



TAB`EED: INTERNAL EXILE AS A PUNISHMENT FOR HUMAN RIGHTS DEFENDERS AND MINORITIES IN IRAN

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OMCT International Secretariat Geneva, Switzerland

Tel: +41 22 809 49 39

omct@omct.org

www.omct.org

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ISBN: 978-2-88894-101-9

TABLE OF CONTENT

1. INTRODUCTION	4
2. HISTORIC USE OF EXILE AND BANISHMENT	5
3. BANISHMENT	7
a. The Legal Basis of Banishment	7
b. Banishment of Human Rights Defenders and Minorities	9
4. PRISON TRANSFERS	13
5. CONCLUSION AND RECOMMENDATIONS	17

1. INTRODUCTION

The Islamic Republic of Iran (IRI) stands as one of the most repressive regimes in the world where the legal framework is systematically used to stifle dissent and maintain control. From the Green Movement in 2009 to the Women, Life, Freedom movement in 2022, the authorities have responded to calls for reform by intensifying repressive measures. These include arbitrary detention, the arrest of family members, severe restrictions on employment and education, and even the death penalty. Among these punitive tactics, the practice of tab`eed, or internal exile, has steadily gained prominence as a means to isolate and silence political activists, human rights defenders, and minorities.

Tab`eed takes two primary forms: the forced relocation of individuals to remote, economically deprived regions within the country, often following a prison sentence (banishment, section 3), and the transfer of detainees to distant facilities, severing their ties to family and community (transfer, section 4). Both forms of exile are employed as instruments of political repression and social control, serving to further marginalize political activists, human rights defenders, and members of religious or ethnic minorities.

This report¹ explores how the use of internal exile in Iran violates its international human rights obligations. The administration of internal exile deepens the suffering of those already targeted by the regime, reinforces the culture of repression within the country's penal and judicial systems, and directly conflicts with the absolute prohibition of torture and cruel, inhuman, and degrading treatment or punishment as codified in the International Covenant on Civil and Political Rights (ICCPR) that the IRI has ratified.

¹ Information in this report stems from publicly available sources that are referenced in footnotes and from (undisclosed) individuals who were sentenced to exile and shared their stories with the author.

2.HISTORIC USE OF EXILE AND BANISHMENT

Sharia law includes exile as a form of punishment for certain crimes, particularly those related to public morality and social order. In classical Islamic jurisprudence, exile is mentioned in the context of certain *Hudud* (fixed) punishments. For example, in the case of *Zina* (unlawful sexual intercourse), if the offender was not married, one of the prescribed punishments could be exile for a year, along with lashing. This punishment was intended to serve as a form of social and moral purification, by isolating the offender from the community. There are several known cases from the Ottoman Empire, which applied Sharia law alongside other legal codes, on the use of exile as a punishment for political dissidents.²

In Europe, expulsion of individuals from their cities, villages or empire as a punishment has historically been used to remove individuals deemed undesirable or dangerous from society.³ It took various forms, including exile to distant lands, internal exile within a country, or transportation to penal colonies. In ancient Europe, Greek city-states and Rome used banishment to deal with political opponents and criminals. A general criminal code, the *Constitutio Criminalis Carolina* (1532) had been drawn up to provide a common standard for punishments across the Roman Empire. Banishment figured prominently, usually accompanied by flogging, pillorying, cutting off of fingers, and cutting out of tongue.⁴ During the Middle Ages, it was often employed by monarchs and feudal lords to manage dissent. In the modern era, countries like Britain used banishment extensively, sending convicts to colonies such as Australia and North America. In Russia, banishment and internal exile were commonly used by both the Tsarist regime and later the Soviet government as tools of political repression.⁵ Dissidents, intellectuals, and perceived enemies of the state were often sent to remote regions like Siberia, where they endured harsh conditions and isolation, or to far away penal colonies. These practices were employed to silence opposition, control political unrest, and remove individuals from the centers of power, effectively neutralizing them without the need for formal execution.⁶

Over time, as legal and human rights standards evolved, and with the process of decolonization, the practice of banishment was increasingly understood to be inconsistent with modern constitutional and democratic values, particularly the right to be free from

² Mehmet Talha Kalkan and Serkan Erdoğan, “Nefy (Exile), a Method of Rehabilitation in the Ottoman Empire” in Gökçe Bayındır Goularas, Işıl Zeynep Turkan İpek, Pınar Çağlayan, Edanur Önel (eds), *Migration, Identity and Politics in Turkey from the Ottoman Empire to Today* (Lexington Books 2024), pp. 17ff.

³ Matthew J. Gibney, “Banishment and the pre-history of legitimate expulsion power” (2020), *Citizenship Studies*, 8(3), pp. 277-300.

⁴ For more information see Peter Blickle, “The Criminalization of Peasant Resistance in the Holy Roman Empire: Toward a History of the Emergence of High Treason in Germany” (1986) 58 *Journal of Modern History*, pp. 88ff.

⁵ For more information see eg. Daniel Beer, “Penal Deportation to Siberia and the Limits of State Power, 1801–81 (2015) 16 *Kritika: Explorations in Russian and Eurasian History* 3, pp. 621–650.

⁶ During the Imperial period, China used internal exile (banishment to remote regions) as a punishment. This practice was largely abandoned with the fall of the Qing Dynasty and the establishment of the Republic of China in 1912. For more information see eg. Joanna Waley-Cohen, “Exile in Mid-Qing China: Banishment to Xinjiang, 1758-1820 (Yale Historical Publications 1981).

cruel, inhuman, and degrading treatment, freedom of movement and rule of law. Many forms of banishment and internal exile were thus eventually discontinued. Britain ended transportation of convicts to Australia in 1864; the French stopped sending detainees to Devil's Island in French Guinea in 1938⁷ and Russia revised its penal code in 1993 and effectively abolished banishment to Siberia.⁸ Having said this, the practice of sending detainees to remote penal colonies continues in many places including Russia. Similarly in countries that apply Sharia law, banishment does no longer play a prominent role in criminal law and it are isolated cases in which a court sentences someone to banishment.⁹

Tab'eed has a long history in Iran. It has been used at least since the ancient Sasanian Empire of Iran that ruled from 224 to 651 AD. Perhaps the most prominent person who spent time in exile is the current Supreme Leader of Iran, who was exiled in Iranshahr from 1976 to 1978.¹⁰

⁷ Ibid, p. 25

⁸ Los Angeles Times, "Off to Siberia? No Longer in New Russia, 19 February 1993, <https://www.latimes.com/archives/la-xpm-1993-02-19-mn-281-story.html>.

⁹ For a rare case see an example in Tunisia: Amnesty International, "Tunisia: Sentencing of six men for same-sex relations highlights state's entrenched homophobia", 14 December 2015, <https://www.amnesty.org/en/latest/press-release/2015/12/tunisia-sentencing-of-six-men-for-same-sex-relations-highlights-states-entrenched-homophobia/>. Internal banishment was also reported from Sudan, see e.g. U.S. Department of State, "2022 Report on International Religious Freedom: Sudan", <https://www.state.gov/reports/2022-report-on-international-religious-freedom/sudan/>.

¹⁰ Khamenei.ir, "Biography of Ayatollah Khamenei the Leader of the Islamic Revolution", <https://english.khamenei.ir/news/2130/Biography-of-Ayatollah-Khamenei-the-Leader-of-the-Islamic-Revolution>.

3. BANISHMENT

a. The Legal Basis of Banishment

The IRIs legal system is based on Sharia and is interpreted in accordance with the Quran, Hadith¹¹ and Fiq`h¹². The Quran mentions exile in several verses¹³ and specifically for the crime of Muharebe (armed violation of the public security). In Islamic jurisprudence (Fiq`h), exile is a punishment for homosexuality (Qawad¹⁴) and for adultery (Zani¹⁵). This is also reflected in the 2020 Penal Code¹⁶ that regulates those crimes as follows:

Zani:

Article 229

The punishment of a man who has a permanent wife, if he commits fornication, before having coitus (with the wife), shall be one hundred lashes, head shaving, and banishment for the period of one lunar year.

Qawadi:

Article 243

The fixed corporal punishment of any man engaged in panderism shall be seventy-five lashes, and should it be committed for the second time, banishment up to one year at the discretion of the judge, in addition to seventy-five lashes.

Muhareb:

Article 282

The fixed corporal punishment for armed violation of the public security shall be one of the following penalties:

- a. Death penalty;
- b. Crucifixion;
- c. Amputation of the right hand and left foot;
- d. Banishment.

Article 284

Term of banishment shall not be less than one year, at any rate, even though the armed violator of public security repents after arrest. And, he or she shall remain banished, should he or she do not repent.

¹¹ Collection of validated quotes through text and other sources such as interpretation and Ijtihad.

¹² Islamic jurisprudence.

¹³ Maede, verse 33 and Ahzab, verses 58-60.

¹⁴ "He who facilitates the act of intercourse between two or more homosexuals".

¹⁵ "He who has outside marriage intercourse with a woman, while married to another woman".

¹⁶ The IRI Penal Code, Second Section, Chapter 1, Article 229,

https://sherloc.unodc.org/cld/uploads/res/islamic-penal-code_html/Islamic_Penal_Code.pdf?fbclid=IwAR0AeG3OsCunXnjig7RKORBbyjCWZPyHuf2Imc750GsZ5CqHucLGedxeMNo.

Article 285

Where banished, the armed violator of public security shall be kept under surveillance, and shall not have socialization, association and social contacts with others.

Internal exile is implemented in accordance with the “Regulation on how to Implement the Rulings of Hudud, Qisas, Amputation, Injuries, Whipping and Exile” enacted in 2018 by Ebrahim Raeisi, the head of the Judiciary at the time.¹⁷ Chapter 6 of this regulation (Articles 135 to 148) stipulates the “implementation of exile and negation of land, forced residence and prohibition of residence”. It mostly contains administrative regulations on notification of relevant authorities about the exile of a person as well as transfer from prison to the place of exile. It also stipulates that an exiled person is allowed to work but is not allowed to meet other people (apart from family members) to socialize or to travel and to use communication devices such as the telephone or internet (Article 142).

Article 135 mandates the ministries of interior, intelligence and justice to produce a list of places that are politically, socially or security-wise not appropriate for exile. This list needs to be approved by the High Council of National Security before it is sent to the judiciary. While we are not aware whether such a list exists, the Ministry of Interior publishes every few years a list of cities where persons can be sent to exile. The last publicly available list was published in 2020 and contains 36 cities.¹⁸ All 36 cities are in extremely deprived areas and mostly near borders with neighbouring countries such as Afghanistan and Iraq. Most of these locations are in Sistan-Balouchestan or Khuzestan provinces.

Some towns on the list have expressed concern over the negative impact of being designated as locations for exile or banishment.¹⁹ Local officials and residents argue that such a designation reinforces negative stereotypes and could severely harm efforts to promote tourism and economic development. The association of these towns with banishment can tarnish their image, deterring potential visitors and investors. Provinces like Sistan-Balouchestan and Khuzestan, which already struggle with poverty and underdevelopment, fear that being on this list could further isolate their communities and

¹⁷ “Regulation on how to implement the rulings of Hudud, Qisas, amputation, injuries, whipping and exile”, ratified in 2018, available in Farsi at: <https://www.adljou.com/law/9312/54>.

¹⁸ Available in Farsi at: <https://www.hamshahrionline.ir/news/539714>.

Cities in the provinces of Khuzestan (Izeh, Masjed-Suleiman, Bagh-Malek- Ramhormoz), Fars (Eqlid, Firuz-Abad, Estahban, Neyriz), Razavi Khorasan (Kashmar, Gonabad, Khaf), Lorestan (Azna, Delphan, Selseleh), Kohgiluyeh and Boyer-Ahmad (Yasuj, Do-Gonbadan) Bushehr (Borazjan, Khormuj), Markazi (Ashtian, Sarband), East Azerbaijan (Kalibar, Heris) West Azerbaijan (Takab), Ardabil (Garmi), Kerman (Shahr-Babak, Baft), Chahar-Mahal and Bakhtiari (Ardal, Lordegan), Isfahan (Semirom), Semnan (Damqan), Kermanshah (Sonqor), Zanzan (Qeidar), Hormozagan (Minab), South Khorasan (Ferdows), Yazd (Mehriz) and Hamedan (Tuysarkan). There are also cities that are not mentioned in the list but are unofficially being used. i.e typically the cities in Sistan and Baluchestan that are exile locations are not mentioned in the list due to security concerns (Mirjaveh, Zahak, Zabol, Konarak) also cities such as Rasht in Gilan where Hamide Zeraei was sent to in 2022 or Torbat-e-Jam in Razavi Khorasan where Marzieh Mahmoudi was sent to in 2023. For further information see: <https://wnci.org/2023/07/25/journalist-marzieh-mahmoudi/>.

¹⁹ Available in Farsi at: <https://www.kurdpress.com/news/316982> and <https://iranwire.com/fa/features/119732>.

perpetuate a cycle of neglect and marginalization, making it even harder to improve living conditions.²⁰

Moreover, this policy is indicative of the strained relationship between the central government and these regions, which are primarily populated by ethnic and religious minorities. The selection of these areas as destinations for internal exile reflects a broader pattern of marginalization and underscores the government's perception of these provinces as peripheral and neglectable. Such actions only deepen the socio-political divisions between the capital and the outlying regions.

The IRI penal code specifies in its article 284, that the duration of the punishment of banishment should not be less than one lunar year (354 days). However, no maximum duration is specified, and it is *de facto* left to the discretion of the judge on a case-by-case basis. Therefore, in practice, as examples below show, most individuals are sentenced to exile for one to two years, though older reports by the Special Rapporteur on the Human Rights Situation in Iran indicate sentences of up to four years in some cases.²¹

b. Banishment of Human Rights Defenders and Minorities

As far as we know, banishment has predominantly been wielded as a punitive measure against political prisoners and religious minorities. The often arbitrarily defined nature of crimes that warrant exile, particularly the crime of Muharebe (for armed violation of the public security) grants judges extensive discretionary power. This legal ambiguity has allowed for a systematic pattern, where, in recent years, judges have increasingly sentenced political activists, dissidents, human rights defenders, and members of religious minorities to internal exile.

The rationale behind exiling individuals is twofold. First, it serves to isolate the person concerned from their communities, friends and families, thereby crippling any potential for continued political activism. Second, it further humiliates and punishes them which is evident by the way internal exile is executed and in the harsh conditions often accompanying banishment. Exiled individuals frequently face severe deprivation, with limited access to basic necessities, healthcare, and legal support in violation of the absolute prohibition of torture or cruel, inhuman, and degrading treatment and punishment.

It has been reported that individuals sentenced to exile are typically **abandoned** at their designated location with nothing but the prison clothes. An exiled individual reported that authorities transported him to the exile destination in a care, even though his family had already paid for a plane ticket from Tehran to the exile site. The journey lasted 12 hours without any food being provided,. Upon arrival at 4 a.m., he was dropped off at the local police station. It wasn't until around 9 a.m. that he managed to find someone who helped him contact his family, who had no knowledge of his whereabouts. In some cases, the

²⁰ Available in Farsi at: https://www.bbc.com/persian/iran/2014/08/140815_I93_sattar_beheshti.

²¹ See e.g. Human Rights Council, "Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran", UN Doc. A/HRC/25/61, 13 March 2024, p. 35.

person sentenced to internal exile was forced to make the arduous journey to their place of banishment on their own.

Upon arrival, they are often left entirely **dependent on the goodwill of residents** for basic survival, including food and shelter. In one case, an exiled individual spent five months living in parks and on the streets before receiving assistance from a local resident to find an apartment. However, after just one month, the landlord, upon learning that he was an exiled individual under surveillance, asked him to leave. Additionally, the local resident who had assisted him was summoned by the authorities and instructed to cut all ties with the exiled individual.

The situation of exiled individuals is further exacerbated by the practice of sending individuals to **communities of other ethnic or religious backgrounds**. Moreover, the enforced dependency not only deepens the sense of humiliation but also dehumanizes those subjected to exile, adding to their suffering.

During the entire exile sentence, authorities offer **no financial or social support**, and there are no efforts to promote rehabilitation or integration. The **prohibition of meetings and gatherings** makes it even harder for individuals to integrate or to seek counseling and therapy that many need after having experienced torture and other forms of ill-treatment in prison. While they are allowed to meet with family, traveling to remote areas is often difficult. This not only affects the exiled individuals but also places a heavy strain on their families, as visits are often challenging or impossible, increasing the psychological pressure on the exiled.

Exiled individuals are also typically **required to report to the nearest police station** early every morning. One individual recounted how he was even made to purchase his own notebook to log his daily check-ins at the police station. Exiled individuals are allowed to look for **work** but not in their original profession. An exiled journalist, for instance, cannot work as a journalist while exiled. The right to work, however, only seems to exist in practice. One exiled individual reported that his employer was pressured by authorities to dismiss him. Exiled individuals typically live under financial strain, given the difficulty they have in interacting with the local community and given the fact that exile is served in economically underdeveloped areas.

While **telephone and internet use** are explicitly prohibited, some individuals do have access to communication means and seem to be able to continue their human rights advocacy from exile. We further learned that some individuals were coerced into summarizing or copying religious texts while in exile as part of their punishment.²²

Exiled individuals are typically placed under **surveillance** by authorities. Local residents who come into contact with them are swiftly summoned and prohibited from further interaction. Any **breach of exile conditions**—such as discussing the reasons for their conviction or unauthorized departure from the exile location—results in a prison sentence and return to exile.

There also seems to be some unpredictability regarding the **termination of internal exile**. In one case, an individual who was granted permission to travel to Tehran for medical treatment discovered that his exile had officially ended nine months earlier. However, due to the prosecutor's failure to inform the authorities at the exile location, he

²² Ibid.

remained unjustly confined for nearly a year beyond his release. This incident is indicative of the serious gaps in communication and oversight within the system.

The exact number of individuals sentenced to exile remains unknown due to the lack of transparency and access to information. However, available reports and information suggest that exile is used as a tool of repression against journalist, human rights defenders and political activists as well as against religious and ethnic minorities.

Well-known activists and human rights defenders sentenced to exile include: **Ahmad Zeid Abadi**, a journalist promoting the rights of ethnic and religious minorities has spent two years in exile in Gonabad, Razavi Khorasan Province, in 2015, after he served six years in prison;²³ **Siamak Mirzaei**, an advocate for Azeri minority rights, who was sentenced to internal exile in Qaen, far from his home in West Azerbaijan Province; **Ahmad Ghabel**, a theology scholar, critique of the regime who was convicted to 3 years of prison, 3 years of exile and 3 years ban of public speaking.²⁴ **Siamak Nasiri**, a political prisoner, encountered severe punitive measures for his political activities including 5 years imprisonment for “encouraging the public to purge in order to disturb the national security” and 1 year imprisonment for “defamation of the regime” and 2 years of exile to Ahvaz, in Khuzestan province. He is still serving his prison sentence in Karaj prison. **Abbas Lesani**, an Iranian Azerbaijani cultural activist, poet, and writer served four years and two months in Ardabil prison and was transferred to Yazd City for his 2-year exile in February 2023. However, Lesani returned to Ardabil prison because he disobeyed the exile sentence. He was initially arrested on 15 January 2019 and charged with “forming a group to disrupt the security of the country”, “acting against national security”, and “inciting and encouraging the Turks in West Azerbaijan province through speeches and interviews” against the regime.²⁵

In a more recent case, **Soheil Arabi**, a blogger and journalist arrested in Tehran in 2013 because of his human rights work including reporting on the situation of prisoners, was initially sentenced to death on the charges of “insulting the Islamic prophet Muhammad”. His sentence was overturned in 2015 to 7 years and 5 months of imprisonment, and two years of mandatory study of Islamic theology, including summarizing 13 books in Islamic theology, writing an article on religion or theology with at least 10 references and presenting the result to the court every 3 months. In addition to these, he was also sentenced to internal exile in Borazjan, Bushehr province for two years starting from November 2021.²⁶

Exile is also used as a punishment against ethnic and religious minorities, particularly against Bahá'ís²⁷, Gonabadi Sufi Dervishes²⁸, and Christian converts. The IRI promotes

²³ Center for Human Rights in Iran, “Journalist Exiled the Day He Completes Six Years in Prison”, 22 May 2015, <https://iranhumanrights.org/2015/05/ahmad-zeidabadi/>.

²⁴ Available in Farsi at: <https://www.hra-news.org/2010/hranews/1-4670/>. Ahmad Ghabel has passed away in October 2012 while spending his time in exile.

²⁵ Etekyazi, “Human Rights Violations Report on The Azerbaijani Turks in Iran, 2023, <https://www.etekyazi.com/wp-content/uploads/2023/05/Human-Rights-Report-on-the-Azerbaijani-Turks-in-Iran-January-March-2023.pdf>.

²⁶ US Commission on International Religious Freedom, “Soheil Arabi”, <https://www.uscifr.gov/religious-prisoners-conscience/forb-victims-database/soheil-arabi>.

²⁷ For cases on Bahá'ís sentenced to exile see for instance Bahá'í International Community, “Submission to the Human Rights Committee, 139th Session”, 2023, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2F/CSS%2FIRN%2F56230&Lang=en.

²⁸ Gonabadi Dervishes follow a tradition since the 14th century. They are Sufi and follow Nematollahi order. The Dervishes have been heavily persecuted since the establishment of the Islamic Republic of Iran. For

a long-standing narrative portraying minorities as a threat to national security.²⁹ Many Gonabadi Sufi Dervishes are collectively punished simply for practicing their religion and are exiled to remote locations in provinces like Sistan, Baluchistan, South Khorasan, Razavi Khorasan, Bushehr, Kermanshah and Kerman provinces where they are isolated from their religious community. Notable cases include: **Saeid Soltanpour**, **Rasoul Hoveyda** and **Akbar Beyranvand** who are exiled to Zahak (Sistan and Baluchistan); **Reza Entesari**, serving exile in Khaf (Razavi Khorasan province); **Sina Entesari** exiled to Mirjaveh, (Sistan and Baluchistan), **Saeid Dourandish**, **Ehsan Malekmohammadi** and **Hadi Shahreza** exiled into Zabol (Sistan and Baluchistan).³⁰

There are several cases of Christian converts who are sentenced to exile including **Abbas Souri** and **Maryam Mohammadi** who have been arrested in 2020 and convicted in 2022, to a two-year travel ban from Tehran, and then two years in exile. The destination has still to be determined by the judge.³¹ **Yousef Naderkhani** and **Zaman Fadaei** were sentenced in 2018 for the crimes “acting against national security” including “propagating house churches” and “promoting Zionist Christianity”. They currently serve their 10-year sentence in Evin prison. They are expected to be sent to exile to serve their two-year banishment thereafter. **Ebrahim Firouzi** was sentenced to two years in exile in 2022 in Rask (Sistan and Baluchistan province) as part of a sentence for “propaganda against the Islamic Republic,” “launching and directing evangelism” and “running a Christian website.” **Mohammadreza Omid**, was sent to exile in 2022, to spend his two-year sentence in Borazjan (Bushehr province). He was convicted for “acting against the national security through propagating house churches and promoting Zionist Christianity.”³² **Sasan Khosravi** is in exile since 2022 in Borzjan (Bushehr province) after he spent one year in prison for “propaganda against the regime.”³³

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further information see eg. Iran Human Rights Documentation Center, “Living under Suppression: The Situation of Gonabadi Dervishes in Iran, 6 March 2021, <https://iranhrdc.org/living-under-suppression-the-situation-of-gonabadi-dervishes-in-iran/>; Iran Wire, “Who are the Gonabadi Sufis?” 13 February 2018, <https://iranwire.com/en/features/65164/>, Aljazeera, “Iran’s Gonabadi Dervishes: A ‘long history’ of persecution, 27 February 2018, <https://www.aljazeera.com/features/2018/2/27/irans-gonabadi-dervishes-a-long-history-of-persecution>.

²⁹ OHCHR, Advocacy Paper of the Fact-Finding Mission on Iran, 5 August 2024, <https://www.ohchr.org/en/press-releases/2024/08/minorities-iran-have-been-disproportionally-impacted-ongoing-crackdown>.

³⁰ Available in Farsi at: <https://p.dw.com/p/1C85I>; <https://cshr.org.uk/daravish-tabeed/> and <https://parsi.euronews.com/2020/05/14/exclusive-report-on-thirty-four-gonabadi-dervishes-that-have-been-exiled>.

³¹ Article18, “Case studies”, December 2023, <https://articleeighteen.com/case-studies/11206/>.

³² For all 4 cases see the United States Commission on International Religious Freedom, <https://www.uscifr.gov/religious-prisoners-conscience/forb-victims-database/zaman-fadaei>; <https://www.uscifr.gov/religious-prisoners-conscience/forb-victims-database/ebrahim-firouzi>; and <https://www.uscifr.gov/religious-prisoners-conscience/forb-victims-database/mohammad-reza-omidi>

³³ Article18, “Christian converts conclude prison sentences, but one now faces exile”, 20 January 2022, <https://articleeighteen.com/news/10149/>.

4. PRISON TRANSFERS

Tab'eed (internal exile) is also used against human rights defenders and political prisoners who are still serving a prison sentences. The IRI has a well-documented history of transferring political prisoners to distant or less accessible penal facilities. These prisons are often notorious for harsh detention conditions (e.g., Zanjan Prison, Qezel Hesar³⁴) or for carrying out higher rates of executions than others (e.g., Qezel Hesar Prison). This practice is deliberately employed to further isolate and punish prisoners who have been outspoken about prison conditions or who have organized protests, hunger strikes and other forms of resistance while in detention. A notable example is the Nobel Peace Prize laureate **Narges Mohammadi**, who has frequently been relocated to remote prisons, including Qarchak and Zanjan due to her activism and continued defiance while imprisoned. For instance, on 21 December 2019, Narges among others staged a peaceful sit-in against the state response to the November 2019 nationwide protests. On December 25, she was transferred to Zanjan Prison.³⁵

The transfer of prisoners to a remote facility is a violation of the Iranian Penal Code. Articles 244 and 245 explicitly state that a person who has committed a crime should be tried, convicted, and serve their sentence within the jurisdiction where the crime was committed. Exceptions are transfer because of emergency situations where an institution might exceed its holding capacity, or because of a natural disaster or for health reasons like a contagious disease that would pose a risk to others within the institution. The application of these exceptions is left to the discretion of the judge, but the routine practice of relocating political prisoners far from their communities starkly contradicts the intent of these provisions.

Transfer of prisoners as a punishment has systematically been used since the Green Movement in 2009.³⁶ The long list of known and vocal political detainees who have been relocated to isolated and remote facilities underscore the use of exile as a tool to suppress dissent. One of them is **Nasrin Sotoudeh**, a human rights lawyer, who served two prison terms, the last one from 2018 to 2021. She was transferred from Evin prison to Qarchak prison in October 2020. Just two month prior, she began a 46-day hunger strike to call for the immediate release of all human rights defenders and political prisoners in Iran, whose lives have been particularly threatened because of the appalling conditions in detention facilities, exacerbated by the risks posed by the COVID-19 pandemic.³⁷ She further

34 See e.g. a letter from a detainee describing the conditions in Qezel Hesar, <https://ipa.united4iran.org/en/prisoner/938/>.

35 Iran Human Rights, "Narges Mohammadi", <https://iranhr.net/en/people/6086/>.

36 Prominent cases include Masoud Bastani (a journalist and political activist): HRANA, "Masoud Bastani Released from Prison after Serving 6 Years", 23 July 2015; HRANA, <https://www.en-hrana.org/tag/masoud-bastani/>; Ahmad Zeidabadi (a journalist and analyst): Committee to Protect Journalists, "Ahmad Zeid-Abadi", <https://cpj.org/data/people/ahmad-zeid-abadi/>; Bahman Ahmadi Amoui (a political activist): Committee to Protect Journalists, "Bahman Ahmadi Amouee", <https://cpj.org/data/people/bahman-ahmadi-amouee/>; Majid Tavakoli (political activist and critique of the regime): HRANA, "Majid Tavakoli Released from Rajai Shahr Prison" 22 April 2015, <https://www.en-hrana.org/majid-tavakoli-released-rajai-shahr-prison/> who were all transferred to the remote Rajae Shahr prison in 2009.

³⁷FIDH, "Nasrin Sotoudeh ends hunger strike, must be immediately released from prison", 30. September 2020,

drafted a letter complaining about unfair procedures, lack of access to lawyers, and the lack of independence of the judiciary.³⁸ Despite serious cardiac and pulmonary problems, she was sent to Qarchak prison where detention conditions are known to be particularly harsh, especially characterized by overcrowding and lack of medical care.³⁹

Maryam Akbari Monfared, a well-known political activist was sentenced to 15 years imprisonment for the crime of Moharebeh by the Tehran Revolutionary Court. She was detained in Evin prison when she was transferred to Semnan prison in 2020 and for a second time in 2024.⁴⁰ She has on several occasions, including in 2023, sent letters from inside prison denouncing the treatment of political prisoners and voicing solidarity with those opposing the regime.⁴¹

Yasaman Ariyani and her mother **Monireh Arabshahi**, two anti-compulsory hijab activists were exiled from Evin prison to Kachouei prison in Karaj, in 2020.⁴²

Golrokh Iraee Ebrahimi, civil rights activist, was transferred from Qarchak prison to Amol central prison in 2021. While exact reasons for her transfers are unknown, Golrokh Iraee Ebrahimi repeatedly stood up for the rights of fellow inmates,⁴³ including by handing a letter to a delegation of 45 ambassadors who visited Evin Prison, that was later published.⁴⁴

Atena Daemi, civil rights activist, was transferred from Evin prison to Lakan prison in 2021.⁴⁵ Arrested in 2016 and sentenced to 14 years imprisonment for advocating for the rights of women and children and against the death penalty, Atena Daemi has been a vocal critic of the IRIs treatment of human rights defenders and political prisoners. In 2017, she went on a one-month hunger strike to protest the arbitrary detention of her sisters;⁴⁶ in 2018 she shared an open letter from prison criticizing the regimes violence and suppression of dissenters;⁴⁷ in 2019 she participated in a peaceful sit-in protest in

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<https://www.fidh.org/en/region/asia/iran/iran-nasrin-sotoudeh-ends-hunger-strike-must-be-immediately-released>.

³⁸ Center for Human Rights in Iran, "Nasrin Sotoudeh Begins Hunger Strike in Evin Prison", 12 August 2020,

<https://iranhumanrights.org/2020/08/nasrin-sotoudeh-begins-hunger-strike-in-evin-prison/>.

³⁹ OMCT, "Unexplained transfer of Nasrin Sotoudeh to Qarchak prison", 20 October 2020,

<https://www.omct.org/en/resources/urgent-interventions/unexplained-transfer-of-nasrin-sotoudeh-to-qarchak-prison>.

⁴⁰ Hengaw Organization for Human Rights, "Maryam Akbari Monfared Faces Another Prison Sentence After 15 Years in Detention", 3 January 2024, <https://hengaw.net/en/news/archive/63645>.

⁴¹ Independent, "Vileness and brutality: mother in Iranian jail for 13 years shares letter from inside "hell" prison, 2 January 2023, <https://www.independent.co.uk/news/world/middle-east/maryam-akbari-monfared-prison-letter-b2254342.html>.

⁴² Center for Human Rights in Iran, "Iran Moving Women Political Prisoners to Jail with Common Criminals", 23 October 2020, <https://iranhumanrights.org/2020/10/iran-moving-women-political-prisoners-to-jails-with-common-criminals/>.

⁴³ Front Line Defenders, "Golrokh Iraee charged with national security related charges", <https://www.frontlinedefenders.org/en/case/golrokh-iraee-charged-national-security-related-charges>.

⁴⁴ Center for Human Rights in Iran, "Political Prisoners' Letter to Foreign Ambassadors Who Went on Staged Tour of Evin Prison", 31 July 2017, <https://iranhumanrights.org/2017/07/political-prisoners-letter-to-foreign-ambassadors-who-went-on-staged-tour-of-evin-prison/>.

⁴⁵ Front Line Defenders, "Imprisonment of Atena Daemi", <https://www.frontlinedefenders.org/en/case/imprisonment-aten-daemi>.

⁴⁶ Amnesty International, "Urgent Action, Human Rights Defender in Poor Health", 9 May 2017, <https://www.amnesty.org/en/wp-content/uploads/2021/05/MDE1361892017ENGLISH.pdf>.

⁴⁷ Front Line Defenders, "WHRD Atena Daemi pens letter from Evin Prison", <https://www.frontlinedefenders.org/en/statement-report/whrd-aten-daemi-pens-letter-evin-prison>.

Evin prison to mourn those killed in a government crackdown a month before;⁴⁸ and in 2020 she refused to appear before court three times because her lack of access to a lawyer and insufficient time to prepare.⁴⁹ Moreover, she was repeatedly charged with “disturbing the prison order”.⁵⁰ On the eve of Nowruz, the Iranian new Year, she was then transferred to Lakan prison where she was denied contact with fellow inmates and repeatedly prohibited from making phone calls to her family.⁵¹

Saied Madani, anthropologist and university professor was exiled from Evin prison to Damavand prison in 2024.⁵² Two month before, Saied Madani announced that he boycotts Parliamentary elections⁵³ Three months prior to his transfer, BBC Farsi published a statement in which Saied Madani criticized the government for creating fear and intimidation with the aim of strengthening authoritarian rule because it has no real legitimacy.⁵⁴

One of the most tragic exile cases is the case of **Peyman (Amirreza) Arefi**, a political activist who served a 15-years prison sentence starting from 2009. In 2010 he was sent to the remote Masjed Suleiman prison. He lost his wife and his mother in a car accident when travelling from Tehran to Masjed Suleiman to visit him.⁵⁵

In a potentially biggest collective transfer to exile, 13 political prisoners (**Jafar Ebrahimi**, **Kamyar Fakour**, **Loqman Aminpour**, **Saeid Masouri**, **Afshin Baymani**, **Sepehr Imam-Jom'e**, **Zartosht Ahmadi Ragheb**, **Mohammad Shafeie**, **Saman Seydi**, **Hamzeh Savari**, **Ahmadreza Haeri**, **Reza Salmanzadeh** and **Masoud Reza Ebrahiminezhad**) were suddenly transferred from Evin prison to Qezel Hesar prison in 2023.⁵⁶ We learned that several of them had been on hunger strike to protest their detention conditions shortly before the transfer.⁵⁷

The manner in which prison transfers are conducted in Iran constitutes a violation of the United Nations Standard Minimum Rules for the Treatment of Prisoners, commonly known as the Nelson Mandela Rules. These rules recognize that imprisonment, by its very nature, imposes afflictive conditions on individuals by depriving them of their liberty and cutting them off from the outside world. As such, the prison system must not exacerbate the suffering inherent in imprisonment, except when necessary for justifiable

⁴⁸ Front Line Defenders, “Imprisonment of Atena Daemi”, <https://www.frontlinedefenders.org/en/case/imprisonment-aten-daemi>; VOA, “Jailed Iranian Dissident Hit with 2nd Conviction for Peaceful Prison Protests”, 8 July 2020, <https://www.voanews.com/a/middle-east-voa-news-iran-jailed-iranian-dissident-hit-2nd-conviction-peaceful-prison-protests/6192413.html>.

⁴⁹ Women’s Committee on Iran, “Atena Daemi Refuses to Appear in Court; Protests Fabricated Case”. 3 May 2020, <https://wnci.org/2020/05/03/aten-daemi-refuses-to-appear-in-court-protests-fabricated-case/>.

⁵⁰ Front Line Defenders, “Imprisonment of Atena Daemi”, <https://www.frontlinedefenders.org/en/case/imprisonment-aten-daemi>.

⁵¹ Iran Wire, Mounting Charges and Phone Bans: What Atena and Family Endured, 26 January 2022, <https://iranwire.com/en/prisoners/71185/>.

⁵² Radio Free Europe, “Wife Says Prison Transfer Of Iranian Activist Aimed At Isolating Him”, 5 April 2024, <https://www.rferl.org/a/iran-activist-madani-prison-transfer-isolation-/32892663.html>.

⁵³ Iran Wire, “Jailed Iranian Activists Punished for Announcing Election Boycott”, 20 February 2024, <https://iranwire.com/en/news/125534-jailed-iranian-activists-punished-for-announcing-election-boycott/>.

⁵⁴ Available in Farsi: <https://x.com/bbcpersian/status/1750276929486282952?s=20>.

⁵⁵ Available in Farsi at: <https://p.dw.com/p/1AcR1>.

⁵⁶ Iran Human Rights Monitor, “Transfer of 13 Political Prisoners in Qezelhessar Prison to Drug Offenders’ Ward”, 22 September 2023, <https://iran-hrm.com/2023/09/22/transfer-of-13-political-prisoners-in-gezelhessar-prison-to-drug-offenders-ward/>.

⁵⁷ Available in Farsi: <https://t.me/kashowra/17587>.

separation or the maintenance of discipline.⁵⁸ Rule 59 of the Nelson Mandela Rules specifically mandates that prisoners should, whenever possible, be allocated to facilities near their homes or places of social rehabilitation to maintain their connection with their families and communities. Furthermore, the Rule 58 emphasizes the importance of allowing prisoners regular communication with their family and friends. Procedures and facilities must be made available to uphold these standards, with due regard to the safety, dignity, and well-being of all prisoners. Iran's failure to adhere to these internationally recognized standards underscores the severe deficiencies in its prison system and its disregard for basic human rights principles concerning the treatment of detainees.

⁵⁸ Rule 3 of the of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) adopted by Resolution 70/175, UN Doc. A/RES/70/175, 8 January 2016.

5. CONCLUSION AND RECOMMENDATIONS

The use of internal exile in the IRI, as a tool of political repression and control, raises grave concerns under international human rights law. The practice not only serves to isolate and punish political dissidents, human rights defenders, and minority groups but also subjects them to conditions that are inherently degrading and humiliating. International human rights law, including the ICCPR (Article 7) to which the IRI is a party, unequivocally prohibits cruel, inhuman, or degrading treatment and punishment. The manner in which banishment is administered contravenes these international standards:⁵⁹

- Abandoning exiled individuals in remote areas without personal belongings, where access to necessities and forcing them into dependency on local residents rather than offering financial and social support for integration;
- Banning any form of meetings or gatherings, making social integration and rehabilitation impossible;
- Prohibiting telephone use severely limits access to family and legal representation;
- Exiling individuals to communities of different ethnic or religious backgrounds further isolates them from local support;
- Sending individuals to impoverished regions makes it difficult to find work;
- Using exile disproportionately against specific groups undermines equality and non-discrimination and demonstrates abuse of state power.

Such measures not only violate the dignity of the individuals but also contribute to their dehumanization and exacerbates the suffering of those already facing the trauma of unjust imprisonment. All this renders the punishment disproportionately severe and is not an acceptable alternative to a prison sentence.

Banishment is furthermore a violation of Article 12, the right to freedom of movement, of the ICCPR which provides that “everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.” The Human Rights Committee has asserted that Article 12 protects against “all forms of forced internal displacement”⁶⁰ and that any restriction of free movement must be necessary, proportional and appropriate to achieve their protective function. Moreover, the Human Rights Committee stated that it would be a clear violation of the ICCPR if Article 12 “were restricted, by making distinctions of any kind, such as race, [...] religion, political or other opinion.”⁶¹

Similarly, the practice of transferring prisoners to far-away penal colonies is a violation of international human rights standards. The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) emphasize the importance of maintaining close contact between prisoners and their families as a crucial aspect of

⁵⁹ HRC, Concluding Observations on the Fourth Periodic Report of the Islamic Republic of Iran, UN Doc. CCPR/C/IRN/CO/4, 23 November 2023, para. 32.

⁶⁰ HRC, General Comment No. 27, UN Doc. CCPR/C/21/Rev.1/Add.9, 1. November 1999, para.7

⁶¹ Ibid, paras. 16 and 18.

humane treatment.⁶² By deliberately placing prisoners in distant locations, the IRI effectively undermines the right to family life and imposes additional, undue hardships on both the prisoners and their families.⁶³ This practice is not only punitive but also serves as an additional form of psychological ill-treatment, further isolating prisoners from their support networks.

This report explained how the use of internal exile in Iran violates international human rights law, particular the absolute prohibition of torture and cruel, inhuman, and degrading treatment and punishment amplifying the suffering of those already targeted by a regime that prioritizes control over justice.

Recommendations to the IRI:

- 1. Abolish the Practice of Banishment:** Immediately cease the use of banishment as a punitive measure and amend laws that permit its use, in compliance with the IRIs obligations under the ICCPR.
- 2. Ensure Fair Trial Standards:** Guarantee that all individuals are provided fair trials in accordance with article 14 of the ICCPR, including the right to legal representation including when serving an exile sentence.
- 3. Release Individuals Subjected to exile:** Immediately release all individuals who have been subjected to exile as a result of arbitrary and politically motivated charges, and ensure their reintegration into society without discrimination or further punishment.
- 4. Promote alternatives to detention:** Use alternatives to *tab'eel* that are in line with international human rights standards.
- 5. Ensure that prison transfers are consistent with international standards:** Refrain from using prison transfers as a punishment and only use in exceptional circumstances.
- 6. Protect Human Rights Defenders, activists, and minorities:** Ensure the safety and protection of human rights defenders, journalists, and civil society activists, in line with the UN Declaration on Human Rights Defenders, and protect minorities by *inter alia* amending legislation that discriminates religious minorities.
- 7. Engage with International Human Rights Mechanisms and ratify the UN Convention against Torture:** Cooperate with international human rights mechanisms, including by granting access to UN Special Rapporteurs and working with international bodies to improve the human rights situation in Iran, particularly with regard to the treatment of individuals subjected to banishment and prison transfer.

⁶² Rule 58 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) adopted by Resolution 70/175, UN Doc. A/RES/70/175, 8 January 2016.

⁶³ Human Rights Council, Report of the United Nations High Commissioner for Human Rights on human rights implications of overincarceration and overcrowding, UN Doc. A/HRC/30/19, 10 August 2015, para. 28.

Recommendations to the International Community:

- 1. Provide support to civil society and victims:** Increase financial and technical assistance to civil society organizations that document cases of exile and other forms of cruel, inhuman and degrading punishment and provide support to victims, including through asylum and relocation programs for those at risk.
- 2. Ensure protection of Iranian national on their territory:** protect individuals who were subjected to arbitrary punishment including exile and support their rehabilitation
- 3. Advocate for Legal Reforms:** Call on the IRI to reform its domestic laws in accordance with international human rights treaties, including the ICCPR, to ensure that all forms of punishments are in line with international standards.
- 4. Apply the principle of universal jurisdiction to prosecute Iranian officials responsible for torture:** Investigate and prosecute individuals accused of torture, including by internationally causing severe pain and suffering by punishing human rights defenders, minorities and activists to banishment.