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Iranian Human Rights Defenders in the Diaspora

A Needs Assessment of Iranians in European Exile

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ABSTRACT

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Human rights defenders are the key to protect human rights on local levels. Their importance was recognized through the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms from 1998. But recently authoritarian regimes such as Iran have closed down on the space for civil society, leading to a migration wave of activists. These activists are forced to live in exile, facing challenges due to their new surroundings as well as due to their continued activism from distance. Not many organisations have the specific situation of exiled human rights defenders in focus although exiled activists can achieve immense change for their authoritarian home country.

In the theocratic Islamic Republic of Iran, the persecution of all kinds of human rights activists increased with the Green Movement in 2009 and many activists left first to either Turkey or Iraq and, if possible, continued their way to either Europe or the United States of America.

They reformed in exile and created different initiatives to support their life in exile. The author interviewed two persons living in exile and two organisations working in the field of human rights defenders, trying to draw out the gaps between the needs of the activists and the offered support by organisations, also showing that there is a need to support the creation and strengthening of an Iranian activists network in European exile.

In conclusion, civil society's work is just at the beginning in what they could achieve and in an era of rising populism and authoritarianism diasporas are a tool not used enough to pressure the different governments and actors.

Keywords: authoritarianism; human rights defenders; exile; diaspora; Iran; activist networks; transnational advocacy networks.

Wordcount: 23.843.

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List of Abbreviations

CoE	=	Council of Europe
CRC	=	Convention on the Rights of the Child
EU	=	European Union
FLD	=	Front Line Defenders
GA	=	General Assembly
HR	=	Human Rights
HRD	=	Human Rights Defender
IAAB	=	Iranian Alliance Across Borders
ICCPR	=	International Covenant on Civil and Political Rights
ICESCR	=	International Covenant on Economic, Social and Cultural Rights
NGO	=	non-governmental organisation
NIPOC	=	The Network of Iranian Professionals of Orange County
OHCHR	=	Office of the High Commissioner on Human Rights
OSCE	=	Organization for Security and Cooperation in Europe
UDHR	=	Universal Declaration on Human Rights
UN	=	United Nations
UNHCR	=	United Nations High Commissioner for Refugees

Introduction

The Universal Declaration of Human Rights adopted in 1948 was the first international document recognising the importance of the protection of human rights.

One of the main challenges rising nowadays, over 70 years later, in the protection of human rights is the worldwide emergence of illiberal regimes, a trend that seems to contradict the previous decades' democracy waves. They question the very core of human rights law and limit the space for civil society and human rights non-governmental organisations (NGOs) to promote and protect human rights.

In this regard, human rights defenders (HRDs) play a crucial role in improving human rights by contributing to enhancing stability, security and the respect of the rule of law and the international legal framework.[1]

In 1998 the United Nations General Assembly (UN GA) adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (hereinafter "HRD Declaration"). In doing so, member states, including the Islamic Republic of Iran, reaffirmed the importance of "protecting the protectors". The HRD Declaration was welcomed as a great victory for civil society, and it marked a shift in the protection of human rights defenders. Before the adoption, the focus of protection was mostly on human rights in general. Through the Declaration, it was finally recognised that those who protect human rights (HR) are often targets and represent a vulnerable group, and, therefore, require special protection. Human rights defenders (HRDs) are specifically being targeted because of their work.

Since advocacy, the giving of public support to an idea, a course of action, or a belief[2], is a substantial part of human rights activism, human rights defenders are often publicly known for speaking out about issues and criticizing the violators, and for that are even more straightforward targets.

Despite this awareness, they face increasing restrictions on their activities. The persecution of HRDs often appears in authoritarian regimes, because they criticise the human rights violations carried out or tolerated by the government.

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[1] Aikaterini Koula, 'The UN Definition of Human Rights Defenders: Alternative Interpretative Approaches' 1.
[2] Diana Lea and Oxford University Press (eds), *Oxford Advanced American Dictionary for Learners of English* (Oxford Univiversity Press 2011).

They are not only being targeted directly by state agents, but also by the general public, and are depicted as "enemies" of the nation.

Such phenomena, of course, predate the current authoritarian global trend. Some defenders have faced challenges and dangers for a long time.[3]

And if a state persecutes its own citizens, one of the safe options for them is leaving their home country and seek refuge in another state. In many cases, existing regional and international protection mechanisms cannot be accessed, while the domestic ones do not offer enough protection or do not even exist.

One of those authoritarian and theocratic regimes that have been targeting human rights defenders for decades is the Islamic State of Iran. The Iranian government even uses the Islamic Penal Code to criminalise activities of human rights defenders and civil society organisations.

Due to the criminalisation of human rights activism, limited human rights work can be performed in Iran. Iranian human rights activists in the diaspora play a vital role in highlighting the human rights violations and offering support to their colleagues who remain in the country.

Many exiled human rights defenders live in neighbouring countries, such as Turkey and Iraqi Kurdistan, but many end up in Europe, because the Turkish and Iraqi governments do not provide enough protection and support.

Starting over in a new country poses in itself many difficulties, and while in the receiving country they might be better protected, continuing their human rights work from outside the home country can be hard as well.

As Ahmed Shaheed, the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran said: "[…] these individuals, and the organisations they work to support, require the ongoing support of international actors in order to leverage their successes and increase their capacity […]".[4]

This thesis looks at the main challenges, Iranian human rights defenders in exile face and how the gaps can be bridged. Further on, this thesis tries to prove, how creating a bigger network by connecting Iranian human rights defenders in exile can provide them with support in continuing human rights work through skill sharing and other interactions.

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[3] Michel Forster, 'Report of the Special Rapporteur on the Situation of Human Rights Defenders' (Human Rights Council 2018) A/HRC/37/51 8 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/008/51/PDF/G1800851.pdf?OpenElement> accessed 8 July 2020.
[4] ARTICLE 19, 'Iran: Defending from the Outside - A Needs Assessment of Iranian Human Rights Defenders in the Diaspora' (2015) 978-1-910793-20–6 7 <https://www.article19.org/data/files/medialibrary/38183/9-11-final-Iran_defending_from_the_outside_report--for-publication.pdf> accessed 30 June 2020.

More generally, this thesis tries to explain how vital diasporic networks can be in influencing the governments and achieving political changes, even in authoritarian regimes such as Iran.

Firstly, the thesis introduces the term "human rights defender" and the legal framework around it in general, also mentioning other protection mechanisms.

Secondly, the thesis will go into specific aspects of the situation of exiled human rights defenders, trying to grasp their exceptional and different situation as compared to HRDs in general. Then the thesis shifts the focus on Iran, sets the context and explains why so many human rights defenders have to leave in recent times and why those exiled communities are vital in achieving change in Iran.

Afterwards, the thesis focuses on how the work in exile changes, what positive effects and the main challenges are and what the gaps between offers by civil society and needs of the exiled HRDs are.

The last chapter then shows how a better-connected activist network can support the pressure on the Iranian authorities and at the same time help in overcoming most of the outlined gaps, also by drawing examples from existing networks.

I. Research design and the background: the state of art of human rights defenders

1. Research question and methodology

This paper addresses the challenges of Iranian HRDs in European exile through theoretical analysis and qualitative research in the form of conducted interviews.
It uses as a basis the research done by the NGO ARTICLE 19 for the report "Iran: Defending from the Outside – A Needs Assessment of Iranian Human Rights Defenders in the Diaspora" that provides data from November 2015. The research focused on the main gaps that Iranian HRDs in exile encounter in the offered support for their activism. In addition, interviews were conducted with organisations and with Iranian human rights defenders in European exile, asking about the challenges they encountered due to their work in exile.

The paper is, therefore, a combination of the information obtained through the interviews, and through desk research. Some of the findings are explicitly linked to the information gathered through the interviews.

The involved organisations were Protect Defenders, the EU mechanism to protect HRDs coming from the external actions toolbox, and Front Line Defenders (FLD), one of the largest non-governmental organisations (NGOs) active in the field of HRDs. They have been reached via interviews through their representatives, one is Javier Roura Blanco, the Senior Officer for Communication and Reporting at Protect Defenders. The other interviewees were two Iranian exiled HRDs, one living in Brussels, Anwar Mir Sattari, and one in the United Kingdom. The main findings of the interviews are integrated into the following chapters, either to support a point or to draw out something new.

One of the HRDs and one of the representatives asked to remain anonymous and not to have sensitive information included.

Due to the CoVid-19 crisis, it was harder to reach possible interviewees, also because in the field security is an issue and contact is easier achieved directly. All the interviews were conducted long-distance or were answered by the interviewees with the questionnaire sent to them in advance via email.

The organisations were asked one set of questions (see Annex 1) while HRDs were asked different questions (see Annex 2). Both sets of questions were closely linked to the

questions asked for the report of ARTICLE 19[5], with which the interlocutors were already familiar with. The research may, therefore, be conceived of as a kind of updating of that report. The interview issues were designed to identify the challenges and needs HRDs face and to gather ideas of possible solutions.

The interviews where analysed using a qualitative research methodology. They had a semi-structured form.

2. The terminology of human rights defenders

To determine who should be protected as HRD and who falls under the mechanisms devoted to their protection, it is of utmost importance to define the term "human rights defender".

In 1998 the GA of the UN laid down in their Declaration the main pillars of the definition of a human rights defender.[6]

Art. 1 of the HRD Declaration says: "Everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels."

The definition is broad and somewhat unclear, since it includes everyone who fights for human rights and fundamental freedoms irrespective of the methods used. The vague nature resulted out of difficult negotiations of the resolution.[7]

That is the reason why in 2004, the Office of the High Commissioner on Human Rights (OHCHR) published the non-legally binding Fact Sheet 29, providing guidance on the interpretation and application of the Declaration on HRDs.[8] It further defined human rights defenders as persons who "individually or with others, act to promote or protect human rights."[9] The fact sheet identifies HRDs by what they do, and describes their actions some of the contexts in which they work[10] and Art. 1 of the Declaration is interpreted in light of the Factsheet's definition.

The actions and work areas that qualify the HRDs are described in the Factsheet, but the list is explicitly not exhaustive.

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[5] see the Annex of: ARTICLE 19 (n 4).
[6] Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms 1999 (A/RES/53/144).
[7] Koula (n 1) 3.
[8] UN Office of the High Commissioner for Human Rights (OHCHR), 'Fact Sheet No. 29, Human Rights Defenders: Protecting the Right to Defend Human Rights' (United Nations 2004) <https://www.refworld.org/docid/479477470.html> accessed 20 May 2020.
[9] ibid.
[10] ibid.

The UN does not set any standards as to the qualification; the protection of human rights can be part either of a voluntary pro bono activity or as a professional job, paid or unpaid. The critical pillar in the definition is the fact of promoting and protecting human rights.[11] The definition includes journalists, human rights lawyers, human rights activists and voluntary workers as well.

The two conditions as to being recognised as a human rights defender are first, that the person fully appreciates the universality of human rights and is not selective in recognition of human rights, second, that the person's actions are non-violent.[12] Therefore, the International Society for Human Rights (ISHR) defines a HRD as a person or group, who non-violently engages in the promotion and protection of human rights. The "non-violence"-condition does not imply that the action needs to be "legal" under national law because especially in authoritarian countries (such as Iran) the criminalisation of those actions is used as a form of repression. It merely refers to the absence of psychological or physical violence. This is also acknowledged – although indirectly – in the Declaration, whose Art. 3 makes clear that domestic law needs to be in accordance with international human rights law.

The Fact Sheet definition is regarded as being the predominant one on the international and regional level and was used by the Special Rapporteur on the situation of human rights defenders and by the UN bodies, as well as on regional level by the Council of Europe, the EU, the African Commission on Humans and Peoples Rights and the Organization for the American States.

Notably, also civil society organisations, such as FLD use the UN definition and the Fact Sheet as guidance.[13]

The definition provided by the 2008 EU Guidelines on HRD derives from the definition provided by the UN Declaration. Human rights defenders are "individuals, groups and organs of society that promote and protect the universally recognised human rights"[14] namely civil, political, economic, social and cultural rights and the definition excludes violent acts as well.[15]

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[11] UNHCR, 'Who Is a Defender' <https://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Defender.aspx> accessed 30 June 2020.
[12] ibid.
[13] see the webpage of FLD: https://www.frontlinedefenders.org/en/who-we-are; accessed 7.7.2020
[14] Council of the EU (Foreign Affairs), 'Ensuring Protection - European Union Guidelines on Human Rights Defenders' 2.
[15] ibid.

The EU Guidelines also provide a list of examples of activities human rights defenders play a crucial role in, namely documenting violence, providing victims of human rights violations legal, psychological, medical or other support, combating the impunity of those responsible for human rights violations; and raising awareness of human rights and their defenders at national, regional and international level.[16]

Many criticise the term, claiming it is still too vague and broad and that some characteristics can be put into question.[17] But the broadness is not accidental. That way, the broad definition includes more people without focusing on specific situations and activities. It leaves, however, the term open to different interpretations and the UN does not provide enough guidance on it, thus provoking misunderstanding concerning the implementation and limiting its effectiveness.[18]

Not mentioned, for example, is the risk that HRDs take on in order to promote and protect human rights, while Koula thinks that risk-taking is the criterium to distinguish HRDs from those who merely respect and support human rights.[19]

The main focal point of the definition is the activity of the HRDs. It is important to focus mainly on the actions because it is those that make a person vulnerable and might lead to persecution. Still, one could argue that some sort of consistency of the work is required to make an activity to fall under the definition of "human rights defender".[20] Koula argues that relevance should not be given to "consistency" preferably on whether the action can lead to a violation of his*her fundamental human rights.[21]

The motive of why someone promotes and protects human rights should not matter either because regardless of the reasons, the consequences stay the same.[22] It is not included in the UN definition and neither in the Fact Sheet 29, but it would provide more clarity on the term.

Another often contested part of the definition is the "non-violent" requirement, which might exclude people who fight for human rights and, due to the repression and aggression they encounter, sometimes have to react violently.[23]

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[16] ibid 2f.

[17] Koula (n 1).

[18] Emmanouil Athanasiou, 'The Human Rights Defenders at the Crossroads of the New Century: Fighting for Freedom and Security in the OSCE Area' (2005) 16 Helsinki Monitor 14, 16.

[19] Koula (n 1) 6.

[20] Luis Enrique Eguren Fernández and Champa Patel, 'Towards Developing a Critical and Ethical Approach for Better Recognising and Protecting Human Rights Defenders' (2015) 19 The International Journal of Human Rights 896, 900.

[21] Koula (n 1) 8.

[22] ibid 9.

[23] ibid 16.

In conclusion, the definition being broad itself is not problematic, but the UN needs to provide more guidance on the interpretation.

Throughout this thesis, the term "HRDs" refers to the UN definition, including everyone who promotes and protects human rights, without having to prove consistency. The "non-violence" requirement is used for the definition in the thesis, but with exceptions for specific situations. "Non-violence" in countries where HRDs are actively being persecuted should rather mean "actively non-violent", while violence in a reactive form of protection should not exclude someone from falling under the definition.

3. Legal Framework for the protection of human rights defenders

The main legal instrument for human rights defenders is the Declaration on HRDs. It was adopted in 1998 by the General Assembly (GA) resolution A/RES/53/144.

The Declaration was drafted by state delegations with the help of several human rights non-governmental organisations.

Negotiations on the drafting commenced in 1986 and were conducted by the Working Group on Human Rights Defenders, which was created by the UN Commission on Human Rights.[24] The states' delegates tried to work by consensus in the Working Group, in order to produce articles that were less likely to be challenged.[25] The negotiations proved to be difficult for several reasons. It was an ideological confrontation between the Western and the Eastern states during the Cold War, where the Eastern Bloc understood the protection of HRDs as an anti-Soviet move and tried to block it.[26] After the collapse of the Soviet Union, many countries previously dependent on the Soviet power softened their views.[27] Another issue was that in the beginning, there was still a strong focus on the sovereignty of states and non-interference, a point which was later lessened.[28] And some authoritarian regimes additionally tried to slow down the process.[29] For that reason reaching a consensus though was almost impossible and many compromises were made.[30]

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[24] UN Commission on Human Rights, 'Decision 18/116'.

[25] Janika Spannagel, 'Declaration on Human Rights Defenders (1998)' [2017] *Quellen zur Geschichte der Menschenrechte, published from Arbeitskreis Menschenrechte im 20. Jahrhundert* 3 <www.geschichtemenschenrechte.de/en/schluesseltexte/erklaerung-zu-menschenrechtsverteidigern-1998/> accessed 11 July 2020.

[26] ibid.

[27] ibid.

[28] Koula (n 1) 4.

[29] ibid.

[30] ibid 5.

The HRD Declaration is not legally binding, but most of its rights and principles are enshrined in other international and regional instruments, which instead provide for the legality of those rights. These rights are mentioned in a Commentary to the Declaration from July 2011.[31] These rights, included in the declaration, are the right to be protected, the right of freedom of assembly and association, the right to develop and discuss new human rights ideas and to advocate for them, the right to criticise government bodies and agencies and to make proposals for their improvement, the right to unhindered access to and communication with non-governmental and intergovernmental organisations and international bodies, and the right to access resources to protect human rights.[32] Significantly, the Declaration established a primary responsibility on states to ensure through legislative and administrative initiatives that HRDs are protected at the national level.[33] The logic behind having extra protection for human rights defenders, beside the existing international treaties and mechanisms, is to provide more efficient and faster protection, specifically designed for the particular situations HRDs may have to face locally and to ensure that HRDs are the treaty bodies' primary focus.[34]

In 2000, the Commission on Human Rights established the mandate of the Special Representative on the situation of human rights defenders through the Resolution 2000/61[35], appointing Hina Jilani as the first Special Representative. The mandate was extended in 2011 by the Human Rights Council to the mandate of a Special Rapporteur through Resolution 16/5.[36] The mandate includes promoting the effective implementation of the UN Declaration on human rights defenders in cooperation with governments, studying developments and challenges, recommending effective strategies to better protect human rights defenders and follow-ups to this regard, seek, receive, examine and respond to information on the situation of human rights defenders and integrating a gender perspective throughout the work, coordination with relevant UN bodies and report annually to the Human Rights Council and the General Assembly.[37]

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[31] Margaret Sekaggya, 'Commentary to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms'.

[32] Declaration on Human Rights Defenders.

[33] ibid, Art. 2.

[34] Koula (n 1) 7.

[35] ibid.

[36] UN General Assembly, Mandate of the Special Rapporteur on the situation of human rights defenders 2011 [A/HRC/RES716/5].

[37] OHCHR, 'Mandate of the Special Rapporteur on the Situation of Human Rights Defenders' (*OHCHR*) <https://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Mandate.aspx> accessed 30 June 2020.

Concretely, the work of the Rapporteur includes drafting of the mentioned annual reports, undertaking country visits and submitting reports of the visit to the Human Rights Council and sending urgent appeals and communications to concerned States and other relevant stakeholders after receiving notice of alleged violations.[38] It also includes receiving and responding to individual complaints prior to the exhaustion of domestic remedies and applying international treaty and customary law.

The Special Rapporteur can be rather seen as an independent and professional volunteer instead of being a UN employee, but its work is closely linked with the UN treaty bodies. They work for the Special Procedures of the Human Rights Council. The Special Procedures mandate-holders are made up of special rapporteurs, independent experts or working groups composed of five members, appointed by the Council, and who serve in their personal capacity and work either on thematic or country-specific topics.[39]

In responding to the Declaration, the EU issued a Guideline in June 2004, updated on the 08.12.2008, on the protection of human rights defenders, ensuring close work throughout the EU bodies with human rights defenders, such as regular meetings of diplomats at EU missions and high-ranking EU officials with human rights defenders and suggesting practical means to support human rights defenders, but mostly designed for non-EU countries.[40]

The Council of Europe (CoE) meanwhile established the Commissioner for Human Rights in 1999 through the resolution 99/50 and at its core lies to promote the work of HRDs and to enhance protection throughout the 47 member states. Besides, over the past years the Committee of the Ministers of the Council of Europe launched several initiatives to support the protection of human rights defenders, for example, it adopted the "Declaration of the Committee of Ministers on Council of Europe Action to Improve the Protection of Human Rights Defenders and Promote their Activities" in 2008, wherein the Committee of Ministers condemns any violation of rights of human rights defenders and calls on the member states to establish a flourishing environment for the effective work of human rights defenders.[41] The Parliamentary Assembly of the Council of Europe adopted several resolutions on the situation of human rights defenders.[42] Resolution 2096 (2016) is about

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[38] ibid.

[39] United Nations High Commissioner for Refugees, 'Refworld | The UN Human Rights System' (*Refworld*) <https://www.refworld.org/humanrights.html> accessed 6 August 2020.

[40] Council of the EU (Foreign Affairs) (n 14).

[41] Council of Europe, Declaration of the Committee of Ministers on Council of Europe action to improve the protection of human rights defenders and promote their activities 2008.

[42] Resolutions adopted by the Parliamentary Assembly of the CoE on the situation of human rights defenders: Res. 2096 (2016), Res. 1891 (2012), Res. 1660 (2009)

preventing restrictions on NGO activities in Europe, Resolution 1891 (2012) Resolution 1660 (2009) about the situation of human rights defenders in Europe.

The OSCE's Office for Democratic Institutions and Human Rights (ODIHR) started the Focal Point for Human Rights Defenders and National Human Rights Institutions as a result of several human dimension meetings that highlighted the situation of human rights defenders in order to monitor the status of HRDs, identify issues of concern, promote their interest and strengthen the cooperation with national human rights institutions.[43]

Additional regional legal framework was adopted in Africa and the Americas.

The African Commission on Human and Peoples' Rights established with the Resolution ACHPR/Res. 69 (XXXV) 04 in 2004 the mechanism of the Special Rapporteur on human rights defenders in Africa. The mandate included mostly the collection of information, but it was broadened to receive individual complaints in 2014 through the resolution ACHPR/Res. 273 (LV) 14. The Pan-African Conference on Human Rights Defenders adopted in 2009 the Kampala Plan of Action for the Protection of Human Rights Defenders, which created a network of African human rights defenders.

The Organization of American States (OAS) from 1999 on adopts a resolution annually on the support of human rights defenders. In 2001 the Inter-American Commission on Human Rights (IACHR) created a Unit for Human Rights Defenders, which in 2011 was transformed into the Office of the Rapporteur on the Situation of Human Rights Defenders.

On the national level, Iran has ratified five of the core international human rights treaties, ICCPR, ICESCR, ICERD, and CRC and CRPD with reservations.[44] It has accepted none of the inquiry procedures, especially not the one's under the Convention against Torture, Convention on the Protection of All Persons from Enforced Disappearances and under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women.[45] The Iranian delegation throughout the years met with relevant UN mechanisms but has not implemented any of the recommendations.[46]

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[43] Office for Democratic Institutions and Human Rights (ed), *Human Rights Defenders in the OSCE Region: Our Collective Conscience* (ODIHR 2007) V.
[44] OHCHR, 'Treaty Bodies Treaties - Iran' <https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=81&Lang=EN> accessed 26 July 2020.
[45] ibid.
[46] Shabnam Moinipour, 'UN Treaty-Based Bodies and the Islamic Republic of Iran: Human Rights Dialogue (1990–2016)' (2018) 4 Cogent Social Sciences 2. <https://www.cogentoa.com/article/10.1080/23311886.2018.1440910> accessed 27 July 2020.

4. Protection Mechanisms. The role of civil society organisations

Mechanisms devoted to the protection on HRDs in general offer training, provide material and psychosocial support, raise public awareness of their status and situations and put pressure on governments to comply with the HR obligations and the Declaration on HRDs.[47]

Even though international human rights law requires states to respect, protect and fulfil the rights of defenders and states have the tools to contribute to the development and implementation of targeted measures[48], often the support provided is not enough, especially in authoritarian regimes.

Since the international legal framework under the UN is above all not legally binding on states, states do not feel that obliged to implement the provisions. Therefore, there is a strong need for other protection mechanisms and international organisations to step in. A standard tool on the global and regional level is a Rapporteur on HRDs, whose main objective is to monitor and report the situation for HRDs.

The Special Rapporteur's work though strongly depends on his mandate and even if a person has a topic mandate, to explore it and go to other countries depends on the voluntary collaboration with a state which depending on the country is not guaranteed. Except for monitoring, there is also no hands-on support that can be drawn from it. Instead, most of the protection mechanisms come from civil society or regional instruments to meet the legal framework.

There are several protection mechanisms throughout the regions. For the Francophone region, there is the "Organisation Internationale de la Francophonie" (OIF), the International Francophone Organization based on the Bamako Declaration committed to protecting human rights defenders in 2000.[49]

 Another protection mechanism was created by the Conference of INGOs for the CoE region. They established in January 2012 the permanent working group "Human Rights Defenders", which as a goal sets out to develop a mechanism to address individual cases of persecution within the CoE and to create systematic tools to integrate human rights defenders in the Conference.

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[47] Koula (n 1) 7.
[48] Margaret Sekaggya, 'Report of the Special Rapporteur on the Situation of Human Rights Defenders' (Human Rights Council 2013) UNGA Report A/HRC/22/47 <https://undocs.org/A/HRC/22/47> accessed 13 July 2020.
[49] OIF, 'OHCHR | Organisation Internationale de La Francophonie' (3 November 2000) <https://www.ohchr.org/EN/Issues/RuleOfLaw/CompilationDemocracy/Pages/OIF.aspx> accessed 11 July 2020.

The main regional protection instruments in the EU is *Protect Defenders*. It is an EU mechanism aiming at protecting human rights defenders at high risk worldwide and is led by a Consortium of 12 NGOs, such as *Front Line Defenders (FLD)* and the *International Federation for Human Rights (FIDH)*.

Protect Defenders was created at the end of 2015 as a result of a political demand from the European Parliament and commitment of the EU in the field of external action and human rights. It aims at providing practical support to human rights defenders at risk.[50] The European Parliament mandated the European Commission to create the mechanism to protect human rights defenders at high risk.[51] It is part of the European external action toolbox, so it does not offer support to European HRDs, only to the non-European HRDs. But it does include human rights defenders in European exile, though.

It offers emergency support, such as physical protection and temporary relocation programs, but mostly through funding programs run by the partner NGOs and providing emergency grants.[52] Mostly, *Protect Defenders* works to support civil society working in the field of HRDs.

Civil society work is essential for the protection of human rights defenders because civil society is more capable of providing ad-hoc-protection and ensuring better on-ground connection to HRDs, for example, in cases of marginalised groups

The primary support offered by NGOs working in the field of HRDs is security training, capacity building, temporary relocation, advocacy work, funding, emergency support and providing fellowships for human rights defenders at risk.[53]

The leading NGOs working in the field of human rights defenders are Front Line Defenders, Protection International, Defend Defenders for the East and Horn of Africa, EMHRF for the Arab Region, Peace Brigade International, Urgent Action Fund and other NGOs which do not work directly in the field, but come in contact with the issue such as the World Organization Against Torture (OMCT), ILGA, FIDH and Reporters Without Borders. But also organisations like Amnesty International provide support through their advocacy programs, raising awareness of ongoing repressions against human rights defenders.

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[50] Interview with Javier Roura Blanco, Senior Officer for Communication and Reporting at Protect Defenders, on 03.07.2020

[51] ibid.

[52] Ibid. ; https://www.protectdefenders.eu/en/supporting-defenders.html, accessed: 06.07.2020

[53] Mary Lawlor and Andrew Anderson, 'Interview with Mary Lawlor and Andrew Anderson: "Role of International Organizations Should Be to Support Local Defenders"' (Social Science Research Network 2014) SSRN Scholarly Paper ID 2553383 367f. <https://papers.ssrn.com/abstract=2553383> accessed 13 July 2020.

An important actor is ESCR-Net, a partner of Protect Defenders which connects over 280 NGOs, social movements and advocates across 75 countries.

And for the Asian continent, there is the FORUM-ASIA, a network of 81 members in 21 countries across Asia. It was founded in 1991 in Manila, the Philippines. Offices have been opened in Geneva, Jakarta, and Kathmandu and FORUM-ASIA is committed to protecting human rights defenders in Asia, and they have a Human Rights Defenders Program.[54]

Front Line Defenders (FLD) focuses on HRDs in high-risk situations, mainly in their respective home country and offers protection grants for financial support, security training, fellowships, research on situations and advocacy.

Peace Brigades International (PBI), one of Protect Defenders partners as well, is an organisation with a new approach in protecting HRDs. The idea came from the wish to revive an international organisation committed to the unarmed third intervention in conflict situations. The organisation provides trained volunteers in conflict areas as protective accompaniment for human rights defenders. Additionally, advocacy and awareness-raising part of their work and when there is a need for training, they offer capacity development for HRDs.[55]

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[54] 'About FORUM-ASIA' (*FORUM-ASIA*) <https://www.forum-asia.org/?page_id=21481> accessed 13 July 2020.

[55] PBI, 'What We Do | Peace Brigades International' <https://www.peacebrigades.org/en/about-pbi/what-we-do> accessed 9 July 2020.

II. Iranian Human Rights Defenders in Exile

1. General information: what exiled HRDs are and what they do

Bertolt Brecht in his poem "Über die Bezeichnung Emigranten" from 1937 said that being called emigrants does not paint the right picture because it gives the idea of leaving voluntarily to start over in a new country, while for those leaving Germany under the Nazi regime, the most accurate term to use should be "exiled".

The term "exile", from the Latin word *exilium*, means either "the state of being sent to live in another country that is not your own, especially for political reasons or as a punishment"[56], exile as an uncountable term or "eviction or banishment from a specific place by an institutional act of violence"[57].

It does not mean directly that persons had to flee due to repression, but the term "sent" implies that the country is not left entirely out of free will, instead that there was coercion involved.[58]

"Exiled Human Rights Defenders" firstly refers to human rights defenders who left their country involuntarily. But there is no set-out definition for the term, the reasoning behind it might be that it is an overlooked issue, disregarding the unique situation those HRDs are in. Generally speaking, for human rights defenders, it means that they live in another country than their home country and cannot return in the near future.

It is essential to notice that the terms "diaspora" and "exile" cannot be used synonymously, although that is often done. Both have at its core the concept of displacement, the uprooting of people and are also otherwise similar.[59] In the 1990s a discussion about the term "diaspora" and "exile" started and led to an extension of the concepts, focusing more on the transnational activities.[60]

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[56] Lea and Oxford University Press (n 2).
[57] Jenny Kuhlmann, 'Exil, Diaspora, Transmigration' (2014) 64 Aus Politik und Zeitgeschichte 9, 10.
[58] ibid 11.
[59] Resa Mohabbat-Kar and others, 'Identity and Exile - The Iranian Diaspora between Solidarity and Difference' (Heinrich-Böll-Stifung and Transparency for Iran 2015) Volume 40 10
<https://www.boell.de/sites/default/files/identity-a-exile_web.pdf> accessed 9 July 2020.
[60] Kuhlmann (n 57) 10.

Exile is characterised by powerful emotional bonds to the home country, and the longing to return home, impeding re-orientation and proper settlement in the new country.[61] In addition, the political connotation is stronger than in the diaspora concept.[62]

Diaspora, on the other hand, means that home and belonging can be discussed more openly; the connection to the homeland is not as secure.[63] The degree differs, but both concepts cannot be understood as static.

As Javier Roura Blanco from Protect Defenders said in the interview:

"Defenders [...] in most of the cases belong to their territory and belong to their causes, so for them leaving their country and going into exile is in many cases the very last resort. They try to explore other alternatives before".[64]

As a consequence, for this paper and for HRDs in general "exile" is the best fitting term because HRDs most of the time belong to their home country and the emotional bond stays strong while diaspora can be seen as the generic term.

The term "exiled HRDs" can also include "people on the move"[65], as long as the definition of HRDs is still met.

Sökefeld suggests that the forming of diaspora communities is not a natural result of migration, but that certain processes of social mobilisation have to take place for a diaspora to emerge. To identify the processes, he uses social movement theory concepts and suggests a comparative framework for the analysis of the formation of diaspora through mobilization.[66] Firstly, diaspora is understood as an imagined transnational community, without assuming a high frequency of actual transnational social relationship.[67] Secondly, social movements are perceived as agents of change, taking different actions to achieve it.[68] Tarrow defines social movements as "collective challenges based on common purposes and social solidarities, in sustained interaction with elites, opponents, and authorities"[69]. In this regard, Iranian HRDs in exile fall under the definition of social movements and contribute to the forming of an Iranian diaspora.

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[61] Resa Mohabbat-Kar and others (n 59) 10.
[62] Kuhlmann (n 57) 13.
[63] ibid 12.
[64] Interview with Javier Roura Blanco, Senior Officer for Communication and Reporting at Protect Defenders, on 03.07.2020
[65] Michel Forster (n 3) 10.
[66] Martin Sökefeld, 'Mobilizing in Transnational Space: A Social Movement Approach to the Formation of Diaspora' (2006) 6 Global Networks 265.
[67] ibid 268.
[68] ibid 268 f.
[69] Sidney G Tarrow, *Power in Movement: Social Movements and Contentious Politics* (Rev & updated 3rd ed, Cambridge University Press 2011).

HRDs in exile face many difficulties. They arrive in a new country; they might not even speak the language, they struggle to find a job, support themselves and above all integrate into the "new" society. Many end up in a cycle of poverty, forcing them to stop their work. The FLD representative said: "exiled HRDs are in a challenging position, survival is an important factor, we get requests asking us for help; otherwise they cannot continue their activism and need to change work".[70]

Besides, they might still face risks from their government back home.

Not many organisations recognise those unique challenges, and there is a need for additional support, advocacy and coordination to address this gap.[71]

While contacting NGOs for the interviews, the response often was that there is no mechanism designed explicitly on people living in exile and that it is not included in their focus.

2. Existing protection mechanisms for exiled HRDs

The Declaration on HRDs does not differentiate based on nationality or immigration status about who is protected under the declaration, as Michel Forst made clear in his report on HRDs from 2018.[72] And also, international instruments aiming at the protection of HRDs set out global and regional human rights regimes are applied to all individuals within the jurisdiction of a state.[73]

Theoretically, that would mean that the protection mechanisms designed for human rights defenders can be accessed by HRDs in exile as well, which is not always the case because many NGOs explicitly provide support for local HRDs. But especially temporary relocation and psychosocial support can facilitate the first steps in a new country.

As Javier Roura Blanco from Protect Defenders said, often Temporary Relocation Programs are the first steps to get a person out of a risk situation. Consequently, the person can either apply for international protection or use sponsorships by institutions to get visas. J. R. Blanco outlined the main programs used by exiled HRDs. It included emergency programs, where Protect Defenders would mainly deliver grants, those then were used for

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[70] Interview with a representative of FLD on 27.07.2020

[71] Shannon Orcutt, 'Exiled and in Limbo - Support Mechanisms for Human Rights Defenders in Exile in Kenya, Uganda and Rwanda' (DefendDefenders (east and Horn of Africa Human Rights Defenders Project) 2016) iv <https://www.defenddefenders.org/wp-content/uploads/2017/09/ExiledandinLimboSept2017.pdf> accessed 8 July 2020; ARTICLE 19 (n 4).

[72] Michel Forster (n 3) 4.

[73] ibid 4.

a quick response in the form of protection or emergency relocation and asylum in further steps.[74] Second, he mentioned programs that support local associations and groups in defending human rights. Protect Defenders would support such programs through funding, and similar programs were already used in the past to create networks, as in the case for Burundi where, after the mass persecution of HRDs, many had to flee, and the leaders of those activist groups initiated networks in exile.

Third, temporary relocation programs can be accessed when emergency relocation is not sufficient, or the HRD is not able to return to their respective country yet. In those temporary relocation programs defenders and their families if needed, can be relocated for mid- to long-term, from 6-24 months. With the support of the host entities, the HRDs are able to get specific help to their needs, for example, medical assistance or psychosocial support and they undergo studies, for instance, a master or just informal studies such as HR courses. Those programs are individualised, HRDs can engage in any kind, e.g. advocacy actions, advocacy travels, or engage with other entities.[75]

During the interview with a representative from Front Line Defenders (FLD), even though they focus mainly on HRDs in risk situation in a country, they said that activists also used their fellowship program as the first step for staying in the new country, in cases where going back home was not feasible.[76] Additionally, they said that if an exiled human rights defender approached them, saying that he*she needs immediate help, they would assess if the person was facing immediate risk and then offer support.[77] For example, if family members face harassment, Front Line Defenders offers protection program for the family members, if not through their physical risk team, then through secure means of communication.[78] Also regarding security training, the representative said that it is open to every HRDs who applies for it, regardless of their position inside or outside the country. But the problematic part they said is to assess who is a HRDs, who already worked on HR in the homecountry because sometimes "activism" is used to get international protection. To evaluate if someone falls under the HRDs definition is mostly the task of the UNHCR, although FLD does prior needs assessment in form of an application and an interview.[79]

[74] Interview with Javier Roura Blanco, Senior Officer for Communication and Reporting at Protect Defenders, on 03.07.2020
[75] ibid.
[76] Interview with a representative of FLD on 27.07.2020
[77] ibid.
[78] ibid.
[79] ibid.

Some initiatives focus on exiled HRDs. For example, there is the "IDREAM Project", launched by the Center for Victims of Torture (CVT), which started in February 2020 and offers capacity building for HRDs living in exile. It seeks to enable exiled HRDs to continue their work by providing technical assistance and financial assistance.[80] "IDREAM" stands for "Incubator for Defenders Remaining in Exile to Advance Movements" and there are other initiatives throughout the globe similar to the one by CVT.[81] They also aim at supporting displaced HRDs to continue their work, despite their forced relocation, by providing grants for organisations that submit proposals for programs which support those HRDs.[82] Included in the Notice by the DRL are programs that enable the creation of solidarity networks among displaced activists, advocacy initiatives, local meetings of civil society organisations to share best practices, security training, community mobilization initiatives, psychosocial support programs and temporary co-working spaces to help HRDs return to their work.[83]

Older initiatives were conducted in the African region by PBI Kenya and Defend Defenders. The research by PBI Kenya focused on challenges HRDs in exile in Nairobi, Kenya face.[84] It was done through several workshops in 2016 and 2017. The aim was: "to further explore the situation of defenders in exile in Nairobi and to consider mechanisms through which various organisations and institutions providing assistance could improve their means of support for exiled HRDs."[85]

The conclusion was that service providers have to connect with those exiled HRDs communities to understand their needs and to improve networking among human rights and refugee service providers.[86]

Similarly, in June 2016, Defend Defenders (EAHAHRDP), published a report for Kenya, Uganda and Rwanda, giving different recommendations to HRDs, NGOs, the UNHCR, the various governments involved and to donors at the end of the report.[87]

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[80] Center for Victims of Torture, 'The IDREAM Project' (*The Center for Victims of Torture*, 3 February 2020) <https://www.cvt.org/HRDapp> accessed 9 July 2020.
[81] 'Notice of Funding Opportunity (NOFO): DRL IDREAM (Incubator for Defenders Remaining in Exile To Advance Movements)' (*United States Department of State*) <https://www.state.gov/notice-of-funding-opportunity-nofo-drl-idream-incubator-for-defenders-remaining-in-exile-to-advance-movements/> accessed 21 April 2020.
[82] ibid 1.
[83] ibid 2.
[84] Shannon Orcutt, 'Enhancing Support for Exiled Human Rights Defenders in Nairobi - Kenya Project' (PBI Kenya 2017)
<https://pbideutschland.de/fileadmin/user_files/projects/kenya/files/Report_PBI_Kenya_WEB.pdf> accessed 16 July 2020.
[85] ibid 4.
[86] ibid 10.
[87] Shannon Orcutt (n 71) 26 f.

As stated above, there is still a gap in protection mechanisms focusing on the specific situation of exiled HRDs though. HRDs, in general, might be more and more in focus which is evident through all the regional protection mechanisms created over the last years; the specific needs of exiled HRDs are mostly disregarded.

While contacting organisations for this thesis, the response given the most was: "We do not focus on exiled human rights defenders".

When PBI Kenya was asked via email, which reported on exiled HRDs in Kenya in June 2017 to have a follow-up interview they responded that they have gradually stopped working with exiled human rights defenders since their report.

Justice and Peace, which provides Temporary Relocation for HRDs at risk, answered saying that they do not focus on exiled HRDs and the people in the relocation programs in principle can return home. Often enough that is not the case, as also Javier Roura Blanco from Protect Defenders admitted, especially for HRDs coming from authoritarian regimes. In a follow-up email, where I asked the NGO what happens if the person cannot return home, they answered saying that they are working on the possibility of providing special visa for HRDs with the Dutch Ministry of Foreign Affairs so that they can either stay for a more extended period if needed, up to one year or return more quickly to the Netherlands when required.

And FLD's first response was that exiled HRDs are not in focus, but through the later conducted interview, it was made clear that some tools are accessible also for activists in exile, just not designed for exiles' specific needs.[88]

Overall, protection mechanisms designed for HRDs exist, but for the specific needs of exiled activists only a few initiatives keep popping up and disappearing again.

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[88] Interview with a representative of FLD on 27.07.2020

3. Recent historical events: the development of the authoritarian regime in Iran

To get a sense of the Iranian population and the current complex situation in the country, the recent history of such a culturally divided country offers understanding.

Iran, a word that was derived from older terms, Arya and Airya, that rather referred to people than a land. It is the ethnonym of a people calling themselves the Aryan, which might mean pure, noble or those of good birth.[89]

Before 1935 the country was called Persia, but Reza Shah Pahlavi insisted that foreign governments from then on only used the name Iran instead and even ordered the post office, not to deliver letters addressed to Persia.[90]

Iran is a country with a vast territory. Before mechanised transport was invented, it took almost two months to travel from northern Iran to the Persian Gulf and six months to cross the plateau from east to west.[91] And even today the country's territory is deeply divided, and access to some areas is still very difficult.

Under such conditions, it is evident that political unity, centralised authority and cultural homogeneity have been historically hard to sustain.[92]

Even though as political citizens, the people are called Iranians, ethnically speaking they are not. The three major linguistic groups represented include Iranian, Turkic and Semitic languages.[93]

Iran is a fast-growing country in terms of population. While in the early 19th century the population was around 6 million and overwhelmingly rural, in 1976 the population had grown to over 33 million, with half of the people living in cities.[94] Now the population has more than doubled to over 84 million, and about 75 per cent live in cities.[95] It has become younger and much more literate, a larger middle class has formed, and the consequence of such change is not easily anticipated.[96]

In 1978 the Shah of Iran, by then it was still a monarchy, pressured the Iraqi government to restrict activities of Ayatollah Khomeini, his strongest opponent and an Islamic religious

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[89] Elton L Daniel, *The History of Iran* (Greenwood Press 2001) 1.
[90] ibid 3.
[91] ibid 7.
[92] ibid.
[93] ibid 13.
[94] ibid 14.
[95] Worldometer, 'Iran Population (2020) - Worldometer' <https://www.worldometers.info/world-population/iran-population/> accessed 7 August 2020.
[96] Daniel (n 89) 14.

leader, who was in Najaf after his expulsion from Iran in the 1960s.[97] But Khomeini, as a result, turned to France and became the centre of attention on the international level.[98]

Khomeini returned to Tehran, and the monarchy was ended in 1979, after riots against the oil price increase in 1973 lead to the "Black Friday" massacre. Mohammad Reza Shah left Iran, and Ayatollah Rouhallah Khomeini returned proclaiming the Islamic Republic and drafting of a new constitution. The new constitution was ideological, deeply intertwined with the Islamic sharia law, and in accordance with the ideas of Ayatollah Rouhallah Khomeini.

Khomeini created a supreme religious leader and ill-defined centres of power, he preserved an elected parliament, the Majles, provided a popular election of a president who would also appoint a prime minister and a cabinet, which had to be approved by the Majles.[99] All candidates for elections had to be certified by the "Council of Guardians", consisting of six religious scholars and six lawyers.[100] This "Council of Guardians" was able to interpret the constitution and veto legislations which were not in conformity with Islam.[101]

Besides, the rights enshrined in the new constitution, such as the prohibition of torture in Article 38 or right to a fair trial and equal protection under the law in Article 20 can all be restricted by Article 20 of the constitution, which makes their enjoyment conditional upon compliance with Islamic tenets.[102]

The constitution stated that all sovereignty belonged to God, appointing a Faqih, a supreme religious jurist, who would command the military and the highest judicial officials.[103]

Although the judiciary, in theory, is an independent power, it remains a tool of the executive and is used to repress fundamental freedoms.

The aftermath of the 1979 revolution also resulted in a mandatory hijab law, which did not exist before. This constitution is still valid today.

In 1980 the Iran-Iraq war started and only ended with Khomeini accepting ceasefire in 1988.

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[97] Marcus Michaelsen, 'Exit and Voice in a Digital Age: Iran's Exiled Activists and the Authoritarian State' (2018) 15 Globalizations 248, 248.

[98] ibid.

[99] Daniel (n 89) 15.

[100] ibid.

[101] ibid.

[102] FIDH and OMCT, 'Indefensible: Iran's Systematic Criminalisation of Human Rights Defenders - Iran (Islamic Republic Of)' (The Observatory for the Protection of Human Rights Defenders 2019) 6. <https://reliefweb.int/report/iran-islamic-republic/indefensible-iran-s-systematic-criminalisation-human-rights-defenders> accessed 2 May 2020.

[103] Daniel (n 89) 15.

Khomeini died in 1989, the office of prime minister was abolished, and that power was given to the president. Constant conflicts arose between the president, the Majles and the Council of Guardians and the tension increases with the elections 1997, where Ayatollah Mohammad Khatami was elected[104], also leading to student demonstrations and mass protests in Tehran in 1999.[105]

4. Current Situation in Iran – painting a picture of the repressive environment

In Iran, fundamental rights such as the freedom of expression, association and assembly remain severely restricted. There are many political prisoners, including HRDs, political opponents and Kurdish and other minority activists. The country has a high number of death sentences and executions. According to several international organizations, alone in 2019, at least 280 death penalties were carried out.[106]

Throughout history, political opponents were forced into exile. Over the past 16 years, the government's behaviour shifted more and more towards the criminalisation and persecution of human rights activists, and even more people had to leave the country. Their situation worsened after the election of President Mahmoud Ahmadinejad in 2005 and the demonstrations against alleged vote-rigging in June 2009, which handed him a second term of office.[107] This so-called Green Movement formed around the opposition candidates initially only calling for a recount of the votes, but swiftly evolving into broader calls for political change.[108] The movement severely challenged the authority and legitimacy of the regime and was met with an aggravation of repression[109] and continued even after the protests ended.

Under Ahmadinejad's presidency NGOs, before treated with caution, now were perceived as suspicious, often accusing them of being "tools of foreign agendas".[110] Since the

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[104] ibid 16.
[105] ibid 1.
[106] Iran Human Rights, 'Annual Report On The Death Penalty In Iran 2019' (IHR, ECPM 2020) 12th annual report <https://iranhr.net/media/files/Rapport_iran-GB.pdf> accessed 21 July 2020.
[107] Human Rights Watch | 350 Fifth Avenue, 34th Floor | New York and NY 10118-3299 USA | t 1.212.290.4700, 'Why They Left | Stories of Iranian Activists in Exile' (*Human Rights Watch*, 13 December 2012) 1 <https://www.hrw.org/report/2012/12/13/why-they-left/stories-iranian-activists-exile> accessed 18 May 2020.
[108] Michaelsen (n 97) 254.
[109] ʿAlī Mīr-Anṣārī, *Crisis of Authority: Iran's 2009 Presidential Election* (Chatham House 2010).
[110] Avenue, York and t 1.212.290.4700 (n 107) 3.

crackdown no truly independent rights organisation can openly work in the country.[111] Many human rights activists, journalists and lawyers are in prison.

There was a high increase in applications for asylum and resettlement from Iranians[112]; hundreds of opposition supporters left for their own safety.

The current President Hassan Rouhani has done little to improve the situation of human rights defenders in Iran, and the situation even deteriorated since the nationwide street protests in December 2017 in reaction to economic policy changes.[113]

The protests in November 2019 triggered another wave of human rights violations. As the Special Rapporteur on the situation in Iran pointed out, he is "shocked at the number of deaths, serious injuries and reports of ill-treatment of persons detained during the November 2019 protests"[114].

Those protests started due to the economic situation in the country and the government announcing an increase in petrol prices and limiting the amount of petrol per month per car.[115] Between the 15th and 21st of November 2019, there were protests in 29 out of 31 provinces in Iran. And the reaction of the government was harsh. They threatened with decisive action, and a heavy police presence was reported.[116] Accordingly to the Special Rapporteur, at least 304 people died during the protests, including 12 children, which also launched the drafting of the report "They shot our children" by Amnesty International[117], and more than 7000 people were detained.[118] Reports of torture and no medical treatment in prisons are rising again and even enforced disappearances are being reported.[119] Specifically, journalists and their families are being targeted to prevent them from reporting on the protests, which also extended to the families of Iranian journalists outside of Iran.[120] They even have been strictly ordered not to criticise the government's response to the protests.

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[111] ibid 2.

[112] Statistic by the UNHCR: from 44 industrialized countries that conduct individual asylum procedures, there were 11.537 new asylum applications from Iranians in 2009; 15.185 in 2010; and 18.128 in 2011. The largest number of new asylum applications was in Turkey, a 72 percent increase in the number of Iranian asylum seekers between 2009 and 2011.

[113] FIDH and OMCT (n 102) 5.

[114] Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 'Situation of Human Rights in the Islamic Republic of Iran' (Human Rights Council 2020) A/HRC/43/61.

[115] ibid Ch. II. A. 5.

[116] ibid Ch. II. A. 6.

[117] Amnesty International, '"They Shot Our Children" - Killings of Minors in Iran's 2019 November Protests' (2020) MDE 13/1894/2020.

[118] Special Rapporteur on the situation of human rights in the Islamic Republic of Iran (n 114) Ch. II. A. 6.

[119] ibid.

[120] ibid Ch. II. A. 6.

Censoring is one of the repressive tactics by the Iranian government. Iran has internet access since 1994, quickly increasing interest in it throughout the broad public. In the beginning Iran had no legal norms for the internet use.[121] But in the mid-90s the national telecom gained control over the internet through the Data Communication Company of Iran.[122] 2005 with the regime change and Ahmadinezhad's accession to office new political actors gained control over the internet and started to censor more and more.[123]

To control online communications, the Iranian authorities built a multilevel system of internet censorship, and the security agencies have set up various units for policing the internet, targeting among other's activist networks and transnational connections.[124]

Many of the HRDs in Iran are currently serving prison sentences, and they often face harsh punishments, in some cases even got lashed as a form of punishment.[125] Most were arrested in the aftermath of protests, for example, many Iranian women who participated in protests against compulsory hijab laws were arrested, detained and prosecuted on various criminal charges, often on morality and national security charges.[126] Human rights lawyers are at risk of arbitrary arrests as well, also often under "national security" charges.[127] And none of them can expect a fair trial.[128]

Another measure of repression against HRDs is the retaliation against their family, especially when HRDs are living in exile and Iranian authorities see targeting their family members as the only way to get to them.[129]

As the FLD representative noticed, in the past years civil society in Iran has shrunk, and less activists contact international actors like FLD because they fear retaliation by the government, and many do get interrogated after having contact with international organisations.[130]

A befriended Iranian Bahai activist once told me, that he stayed in Iran knowingly he was going to be sent to prison because that way, when he got out of prison, he would have something to tell on the international level and people would listen. He went to jail for five

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[121] Marcus Michaelsen, *Wir sind die Medien: Internet und politischer Wandel in Iran* (Transcript 2013) 173.
[122] ibid 177.
[123] ibid 181.
[124] Simurgh Aryan, Homa Aryan and J Alex Halderman, 'Internet Censorship in Iran: A First Look' (2013) <https://www.usenix.org/conference/foci13/workshop-program/presentation/aryan> accessed 15 July 2020.
[125] FIDH and OMCT (n 102) 24.
[126] ibid 14.
[127] ibid 19.
[128] ibid 22.
[129] ibid 28.
[130] Interview with a representative of FLD on 27.07.2020

years for leading Bahai student protests, and when he was released, he had to leave, first to Turkey and then to England. This is just one of many stories of Iranian activists.

The criminalisation of human rights defenders in Iran works mainly through the legal framework of criminal law. Iranian criminal law consists of the Islamic Penal Code from 1982 and the latest amended in 2013, the Code of Criminal Procedure and the Law Establishing General and Islamic Revolution Courts.[131]

The Islamic Penal Code from 2013 consists of five books. The first book deals with general penal provisions, while books two to four detail the Islamic hudud, qisas, and diyat categories of crimes and punishments and the last book covers provisions about ta'zir and other crimes, such as "national security" offences.

On the international human rights level, as described above, Iran has ratified some of the core human rights treaties. Still, the Islamic Penal Code remains in violation of those treaties, especially the right of a fair trial and equality before law and courts.[132] Particularly some of the "national security" provisions are used by authorities to undermine fundamental freedoms and prosecute politically motivated cases against human rights defenders.

The articles 498, 499, 500, 508, 510, 514, 609, 610, 618, 697, 698 are all related to national security and at the same time due to their arbitrariness all incompatible with human rights law.[133] Those articles are the ones' used for the persecution of political opponents. Article 638, making hijab mandatory for women, and article 639, about prostitution but often used to sentence individuals to prison in cases related to protests against compulsory hijab, both discriminate women.

Everything needs to be in accordance with the criteria of Islam.

The courts where criminal proceedings are tried are the Islamic Revolution Courts, see Article 297 of the Criminal Procedure Code. They are not part of the 1979 constitution but were created later.[134] The trials before the Courts are mostly non-public and only held by a single judge and most of the judges are clerics without judicial qualifications.[135] It all falls under the theocratic regime in Iran.

The Iranian Bar Association was closed after the revolution 1979, then reopened in 1988, but under the condition that every lawyer who wanted to apply had to be approved by the

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[131] FIDH and OMCT (n 102) 6.
[132] ibid 6.
[133] ibid 7.
[134] ibid 11.
[135] ibid.

Disciplinary Court of Judges and consequently, many lawyers were rejected.[136] In 1996 then a law was passed which enabled the Disciplinary Court of Judges to oversee the work of lawyers putting the Court in charge.[137] And even if in 2000 the Centre for Legal Counsels, Lawyers and Experts was created as an alternative to the Bar Association, lawyers who defend human rights and HRDs in both cases might not have their license renewed.[138]

Cases of crimes against internal and external security get lawyers appointed to them by the Head of the judiciary which issues a list with names to choose from, according to a note to Article 48 of the Criminal Procedure Code.

5. Why Iranian's exiled community is essential for authoritarian regime changes

Political change from authoritarianism towards democracy is typically achieved through an erosion of legitimisation destabilising the governing powers.[139] In transformation research, democracy as a result of political change process is only one option but can be enhanced through certain events.[140] In order to determine whether democracy is the possible outcome of a political transformation there are different paradigms of analysis for social change n transitional research. On the one hand, there is the macro level which looks at systematic prerequisites and dysfunctions[141] of the state and actors. Then there is the meso level describing society based social and power structures and the micro-level consisting of the behaviour of political actors.[142] Only when combining all three levels, it satisfies the complex nature of social change.[143] Important for change is the conflict ability of the regime challengers and the willingness to compromise by the established elites.[144] The middle class has the capacities to delegitimise the regime and form active oppositions and also in Iran, the middle class is the basis for the reform movement.[145] Schubert et al. see as primary factors for this conflict-oriented actors to be able to act their formal

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[136] ibid 10.
[137] ibid.
[138] ibid.
[139] Michaelsen (n 121) 24.
[140] ibid.
[141] ibid.
[142] ibid.
[143] Wolfgang Merkel and others (eds), *Systemwechsel* (Leske + Budrich 1994) 303-331.
[144] Michaelsen (n 121) 25.
[145] ibid 27.

institutionalisation, their ideology and cultural unity, legitimisation as a political force and their potential to mobilise society.[146] Exiled middle-class communities, such as journalists, lawyers, academics and engineers can form into parties or movements to achieve institutionalisation, especially exiled HRDs have a unified ideology, some might have a social status also back in Iran, and with the different links and contacts they have combined, and through campaigns they can mobilise society. A crisis, like recent U.S. sanctions and petrol price increases, the CoVid-19 crisis and the crackdown on protests can lead to an erosion of legitimisation, and the conflict-oriented actors then can be the agents for change towards democracy.

And for Iran, the neo-patrimonial structures might have worked against a democratisation process. Still, as Hinnebusch says, the success of neo-patrimonial reign profoundly depends on the political culture of a society as well.[147] In consequence, recent change and modernisation processes worked against authoritarianism in the region[148] including democratisation processes in Iran.

On the international level, international organisations and transnational civil society initiatives have gained significance which opened space for societies' hopes of more participation and critical appraisal of actions of the ruling powers.[149]

In recent decades diasporas have been more and more recognised as advocates for change[150], and especially migration out of authoritarianism brings new political opportunities for advocacy against the nondemocratic regime.[151]

States are imbedded in an interdependent world, and there is a strong international influence on domestic politics.[152] Diasporas can challenge traditional state institutions of citizenship and loyalty.[153] Often diasporas are even considered local actors because although they are outside their home country, they are "inside the people" or better, part of the Iranian community.[154] In this context, liberalist theory best succeeds in explaining

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[146] Gunter Schubert, Rainer Tetzlaff and Werner Vennewald (eds), *Demokratisierung Und Politischer Wandel: Theorie Und Anwendung Des Konzeptes Der Strategischen Und Konfliktfähigen Gruppen* (LIT 1994) 68 ff.
[147] Raymond Hinnebusch, 'Authoritarian Persistence, Democratization Theory and the Middle East: An Overview and Critique' (2006) 13 Democratization 373, 376 f.
[148] Michaelsen (n 121) 33.
[149] ibid 36.
[150] Bahar Baser and Ahmet Erdi Ozturk, 'Positive and Negative Diaspora Governance in Context: From Public Diplomacy to Transnational Authoritarianism' [2020] Middle East Critique 1, 1.
[151] Dana M Moss, 'Transnational Repression, Diaspora Mobilization, and the Case of The Arab Spring' (2016) 63 Social Problems 480, 481.
[152] Margaret E Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Cornell University Press 1998) 3.
[153] Eva Østergaard-Nielsen, 'Diasporas in World Politics', *Non-state actors in world politics* (Springer 2001).
[154] Yossi Shain and Aharon Barth, 'Diasporas and International Relations Theory' (2003) 57 International Organization 449, 461.

diaspora's influence as liberalism holds that civil societies and non-governmental groups are the primary actors for influencing change in government policies, and diasporas are seen as part of domestic civil society and can affect change.

Shain and Barth see diasporas as independent actors who actively influence their homeland policies by engaging in the domestic politics of the homeland through political proxies.[155] The ground for diasporas' wish to influence policies is that their government's politics can be either enhancing or endangering the homeland's security and often the homeland is perceived as a place where they want to be able to go back to[156], especially in the case of exiled activists who generally keep ties with the home country and would preferably be located in the country to pursue their causes. They campaign to democratize authoritarian homeland regimes, can work as mediators between home and host countries and transmit democratic values.[157]

As Smith stated, "migrants have a semi-autonomous ability to make demands on their sending and receiving states"[158]. In addition to their counterparts, residing still inside the country, diasporas enjoy a privileged status of exerting influence in both the home- and the host country.[159] They can use their diplomatic value as interest groups in the host lands, for example.[160]

As Helen Milner outlines, information plays a crucial part in political power processes as well, and regarding this, diasporas can be information providers, "alerting political actors of the consequences of various policies"[161]. And due to their position outside the country, Iranian exiles have better access to uncensored information they can distribute on international but also on a domestic level[162], making them vital for the distribution of alternative data to the one distributed by the Iranian authorities.

Michaelsen adds to that by showing how the new media helped oppositions and civil society from Iran, proving that the internet can support a democratisation process and achieve political change.[163] The frustration about the authoritarian regime can be

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[155] ibid 451.

[156] ibid 455.

[157] ibid 450.

[158] Robert C Smith, 'Diasporic Memberships in Historical Perspective: Comparative Insights from the Mexican, Italian and Polish Cases <sup/>' (2003) 37 International Migration Review 724, 725.

[159] Shain and Barth (n 154) 461.

[160] ibid.

[161] Helen V Milner, *Interests, Institutions, and Information: Domestic Politics and International Relations* (Princeton University Press 1997) 3-66.

[162] "IranWire" as an example for uncensored information distribution, see *Chapter X., 5*.

[163] Michaelsen (n 121).

distributed through communication channels outside of the government's reach[164], especially for exiled communities which do not suffer from Iran's heavy censoring. Homeland and host land regimes are equally important in determining the success of HRDs in exile. In nondemocratic host countries, it is harder for exiled civil societies to have contact with international organisations or draw support from the host country; most of the time, the host country even works against it.[165] And on the other hand, for a host land to be able to actually influence the homeland, the host land's foreign policy needs to be somewhat relevant to the diaspora's homeland.[166] The thesis focuses on HRDs in European exile, where, at least most of the time, countries are favourable towards working with diaspora communities on causes back home. The EU has as one of its main streams of human rights policy and action to promote human rights worldwide.[167] Relying on that, it is in the EU's interest to support Iranian HRDs in European exile in continuing their work of promoting and protecting human rights in Iran.

When authoritarian regimes block the claims challenging the government inside the country, many of the local activists turn to international organisations and the media in order to build up external pressure.[168] In these, so-called transnational advocacy networks people in exile can function as the bridge between Iranians and the international world. They can offer connections to their host countries, spread information and publicise demands.[169] And international NGOs and supranational organisations as well take advantage of the links diasporas have inside their country.[170]

Exiled communities do not always influence their homeland only positively. But for that reason, especially HR activists need to have the international support to pressure their state for positive changes.

Shain and Barth state that for being successful in exerting influence, diasporas need to have the motive, opportunity and means to do so.[171]

For exiled HRDs from Iran the motive exists in the form of promoting and protecting human rights in Iran. It is of international relevance to provide the means and opportunity so that they have the capacity to do so.

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[164] ibid 37.

[165] Shain and Barth (n 154) 464.

[166] ibid.

[167] Art. 3 (5) TEU, Art. 21 TEU; European Union, 'Human Rights and Democracy' (*European Union*, 16 June 2016) <https://europa.eu/european-union/topics/human-rights_en> accessed 25 July 2020.

[168] Keck and Sikkink (n 152).

[169] Ethan Zuckerman, *Digital Cosmopolitans: Why We Think the Internet Connects Us, Why It Doesn't, and How to Rewire It* (WW Norton & Company 2013) 171.

[170] Østergaard-Nielsen (n 153).

[171] Shain and Barth (n 154) 462.

Simpson suggests that authoritarian regimes even increase the probability of an activist diaspora taking on claims and causes.[172]

6. Organisations and people working in exile

> "It is human rights activists inside the country who defend human rights values and it is they who resist and risk their lives, prison and torture and we, abroad, are their voice and speaker."[173]

The Iranian diaspora is a highly differentiated community with little formal collective structure with often informal and changing groups with limited reach and co-existing autonomous structures.[174] Political identities in the Iranian diaspora can reach from "monarchists" who supported the Shah to left-wing Marxist or "communists".[175] Due to Iran's valuable geopolitical role, oppositional groups of exiles often get media attention, which then shapes the internal and external perception of the Iranian diaspora.[176] Through their shared identity and collectiveness due to living in the diaspora, they build more and more networks and affiliations on a lateral community and grassroots level.[177] The identity of an Iranian diaspora nowadays is more than the reproduction of the authentic Iranian culture and identity of the home country; it is highly influence by the "new home country".[178] The Iranian population and culture in North America and Europe is profoundly shaped by the actual social and political surroundings.[179] In exile, Iranians form a new identity. As an example, one can look at Iranians living in California where most of them oppose their government back home.[180] In a way, Iranian culture is reinvented in the diaspora, and slowly Iranian diasporic communities started to offer a new

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[172] Adam Simpson, 'An "activist Diaspora" as a Response to Authoritarianism in Myanmar' [2013] Civil society activism under authoritarian rule: A comparative perspective 181, 183.

[173] Interview with Anwar Mir Sattari on 03.08.2020

[174] Resa Mohabbat-Kar and others (n 59) 15; Nilou Mostofi, 'Who We Are: The Perplexity of Iranian-American Identity' (2003) 44 The Sociological Quarterly 681.

[175] Resa Mohabbat-Kar and others (n 59) 16.

[176] ibid.

[177] Amy Malek, 'Displaced, Re-Rooted, Transnational: Consideration in Theory and Practice of Being Iranian Outside Iran' [2016] Identity and Exile: The Iranian Diaspora Between Solidarity and Difference 24, 26; Amy Malek, 'Public Performances of Identity Negotiation in the Iranian Diaspora: The New York Persian Day Parade' (2011) 31 Comparative Studies of South Asia, Africa and the Middle East 388.

[178] Resa Mohabbat-Kar and others (n 59) 11.

[179] Malek, 'Public Performances of Identity Negotiation in the Iranian Diaspora' (n 177).

[180] HALLEH GHORASHI*, 'How Dual Is Transnational Identity? A Debate on Dual Positioning of Diaspora Organizations' (2004) 10 Culture and Organization 329, 331.

and wider transnational frame of reference and identification.[181] This new identity is characterised by a rise in engagement with the home country, driven more by humanitarian or developmental goals rather than political motives.[182] This led to an increase in transnational contact networks within the diaspora and between the diaspora and Iran.[183] Activists in exile want to enact a change that might either alter their own circumstance for either them or at least their children to be able to return "home" at some point.[184]

The biggest emigration waves from Iran were caused by the Islamic Revolution of 1979 and, to a lesser degree, the suppression of the Green Revolution in 2009.

Well over 5 million Iranians live in exile, and they are still able to influence political and cultural debates in Iran, allowing them to open Iran further.[185]

The main route for people fleeing Iran is over the border to Turkey or Iraqi Kurdistan, as registered refugee claims with the offices of UNHCR in those countries shows.

In the past years, there has been an increasing number of civil society activists who applied for asylum and resettlement in third countries.[186] After the peaceful anti-government protests in 2009, many journalists, bloggers and lawyers who spoke out against the government were targeted by intelligence forces and had to leave the country.

Between 2009 and 2011, for example, there was a 72 % increase in numbers of Iranian asylum seekers in Turkey.[187] And the members of the Kurdish minority have sought refuge in neighbouring Iraqi Kurdistan.

The Turkish government has only been willing to provide temporary asylum to Iranian refugees, contingent on UNHCR's commitment to try to resettle them in third countries. Many Iranian refugees there said they did not feel entirely secure, the conditions were severe, processes were long, and many refugees were desperate to relocate to a third country as soon as possible.[188] As a result, many end up in Europe and North America.

The activists among exiled Iranians are better connected to their homeland than any of the previous generations of Iranian exiles. One of the main reasons for that is the connection through the internet and social media.[189] Exiled political or human rights activists from

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[181] Resa Mohabbat-Kar and others (n 59) 12.

[182] ibid 14.

[183] ibid.

[184] ibid 83.

[185] ibid 7.

[186] Statistic by the UNHCR: from 44 industrialized countries that conduct individual asylum procedures, there were 11.537 new asylum applications from Iranians in 2009; 15.185 in 2010; and 18.128 in 2011. The largest number of new asylum applications was in Turkey, a 72 percent increase in the number of Iranian asylum seekers between 2009 and 2011.

[187] ibid.

[188] Avenue, York and t 1.212.290.4700 (n 107) 3f.

[189] Michaelsen (n 97) 249.

Iran often act as intermediaries between Iran and the outside world by channelling information and expertise in both directions and are even a tool in building up leverage against authoritarian regimes of repression.[190] The Iranian diaspora has used websites, blogs and satellite programs to provide the audience inside Iran with alternative information and to participate in state-related debates.[191] Through the new media environment, individual activists gain more options for the transmission of politically relevant content.[192]

As discussed later, transnational advocacy also encounters strong responses by authoritarian states and state actors are increasingly capable of monitoring and compromising communications of perceived enemies of the country.[193]

Among the exiled HRDs are lawyers, journalists, women's rights activists and minority rights activists such as members of religious minorities, such as Bahai. Depending on the work they do, their activism might take different forms. For example, marginalised groups might not have direct access to the internet inside the country, so the contact needs to be established differently, and digital security training is not a priority.

Many women's activists in the diaspora, on the other hand, have long used the internet as an outlet for voicing their personal experience and many websites and blogs related to women's issues were created outside the country. Diasporic websites assist women's rights activists in their status in Iran and address diasporic concerns and questions.[194] Often for women's rights activists, the internet offers international connectivity and strengthens links inside Iran.[195] Taboo topics, such as sexuality or family violence, can be easier discussed over virtual communities[196], and it is a way of bypassing traditional sources of authorities.[197]

As an example, there is the website "My Stealthy Freedom"[198] created by the exiled Iranian journalist Masih Alinejad which is used as a campaign against compulsory hijab in Iran, mainly by showing photographs of Iranian women without hijab, but also launching

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[190] ibid.

[191] ibid 251.

[192] ibid.

[193] OHCHR, 'Right to Privacy in the Digital Age' (*OHCHR Website*, 2014) <https://www.ohchr.org/en/issues/digitalage/pages/digitalageindex.aspx> accessed 14 July 2020.

[194] Sanaz Nasirpour, 'Iranian Women and the Politics of Diasporic Websites in the Digital Age' (2016) 11 Anthropology of the Middle East 76, 76.

[195] ibid 77.

[196] ibid.

[197] Morra Aarons-Mele, 'Women as Leaders in the Digital Age' (2010) 2 Gender and Women's Leadership: A Reference Handbook 780.

[198] Masih Alinejad, 'MSF – My Stealthy Freedom' <https://www.mystealthyfreedom.org/> accessed 21 July 2020.

several other initiatives regarding women's rights in Iran. The social media platforms used for the campaign have around 3.5 million followers and around 80 % of them are actually inside Iran.

A few organisations and initiatives are working in exile on human rights in Iran.

The main ones are Justice for Iran[199], Abdorrahaman Boroumand Center (ABC)[200], the League for the Defence of Human Rights in Iran (LDDHI), Association of Human Rights in Kurdistan of Iran-Geneva (mainly active in Geneva), Impact Iran[201] and Transparency for Iran[202] (mostly active in Germany).

Their main work consists of raising awareness about the ongoing violations in Iran and trying to enable independent sources to publish information.

Justice for Iran tries to hold perpetrators accountable by doing fact-findings, initiates judicial and semi-judicial actions and carries out campaign and advocacy at national, regional and international levels, also by publishing impact reports annually.[203]

The ABC documents executions and assassinations and publishes stories about them, engages victims of human rights violations to tell their stories, drawing attention to impunity and tries to promote human rights-based values through translations of theoretical and practical tools, reports and advocacy.[204]

Transparency for Iran instead focuses on journalists and in cooperation with experts from academia, politics, culture and civil society, they try to report current and relevant developments in Iran.[205]

Additionally, there are a few initiatives, which provide cooperation between Iran and for example, other countries. One of them is "EuroPerse", a socio-cultural non-profit organization. Anwar Mir Sattari, one of the interviewees, is a member of "EuroPerse" who actively publishes and advocates information about the ongoing human rights violations in Iran. He is also an active member of an organization of associations of human rights defenders. They organise demonstrations for the defence of human rights, literary,

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[199] London-based human rights NGO, created in 2010; see: Justice for Iran, 'Justice for Iran' (*Justice for Iran*) <https://justice4iran.org/> accessed 21 July 2020.

[200] see: ABC, 'Abdorrahman Boroumand Center' (*Abdorrahman Boroumand Center*) <https://www.iranrights.org/center> accessed 21 July 2020.

[201] coalition of 17 NGOs; see: Impact Iran, 'Impact Iran » Mission' <http://impactiran.org/mission/> accessed 21 July 2020.

[202] Berlin-based NGO; see: Iran Journal, 'Über uns - Iran Journal' (*Iran Journal*) <https://iranjournal.org/ueber-uns> accessed 10 July 2020.

[203] Justice for Iran, '2019 Impact Report' (2019); Justice for Iran, '2018 Impact Report' (Justice for Iran 2018).

[204] Abdorrahman Boroumand Center, 'What We Do' (*Abdorrahman Boroumand Center*) <https://www.iranrights.org/center/what> accessed 21 July 2020.

[205] Iran Journal (n 202).

ecological, anti-racism and anti-racism debates and conferences.[206] His activism includes demonstrations in front of the Iranian embassies and European institutions, giving interviews to TV and radio, distributing leaflets, organizing debates on democracy, peace, against nuclear energy, HRDs in general and women's rights, freedom of expression, unions and rights of ethnic minorities and for freedom of opinion and philosophy.[207]

Another one is Iranian Alliance Across Borders (IAAB), an organisation based in Washington D.C. and the centre of a network reaching across several U.S. states.[208] This network organisation aims to support the forming of an identity of Iranian-Americans of the second generation and to integrate their ideas into the more extensive Iranian-American network, and to support further community building.

DIWAN e.V., on the other hand, is in a way the German counterpart to IAAB. Based in Cologne, the organisation focuses on cultural and identity-related events.[209]

NIPOC (The Network of Iranian Professionals of Orange County) is another Iranian diasporic network, founded in 1986. It is a non-political and non-profit educational organisation. It started as an informal gathering between friends. Their idea was to create an Iranian community for support in their work and soon started networking.[210]

Later, in the 1990s, they started to organize cultural events like the Persian New Year. Their idea was to preserve Iranian culture even in the diaspora and to connect the culture with the North American community. In 2001 the initiative had 300 members, restricted to Iranian professionals. According to their newsletter, the main goal is to "promote recognition of and to improve opportunities for Iranian professionals in Southern California." It created solidarity among Iranians in Orange County but also gave them a more significant influence in their new country.[211]

NIPOC relies on a diaspora identity characterised by outstanding educational and job performance. This interpretation of Iranian diaspora, like all identity politics, internally creates one identity and strengthens the community by mobilising people around a self-image and externally it presents a positive image of the group integrating the community

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[206] Interview with Anwar Mir Sattari on 03.08.2020
[207] ibid.
[208] IAAB, 'Iranian Alliance Across Borders - About' (*IAAB*) <https://iranianalliances.org/about> accessed 23 July 2020.
[209] DIWAN e.V., 'DIWAN – Deutsch-Iranische Begegnungen e.V.' <https://www.diwan-verein.de/> accessed 23 July 2020.
[210] GHORASHI* (n 180) 332.
[211] ibid.

into broader socio-political dynamics.[212] Networks like NIPOC help to include exiled Iranians in a new society.[213]

One of the most to human rights-related networking movements rose due to the heavy censoring of media in Iran.[214]

Manipulative and one-sided media coverage of the state media and strict government regulations for foreign journalists in Iran only give a distorted and patchy representation and thus perception of what is happening in the Islamic Republic.

The significance of state broadcast, called The Islamic Republic of Iran Broadcasting, is revealed when looking at the nomination of the institution leader. The revolutionary leader of Iran appoints the person, and the media is used as a tool to "educate the public".[215] For that reason, new media outlets were created in exile.

Starting in the mid-90s, exiled journalists created news sites which, on the one hand met the need of information in the diaspore and on the other hand was aimed at reaching the Iranian public still inside Iran.[216] And some other news sites in Farsi were even initiated by foreign clients and media houses.[217] These online media forms a distance and even an opposition to the Iranian regime by criticising Iranian policies towards the media and the press directly and indirectly by providing alternatives.[218]

There is "Iran Journal", a project by Transparency for Iran which tries to complement the German media coverage on Iran.

Most importantly, there is IranWire, a network of exiled journalists from Iran. It tries to provide independent news resources. IranWire goes further than being only a media outlet. It seeks to empower Iranian journalists by creating a forum in which young Iranians can discuss national and local news, providing training modules and putting Iranian citizen journalists inside the country in touch with professional Iranian journalists.[219]

This network of journalists allows them to work together on an independent media outlet, through tools like fact-checking methodologies, and the platform even reaches inside Iran, making it possible for Iranians to get the uncensored version of what is happening in the country. The network clearly supports journalists' work, also providing awareness-raising of HR violations through their articles. IranWire even conducted interviews with human

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[212] Resa Mohabbat-Kar and others (n 59) 18.
[213] GHORASHI* (n 180) 336.
[214] Michaelsen (n 121) 155.
[215] ibid 156.
[216] ibid 199.
[217] ibid.
[218] ibid.
[219] IranWire, 'IranWire | About Us' (*IranWire*) <https://iranwire.com/en> accessed 21 July 2020.

rights organisations on their thoughts of the situation of freedom of press in Iran. And especially for Iranian journalists inside the country, such a platform makes them feel less isolated.[220]

As Anwar Mir Sattari said, what Iran needs for change is not a military interference by powerful countries but the support of "Western" academics, organisations and activists.[221] In conclusion, there are different organisations and initiatives working in exile to better the life of the diaspora. Those initiatives work in different fields and support the diaspora in bringing them closer together. What is missing throughout the landscape of initiatives is bringing Iranian human rights activists together by creating a network from which every member can benefit. Such an initiative specifically designed for the needs of exiled activists can enhance their work outcome and reinforce them in continuing their activism. This was confirmed by the other interviewed exiled HRD. Most of the knowledge he had about security issues and funding opportunities he got from other activists or Persian sites and, in this regard, he considers himself lucky to have had the chance to get in contact with them.[222] But luck and excessive research cannot be the factors for success if there are other possibilities to support such outcomes.

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[220] Natasha Bowler, '"Press Freedom Is a Human Right, Not A Western Principle"' (*IranWire* | 8,   June 2015) <https://iranwire.com/en/features/1119> accessed 27 July 2020.
[221] Interview with Anwar Mir Sattari on 03.08.2020
[222] Interview with an exiled HRD from Iran on 10.08.2020

III. Positive effects and challenges due to work in exile

1. Change in activism outside of Iran

Working from a new country, in the beginning, requires strength to manage the profound changes that come along with emigration.

One of the interviewed exiled HRDs said about his emigration to the U.K. that it was highly complicated to get a passport from Iran and apply for a student visa in the U.K. embassy in Turkey.[223] The U.K. home office did not trust him, and they were scared of him applying for asylum after entering the U.K. because he would have been eligible for international protection.[224] They required him additionally to prove that in Iran he was not imprisoned for a criminal offense but for political reasons.[225] Once he arrived in the U.K. due to his student status his path was rather simple compared to other exiled activists, as he acknowledges:

"The main problem for most activists outside Iran is just to find a job. For myself it was a bit different because I came here to study, but most Iranians cannot find jobs and that's the main challenge"[226]

Anwar Mir Sattari, for example, struggled economically when he first arrived in Belgium and eventually had to give up his studies at the university to support his family and because he struggled with the language.[227]

In addition to having to get used to and integrate into the host country, it is challenging to maintain peers inside Iran and to succeed in bringing up active claims to the attention of the public criticising the home regime.[228]

While in Iran activists might have known who to address to be heard, which outlets to use and the language, all of it needs to be adapted in the new country. Instead of addressing state actors directly, which inside Iran was the more feasible option, it might be more useful to raise international awareness when outside of Iran.

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[223] Interview with an exiled HRD from Iran on 10.08.2020
[224] ibid.
[225] ibid.
[226] ibid.
[227] Interview with Anwar Mir Sattari on 03.08.2020
[228] Michaelsen (n 97) 251.

As the research by ARTICLE 19 shows, the success for HRDs living in the diaspora depends on a combination of location, length of time they have been actively involved in human rights issues and strength and size of their networks.[229]

Taimoor Aliassi, President of the Association for Human Rights in Kurdistan of Iran at the UN in Geneva, had many advantages due to his location in Geneva, the most relevant one being easy to contact to high-ranking officials from the UN. [230]

The length of time that an HRD has been active can also be an advantage. Participants of the ARTICLE 19 research mentioned that the resources they gained from having ties within the human rights community of the city or country they lived in, developed over time.[231]

Additionally, having networking abilities were mentioned necessary for success and communities where the resources for it[232]: "[…] observed that communities are where the majority of networking is fostered, stimulating project ideas and employment. "It's finding a way into that community that can be tricky," stated one of our anonymous participants in the USA."[233]

The interviewed exiled HRD back in Iran lead student protests and now continues his activism by writing articles about the repressive situation in Iran and documenting the HR violations in Iran, for Persian and international websites, which inside Iran was combined with a number of risks.[234]

Anwar Mir Sattari, on the other hand, is a member of the Belgian Green party, president of a socio-cultural non-profit organization ("EuroPerse"), an active member of an organization of associations of human rights defenders including 35 Iranian organisations in Europe, Canada and the USA and member of the Iranian Republicans, Democrats and Secularists movement.[235]

Activism in exile takes on different forms due to the distance to the cause but nonetheless can still be continued.

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[229] ARTICLE 19 (n 4) 16.
[230] ibid 18.
[231] ibid 19.
[232] ibid 20.
[233] ibid.
[234] Interview with an exiled HRD from Iran on 10.08.2020
[235] Interview with Anwar Mir Sattari on 03.08.2020

2. Positive effects in working from outside Iran

When looking at how exile might help HRDs in their work it is not hard to acknowledge that there are many positive effects of being out of reach of an authoritarian government, especially in the case of Iran.

As the government continues censoring the internet and most of the social media and Instagram is the most used platform, being outside of Iran gives the HRDs better access and sound connection to the internet and other information sources, such as reports on different topics. And the information the exiled distribute cannot be censored that easily by the Iranian government.

Solmaz Sharif, an Iranian-American poet residing in California, said in the interview with ARTICLE 19 that the most essential resource she has access to for her activist work is the open and high-speed internet where all information is reachable.[236]

Additionally, access to academic institutions, think-tanks and international organisations was seen as helpful.[237] Open access proved to facilitate work. While before, access to such institutions could have resulted in persecution, outside Iran they can be reached and asked for help, provide funding, other forms of support and ideas.

Anwar Mir Sattari said that the Belgian state well received him and both, his wife and him, were able to go to school to learn French or Dutch.[238] For those who want to study in Belgium, there is no roadblock by the Belgian government.[239] There are many Iranian refugees or their children who have graduated from university in Belgium.[240]

But even in Europe, this access is highly dependent on the host state. While Belgium might receive migrants rather welcoming, countries like Hungary and Poland will not offer such integration programs.

The other interviewed exiled HRD added that he had different accesses to resources like members of the European Parliament, the Zakharov Fellowship and through it to more people with influences.[241] Also, he got a fellowship with the OHCHR for HRDs which offered support for his work and had contact with officers and responsible persons in the UN, for example to Special Rapporteurs.[242] All of those contacts were seen as an excellent

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[236] ARTICLE 19 (n 4) 17.
[237] ibid.
[238] Interview with Anwar Mir Sattari on 03.08.2020
[239] ibid.
[240] ibid.
[241] Interview with an exiled HRD from Iran on 10.08.2020
[242] ibid.

add-on for his activism and gave him a platform to distribute the information and experience he has about the repression and persecution in Iran.[243]

Social media is mostly used to continue activism in exile at least by the younger generation, reaching thousands of people through Instagram, Facebook and Twitter.[244] When Anwar Mir Sattari was asked if it is challenging to maintain contact inside Iran, he responded that due to social networks, messengers like Whatsapp and Telegram, social media like Instagram and Facebook, and overall the internet, contacts and communications with the population in Iran is easily feasible and practical.[245] Due to the communication with contacts inside the country, they are directly aware of the situation in Iran.[246]

And in general, the broad human rights community residing in Europe and the U.S.A. provides different forms of support, such as funding and skill sharing.

Exiled HRDs are more secure outside of Iran. Anwar Mir Sattari stated that he generally feels safe in Belgium and only due to his ongoing activism for human rights in Iran he feels insecure to a degree.[247] The persecution described before can only to a degree be carried on when someone left the country. The authorities might still be able to threaten the activist in one way or another, but they cannot prosecute or send the person to jail, torture them or harass them in similar ways.

Finding a way to escape the repressive regime in Iran helps HRDs in many different ways for further activism, through access to information, contacts with host country authorities and international organisations but it also means leaving one's culture and family.

3. Challenges exiled human rights defenders face

Persecution by Iranian state actors is one of the main challenges exiled HRDs from Iran face, a state repression which reaches far beyond borders.

Many scholars recently have recognised the concept of transnational authoritarianism, meaning the oppression of exiled communities by extending political controls across borders.[248] Mechanisms to exercise power and repression include threatening relatives back home, surveillance and monitoring, kidnapping, and even assassination.[249] It goes so

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[243] ibid.
[244] ARTICLE 19 (n 4) 18.
[245] Interview with Anwar Mir Sattari on 03.08.2020
[246] ibid.
[247] ibid.
[248] Baser and Ozturk (n 150) 6 f.
[249] ibid 8.

far that authoritarian regimes might even set up office staff only to map the activities of oppositional groups.[250]

This creates risks for exiled defenders who often are targets of such measures.

To be able to continue the activism from outside the country, one of the main factors is to ensure that some level of contact inside Iran is maintained.

In recent years, digital media enhanced the communication of Iranian transnational political activists and led to an augmented exchange of information across borders.[251]

Anwar Mir Sattari answered that social media, internet sites, the radio and tv were the main channels through which he establishes contact to people in Iran.[252]

As much as digital communication technologies opened up a new possibility of maintaining contact and to further pursue political activism from the exile, at the same time, they pose great danger. Digital media and social networks create multiple entry points for infiltration by state actors, on the one hand, states are able to compromise better the ties between the exiled and their contacts inside Iran (the horizontal voice), and on the other hand, states can also better identify and punish the challenging of the authoritarian regime by political exiles addressed either at their domestic or international audience (vertical voice). The vertical and horizontal voice are concepts created by O'Donnell in his paper from 1986.[253] In his opinion, the blocking of the horizontal voice lies at the very core of authoritarianism.[254] Repression forms one of the main pillars of authoritarian stability.[255]

In Iran, as already mentioned, the media is censored, and citizens' communication is monitored.

Often enough exiled opponents are marked by the authoritarian government as enemies whose activities need to be surveilled, and they try to discredit them at the same time.[256]

Especially if the activist is conceived as a threat because their voice is still sturdy due to international connections, possible measures can be propaganda campaigns against exiles' reputation, property confiscations, persecution of relatives, isolation from supporters in the

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[250] Emma Lundgren Jörum, 'Repression across Borders: Homeland Response to Anti-Regime Mobilization among Syrians in Sweden' (2015) 8 Diaspora Studies 104, 107.

[251] Michaelsen (n 97) 251.

[252] Interview with Anwar Mir Sattari on 03.08.2020

[253] Guillermo O'Donnell, 'On the Fruitful Convergence of Hirschman's Exit, Voice and Loyalty and Shifting Involvements: Reflections from the Recent Argentine Experience' (1986) Working Paper 58 Helen Kellogg Institute for International Studies, University of Notre Dame.

[254] ibid 7.

[255] Michaelsen (n 97) 251.

[256] Francesco Ragazzi, 'Governing Diasporas' (2009) 3 International Political Sociology 378, 386.

country, citizenship withdrawal, infiltration of exile groups, pressure on the host country and even kidnapping and political assassination in some cases.[257]

And vis-à-vis state actors exiled HRDs have clear disadvantages because of unequal access to knowledge and resources about the rapidly changing technologies.[258]

Iran is at the centre of such repressions.

Already under the Shah, a powerful secret service penetrated oppositional student circles in Europe, in 1991 Dr. Abdorrahman Boroumand, who played an active role in the creation and development of the National Movement of the Iranian Resistance, was stabbed to death in his apartment in Paris by agents of the Islamic Republic and in September 1992 Iranian intelligence agents killed the leader of the Kurdish opposition in a restaurant in Berlin.[259] The power of the Iranian authorities well beyond borders is evident.

After the Green Movement in 2009, the Iranian government upgraded its abilities of internet control. There was an increase in website defacements and cyberattacks by hacker groups with state affiliations.[260] The self-declared "Iranian Cyber Army" attacked, for example, Twitter, the Persian section of the Voice of America, and various online media of the Green Movement.[261] And even external Farsi media were hacked and their websites were shortly not available to users.[262]

The hacks also extended to neighbouring government organisations, private companies, international researches, political opponents and critics in the diaspora.[263]

And maybe the most dangerous part of it, exiled activists in Europe and North America were repeatedly targeted by cyberattacks trying to get access to email and social media accounts.[264]

The problem with these hacking accusations is that it is not that easy to prove that state authorities initiated them, but at least it is clear that the attacks came from inside Iran.[265]

And strong links were determined after the arrest of Arash Zad, a tech entrepreneur, in

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[257] Yossi Shain, *The Frontier of Loyalty: Political Exiles in the Age of the Nation-State* (1st ed, Wesleyan University Press 1989) 146.
[258] Michaelsen (n 97) 252.
[259] Yossi Shain, *The Frontier of Loyalty: Political Exiles in the Age of the Nation-State* (1st ed, Wesleyan University Press 1989) 146.
[260] Michaelsen (n 97) 255.
[261] Matthew Carrieri and others, 'After the Green Movement: Internet Controls in Iran, 2009-2012' (Citizen Lab, OpenNet Initiative 2013) 31f. <https://opennet.net/sites/opennet.net/files/iranreport.pdf> accessed 15 July 2020.
[262] Michaelsen (n 97) 255.
[263] ibid.
[264] ibid.
[265] Matthew Carrieri and others (n 261) 40.

2015 and phishing emails were sent out shortly after that from his account to his contacts.[266]

Attacks included tricking activists into revealing their password or calling to establish contact before sending emails with corrupted files and many other phishing attempts, but even open threats against the activists.[267]

The problem is that many HRDs are lacking security knowledge[268], and even if they do, it requires a lot of additional costs and puts pressure on them.

The interviewed exiled HRD admitted that all security knowledge he has he taught himself through shared information by other activists or Persian websites which include this kind of information.[269]

These security breaches are not only dangerous for the exiled activists, but it might endanger contacts inside Iran as well. There are some reports on arrests of contacts inside Iran after a hack occurred or reports on arrestees who were pressured with information gathered through hacking.[270] And activists also mentioned that political prisoners were often compelled to give names of reporters inside Iran who would collaborate with external Farsi media.[271] As Anwar Mir Sattari said: "There is always a risk of insecurity for contacts in Iran. It's very dangerous. They are often arrested under the pretense of espionage and "danger to national security". A lot of care is taken to use keywords indirectly".[272] And the other interviewees said that he only uses secure and encrypted platforms to establish contact inside Iran.[273]

Other punitive measures used by the Iranian government is harassing and interrogating family members of exiled activists. Many of the publicly known activist figures had family members interrogated, imprisoned or tried to turn against them.[274] Targeting family members might be the most effective way of repression. It requires a lot of sacrifices to maintain political activism. Anwar Mir Sattari said that he personally was never targeted since he left for Belgium, but his father, brothers, his sister-in-law and her husband were summoned several times to the secret service of Iran.[275] The other interviewee was never

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[266] Mahsa Alimardani, 'In Iran, Even Bloggers Who Stay Away From Politics Can Be Arrested' (*Slate Magazine*, 2 October 2015) <https://slate.com/technology/2015/10/iranian-blogger-arash-zad-arrested-even-though-he-stayed-away-from-politics.html> accessed 15 July 2020.
[267] Michaelsen (n 97) 256.
[268] ARTICLE 19 (n 4) 3.
[269] Interview with an exiled HRD from Iran on 10.08.2020
[270] Michaelsen (n 97) 257.
[271] ibid.
[272] Interview with Anwar Mir Sattari on 03.08.2020
[273] Interview with an exiled HRD from Iran on 10.08.2020
[274] Michaelsen (n 97) 258.
[275] Interview with Anwar Mir Sattari on 03.08.2020

attacked but is sure his actions were closely observed, and his parents and uncles were all questioned about him and his activities when they were sent to pretrial detention.[276]

In order to decrease the influence of exiled HRDs, the Iranian authorities fall back on smear campaigns. As a consequence, not only does it make the person an unwanted figure in Iran, it also might undermine contacts inside the country.[277] It is easy for the Iranian government to create a storyline, where someone who left the country is a "traitor". And even other Iranian diasporic people might dismiss them as inauthentic.[278] After all, they left their country.

Not only might the state's persecution still affect them, but many people coming from Iran to a new country face a language barrier because they either cannot speak the language of their host country or/and they cannot speak English.

Thus, many human rights journalists are prevented from working on underreported issues, blocking such opportunities from individuals who might have the knowledge, but either lack the language skills or are unfamiliar with the system of their host country.[279] Having language skills as the main criterion for a spokesperson from Iran affects the quality of information that is being spread, and it is a critical issue to provide a voice to those who do not speak the language to ensure information is independent.

But it does not only prevent independent information to be distributed. At the same time, it might keep a person from accessing local institutions and international organisations to seek help. Being in a foreign country with a foreign language affects many parts of living. For example, it was already mentioned that Anwar Mir Sattari had to give up his studies due to a language barrier.[280] But most importantly, it might keep an activist from continuing their work, at least on a broader scale. The exiled interviewee said that most of the people nowadays who leave for the U.K. speak English because it is one of the reasons to choose the country. But for other countries, he barely knows people in Iran speaking for example French and that causes problems for the needed international contacts.[281]

By leaving a country it might also become challenging to maintain the contacts inside Iran, especially to the victims of human rights violations. Many HRDs who were highly active in Iran, now outside of Iran struggle to contact persons inside Iran and because of that they might not have the whole range of the ongoing violations. Anwar Mir Sattari even said that

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[276] Interview with an exiled HRD from Iran on 10.08.2020
[277] Michaelsen (n 97) 259.
[278] Resa Mohabbat-Kar and others (n 59) 83.
[279] ARTICLE 19 (n 4) 3.
[280] Interview with Anwar Mir Sattari on 03.08.2020
[281] Interview with an exiled HRD from Iran on 10.08.2020

to have regular contact is nearly impossible, especially because of the danger such contacts pose for the activists inside.[282] But activists try to renovate little by little internal and external relations.[283] And those contacts are vital for the continuance of activism in exile, "one has to know their news and be aware of their activities and stay in touch and listen", were his words.[284]

Additionally, there is a lack of communication and transparency regarding funding allocation. In order to apply for funds, one needs to know the way around. But the venues are much more formal than it was inside Iran and finding out the differences can be a challenge in the process.

Establishing new connections can be a challenge, but if achieved, can support the activist's work immensely. On the one hand, a HRDs once outside the country is able to establish new connections which inside Iran, due to the repressive regime was not possible. But on the other hand, it is not that undemanding to find the right people and organisations to turn to in a new country. As the interviews done by ARTICLE 19 showed, the ties within the human rights community developed only over a more extended period of time.[285] The resources that can be accessed through these connections can facilitate immensely the HR work.[286] For example, Roya Boroumand mentioned her contacts as essential for the creation of the Abdorrahman Boroumand Foundation.[287]

Concluding, there are many challenges exiled HRDs from Iran face when continuing their activism in exile and those challenges are only a small part of the one's they face because of the migration to a new country.

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[282] Interview with Anwar Mir Sattari on 03.08.2020
[283] ibid.
[284] ibid.
[285] ARTICLE 19 (n 4) 19.
[286] ibid.
[287] ibid.

IV. Mapping the bridging gaps

The following chapter tries to map out the gaps between the challenges presented above and the support offered by civil society in this context.

Javier Roura Blanco stated in the interview, that there is a gap in terms of tools and mechanisms to support HRDs in exile in general.[288] There are no structured programs to facilitate living and working in exile positively.

The report by ARTICLE 19 on the main gaps shows that many projects relating to Iranian human rights defenders are being done without a systematic process identifying the gaps or needs in advance, but instead are being done based on the donors' perspective of what are the priority areas.[289] The following chapter will draw from the identified gaps identified by the ARTICLE 19 report and is complemented with the interviews done for the thesis. Anwar Mir Sattari said the main missing point is international solidarity because only with that HR inside Iran can be protected.[290] In his opinion, the central gap is that the priority of European politicians lies in the economy, competing on an international market and obtaining fossil fuel at a low price and HRDs are just the means to intimidate the Ayatollah regime.[291] They close their eyes to the violations against HRDs, and rarely an EU official demands respect for HRDs from the Iranian authorities, even though, for A.M. Sattari, most times demands by the EU are heard.[292] The other interviewee said something similar, accusing institutions to have a lack of intention to support Iranian HRDs.[293] For him, most change could be achieved through economic sanctions by states and pressuring to integrate human rights for relief, but even in this context some EU countries do not want to do that.[294]

One of the identified gaps is the mechanisms in place to offer psychosocial support. Psychosocial refers to the link between psychological and social processes where one constantly affects the other, in a way describing the relationship between individual and collective aspects of any social entity. Psychosocial well-being consists of physical and mental health, social connections and support, cultural norms and the behaviour of the

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[288] Interview with Javier Roura Blanco, Senior Officer for Communication and Reporting at Protect Defenders, on 03.07.2020
[289] ARTICLE 19 (n 4) 13.
[290] Interview with Anwar Mir Sattari on 03.08.2020
[291] ibid.
[292] ibid.
[293] Interview with an exiled HRD from Iran on 10.08.2020
[294] ibid.

value systems in each society. It then depends on the capacity of a person to draw from these domains.[295]

Psychosocial support aims at increasing the psychosocial well-being of the beneficiary and it helps people explicitly recover after a crisis has disrupted their lives.[296]

It can take different forms, preventive and curative.[297] It can be provided through psychological support, operational assistance, capacity building, knowledge generation and strategy development, for example by offering professional treatment, interventions, psychosocial support activities and by fulfilling the basic needs and providing security for an individual.[298] Such support can help in the integration process of a person and overcoming trauma. The basic needs, such as food and shelter, but also just reconnecting with one's own community, are some support tools.[299] It is one of the critical factors for refugees and asylum seekers to have this kind of support in place when they arrive in a new country.

Additionally, most of the exiled HRDs from Iran were forced to leave, as explained before, and they suffer from a differing form of stress and trauma[300], mainly if they served prison sentences due to the inhuman conditions.[301] And deeply needed psychological support to overcome such trauma is often not in focus, although a lack of cultural integration, language barriers and marginalisation make activism all the more difficult.[302] This was confirmed by Anwar Mir Sattari, who said that the only support their organisation provides is establishing a connection with a therapist if needed.[303]

The Berghof Foundation wrote a report with recommendations for organisations and donors on how to provide psychosocial support.[304] The model offered is based on the MAPA process. The psychosocial approach includes the different steps, starting with

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[295] International Federation Reference Centre for Psychosocial Support, *Psychosocial Interventions: A Handbook* (International Federation Reference Centre for Psychosocial Support, International Federation of Red Cross and Red Crescent Societies 2009) 27.

[296] ibid 25.

[297] ibid 26.

[298] ibid 34.

[299] ibid 41f.

[300] ARTICLE 19 (n 4) 21.

[301] Human Rights Watch, '"Like the Dead in Their Coffins" - Torture, Detention, and the Crushing of Dissent in Iran' (Human Rights Warch 2004) <https://www.hrw.org/report/2004/06/06/dead-their-coffins/torture-detention-and-crushing-dissent-iran> accessed 30 July 2020.

[302] ARTICLE 19 (n 4) 21.

[303] Interview with Anwar Mir Sattari on 03.08.2020

[304] Antonia Montanus, Nele Rathke and Barbara Unger, 'Organisations under Pressure but Powering on - the Psychosocial Approach within Integrated Management of Threat - A Model for Human Rights Organisations and Donor Organisations' (Berghof Foundation Operations GmbH 2016) <https://www.berghof-foundation.org/fileadmin/redaktion/Publications/Other_Resources/20170105_Organisations_under_Pressure_int eractive.pdf> accessed 10 August 2020.

sensitisation, which tries to change perceptions, ways of acting and finally attitudes. It includes de-normalisation of violence, raising awareness of psychosocial impacts of threats and strengthen trust.[305] The next step is analysis and assessment of the situation, then looking at the measures that can be taken, mainstreaming in the organisation, and lastly, the reflection and adjustment to the situation.[306] Such research can provide guiding help for organisations in how to approach psychosocial support.

In the case of psychosocial support, it is especially important to do individual needs assessments before offering individualised support for each case.

All the more, it appears problematic that the research by ARTICLE 19 showed that psychosocial support is barely offered, and individual needs assessment was only done by one organisation, Small Media. [307]

In general, a prior needs assessment was lacking for all offers by NGOs.[308] When asking the representatives from Protect Defenders and FLD both told me prior needs assessments were done through applications and interviews beforehand most of the time, especially for security training.[309]

The two organisations mostly worked through funding and grants, but FLD's "Rest and Respite Fellowship" for example, offers HRDs a safe environment to "recharge" outside of the home country.[310] But, it is not directed at exiled HRDs, the HRDs are mostly still inside their respective country. The relocation programs as well meet individualised needs such as psychosocial support for the people in the program.

A possible solution to this gap is evidently that more NGOs working with HRDs should offer psychosocial support. And even though slowly the importance of such support is recognised, it will take time until it is part of every work with people in vulnerable situations.

Another gap lies between the needs of HRDs and what donors offer, or more generally, the difficulties in starting and running a project which are not met by donors.

Donors initially responded to the needs of domestic NGOs or activists by funding them and providing support for their activities, but recently are making it more about their own

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[305] ibid 11-14.
[306] Montanus, Nele Rathke and Barbara Unger (n 304).
[307] ARTICLE 19 (n 4) 13, 21.
[308] ibid 13.
[309] Interviews with Protect Defenders and FLD
[310] Front Line Defenders, 'Rest & Respite Fellowships' (*Front Line Defenders*)
<https://www.frontlinedefenders.org/en/programme/rest-respite> accessed 30 July 2020.

democratic governance strategies.[311] Donors see civil society as direct partners that offer local implementation options and a distinctive way into domestic political issues and demands.[312] Donors often disregard exiled activists; they do not see the direct link to local politics in Iran. But, as I explained above, support for exiled HRDs is especially important, because of the different challenges they face in addition to their activism. The report done by ARTICLE 19 drew out that the main difficulties that donors should address and support exiled HRDs with are first, to know about grant and proposal writing in general, second, to find funding and how to approach it, and third, project management skills.[313] All together it means that the main tools in how to start a new project outside Iran are missing and activists have difficulties approaching donors. This challenge is complicated by donors who do not facilitate access. But if this is not provided, Iranian activists in exile will stop their work with time.

Especially finding funds can be difficult because there are only limited funds available for human rights defenders. One of the interviewees knew about some institutions that provide grants and relief grants, but at the same time he said that it is not enough and most of activists do not even know about it.[314]

The problem is not only the unfamiliarity about managing projects, but there is a lack of funding pools.[315] Especially marginalised groups fall outside the funding scope and cannot even apply for it.[316]

Solutions identified by ARTICLE 19 were that larger NGOs working with HRDs should provide training and mentoring of HRDs, increase the visibility of funding opportunities for Iranian HRDs and improve access to them.[317] Large NGOs most of the time have someone specialised on finding sponsor and donors, a capacity smaller NGOs and individual activists do not have.

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[311] UNDP Bureau for Development Policy and others, 'Donors' Civil Society Strategies and Partnership Modalities - A Resource Guide' (United Nations Development Programme 2012) 6. <https://www.undp.org/content/undp/en/home/librarypage/civil_society/donor-strategies-for-civil-societies.html> accessed 3 August 2020.
[312] ibid.
[313] ARTICLE 19 (n 4) 24.
[314] Interview with an exiled HRD from Iran on 10.08.2020
[315] ARTICLE 19 (n 4) 26.
[316] ARTICLE 19, 'Country Report: Defending from the Outside - Iranian Human Rights Defenders in the Diaspora' (*ARTICLE 19*) 28. <https://www.article19.org/resources/country-report-defending-from-the-outside-iranian-human-rights-defenders-in-the-diaspora/> accessed 2 May 2020.
[317] ARTICLE 19 (n 4) 27.

Donors rarely provide feedback about unsuccessful project proposals[318] and activists cannot learn from their proposal rejections which could be simply solved. For that, it is important to have an open dialogue between the parties.[319]

The overarching issue with donors, large NGOs and international organisations is that they focus mostly on in-country interventions instead of focusing on the impact someone has on the country, even from outside. And if the importance of exiled activists is recognised then mostly the focus lies on those who recently left the country.[320]

Another gap is language training. There are offers for language training, but they are barely provided by organisations, mostly by the host state. And then access to those language training can be a long procedure. Anwar Mir Sattari answered similarly to that when asked about language training that it was organised by the Belgian state when his wife and him first arrived.[321]

As already outlined under the challenges, establishing new contacts is difficult for many of the activists, but networking abilities are vital for the success on international human rights level. Communities can be a great resource, especially with the scarcity of resources available to the people who recently left Iran.[322] The transitioning and adaptions of finding ways into the community from the mostly informal venues inside Iran and the more formal way in Europe and the USA can be an obstacle. Better networking avenues were seen as fundamental gap that needs to be addressed. During the ARTICLE 19 interviews many felt they had not the right network connections or that the existing networks needed further strengthening.[323] Only a few of the interviewees felt they had such an interdisciplinary network available.[324] And even if networking is achieved, communication is a struggle as well because then the activist still needs to "sell" their cause to the interested parties.[325]

Human rights organisations at the moment are not facilitating those connections enough, even though, as explained later, it is of immense importance and can take work off of the existing organisations. It would support activists in their different challenges.

One of the interviewees saw one of the most helpful and still lacking supports civil society could offer to establish contacts with people who can help with advocacy processes and

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[318] ibid 25.
[319] ibid 30.
[320] ibid 29.
[321] Interview with Anwar Mir Sattari on 03.08.2020
[322] ARTICLE 19 (n 4) 20.
[323] ibid 36.
[324] ibid 19.
[325] ibid 37.

more official connections and a supported better connection with non-Iranian activists outside of Iran.[326]

A solution could be that existing human rights organisations facilitate the forming of such networks by connecting the different activists who approach the organisations.

Javier Roura Blanco explained in the interview that the creation of such an activist network was done in the case of Burundian activists. Since the political crisis in Burundi started in 2015 many HRDs were forced to leave the country in order to avoid persecution.[327] Activist leaders had the initiative to create a network and come together and continue activities in exile. Protect Defenders supported it through structural funding and through set up and continuity of activities and has been renewing it.[328]

As describes above, also maintaining safe contact inside Iran is a challenge for most of the Iranian activists. Digital security training is one way to facilitate that. And even though most of the organisations working to protect HRDs offer digital security training, it is not publicly known by all activists and even when someone reaches the way to get digital security training it is done mostly through workshops with people from different groups or through the internet in a short session instead of individualised digital security training.[329]

One interviewee explained that he would not post pictures of Iranian friends on social media because if ever he would be sent to prison again those names were the ones' they used to blackmail him.[330]

Another issue is that the distinct needs of marginalised groups are often disregarded. Without prior needs assessment it is not possible to cover all different needs and then only the Farsi speaking Iranian majority can be taken into account and smaller marginalised groups do not get enough support from HR organisations.[331]

In conclusion, there are still many gaps that civil society needs to bridge in order to facilitate the important work of exiled activists from Iran.

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[326] Interview with an exiled HRD from Iran on 10.08.2020
[327] KIOS, 'Supporting Human Rights Defenders in Burundi' (*KIOS*, 23 August 2019) <https://www.kios.fi/en/2019/08/supporting-human-rights-defenders-in-burundi/> accessed 8 August 2020.
[328] Interview with Javier Roura Blanco, Senior Officer for Communication and Reporting at Protect Defenders, on 03.07.2020
[329] ibid.; Interview with a representative of FLD on 27.07.2020
[330] Interview with an exiled HRD from Iran on 10.08.2020
[331] ARTICLE 19 (n 4).

V. Supporting the creation of an activist network

1. Increasing impact through transnational advocacy networks

The creation of a transnational advocacy network could offer support in different ways. One of the main gaps Iranian HRDs in exile face continually is the lack of network avenues. A network, for once, could help overcome the other identified gaps, at least partially. And, on the other hand, it could help to increase pressure on the homeland Iran, resulting as an ultimate goal in regime policy changes.

Keck and Sikkink examined networks of activists working across borders as pressure groups in their book "Activists beyond borders".[332] This phenomenon has been largely ignored by political analysts. A network is a form of organisation where communication and exchange are voluntary, reciprocal and horizontal.[333] And they are called advocacy networks, because the aim is to advocate issues or to defend causes.[334] Those networks are created by activists, "people who care enough about some issue that they are prepared to incur significant costs and act to achieve their goals"[335], who believe networks can enhance their work.

Transnational advocacy networks have existed already for a while, the first one might have been the campaign for the abolition of slavery during the 19th century. And most governments' human rights policies resulted as a response to pressure from organisations in the human rights network.[336]

They include actors working internationally who are bound by shared values, a shared discourse and a frequent exchange of information and services. Iranian HRDs living in exile could form such transnational advocacy network. They are bound by their shared values of promoting and protecting human rights, the shared discourse of working against human rights violations by the Iranian authorities or other Iranian actors and their frequent exchange of information and services would be part of such a network. NGOs play a central role in such networks and to a degree, there is already an Iranian HRDs network through the different organisations or campaigns working on the topic of human rights

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[332] Keck and Sikkink (n 152).
[333] ibid 8.
[334] ibid 8.
[335] Pamela E Oliver and Gerald Marwell, 'Mobilizing Technologies for Collective Action' [1992] Frontiers in social movement theory 251, 252.
[336] Keck and Sikkink (n 152) 102.

violations in Iran which were mentioned before. Increasing the possibility of forming such networks securely could improve their work and outreach immensely.

When those transnational networks triumph, they can make human rights violations more visible and can manage to use other means for communication.[337] For example, in the case of Argentina even before the military coup of March 1976, international pressure made the military alter their behaviour from executing opponents publicly to making them disappear silently in order to maintain a moderate image on international level.[338] And even then, Amnesty International and exiled groups managed to make those disappearances publicly known as part of the government's policy which eventually led to the Carter administration, the French, Italian and Swedish governments to denounce rights violations and the Argentinian government to reduce their HR violations by 1978.[339] In the Argentinian case, international pressure worked in coordination with national actors and domestic organisations[340], exiled communities being part of it.

Transnational advocacy networks seek influence in many similar ways as other social movements do. As Sökefeld tried to explain, social movement theories can help in understanding the formation of diasporas.[341] What it needs is political opportunities, mobilising structures and frameworks[342], which means that there needs to be an enabling environment to form such diasporas or in this context networks.

Since those networks are not powerful in traditional ways, they need to use different tools like their information, ideas, and strategies in terms of persuasion and socialisation.[343] Keck and Sikkinik differentiated in their book "Activists beyond borders" the tactics networks use in information politics, meaning the ability to quickly share information with the actors who might have influence on the issue, symbolic politics, meaning to be able to tell a story understandable for people currently far away from the topic, and leverage politics, meaning the ability to call upon powerful actors who can affect the situation in comparison to maybe weaker single members of the network.[344] Network members seek to bring issues to the public agenda by newly framing them and accessing more friendly venues.[345]

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[337] Jeremy Boissevain and J Clyde Mitchell, *Network Analysis: Studies in Human Interaction* (Walter de Gruyter GmbH & Co KG 2018) 25.

[338] ibid 103 f.

[339] ibid 104-107.

[340] ibid 107.

[341] Sökefeld (n 66).

[342] ibid 270.

[343] Keck and Sikkink (n 152) 16.

[344] ibid.

[345] ibid 17.

The voices of networks can bring differentiated information into political debates. And participation in those networks can enhance the political tools available to domestic actors. They can help in increasing the access to international institutions and organisations and help activists in their continuous work by building new connections between the different actors.[346]

In doing so, they can also help to challenge national sovereignty by increasing pressure and making the problem internationally known and maybe even promote norm implementation and the adoption of new policies of the target actors.[347] This is the so-called "transactional approach" in social networks, where the actors, such as organisations or HRDs, use personal links to achieve something specific.[348]

In a way, transnational advocacy networks offer a form of political space for debates about different topics, such as social, cultural and political debates.

Particularly in cases where the target state is immune to direct local pressure and activists elsewhere have better access to other governments or international organisations transnational advocacy networks are a useful tool.[349]

One of the interviewees said that the "bright side of advocacy is raising a collective understanding between Iranians for the next political system to come".[350] In this context, advocacy can have an educational function, making the broader Iranian population mor sensitive to HR violations.[351]

When the channels between domestic groups and their governments are blocked or ineffective for resolving conflicts, they set in motion the boomerang pattern of influence characteristic of transnational advocacy networks, because when channels of participation are not accessible turning to the international arena may be the only option for activists to gain attention to their issue.[352] When the government violates rights, as in the case of the Iranian government, activists might not have enough opportunities on domestic level and in return turn to international connections to address their causes.[353] Those international connections and networks then can provide access, leverage, information, and often money.[354] How the boomerang pattern works is that when a state blocks claims or in the

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[346] ibid 1.
[347] ibid 2.
[348] J Clyde Mitchell, 'Social Networks' (1974) 3 Annual review of anthropology 279, 286.
[349] Keck and Sikkink (n 152).
[350] Interview with an exiled HRD from Iran on 10.08.2020
[351] ibid.
[352] Keck and Sikkink (n 152) 12.
[353] ibid 12.
[354] ibid 13.

case of Iran even the space for civil society they activate networks which members then pressure their own state, or in the case of exile their host state, and third-party organisations, which in turn pressure the target state.[355] Trying to apply it on the case of Iran, it would mean that due to the persecution of human rights defenders many had to go into exile. But through being in exile those diasporic networks can influence their host state and have access to international organisation which in return can put pressure on the Iranian authorities. And even if the Iranian government may still be reluctant to those claims, international contacts can magnify the demands of domestic groups and bounce back these demands into the domestic arena.[356]

Keck and Sikkinik go so far in even saying that the international human rights network only can be effective with the help of domestic organisations because they are the actors who make those violations visible on international level.[357] And in regions where only limited civil society space is available "domestic" civil society is the only alternative. Without advocacy networks most of human rights violations will stay hidden.

But the effectiveness of those activist networks is hindered when the so-called superpowers consider the criticised country important to their national security interests, making the vulnerability of the target state a key factor for success.[358] Vulnerability of the target state on the other hand is determined by the leverage other states have over it. Looking at Iran, the EU member states already pressured Iran regarding the 2015 nuclear deal and enabled a dispute resolution mechanism in 2020.[359] The access to the European market and the prevention of political isolation of Iran due to the U.S. sanctions towards Iran[360] made Europe an important player.[361] But the inability to persuade Donald Trump in recent years made the EU less important because trade has fallen drastically and the EU has not been able to counter the U.S. sanctions.[362] But hope lies in the next U.S. election in 2021.

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[355] ibid.
[356] ibid.
[357] ibid 116 f.
[358] ibid 117.
[359] Josep Borrell, 'JCPOA: Statement by the High Representative Josep Borrell as Coordinator of the Joint Commission of the Joint Comprehensive Plan of Action on the Dispute Resolution Mechanism' (*EEAS - European External Action Service - European Commission*, 17 July 2020) <https://eeas.europa.eu/delegations/iran/83095/jcpoa-statement-high-representative-josep-borrell-coordinator-joint-commission-joint_en> accessed 26 July 2020.
[360] U.S. Department of State, 'Iran Sanctions' (*United States Department of State*) <https://www.state.gov/iran-sanctions/> accessed 26 July 2020.
[361] Hassan Ahmadian, 'Iran - Mapping European Leverage in the MENA Region - ECFR' (*ECFR*) <https://www.ecfr.eu/specials/mapping_eu_leverage_mena/iran> accessed 26 July 2020.
[362] ibid.

But even if more leverage can be built up again it is not given that it will directly lead to more respect towards human rights. Guatemala and Haiti are negative examples for rather weak states which resisted international human rights pressure comparable long.[363]

2. Comparing to "exiled networks" (Burundi) and exiled oppositions (NAMIR)

Banned oppositions and thus forming in exile to overthrow repressive governments have existed for centuries.

"Opposition" in this context refers to "a coherent group, regularly acting together, and able to present themselves collectively to the electorate as an alternative government with an alternative policy, see the Social Sciences Dictionary definition. Those banned oppositions use promotional pressure groups or sympathetic states to make their cause known.[364] The similarities to Iranian HRDs, who might not form politically as an alternative government, but at least want a government and policy change, is evident.

For the Iranian region the most known opposition is probably "The National Movement of the Iranian Resistance" (NAMIR), a pro-democratic oppositions movement to Iran's theocracy. It was founded by Dr. Shapour Bakthiar in August 1980 and it was based in Paris.[365] Dr. Shapour Bakthiar was the last Iranian Prime Minister before the Islamic Revolution.[366] NAMIR was the first opposition which tried to bring three different streams, nationalism, constitutional liberalism and opposition to theocracy, together, intended to become a broad coalition of Iranians.[367] The important factors which made NAMIR successful, and can be applied to other political movements were the leadership of an accepted national figure, respected in the outside world, access to substantial funds, access to major foreign policy makers, access to radio station and social media to communicate with the Iranian public, and access to a loyal membership willing to sacrifice for the movement.[368]

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[363] Keck and Sikkink (n 152) 118.
[364] Mehrdad Khonsari, 'The Case of The National Movement of the Iranian Resistance 1979-1991: The Role of a Banned Opposition Movement in International Politics' (Department of International Relations, The London School of Economics and Political Science 1995) 24.
[365] ibid 6.
[366] ibid.
[367] ibid 50.
[368] ibid 9.

NAMIR was able to build up substantial support amongst the armed forces, the tribes, as well as in important sectors of Iranian society in the cities from outside.[369]

NAMIR, prior to Bakthiar's assassination in 1991, although not successful in achieving regime changes due to a number of flaws in decision making and organisation, continued to pose the most serious threat to an Islamic regime that encountered an increasing number of problems which it could not remedy, and no other Iranian opposition received as much attention on both national and international level as NAMIR.[370]

Bakthiar's assassination can be prove as well as to how threatening NAMIR was perceived by Iranian authorities. Bakthiar embodied human rights and democracy, a complete contrast to the governing regime in Iran, and he was liked by many Iranians.

In the case of Burundi a heavy persecution of HRDs started in 2015. Many had to leave and reform in exile. Due to the initiative of activist leaders and with the support of Protect Defenders they were able to form a network in Europe and continue their activism. Burundian activists have not only formed networks in Europe, but also in other African countries. Activists created for example the *Collectif des Avocats pour la Défense des Victimes des Crimes de Droits Internationaux au Burundi (CAVIB)*, a collective of 40 people who document and file cases of violations in Burundi with international justice mechanisms.[371] *National Coalition of Human Rights Defenders – Burundi*, a national coalition in Burundi was supported by DefendDefenders and the KIOS Foundation.[372] Results due to network forming in exile were seen in 2016 when the UNHRC established a Commission of Inquiry on Burundi.[373] The mandate of the Commission included to conduct a thorough investigation into human rights violations and abuses that have taken place in Burundi since April 2015, including on whether they may constitute as international crimes.[374] In its extensive 2017 report, the Commission of Inquiry found reasonable grounds to believe that crimes against humanity have been committed and continue to be committed in Burundi. The advocacy efforts also resulted in the adoption of a resolution in the 62nd session of the the African Commission on Human and Peoples'

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[369] ibid 51.

[370] ibid 61.

[371] Defend Defenders and Coalition Burundaise des defenseurs des droits de l'homme, 'Between Despair and Resilience - Burundian Human Rights Defenders in Protracted Exile in Rwanda and Uganda' (September2018) 24. <https://thrdc.or.tz/wp-content/uploads/2019/05/BETWEEN-DESPAIR-AND-RESILIENCE-HRDs-IN-BURUNDI.pdf> accessed 8 August 2020.

[372] KIOS (n 327).

[373] OHCHR, 'OHCHR | Commission of Inquiry on Human Rights in Burundi' <https://www.ohchr.org/en/hrbodies/hrc/coiburundi/pages/coiburundi.aspx> accessed 9 August 2020.

[374] ibid.

Rights (ACHPR) expressing concern over the lack of investigation in alleged violations and the government's refusal to cooperate with international efforts. This was only possible through the efforts of HRDs who lobbied to the Commission to adopt the resolution.[375] The creation of Burundian networks in exile helped them in organising and enhancing support and change which was not possible anymore inside Burundi. Drawing from such networking examples the influence a network consisting of Iranian HRDs could have on the international and Iranian level in pressuring, connecting and appearing as a unity against Iranian politics is evident.

3. Network as a solution to the gaps through skill-sharing etc.

There are several guides and assessment tools in order to support civil society in their creation of networks, but there are certain limitations to the tools. The tools, for once, assume that networks are a separate formal legally registered institution which often is not the case and most tools are constructed on the basis of a single model, ignoring the existence of diverse types of networks.[376]

The AED financed a report about supporting civil society networks and the main priorities for support were firstly, to clarify the purpose and role of civil society networks in programs and projects[377], so making clear what the network would be about. Secondly, to align the shared purpose of network members with appropriate network structures and gear expectations for network success.[378] These are the guidelines to support civil society in creating and strengthening networks and the steps should be taken by larger organisations working to protect HRDs.

As the thesis already presented, there are several Iranian networks working in exile, bringing together Iranians living in the diaspora, but evidently none of them works specifically on the issue of HRDs living in exile, but those networks still help in promoting the recognition of and to improve opportunities for Iranians professionals in the respective

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[375] KIOS (n 327).

[376] Darcy Ashman and others, 'Supporting Civil Society Networks in International Development Programs' (Academy for Educational Development 2005) 10. <https://www.fhi360.org/sites/default/files/media/documents/Supporting%20Civil%20Society%20Networks%20.pdf> accessed 10 August 2020.

[377] ibid 19.

[378] Ashman and others (n 376).

country where the network is active. The networks created solidarity among Iranians, bringing them closer together.

Anwar Mir Sattari reaffirmed that the Iranian community abroad is very divided.[379] There are several political parties and socio-cultural associations and human rights defenders and the goal of his organisation is to try to bring together as many republican, democratic and secular opposition as possible, generally speaking, bringing together groups that accept the human rights conventions.[380]

Except for offering means to put additional pressure on the Iranian regime, a network of Iranian activists in exile can as well be a solution to overcome the challenges Iranian HRDs in exile face by bringing them closer together and making it possible for them to support each other. A supportive network can help with different issues.

Already in the ARTICLE 19 report, the issues of skill-sharing and skill-identification were raised in each of their 37 interviews.[381] HRDs bring different expertise into the pool, but there are only limited funds available. For that reason, Iranian HRDs in exile realise the need to work together in order to address the gaps in their programmatic, research or funding requirements.[382]

Funding, for example, is linked to networking because without a proper network who provides connections and information access to funds is minimal.[383] In funding there is often a monopoly of who gives and gets money. And who does not have the right connections through a supportive network is left out. Nasrin Afzali in her interview said that she sees it especially with women who are far less approached and asked to attend certain events, workshops and researches.[384]

Against the language barrier many Iranian activists encounter, especially an obstacle for advocates of marginalised groups who might not even speak Farsi, a network could provide "Tandem projects" where someone who speaks the respective language and additionally Farsi or/and English can be the link for those advocates to international organisations, donors and other actors in the field. If a network would build up at some point it might be even possible provide online organised lessons for a bigger number of people. Including activists for marginalised groups in a network would give them more

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[379] Interview with Anwar Mir Sattari on 03.08.2020
[380] ibid.
[381] ARTICLE 19 (n 4) 39.
[382] ibid.
[383] ibid 37.
[384] ibid.

attention and possibility to distribute information which at the moment is difficult to achieve.[385]

Skill-sharing is also important for digital security. While the Iranian Cyber Army works across borders and adjusts its means constantly. Through skill-sharing Iranian HRDs can share tools in how to avoid the government's infiltration.

The thesis showed that there is a gap in providing knowledge about proposal writing, finding the right funding and approaching donors. A network where people who already gathered experience with it can share it and support others who newly left Iran can diminish the gap. If, for example, there was a webpage with all the donors that can offer funding and support, and a brief about what a proposal needs to contain and all this information would be accessible in multiple languages, like Farsi and English, it would offer activists support just by sharing the information. And also, the pointed out open dialogue could take place through online networks.[386] One of the interviewees, for example, shared information about tricks he has to protect himself and his inside contacts from surveillance. He changed his numbers to U.K. numbers which cannot be infiltrated that easily by the Iranian Cyber Army or the Ministry of Information, and when his Iranian family needs to write their phone number down somewhere, they just use one of his in order to have the information protected.[387] And another interviewee for the ARTICLE 19 report shared that she would always publish pictures on Instagram only after she left the place.[388] Such tricks and ideas can be shared through a secure common platform. For some cases it is done already through Iranian websites created in exile where for example information about security issues, secure data platforms and messengers is shared.[389] But especially for the exiled HRDs who just arrived in the new country finding out about such information requires a lot of research which with all the other difficulties is not to be expected.

A network in general would help to highlight Iran's human rights community which since 2009 often resides in exile and the exiled are often overlooked.[390]

It goes without saying that a network harbours risks. Bringing many activists together makes it easier for the Iranian regime to infiltrate it and gather harmful information at once without having to go through the effort of guard and persecuting every single HRDs in

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[385] ibid.
[386] ibid 30.
[387] Interview with an exiledHRD from Iran on 10.08.2020
[388] ARTICLE 19 (n 4).
[389] Interview with an exiled HRD from Iran on 10.08.2020
[390] ARTICLE 19 (n 4) 30.

exile. Already, the Iranian state is strong in persecuting exiled HRDs across borders. A network facilitates the means to do so. It would need to have mechanisms in place to prevent it. For example, to verify the existence of HRDs who want to access such a network and use the support and contacts offered there needs to be a secure verification process. As the representative of FLD said in the interview it is difficult to verify who is a "real" HRDs. The UNHCR has means and handbooks in how to verify the information countries get through asylum seekers and assess status determination, but it is a highly delicate and complicated issue. Information about HRDs cannot just be published freely on a webpage. There need to be several security programs in place to protect delicate information. But exiled activists have developed different tactics over time and gathered knowledge about the measures taken by the home state. All this information can provide in forming a continuously changing network mechanism depending on the new forms infiltration and surveillance by state actors take on.

Conclusion

HRDs play a vital role in promoting and protecting human rights. The awareness of the need of protecting the protectors came in focus not long ago so it is not surprising that the protection mechanisms still need to be developed to achieve the maximum potential of protection. In between these activists are the ones' that due to their unique position are in need of different types of support – human rights defenders in exile. Those human rights defenders not only encounter threats due to their continued activism but additionally face challenges to integrate in a new country and establish new connections to profit out of living in exile. Specifically in authoritarian regimes where the persecution of HRDs is one of the tactics to drive opponents out of the country, those exiled communities can benefit from escaping the wing of their government. Not only might activism in exile be more secure but the formed communities can even achieve broader change by putting pressure on their government.

Iranian diasporas have formed in Europe since the 19th century and the numbers increased with the Islamic Revolution in 1979. The Iranian community abroad is highly divided. There are several political parties, socio-cultural associations and human rights defenders. One topic that combines the majority of these people is the striving for democratisation back home because the lack of democracy is what drove them into exile. Starting from this idea, bringing the Iranian diaspora closer together and thus increasing their influence potential can have positive impacts on the Iranian state. Different initiatives formed in exile in order to reconnect and support the Iranian diaspora.

Since the Green Movement in 2009, the authorities targeted especially Iranian HRDs. Those HRDs risk their lives with their activism and often enough are left with no choice but to leave their home and families. In exile, they face different challenges when trying to continue their activism, and there are still many gaps in what civil society could do to support and which offers already exist. One of these solutions from which HRDs could profit, and the international community could simultaneously achieve broader democratisation changes, is supporting Iranian HRDs to create a network where information and skills can be shared. A few initiatives already provide information about, for example, security issues, but most of the information is distributed through informal paths, and hence not easily accessible.

The protection of HRDs is a relatively new topic, so it is not surprising that the field is not fully developed and exiled HRDs come in focus last. The thesis tried to show that,

although not active in their home country, exiled HRDs, specifically for the Iranian case, play an important role in putting pressure on the Iranian authorities due to their international connections and additionally can bypass Iran's censoring policies to spread information about the ongoing HR violations in the country.

The main aim of the thesis was to raise awareness about the importance of Iranian human rights defenders in exile.

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Annex 1

Interview Guide for a Masters' Research
Main Challenges Iranian human rights defenders in the European exile face in continuing their human rights activism, possible solutions, and the creation of a network

Olivia Alvano – EMA Master's in Human Rights and Democratization
Global Campus of Human Rights/University of Padova - 2020

Information to be given before the interview:

(1) This thesis focuses on exiled human rights defenders from Iran. While the first questions are more general, the others are closely related to the specific topic.

(2) The questions are based on a research done by the NGO Article 19 about the needs of Iranian Human Rights Defenders in the Diaspora from November 2015.

(3) Please keep in mind that you are not expected to answer any question you do not feel comfortable with.

(4) Most of these questions are related to your experience, so please feel free to add your particular experiences regarding the topic or related topics.

Questions related to the organization you work with:

1. **When and why did you leave Iran?**

2. **How long have you been active, pre and post leaving Iran?**

3. **What kind of work do you/does your organization undertake?**

4. **What kind of resources do you have access to in your current country of residence for this work (e.g. institutions, programs, people)?**

5. **What are the main challenges in continuing your work from outside Iran (e.g. maintaining contact and a network in Iran)?**

6. **In your opinion, in order to continue with this activism, what are the needs that you have/your organization has difficulty fulfilling?**

7. **In your opinion, what kind of external support would assist you or your organization in filling these gaps? (e.g. more networking events and networking avenues)**

8. **Are you or your organization in regular contact with activist networks in Iran? How often?**

9. **How vital would you say is this regular contact for your activism?**

10. **What tools do you use to make contact with these activists in Iran?**

11. **What methods do you use to ensure you make secure contact with activists inside Iran?**

12. **Did you participate in digital security training in the past? If yes, by whom was it organized?**

13. **In your opinion, how helpful do you think external pressure, activism and campaigning has been for Iranian activists in Iran after their arrests?**

14. **What do you feel are the gaps of "European" perception of the needs of activists in Iran?**

15. **Any other comments?**

Annex 2

Interview Guide for a Master's Research
Main Challenges Iranian human rights defenders in the European exile face in continuing their human rights activism, possible solutions, and the creation of a network

Olivia Alvano – EMA Master's in Human Rights and Democratization
Global Campus of Human Rights/University of Padova - 2020

Information to be given before the interview:

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(6) The questions are based on a research done by the NGO Article 19 about the needs of Iranian Human Rights Defenders in the Diaspora from November 2015, "Iran: Defending from the Outside – A Needs Assessment of Iranian Human Rights Defenders in the Diaspora"

(7) Please keep in mind that you are not expected to answer any question you do not feel comfortable with.

(8) The questions are only designed as guidelines. If you have anything else to add please feel free, especially your particular experiences regarding the topic or related topics.

Questions related to the organization you work with:

1. **Tell me about the organization you work with and the work the organization does for human rights defenders?**

2. **What are protection mechanisms provided by the organization?**

3. **Are there any specific mechanisms of protection or support for human rights defenders in exile?**

4. **Could you mention some of the achievements of the organization you work with in terms of protection and support of either human rights defenders at high risk in general, and/or exiled human rights defenders specifically?**

5. **What should be in your opinion the key elements to focus on in terms of support mechanisms for exiled human rights defenders? Which are the main challenges?**

6. **If not mentioned yet, does your organization, or one of the 12 NGOs, which are members of the consortium, offer psychosocial support, language training, training on proposal writing and funding sources or digital security training?**

7. **If yes, do you conduct needs assessments prior to those workshops or training sessions?**

8. **Do you offer a connection between Human Rights Defenders from one country (e.g. Iran), in form of network avenues, or are you aware of any organization working on that?**

9. **Is your organization in any contact with activists from Iran?**