



A Study of 2016 ‘Elections’ in Iran

Brussels, April - 2016

Introduction

The two “elections” in the Islamic Republic of Iran, for Parliament (Majlis) and the Assembly of Experts (Khobregān), held simultaneously on 26 February 2016, were welcomed in most of the western media as a great victory for the “moderates” or “reformists,” headed by President Rouhani and his mentor, former President Rafsanjani. According to this reading, the defeat suffered by the “Principlists,” or conservative supporters of the Supreme Leader Ayatollah Ali Khamenei, marks a period of opening and hope where social progress, respect for human rights and renewed economic growth will come. Time Magazine titled its piece about the elections: “The Nuclear Deal pays off,”¹ while some others assured that “Iranian elections can matter.”²

But how much can these elections effect the course of events and what are the chances for some meaningful changes in Iranian policy? We intend to look into the Iranian electoral process and draw some conclusions.

The electoral process: “Eligible” candidates

When applying as a candidate for one of the 290 seats in the Majlis or the 88 seats in the all-male Assembly of Experts, one must declare a full-hearted belief in the rule of the “Supreme Leader.” The candidates will then have to be approved by four bodies: Ministry of Interior, State Security Forces (a.k.a. NAJA), the local branch of the Judiciary, and the Ministry of Intelligence. These bodies will thoroughly examine every person’s background to be sure there are no links with banned opposition groups or activities that in any way would dispute the integrity of the Islamic Republic.

The names of those who successfully pass through these filters are then sent to the Guardian Council - a body under the full control of the Supreme leader, which will then announce a limited number of the candidates from this list as being eligible to run for elections.

¹ Bremmer, Ian. ["The Nuclear Deal Pays Off In Iran's Elections."](#) Time. 3 Mar. 2016. Web.

² Fisher, Max. ["How the nuclear deal boosted Iran's moderates – and showed Iranian elections can matter"](#) Vox, 2 Mar. 2016. Web.

The Guardian Council

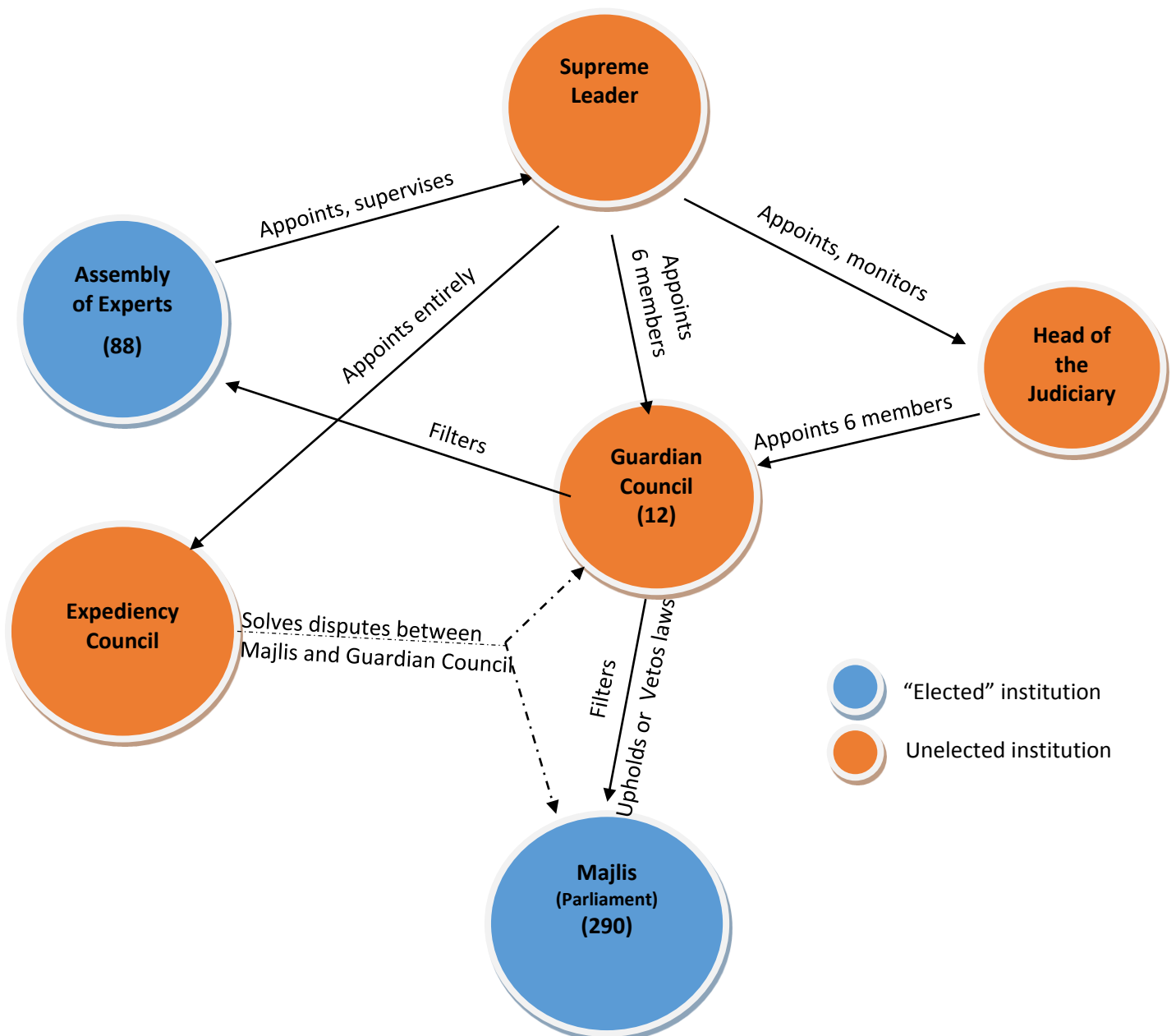
The Guardian Council has remained one of the most influential bodies in Iranian politics after the 1979 Revolution. It consists of 12 members: six mullahs appointed by the Supreme Leader Ayatollah Khamenei, and six jurists nominated by the head of the judiciary, who himself is directly appointed by and reports to Ayatollah Khamenei. The members of the Council are appointed for six years. They are tasked with approving or rejecting all bills passed by the parliament and all candidates who want to stand in elections for the Majlis, the Assembly of Experts and the presidential elections. Article 91 of the Iranian constitution says of this Council: *“with a view to safeguard the Islamic ordinances and the Constitution, in order to examine the compatibility of the legislation passed by the Majlis with Islam, a council to be known as the Guardian Council is to be constituted”*. Articles 4, 72, 85, 94³ and 96 clarify how all legislation must pass through this Council in order to be approved.

Article 99 of the Constitution defines the competence of this institution to filter the candidates for elections: *“The Guardian Council has the responsibility of supervising the elections of the Assembly of Experts for Leadership, the President of the Republic, the Majlis, and the direct recourse to popular opinion and referenda”*. In articles 26 and 27, the Constitution clarifies that all parties and associations must not *“violate the criteria of Islam, or the basis of the Islamic republic”*, and that public gatherings and demonstrations cannot *“be detrimental to the fundamental principles of Islam”*. As a kind of “constitutional court,” article 98 of the Constitution gives to this body *“the authority of the interpretation of the Constitution.”*

The law regulating elections states in article 28 that candidates must *“believe and adhere to Islam and the sacred system of the Islamic Republic”* and *“express their fidelity to the constitution and the principle of the absolute rule of the Supreme Leader.”*

³ Art.94: *“All legislation passed by the Islamic Consultative Assembly must be sent to the Guardian Council. The Guardian Council must review it within a maximum of ten days from its receipt with a view to ensuring its compatibility with the criteria of Islam and the Constitution”*

In October 2015, the 89-year-old head of the Guardian Council, Ayatollah Ahmad Janati stated that belief and adherence to the principles of the Islamic Republic must come from “a profound conviction.” About the eligible candidates for the Majlis, he added that *“these seats belong to Hezbollahis and revolutionaries. The Guardian Council will not allow those who don’t have a full-hearted belief in the system, the Islamic Republic constitution and the Supreme Leader, to enter the Majlis. This Council won’t listen to anyone but the Supreme Leader and will apply the law to approve or disqualify candidates to the upcoming elections”*. In other words: a body appointed and controlled by the Supreme Leader decides, under his guidance, who can or cannot be a member of the Parliament.



Assembly of Experts

The Assembly of Experts, a body of 88 clerics, is responsible to appoint the new Supreme Leader, to monitor his performance and remove him if he is deemed incapable of fulfilling his duties. It holds its sessions twice a year. The new assembly will have a mandate of eight years for the period of 2016-2024. The candidates are filtered by the Guardian Council, just as with the Majlis. This election was particularly important because of the main task of the Assembly: given the age (76) and the deteriorating health of Khamenei, there is a high probability that it will have to choose a new Supreme Leader in its 8-year term. Therefore, the political battle was very intense and the Guardian Council even more on guard than usual. The Council disqualified “almost 80% of potential candidates, including all women who applied.”⁴ Iranian law regards women as incompetent to participate in the decision-making process on the Supreme Leader.

The filtering was so massive that in some constituencies, there was only one candidate left, making the election pointless. In Tehran, of the 760 candidates affiliated with the Rouhani/Rafsanjani camp, only 4 were initially allowed to take part.

In spite of this, the attention during this vetoing process was focused mainly on the case of Hassan Khomeini, a grandson of the Islamic Republic founder Ayatollah Khomeini who died in 1989. The 43-year-old cleric is close to Rafsanjani and was a key actor in his strategy of dominating the Assembly of Experts at the moment when there is no clear heir for this position. Nevertheless, the Guardian Council vetoed his presence in the elections, arguing that he didn't “have enough religious knowledge.”

The “Principlists” or conservative supporters of the Ayatollah Khamenei suffered a number of heavy losses, especially in Tehran, where key players like Ayatollah Mohammad Yazdi - the head of the last Assembly of Experts, and Ayatollah Mesbah Yazdi - one of the most influential ideologues of the ruling establishment, were eliminated. Ayatollah Janati was elected in the very last count.

⁴ ["The Great Candidate Cull"](#). The Economist, 16 May 2012. Web.

The Majlis (or Parliament)

According to the Iranian constitution, the 290 members of the Majlis are elected by popular vote every four years. This parliament has the authority to introduce and pass laws, as well as to summon and impeach ministers or the president. Nevertheless, its power is very limited, as all Majlis bills will be valid only after approval by the Guardian Council. Also, a fatwa by the Supreme Leader can override any decision made by Majlis, even after the approval of the Guardian Council.

There are 196 constituencies in Iran where 285 members of the Majlis are directly elected. Five seats are reserved for some of the Iranian minorities. If there's no clear winner in a constituency in the first ballot, a second round will follow.⁵

Another aspect of the Iranian election system which is different from Western democracies is that there is no party system where candidates belong to a certain political tendency. Instead there are "factions" and "coalitions" or "lists" that "endorse" individual candidates.

In the 26th February elections, 12,123 candidates registered to run for the Majlis. In the first evaluation by the Guardian Council, 7,403 were rejected. According to a letter released in January by a group close to the Rafsanjani/Rouhani block, only 30 of their 3,000 candidates were allowed to run, eliminating their best known figures, while the candidates close to Khamenei were systematically approved. Even some fifty members who were sitting in the Parliament at the time were judged unfit to re-run as candidates!

After this first filtering, the rejected candidates have the right to appeal. However it is again the Guardian Council - the same body that rejected them in the first place - that examines the appeals. The result of this second process of appeals was that around 1,500 vetoed candidates were allowed to run again, but 147 of the previously approved were banned. Finally only 6,229 of the 12,123 candidates were approved. Most of those that Rouhani himself presented were disqualified.

The Rouhani/Rafsanjani camp decided to participate, despite the heavy filtering. Instead of boycotting, they started endorsing individuals who were not initially part of

⁵Alem, Yasmin. ["Duality by design: The Iranian Electoral System"](#) International Foundation for Electoral Systems. March 2011

their faction. As there are no official lists of a party, factions endorse individual candidates, sometimes resulting in a particular candidate being endorsed at the same time by both “reformist” and “hardline” factions. Even some members of the Rouhani/Rafsanjani list, such as Ayatollah Ali Movahedi ⁶ or Ayatollah Mohammad Ali Taskhiri,⁷ publicly declared themselves to be “hardliners,” even after they were endorsed by the “moderates.” Another example of this “fluidity” is that of Kazem Jalali - until recently a notorious “hardliner”, who infamously called for the leaders of the 2009 popular uprisings to be executed. But this year he stood as a reformist.

This peculiar system also means that members of the Majlis are not bound to vote in a certain direction or along “party lines.” So the composition of the new Majlis does not necessarily mean that President Rouhani can count on solid support for any or all of his policies, even if the candidates endorsed by him won the most seats.⁸

Ex-intelligence officials running as ‘reformists’

Among the candidates on the “reformist” list for the Assembly of Experts were three notorious former Ministers of Intelligence: Mohammad Mohammadi Reyshari; Ali Fallahian - who has an Interpol red notice for his participation in the AMIA bombing in Buenos Aires in 1994 and also had an international arrest warrant in connection with the Berlin Mykonos restaurant assassinations of the Kurds in 1997;⁹ as well as Ghorbanali Dorri-Najafabadi - the Minister of Intelligence during the “chain murders.”¹⁰ They are all known for involvement in numerous atrocities and human rights violations during their terms in office.

⁶ [“I have heard the reformists have included my name on their list but we don't have same blood type”](#)
Entekhab Online Journal, 22 Feb 2016

⁷ *“No one spoke with me about it... I am saying clearly that I am a Principalist. I believe that the correct way is the Principalists, and the way of others, like Reformists or moderates, is the incorrect way.”* – [Kayhan Journal](#), 21 February 2016.

⁸ Bucala, Paul. [“Iran Elections Tracker: Updates and Analysis”](#) . Iran Tracker. 28 Feb 2016

⁹ Four Kurdish-Iranian opposition figures were murdered in the Mykonos restaurant in Berlin on 17 September of 1992

¹⁰ A series of murders of intellectuals and journalists occurred in the nineties in Iran, by Iranian government operatives

Voter participation:

The Iranian authorities intended to demonstrate a high turnout to legitimise the elections. Fearing a low turnout produced by the lack of diversity in the offered candidates, Khamenei issued a fatwa stating that “taking part in the election is a religious duty and anyone casting a blank vote would be committing a mortal sin”.

Holding both the Majlis and the Assembly of Experts elections on the same day is seen by some as another ploy to mobilize crowds at the ballots. The voting system, in which the candidates' names must be written manually in a form, also means that in cities like Tehran, with 30 seats for the Majlis and 16 for the Assembly of Experts, voters spend an average 30 minutes each choosing candidates to write down and casting their ballots. This could produce more queues on election day. Some opposition sources claim that the number of ballot boxes, particularly in Tehran, was intentionally low in order to generate longer queues. Journalists were only allowed to visit certain polling stations, designated by the government. Some western journalists who managed to visit other polling stations reported that the turnout in the poorer areas of Tehran was particularly low, indicative of the sceptical mood.

The New York Times reported many *“decided to register their protest by staying home. Several customers interviewed at the market said they would not even think of voting, pointing at corruption and the poor state of the economy. ‘Uptown, they vote for reformists because they want to protest against the hard-liners,’ said Saeed Taheri, who sells children’s clothes. ‘Here, people don’t vote because they feel left out.’”*¹¹

Some critics of the regime say that it tends to multiply the turnout by 4 or 5 in order to announce huge participation and claim credibility. This multiplying is said to have the support of all factions, as it serves the interest of the whole system.

Rigging is common in Iranian elections. The practice was most obvious during the disputed 2009 elections and the re-election of President Mahmoud Ahmadinejad, which led to massive nationwide uprisings.

¹¹ Erdbrink, Thomas. [“As Some Iranians Register Dislike at Polls, Others Do So by Staying Home”](#). New York Times. 26 February 2016

Even if we take the official figures for this year's election at face value, the 62 percent participation announced by the Minister of Interior would mean that at least 34 million of the 55 million registered voters cast a valid vote. But the voter turnout tables published by his ministry put the number of valid votes for the Majlis at 32.1 million and the Assembly of Experts at 30.2 million; accordingly, the participation rate would be between 55-58 % at best.¹² So the 62 percent figure seems more designed to fit the pre-announced desire of the regime to declare a 60-percent-plus turnout. Not surprisingly a day before the elections the Minister of Interior said: "We estimate a 70 percent turnout."

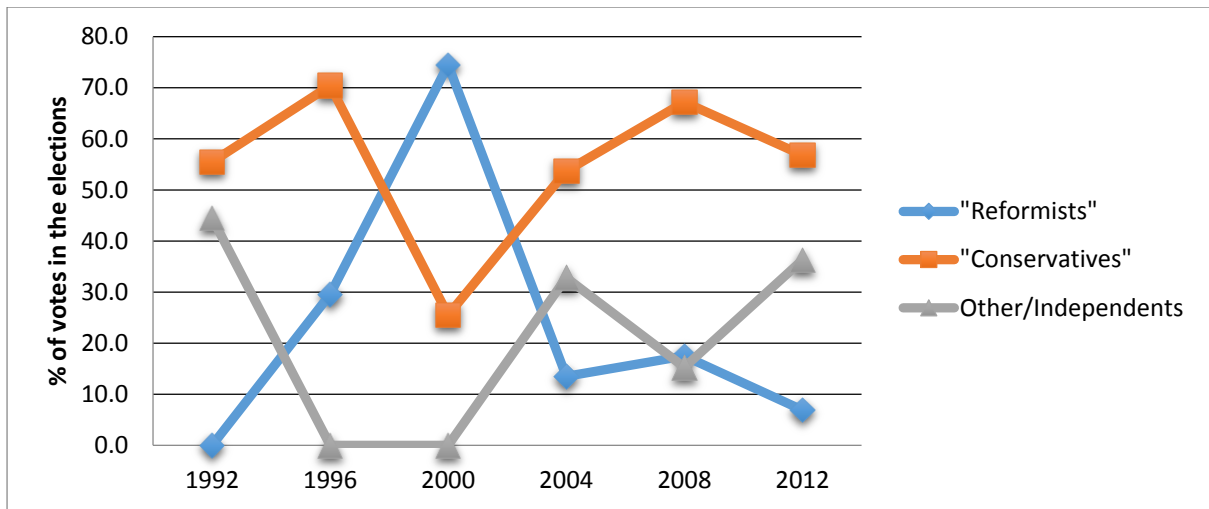
In the absence of independent verification or international monitors, who are rejected by the Iranian authorities, it is hard to confirm the real participation numbers.

'Moderates' vs 'hardliners'

The rivalry within the Iranian hierarchy is often portrayed in the western media as a power struggle between "moderates" and "hardliners". But the clash of the two sides, the Rouhani/Rafsanjani "reformists" on one side and the Khamenei "principlists" on the other, is closely framed within the rules of a tight system that allows only a tiny level of dissent. They are equally committed to the major domestic and international policies of the regime. Both sides endorse continued human rights violations at home as well as supporting the Assad dictatorship in Syria and Iranian-backed terrorist proxies in the region such as Hezbollah in Lebanon or the Houthis in Yemen.

As we can see in the history of the Islamic Republic, the alternation of "majorities" in the Majlis or changing of presidents does not necessarily change the course of the system as a whole. The so called "moderates" had absolute majorities in previous years, while the "hardliners" dominated the Majlis in recent years, without major differences in policy-making. The real decision-making for all the major issues remains in the hands of the Supreme Leader.

¹² [Are the announced participation rate in the Iranian elections correct?](#), BBC Persian 12 March 2016



Votes for the different factions in the last 6 Majlis elections

Number of Seats	1992	1996	2000	2004	2008	2012
"Reformists"	0	80	216	39	51	20
"Conservatives"	150	190	74	156	195	165
Other/Independents	120	0	0	95	44	105
N ^o of seats	270	270	290	290	290	290

Percentage	1992	1996	2000	2004	2008	2012
"Reformists"	0.0	29.6	74.5	13.5	17.5	6.9
"Conservatives"	55.5	70.4	25.5	53.7	67.2	56.8
Other/Independents	44.5	0.0	0.0	32.8	15.3	36.3
N ^o of seats	270	270	290	290	290	290

A telling example of the incompatibility of the expectations for these factions can be seen in what has been defined as a “staggering execution spree” by Amnesty International¹³ during the rule of the current “moderate” president. The United Nations special rapporteur for human rights in Iran, Dr Ahmed Shaheed, reported that at least

¹³ ["Iran's 'staggering' execution spree: nearly 700 put to death in just over six months"](#). Amnesty International July 2015.

966 people were put to death in 2015 in Iran, the highest level in the last two decades. Executions have been rising at an “exponential rate”¹⁴ since Hassan Rouhani came to power. Rouhani himself described execution as “a good law” which is “the law of God.”¹⁵ The average rate of executions during the “moderate” Rouhani’s tenure is almost three times that of his “hardline” predecessor Ahmadinejad.

As the Guardian editorial wrote following Rouhani’s European visit in February: *“Iran may have a president with a ‘moderate’ profile – one whose smooth approach comes as a relief after the Ahmadinejad years – but that does not mean the authoritarian nature of the regime or the objectives of its foreign policy have changed.”*¹⁶

The Security Challenge

On the days running up to the elections, a number of Iranian media reported massive, heightened security for Election Day. The Minister of Interior said: *“There are 52 thousand polling stations in the country and more than one million security forces are deployed to provide security for the 120 thousand ballot boxes in the country.”*¹⁷ This would mean on average 20 security men for each polling station. The Commander of the State Security Forces announced *“We are prepared to provide full security before, during, and after the elections.”*¹⁸ The commander of Special Units of the State Security Forces announced: *“The Special Units have been preparing for these elections for a long time and since a year ago we are also educating the ordinary Security Forces to be ready.”*¹⁹

Although providing security is a necessity for all elections, the scale of preparations and the number of the forces involved, which theoretically equals the total number of all of Iran’s 1.1 million security forces, demonstrate a very serious existential threat.

¹⁴ [Iran Wins World Record for Most Executions Per Capita](#), Foreign Policy 27 October 2015.

¹⁵ Hassan Rouhani’s speech 19 April 2014, [official website of the President](#)

¹⁶ [The Guardian view on President Rouhani’s European visit](#): far too soon to celebrate a changed Iran, The Guardian, 2 February 2016

¹⁷ [55 Million are eligible to vote](#), Tasnim News, 23 February 2016.

¹⁸ [NAJA Commander’s yellow card to some of the candidates](#), Young Journalists Club, 23 February 2016

¹⁹ [Special Units are fully prepared for the elections](#), Tasnim News, 24 February 2016

Some analysts consider the real motive behind this security build-up to be the bitter experience of the controversial 2009 presidential elections, when millions poured into the streets of Tehran and other major cities, demanding the downfall of the regime. Those uprisings were eventually crushed after several months, as western powers looked the other way. However for a period of time, as admitted later by Iranian authorities, the system was on the verge of collapse. That experience, referred to by the regime's officials today as "the sedition," has since become the cornerstone of all policies of the Supreme Leader Khamenei. Any kind of popular reaction or uprising is considered a "red line" by all factions of the regime. Therefore, although Khamenei technically maintains the absolute power to impose his will on the elections, he has stayed short of using that authority in the recent presidential and parliamentary elections, for fear of a surprise reaction and the repeat of the 2009 uprisings, which this time could lead to the total collapse of his reign.

Conclusions

As opposition parties remained banned and even many current members of the Majlis and former officials of the Islamic Republic were not allowed to stand as candidates, the recent ballot was clearly not democratic, but an "election within a selection" of the ruling clique.

The controversial nuclear agreement created major tensions within the Iranian elite, and the continued costly participation in the war in Syria has become ever more difficult to sustain. Hence, the regime needed the February elections to produce a clear, near-unanimous result in favour of a strong leader, to be able to command and steer the country in difficult times. But Ayatollah Khamenei, fearing a repeat of the 2009 uprisings, did not risk interfering in the final tally. As a result, the internal fracture widened, and Khamenei failed to regain full control.

Meanwhile, the Rouhani/Rafsanjani faction, decimated in the filtering process, will have only a few more members in the Assembly of Experts. Additionally, the new Majlis members are not bound to follow their lead, so for leverage they will have to continue to rely on conservatives as well, as they do now under current Majlis Speaker Ali Larijani.

There was no clear winner in these elections, and both sides claim victory, which can only lead to more disputes and further destabilisation of the system. Therefore, one of the conclusions that can be drawn is that the Iranian system as a whole became weaker and more unstable as a result of these elections.

The economy, widely seen by analysts as a main issue in these elections, will remain a key factor. The Iranian economy is in dire straits. President Rouhani tried to present the nuclear deal at home as an opportunity to gain foreign investment and improve the lives of ordinary Iranians. However, after nearly three years in power, he has not affected that change, and his administration is feeling growing pressure.

A very costly involvement in Syria and Iraq -- with up to 60,000 Iranian-sponsored forces involved ²⁰ -- drains the Iranian economy. The very powerful Iranian Revolutionary Guards Corps (IRGC) -- entirely under Khamenei's lead -- asserts widespread control of the national economy through an elaborate network of public and affiliated firms. Both sides, Rouhani/Rafsanjani and Khamenei's hardliners, are on the same page regarding the foreign policy in Syria and Iraq, as they both see these two countries as Iran's buffer defence zone. Hence, the costs of the involvement in foreign wars will stay high, despite the fact that the depressed oil market and the slow investment will halt the growth of the Iranian economy.

The internal repression is unlikely to decrease. "Hardliners" and "reformists" alike have as their main priority the preservation of the Islamic Republic regime. Increasing executions and inhuman punishments will, therefore, inevitably remain a gloomy part of the everyday life of the Iranian people. As Ann Appelbaum wrote in her Washington Post opinion: *"Regimes that need violence to repress their citizens do not make reliable diplomatic partners. Any ruling clique that fears popular revolt will always, at the end of the day, tailor its foreign policy to the goal of keeping itself in power."* ²¹

²⁰ [Iran regime deploys 60,000 IRGC forces and foreign mercenaries in Syria](#), NCRI Statement, 17 February 2016.

²¹ Ann Appelbaum [No, Iran is not 'opening up'](#) in *Washington Post*, 22 January 2016

About ISJ:

International Committee In Search of Justice (ISJ) was initially formed in 2008 as an informal group of EU parliamentarians to seek justice for the Iranian democratic opposition. In 2014 it was registered as a non-profit NGO in Brussels expanding its membership beyond elected parliamentarians to former officials and other dignitaries with an interest to promote human rights, freedom, democracy, peace and stability. ISJ's campaigns have enjoyed the support of over 4000 parliamentarians on both sides of the Atlantic.

President: **Alejo Vidal-Quadras**, Vice President of European Parliament (1999-2014)

Board of Advisors: **Patrick Kennedy**, Congressman (1995-2011); **Günter Verheugen**, Vice President of EU Commission (2004-2010); **Nicole Fontaine**, President of European Parliament (1999-2002); **Gen. Hugh Shelton**, Chairman of US Joint Chiefs of Staff (1997-2001); **David Kilgour**, Canadian Secretary of State (1997-2003); **Ingrid Betancourt**; Prof. **Raymond Tanter**, President of Iran Policy Committee, Washington DC; Prof. **Horst Teltschik**, Chairman of the Munich Security Conference (1999-2008); Colonel **Wesley Martin**, Antiterrorism/Force Protection Officer of all Coalition forces in Iraq (2005-2007); Senator **Lucio Malan**, Quaestor of Italian Senate; **Alessandro Pagano** MP, President of Committee of Italian Parliamentarians for a Free Iran; **Antonio Razzi** Secretary of Italian Senate Foreign Affairs Committee; **Gérard Deprez** MEP, Chair Friends of a Free Iran intergroup European Parliament; **Ryszard Czarnecki**, Vice President of European Parliament; **Tunne Kelam**, Member of European Parliament; **Lord Carlile of Berriew** QC, Co - chairman of British Parliamentary Committee for Iran Freedom, former independent reviewer of UK terrorism legislations; **Lord Clarke** of Hampstead CBE, Former Chairman of UK Labour Party; **Lord Maginnis** of Drumglass; **Lord Dholakia** OBE, Deputy Leader of Liberal Democrats in House of Lords;