraf.³

In a letter written in response to an appeal by one of the barred students, obtained by Human Rights Watch, Seyed Morteza Nurbakhsh, director of the Central Committee for Selection of Students and Faculty at the SR&T Ministry wrote, "After receiving an answer to our inquiry from the Ministry of Information, it has been determined that the said student lacks proper qualifications for continuing his education at the graduate level and thus following this decision by the Ministry of Information, it was announced to the National Organization for Admissions (*Saziman Sanjish Amuzish Keshva*) to reject his admission."⁴

The Ministry of Information, which primarily acts as an intelligence agency, is not the proper authority to determine a student's educational "qualifications." All of the above students earned their right to enter graduate programs by passing competitive entrance examinations.

³ "Complete report of the press conference by Office to Foster Unity regarding students barred from education," *Advarnews*, September 29, 2006. Security agents arrested Yusuf Azizi Banitoraf in April 2005 and charged him with endangering national security. He was subsequently released on bail.

⁴ Letter from Seyed Morteza Nurbakhsh, director of the Central Committee for Selection of Students and Faculty at the Ministry of Science, Research, and Technology, to Seyed Jalal Hosseini, director of the President's Office for Coordination of Complaints from the Public, dated April 23, 2006.

Another of the barred students, Mehdi Aminizadeh, told Human Rights Watch:

Last year, during the first day of school, university officials contacted me and said that, based on a letter from the Selection Committee of the National Organization for Admissions, you are barred from continuing your education. I pursued the matter with the Ministry of Science, and it became clear that the Ministry of Information is where this decision was taken. I was also “invited” to the Ministry of Information where its officials told me, “In our view, it is best to deal with students like you at this level. This way it has a much lower cost for the system [*nizam*].” They told me outright that they are going to prevent me from pursuing my education.⁵

Peyman Aref has a history of being persecuted by the authorities, who have arrested him several times during the past five years. In April 2006 a court handed down a suspended sentence of 18 months’ imprisonment after convicting him of propaganda against the state and of acting against national security. He has lodged an appeal. Aref had entered the graduate program at Tehran University’s College of Law in September 2005, having ranked second in the national entrance exam. He told Human Rights Watch that university officials notified him in April 2006 that he is barred from education and cannot finish his master’s degree. He also alleged that the Ministry of Information asked the SR&T Ministry to prevent him from engaging in further academic work. Aref told us, “In a letter from the Selection Committee for Students and Faculty, I was notified that I lack proper general and ideological [*iteghad*] qualifications for continuing my education. I have been summoned to the Ministry of Information several times, and their officials told me that if I give any lecture, or write anything they consider extreme, they will imprison me.”⁶

Human Rights Watch obtained a letter sent from the SR&T Ministry to one student barred from continuing his education. Prior to this he had received a letter, dated September 19, 2006, which stated that the student’s admission had been rejected

⁵ Human Rights Watch interview with Mehdi Aminizadeh, October 5, 2006.

⁶ Human Rights Watch interview with Peyman Aref, October 3, 2006.

due to “selection [*gozinesh*] regulations,” but that the rejection could be appealed. The accompanying appeals form required the student to follow these instructions:

1. Provide a summary of your political and social background (before and after the revolution).
2. Describe activities you have engaged in (after the revolution).
3. Provide details of any detention (even for a brief period) by security or judicial authorities. Include date, reason, and duration of your detention.
4. Please identify exact names and addresses of well known references (excluding family members) who are familiar with you through your place of education or work.⁷

This letter demonstrates that the SR&T Ministry’s admissions process is based on a student’s political background and activities.

Admitted but Silenced

At the start of the current academic year on September 23, university administrators allowed an unknown number of students to register only after having filled out and submitted pro forma commitment letters to the SR&T Ministry. In these letters the students accepted to follow all “ideological [*iteghadi*], political, and moral regulations” or else be barred them from further education.⁸

Iranian student activists told Human Rights Watch that no one, except for government officials, knows for certain how many students registered under such conditions. Because of their conditional registrations, these students feel intimidated from coming forward and risking their education. Student activists said they believe the number of conditional admissions is “a couple of hundred.”⁹

⁷ Letter from Seyed Morteza Nurbakhsh, director of the Central Committee for Selection of Students and Faculty at the Ministry of Science, Research, and Technology, to a student (identity withheld) subjected to conditional registration, copy on file with Human Rights Watch.

⁸ Text of the commitment letter that must be signed by students prior to their registration, provided by Seyed Morteza Nurbakhsh, director of the Central Committee for Selection of Students and Faculty at the Ministry of Science, Research, and Technology, to Iranian Students News Agency, October 4, 2006, <http://www.isna.ir/Main/NewsView.aspx?ID=News-799139&Lang=P> (accessed October 4, 2006).

⁹ Human Rights Watch interview with student activist, identity withheld, October 3, 2006.

Officials at the SR&T Ministry confirmed to reporters that there are conditional registrations, and said there are 54 such cases, but explained that each of these is conditional “because [the student’s] file is incomplete.”¹⁰ On October 4, 2006, Seyed Morteza Nurbakhsh told reporters that “We took commitment letters from students who had problems for graduate programs, but these problems were absolutely not of a political nature.”¹¹

During the same interview, Nurbakhsh provided a copy of the commitment letter that students were required to sign to be allowed to register. The letter reads as follows:

I ...son/daughter of ... ID No.... Issued from ... Date of Birth ...
acknowledge that the Central Committee for Selection of Students and Faculty is allowing me to enter the university under certain conditions. I commit to observe all ideological [*iteghadi*], political, and moral regulations within the current legal framework, in particular the university’s disciplinary regulations. I understand that in case of any instance of acting against the terms of this commitment letter, the relevant officials are allowed to cancel my registration and to prevent my further education. Obviously, in case of such decision, I am responsible to pay all relevant educational costs.¹²

Suspensions by University Disciplinary Committees

During the past year, disciplinary committees in universities have summoned student activists in large numbers. These committees have been in place since 1985, but during the presidency of Mohammad Khatami (1997-2005) they were rarely used as a means of pressuring student activists. As one student told Human Rights Watch:

¹⁰ “A review of ‘starred students,’ from an ‘absolute lie’ to explaining the truth,” Iranian Students News Agency, October 4, 2006, <http://www.isna.ir/Main/NewsView.aspx?ID=News-799139&Lang=P> (accessed October 4, 2006).

¹¹ Ibid.

¹² Ibid.

Targeting of student activists by Disciplinary Committees started in 2002 and in the past year it has greatly intensified. They have become the main centers of exerting pressure on students to force them into silence. The pressure originates from the Supreme Council for Cultural Revolution and the Ministry of Information. These organs direct the committees to go after specific students.¹³

The disciplinary committees are charged with investigating student misconduct and are empowered to hand down punishments. According to the Disciplinary Regulations for University Students in the Islamic Republic of Iran, the purview of the disciplinary committees covers a broad range of offenses including criminal, educational and administrative, political, and moral offenses.¹⁴ Among the political offenses defined in the Regulations are “insulting Islamic and national beliefs and committing actions against the Islamic Republic (such as writing slogans, distributing announcements)” and “providing false information intentionally.”¹⁵

The committees can order punishments that include suspending students from the university, expelling students, and even banning students from education in all universities for up to five years.¹⁶

The composition of the committees is determined by the university administration. In each university, the disciplinary committee has five voting members: a representative of Supreme Leader of Iran Ayatollah Khamenei, the dean of students, a member of the faculty appointed by the university president, and two students also appointed by the university president; there is also a non-voting committee secretary. Committee decisions require a simple majority.¹⁷

¹³ Human Rights Watch interview with student activist, identity withheld, October 3, 2006.

¹⁴ Disciplinary Regulations for University Students in the Islamic Republic of Iran, art. 6, <http://www.sadjad.ac.ir/rights/A148.asp> (accessed October 2, 2006).

¹⁵ *Ibid.*, art. 6.c.

¹⁶ *Ibid.*, art. 7

¹⁷ *Ibid.*, art. 3.

Since July 2005, disciplinary committees have suspended at least 41 students from universities for up to two semesters. According to media reports, 11 students (who were not named) were suspended from Hamedan University.¹⁸ Human Rights Watch obtained the names of another 30 suspended students, as follows:

- Suspended for two semesters:
 1. Mujtaba Bayat, member of the central committee of Islamic Students Association, Tehran University.
 2. Zeinab Peyghambarzadeh, Tehran University.
 3. Arash Khandil, member of the Islamic Students' Association, Loristan University.
 4. Muhammad Javad Dorrodkeshan, member of the Islamic Students' Association, Loristan University.
 5. Hassan Rezaii Ghal'e-No, member of the Society of Islamic Students, Medical University of Mashad.
 6. Towhid Alizadeh, Tehran University.
 7. Siamak Nadali, member of the Islamic Students' Association, Loristan University.
 8. Mustapha Navidi, Sharif University.

- Suspended for one semester:
 1. Muhammad Sadeq Esfandiari, Tehran University.
 2. Hadi Arami, Yazd University.
 3. Abed Tavancheh, Amir Kabir University, former member of the central committee of Islamic Students' Associations.
 4. Abbas Hakimzadeh, Amir Kabir University, member of the central committee of Islamic Students' Associations.
 5. Hussein Heidari, Tehran University.
 6. Mohsen Sohrabi, Amir Kabir University, member of the Islamic Students' Association.
 7. Asu Saleh, Kurdistan University.
 8. Muhsen Fatehi, Tehran University.
 9. Ali Feyzi, Tehran University.

¹⁸ "Heavy suspension sentences issued for 11 student activists in Hamedan University," *Advarnews*, September 14, 2006.

10. Amin Ghalei, Isfahan University, member of the Islamic Students' Association.
11. Behruz Karimizadeh, Tehran University.
12. Arsalan Gudarzi, Tehran University.
13. Muhammad Khani, Alameh Tabataba'i University.
14. Alireza Maghsoodi, director of student *Basij* [a militia organization], Azad University of Bandar Abbas.
15. Muhammad Amin Mahdush, Isfahan University and Medical Sciences, member of the Islamic Students' Association.
16. Ahmad Mirzai, Isfahan University and Medical Sciences, member of the Islamic Students' Association.
17. Seyed Hussein Mir-Karimi, Sahar University of Tabriz, member of the Islamic Students' Association.
18. Hussein Najafi, Mashad University and Medical Sciences.
19. Salman Sima, editor of *Sokhan Tazeh* student publication, Azad University of South Tehran.
20. Rasool Bakhshali, Neishapur Payam Nur University.
21. Hadi Montakhebi, Isfahan University.
22. Behrouz Karimizadeh, editor of *Khak* student publication, Tehran University.

A student activist at Tehran University told Human Rights Watch that since June 2006, Tehran University's disciplinary committee summoned 53 other students, and has so far issued suspension rulings for 13 of them.¹⁹ Of these cases, he said, five students were suspended for two semesters and eight for one semester.

Appendix

List of 35 student activists prosecuted for political activity and sentenced by the Judiciary, from July 2005 to present, as provided by Iranian student activists:

1. Muhammad Ali Ebadi, member of the central committee of Islamic Students' Associations, Karaj Teachers College, charged with propaganda against the

¹⁹ Human Rights Watch interview with student activist, identity withheld, October 3, 2006.

- state and insulting the (Supreme) Leader, sentenced to six months' imprisonment, July 2005.
2. Davood Yari, former member of the Islamic Students' Association of Shahr-Kurd University, charged with insulting officials, sentenced to a fine of 10 million rials (US\$110) and 30 lashes, August 2005.
 3. Abbas Shekoohmand, student at Teacher's College, former member of the central committee of the Islamic Students' Association, charged with insulting an official, fined 1,000,000 rials (\$110), August 2005.
 4. Amir Hussein Balali, former member of the Islamic Students' Association of Amir Kabir University, charged with participation in student protests between 1999 and 2001, fined 10,000,000 rials (\$1100), November 2005.
 5. Ahmad Farraji, student at the Science and Industry University, charged with propaganda against the state and acting against national security, sentenced to three years' imprisonment (suspended), November 2005.
 6. Shiva Nazarahari, student at Azad University, spokeswoman for the committee in Defense of Political Prisoners, charged with participating in an illegal protest in front of the United Nations office in Tehran, sentenced to one year's imprisonment (suspended), November 2005.
 7. Farid Modarresi, student at Alameh Tabataba'i University, charged with acting against national security, sentenced to eight months' imprisonment (suspended), December 2005.
 8. Ali Pasbar, student at Tabriz University, charged with acting against national security, sentenced to three years' imprisonment, December 2005.
 9. Saeed Ardeshiri, student at Kerman's Bahonar University, charged with acting against national security, sentenced to one year's imprisonment (suspended), January 2006.
 10. Reza Delai Milan, student at Kerman's Bahonar University, charged with acting against national security, sentenced to five months' imprisonment (suspended), January 2006.
 11. Hussein Khodayari, student at Kerman's Bahonar University, charged with acting against national security, sentenced to five months' imprisonment (suspended), January 2006.
 12. Ali Asghar Sadeghi, charged with acting against national security, sentenced to 15 months' imprisonment, February 2006.

13. Mehdi Aminizadeh, member of the central committee of Islamic Students' Associations, Shahid Rajai University, charged with acting against national security, sentenced to two year's imprisonment, February 2006.
14. Muhammad Rezai, student at Alameh Tabataba'i University, charged with acting against national security, sentenced to two years imprisonment, February 2006.
15. Mikaeel Azimi, charged with acting against national security, sentenced to 15 months' imprisonment, February 2006.
16. Heydar Zahedi, student at Tabriz University, charged with insulting officials, and acting against national security, fined 1,500,000 rials (\$160), April 2006.
17. Ali Afshari, member of the central committee of Islamic Students' Associations, charged with acting against national security and propaganda against the state, insulting officials, and disseminating misinformation, sentenced to six years' imprisonment, April 2006.
18. Peyman Aref, student at Tehran University, charged with acting against national security, sentenced to 18 months' imprisonment (suspended), April 2006.
19. Farid Hashemi, student at Tehran University, charged with acting against national security and propaganda against the state, sentenced to six months' imprisonment (suspended), April 2006.
20. Amin Kurd, student at Azad University, charged with participating in an illegal protest in front of the United Nations office in Tehran, sentenced to one year's imprisonment (suspended), April 2006.
21. Ali Sadeghi, former member of the Islamic Students Association at Khajeh Nasir-al-din University, charged with insulting officials, sentenced to one year's imprisonment (suspended), June 2006.
22. Murteza Boreshjan, student at Yazd University, charged with propaganda against the state, sentenced to six months' imprisonment, June 2006.
23. Muhammad Reza Rahimi-rad, student at Yazd University, charged with insulting the Leader, sentenced to six months' imprisonment (suspended), July 2006.
24. Amir Ashaghi, member of the Student Republican Association at Yazd University, charged with acting against national security and propaganda against the state, fined 1,000,000 rials (\$110), July 2006.

25. Omran Porandakh, student at Razi University of Kermanshah, sentenced to six months' imprisonment (suspended), July 2006.
26. Akbar Atri, former member of the central committee of Islamic Students' Associations, charged with acting against national security, propaganda against the state, and insulting the leader, sentenced to three years' imprisonment, July 2006.
27. Behrooz Khaleqijan, student at Yazd University, charged with propaganda against the state, sentenced to six months' imprisonment, July 2006.
28. Poya Muhammadian, political secretary of the Islamic Students' Association at Amir Kabir University, sentenced to three-and-a-half months' imprisonment, July 2006.
29. Navid Gholami, student at Yazd University, charged with propaganda against the state, sentenced to six months' imprisonment, July 2006.
30. Mehdi Shirzad, student at Tehran University, charged with gathering with intent to commit a crime, sentenced to two years' imprisonment (suspended), August 2006.
31. Farab Samimi, Kar University, charged with participation in student protests of June 2003, sentenced to six months' imprisonment, August 2006.
32. Abdullah Momeni, student at Alameh Tabataba'i University, member of the central committee of Islamic Students' Associations, charged with acting against national security, propaganda against the state, sentenced to twenty-three months' imprisonment (suspended), September 2006.
33. Alireza Moradi, student at Razi University of Kermanshah, charged with acting against national security and insulting sacred beliefs, sentenced to five months' imprisonment and a fine of 3,000,000 rials (\$330), September 2006.
34. Nader Zamin, student at Tabriz University, charged with acting against national security, sentenced to one year's imprisonment, September 2006.
35. Reza Abbasi, student at Zanzan University, former member of the Islamic Students' Association, charged with propaganda against the state and insulting the Leader, sentenced to one year's imprisonment, September 2006.

List of six student activists prosecuted by the Judiciary from July 2005 to present, but not yet sentenced, as provided by Iranian student activists:

1. Hamed Iranshahi, member of the Islamic Students' Association at Arak University, October 2005.
2. Muhammad Mubasheri, student at Sharif University, charged with insulting officials and disseminating misinformation, October 2005.
3. Amir Ra'yat-nazari, student at Tehran University, charged with acting against national security, October 2005.
4. Arman Rezapour, student at Azad University, charged with acting against national security, May 2006.
5. Davood Hasanpour, student at Tehran University, charged with propaganda against the state, June 2006.
6. Jamshid Khatami, student at Mashad University, June 2006.