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28 March 2014

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Iran: Military service, including recruitment age, length of service, reasons for exemption, the possibility of performing a replacement service and the treatment of people who refuse military service by authorities; whether there are sanctions against conscientious objectors

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1. Background

The US Central Intelligence Agency (CIA) *World Factbook* indicates that the military branches in Iran in 2011 consisted of the

Islamic Republic of Iran Regular Forces (Artesh): Ground Forces, Navy, Air Force (IRIAF), Khatemolambia Air Defense Headquarters; Islamic Revolutionary Guard Corps (Sepah-e Pasdaran-e Enqelab-e Eslami, IRGC): Ground Resistance Forces, Navy, Aerospace Force, Quds Force (special operations); Law Enforcement Forces. (US 26 Feb. 2014)

Sources indicate that military service is mandatory for all males in Iran (IHRDC 7 Nov. 2013; Al-Monitor 19 Dec. 2013; Human Rights Watch Dec. 2010, 23). The US CIA *World Factbook* states that, as of 2012, the age of compulsory military service for men in Iran is 18 (US 26 Feb. 2014). Similarly, in a November 2013 article published by the Iran Human Rights Documentation Centre (IHRDC), a Connecticut-based independent non-profit organization composed of scholars and lawyers working to provide a "historical record" of human rights issues in Iran (IHRDC n.d.), military service "begins" at 18 (ibid. 7 Nov. 2013). However, Al Jazeera indicates that the recruitment age is 19 (Al Jazeera 24 Apr. 2012). Al Jazeera reports that volunteers start their service at 18 years of age (Al Jazeera 24 Apr. 2012), while the US CIA *World Factbook* states that volunteers start at 16 (US 26 Feb. 2014). Sources state that, the recruitment age of the Basij Forces ["a paramilitary volunteer militia" (Al Jazeera 24 Apr. 2012)] is 15 (ibid.; US 26 Feb. 2014). According to the US CIA *World Factbook*, recruitment age for the Law Enforcement Forces is 17 (ibid.).

1.1 Duration of Service

Sources indicate that the duration of compulsory military service ranges from 18 to 24 months (BBC 26 Dec. 2013; Al-Monitor 19 Dec. 2013). According to two sources, the length of service depends on the geographical location of the conscript (IHRDC 7 Nov. 2013; BBC 26 Dec. 2013). The BBC reports that, according to Iranian Students' News Agency (ISNA), General Musa Kamali, the Vice Commander of the Headquarters for Human Resources of the Iranian Armed Forces, was quoted as saying that "the duration of military service is 18 months in combat and in insecure regions, 19 months in the regions which are deprived of facilities and have bad weather conditions, 21 months in other places, and 24 months in government offices" (26 Dec. 2013). According to the IHRDC, "in general males are expected to serve for a period of 20

months" and "[f]or service in impoverished areas, the duration can last 24 months while service in boundary areas can last 22 months" (7 Nov. 2013).

In December 2013, media sources reported that, according to General Kamali, due to a shortage of personnel, Iran may increase the length of military service to 24 months (BBC 26 Dec. 2013; Al-Monitor 19 Dec. 2013). Al-Monitor, a news source providing "reporting and analysis by prominent journalists and experts from the Middle East" (Al-Monitor n.d.), reported that, General Kamali, described by the source as the "chief conscription officer of the armed forces," stated in December 2013 that "many exemptions, deductions and options to pay to avoid military service will be removed" in the "following year" (19 Dec. 2013). The BBC reports that, according to General Kamali, current conscripts and people who will be serving by the end of the year, which is 20 March 2014, will not be affected by the extension of service (26 Dec. 2014). Similarly, Al-Monitor reports that, according to General Kamali, "reduced-time exemptions are still applicable for those who entered military service this Iranian calendar year, which ends March 2014" (19 Dec. 2013). Further information on the implementation of the proposed service extension could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to a 7 July 2011 report by LANDINFO, Norway's Country of Origin Information Centre, religious minorities "are called in for military service on an equal basis with other Iranians, but are barred from making a military career" (Norway 7 July 2011, 6). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2. Exemptions

Sources report on various non-health related circumstances that could lead to an exemption of military service, including:

- being the only son of the family (IHRDC 7 Nov. 2014). The IHRDC states this exemption is for "a man who is the only male in the family and his father is over 65 years old" (IHRDC 7 Nov. 2014). A 2013 UK Home Office Country of Origin Information Report indicates that, according to a translation of the website of the Iranian Embassy in the UK, the only male child must be over the age of 18 and his father must be over the age of 60 (UK 26 Sept. 2013, 56);
- being "the sole caretaker of a parent, a minor or ill sibling or ill grandparents" (IHRDC 7 Nov. 2014) or, according to Al-Monitor, only children caring for parents (19 Dec. 2013);
- being "a man who has demonstrated exceptional scholastic achievement" (IHRDC 7 Nov. 2014);
- Radio Free Europe/Radio Liberty (RFE/RL) states that members of the Basij are exempt from military service (19 June 2009), while an article in the Middle East Journal indicates that this is a "possibility" if they are active in the Basij for 5 years or more (30 June 2013);
- "those who work in industries vital to the government or military" may also be exempt, according to Al-Monitor (19 Dec. 2013).

According to a January 2009 study on kidney donor attitudes in the *Iranian Journal of Kidney Diseases*, some of the donors surveyed had donated a kidney in order "to be exempted from the military service" (36). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

A fact-finding mission on Iran conducted by the Danish Refugee Council, Norway's LANDINFO, and the Danish Immigration Service from 9 November to 20 November 2012 and 8 January to 9 January 2013 states that

[t]he consular officers of the US embassy in Ankara noted that after the post-election political turmoil in the summer of 2009 it appears as if the Iranian Government has eased the requirements to allow people to leave the country in the sense that a young man wishing to leave the country before having completed his military service is able to deposit a bond of 12,000 USD and be allowed travel abroad for study. If the person does not return to Iran, the amount is taken by the authorities. It was commented that young dissatisfied individuals could be perceived as a potential source of unrest by the authorities. It was considered that by allowing them to leave, the authorities were thereby getting rid of dissent. (Denmark Feb. 2013, 70)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The undated website of the Embassy of the Islamic Republic of Iran in The Hague, states that

[a]ccording to the most recent resolutions, foreign resident draftees who have left the country before the date 29/12/1382 [19 March 2004 (Taghvim.com 28 Mar. 2014a)], and whom after entering their 13 years of age, have been living abroad for a minimum of 2 years (as substantiated through presentation of relevant exit and entry stamps as placed in the applicant's passport by Iranian border guards and officials), are eligible for buying themselves out of Military Duty and thereby obtaining an Exemption card, upon paying the sum of

100,000,000 Rials [\$4315 CAD (XE 27 Mar. 2014)]. (Regardless of academic documents, or period of absence from service).

Thus far, this regulation is expected to be in effect up to 04/11/1390 [24 January 2012 (Taghvim.com 28 Mar. 2014b)]. (Iran n.d.a)

AI-Monitor reports that in December 2013, General Kamali stated that "[b]ecause of its discriminatory nature, paying off military service was never desired by the armed forces, and that option has been closed" (19 Dec. 2013). General Kamali reportedly added that "for those who live outside of the country, the option of paying off military service had been cancelled earlier this year. For those who live in the country, paying to avoid military service has not always been offered" (AI-Monitor 19 Dec. 2013). Further information about payment in lieu of compulsory military service could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The IHRDC indicates that "many young males of military age" attempt to avoid military service through "exemptions or by informal and illegal means through monetary bribes to officials" (7 Nov. 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources report that when an exemption is obtained, the person is issued a military exemption card, which lists the reason for the exemption (Human Rights Watch Dec. 2010, 26; BBC 6 Jan. 2010; IHRDC 7 Nov. 2013).

2.1 Medical Exemptions

The undated website of the Iranian Embassy in The Hague states that

[a]ccording to regulations of Medical Exemption of Military Service, those liable to the duty of service can be generally categorized into 4 main groups in terms of their conditions:

- Individuals being in a state of complete physical and mental Health and hence entirely capable of being drafted to the mandatory service period.
- Individuals who have a handicap or suffer from a certain illness and are thus not in a complete state of health, however yet well capable of carrying out non-combat/military-related services in offices.
- Those who due to weak disposition, growth deficiency or suffering from physical or mental illnesses are temporarily not capable of serving for the mandatory period.
- Those who due to handicaps or mental and/or physical illnesses are permanently unable to be drafted for mandatory service period. (Iran n.d.b)

The IHRDC indicates that some exemptions "on account of physical or mental health problems or disabilities" include "schizophrenia, bi-polar disorder, manic-depressive tendencies and other serious mental illnesses" (7 Nov. 2013). A copy of the military regulations governing medical exemptions in Iran could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.2 Sexual Minorities

Sources report on cases of sexual minorities being exempted from military service based on Article 33 of the army's medical exemption regulations (IHRDC 19 June 2013; Human Rights Watch Dec. 2010, 24). According to the IHRDC, Article 33, paragraph 8 of the regulatory code that governs medical exemptions from military service notes that "'moral and sexual deviancy, such as transsexuality'" is considered to be grounds for a medical exemption (19 June 2013).

Human Rights Watch indicates that in order to "prove" their sexual orientation or gender identity, men must undergo "numerous" "humiliating" physical and psychological tests and exams, which may be costly, and they may also encounter administrative barriers, such as "few doctors" to perform such tests and doctors that refuse to perform them without parental accompaniment (Dec. 2010, 24-26). Human Rights Watch adds that gay and transgender Iranians who are exempted from military service "are not immune from harassment and abuse" and that doctors have reportedly pressured gay men seeking exemption to apply for exemption as transsexuals instead (Dec. 2010, 25). The IHRDC reports on doctors who have written letters to the Military Service Office indicating that the individual seeking a military exemption based on sexual preference needed "sex-reassignment surgery" (IHRDC 19 June 2013). The IHRDC says that "physicians charged with administering these evaluations likely recommended that these individuals seek exemption on the basis of transsexuality, not homosexuality, because of the Iranian government's more lenient attitude towards the former in contrast to the latter" (7 Nov. 2013).

2.3 Postponed Service and Reduced Service

Sources indicate that students can postpone their military service (Al-Monitor 19 Dec. 2013; IHRDC 7 Nov. 2013). The IHRDC indicates that this applies to both secondary and university students that are attending classes (IHRDC 7 Nov. 2013).

On 21 December 2013, Islamic Republic News Agency (IRNA), Iran's official news agency (World-newspapers.com n.d.), reported that the High Council of Iranian Affairs Abroad was seeking authorization to reduce service for students studying abroad "in return" for presenting their research studies.

On 30 June 2009, Press TV, Iran's first international news network that broadcasts in English (Press TV n.d.), reported that a bill, which was to be enforced in 2011, would reduce military service by 2 to 10 months for conscripts with university degrees (Press TV 30 June 2009). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

A 14 October 2008 article by Agence France-Presse (AFP) reports that, according to the state-run Fars News Agency, General Kamali stated that military service would be reduced by 1 to 2 months, adding "the term was 17 months...and now it has been cut to 16 months." Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Al-Monitor reports that in December 2013, General Kamali indicated that Iran is "reviewing its policy of offering a reduction in service time for those who are married" (19 Dec. 2013). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3. Alternative Service

In correspondence with the Research Directorate, the Main Representative to the UN for the International Fellowship of Reconciliation (IFOR), a Netherlands-based organization founded in 1914 that is "against war and its preparation" (IFOR n.d.) with "branches, affiliates and groups in more than 40 countries" (NP n.d.), "who has been monitoring issues of military service and conscientious objection world-wide with a view to reporting [and] briefing treaty bodies and other UN mechanisms and procedures" indicated that "there are no provisions for alternate service" in Iran (IFOR 18 Mar. 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

4. Treatment of People Who Refuse Military Service

According to the IFOR Main Representative to the UN, in Iran, "persons who are unwilling to perform military service, for whatever reason, are either recruited against their will or seek to escape or evade recruitment" (18 Mar. 2014).

According to Al-Monitor, men who refuse military service and do not have an exemption are "ineligible" for government jobs and are furthermore "not hired for high-paying jobs" (19 Dec. 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources state that people who refuse military service cannot get a passport (IHRDC 7 Nov. 2013; Al-Monitor 19 Dec. 2013). The IHRDC adds that failing to serve without an exemption can also result in "a ban on ... leaving the country without special permission" (7 Nov. 2013). Sources note that refusing to serve in the army without an exemption can result in not being granted a driver's license (IHRDC 7 Nov. 2013; Human Rights Watch Dec. 2010, 23).

The IHRDC indicates that, "[i]n particular, gay men and transsexual persons who obtain military exemption due to their sexual orientation are at a significant disadvantage" because their cards for military exemption indicate the reason as "a psychological disorder" (IHRDC 7 Nov. 2013). Human Rights Watch reports that "several individuals who had received exemptions based on their sexual orientation" faced discrimination in employment, "because their identification cards stated the reasons for their exemption as 'behavioural disorders' such as 'sexual deviancy'" (Dec. 2010, 24).

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

5. Sanctions for Conscientious Objectors

The IFOR Main Representative to the UN stated that,

no case has been recorded of anyone claiming exemption from the military authorities on the grounds of conscientious objection, but as conscientious objection is not recognised by the military authorities, conscientious objectors would not be treated as such; no sanctions would explicitly address conscientious objection. And this does not mean that persons who would obviously qualify as conscientious objectors do not exist. There are reports that the Mandeian/Ahwaz minority in the South-West of the country are forced to perform military service despite their pacifist religious beliefs and are consequently fleeing the country in large numbers. A figure of 300 was quoted by a spokesman for the "Ahwazi organisation for defense of human rights" at the UN Minority Forum last summer [2013]. (IFOR 18 Mar. 2014)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: Attempts to contact the following individuals and organizations were unsuccessful within the time constraints of this Response: Amnesty International; Center for Strategic and International Studies; a Professor of International Affairs at Harvard Kennedy School; a Professor of Iranian Studies at Columbia University; Radio Free Europe/Radio Liberty; Radio Zamaneh; War Resisters' International. The International Campaign for Human Rights in Iran and Small Media were unable to provide information for this Response.

Internet sites, including: Amnesty International; eoi.net; Iran – Islamic Parliament of Iran, Iranian Police, National Portal for Iran, Office of the Supreme Leader Sayyid Ali Khamenei, Presidency Website; Iran Data Portal; Hein Online; Legislationline; Small Media; United Nations – Refworld.

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