

briefing

Iran

Religious freedom profile

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1. Executive summary

Since the 1979 revolution, Iran's religious and ethnic minorities have suffered gross human rights violations, including extra-judicial and judicial killings, incommunicado detentions, confiscation of property, denial of education and inequality in legal matters. Although the intensity of the persecution of minorities decreased during the initial years of reformist President Khatami's government, the last years of his administration and the government of President Ahmadinejad have seen a renewed deterioration in human rights. During the last three years, there have been fresh waves of arrests, detention and intimidation of non-Muslims, particularly of Muslim converts to Christianity and of Bahá'ís.

Current political turmoil in the country has placed religious minorities in a precarious position. They share the desire for a democratic Iran with their compatriots, yet at the same time they are often accused of being 'Western spies' or 'Zionists'. CSW is concerned that contemporary power plays within the Islamic regime might result in the further marginalisation of non-Muslims as an imagined 5th column in the country.

This briefing seeks to present an overview of the situation of non-Muslim minorities in Iran and highlight current concerns.

2. Recommendations

At a time when international attention is focused on Iran's nuclear policy and current political turmoil, CSW urges the international community to ensure human rights concerns are not neglected, and specifically to:

- monitor and raise human rights violations and curbs on basic freedoms with the Iranian Government, including those suffered by ethnic and religious minorities;
- urge the Iranian Government to comply fully with its obligations under international human rights law, in particular with the International Covenant on Civil and Political Rights, to which it is a party;
- call for the cessation of arbitrary detention and intimidation of Christian minorities, especially those from a Muslim background;
- ensure that the Islamic Penal Code Bill, which seeks to codify the death penalty for apostasy, is not approved by the Iranian Parliament and Government
- urge the Iranian Government to refrain from the arbitrary detention and active monitoring of Bahá'ís ;
- urge that concrete steps are taken towards granting freedom of worship for the Bahá'í community, including the right to conduct services, organise religious training and be granted access to tertiary education;
- urge the Iranian authorities to curtail anti-Semitic reporting in state media;
- increase minority language and culture lessons at minority schools, commission non-Muslim educators to produce religious education material for their own children, and cease using text books that are aimed at assimilating non-Muslim children.

3. Key concerns

3.1. Legal developments

Iran's unique state structure necessarily creates discrimination against religious minorities. To some degree, the Iranian Constitution provides seeming equality to every citizen. Article 19 guarantees that "all people of Iran enjoy equal rights, whatever their ethnic group or tribe". Article 13 recognises Christianity, Judaism and Zoroastrianism as minority religions. Article 64 guarantees five seats in parliament for minority religions, two seats for Armenians and one each for the Assyrian, Jewish and Zoroastrian communities. These recognised communities are allowed to open charitable associations, cultural centres and schools for children, and may use their own language in religious practices and instruction of their congregations.

Two crucial issues overshadow these positive provisions. First of all, Bahá'ís are not officially recognised as a religious minority and are not represented in the Iranian Parliament even though they are the largest non-Muslim minority in the country. The outcome of this is detrimental to some 300,000 Iranian Bahá'ís, as detailed below.

Secondly, Article 12 of the Iranian Constitution declares Islam to be the state's official religion. Although declaration of a state religion is not inherently contradictory to the provisions on religious freedom under international law, the elusive provisions in Article 168 of the constitution – that the judiciary functions "in accordance with the criteria of Islam" – open the door for possible contradictions with human rights covenants to which Iran is a signatory, including the International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

This becomes clearer in Article 167 of the constitution which allows for judges to deliver verdicts "on the basis of authoritative Islamic sources and authentic fatawa" in the absence of any relevant legislation in the codified law. For example, there are currently no codified laws that criminalise conversion from Islam to another religion. However, as will be dealt with in detail below, converts from Islam are regularly threatened with apostasy charges and the death penalty on the basis of a constitutional appeal to traditional Islamic jurisprudence. A clear example of this is the Matin-Azar and Basirat case of September 2008, included under the "Apostates" section below.

A much more worrying legal development is the initial approval of the Islamic Penal Code Bill by the Iranian Parliament on 9 September 2008 with 196 votes for, seven against, and two abstentions. The bill seeks to codify the formulations of the traditional Islamic jurisprudence on apostasy – death penalty for a male apostate and lifelong imprisonment for a female apostate. Following the initial vote, the bill was passed on to the Legal and Judicial Committee of the Parliament before further deliberation and final voting by the parliament and review by the Guardian Council. Although, in June 2009, Ali Shahrokhi of the committee reportedly told the Iranian state news agency (IRNA) that the committee reached a decision on removing the death penalty from the bill as this was not "in the interest of the regime"¹, CSW remains concerned that, until the final version of the bill is voted and approved, the possibility remains that the death penalty for apostasy might still be included.

There are many subtle implications contained in Articles 12, 167 and 168 of the Iranian Constitution besides punishment of apostasy. This can be seen in the courts' assessment of

¹ See BBC Persian Service, 23 June 2009;
http://www.bbc.co.uk/persian/iran/2009/06/090623_rs_stoning_ban.shtml

the validity or credibility of the testimonies of non-Muslim witnesses compared with Muslim ones, in the differing remunerations of required “blood money” paid by convicted perpetrators to the families of Muslim and non-Muslim victims, and in not allowing the marriage of Muslim women to non-Muslim men.

3.2. Christian community

3.2.1. Apostates

The persecution of Muslim converts to Christianity has re-escalated since 2005. The Iranian police continue to detain apostates for brief periods and to pressurise them to recant their Christian faith and sign documents pledging they will stop attending Christian services and refrain from sharing their faith with others. There have also been increasing reports of apostates being denied exit at the borders, with the authorities confiscating their passports and requiring them to report to the courts to reclaim them. During the court hearings, they are coerced to recant their faith with threats of death penalty charges and cancellation of their travel documents. Although verdicts stipulating the death penalty for apostasy are rarely, if ever, carried out, intense pressure and serious human rights abuses occur regularly, and extra-judicial murder and attacks by official Islamic militias or radical groups are a serious concern.

Between June and August 2009, there were at least 30 cases of Christians from a Muslim background arrested and detained across the country, mostly during church gatherings. Middle East Concern report that, in one incident on 31 August, some 25 members of a house church in Amameh, near Tehran, were arrested. Although most of the worshippers were subsequently released, seven members were kept in Evin prison. They were eventually released in September following the surrender of the title deeds of their properties as bail. There have been no official charges brought against the church members.

Currently, two female Christians from a Muslim background, Maryam Rostampour, 27, and Marzieh Amirizadeh, 30, have been held in Evin prison since March 2009 without any official charges being brought against them. Iranian security officers arrested the women on 5 March, after their apartment was searched and their Bibles confiscated, along with other items. Neither woman has committed a crime as defined under Iranian or international law. On 9 August 2009, they were taken to court and ordered by the judge to recant their Christian faith and threatened with further imprisonment and apostasy charges. Following their refusal to recant, they were sent back to prison.

During 2008, reports of the arrest and detention of Christians from a Muslim background and leaders of underground house churches in Shiraz, Mazandaran and Tehran continued. In all of these cases, they were kept incommunicado and in solitary confinement for days or weeks with no official charges or legal representation. During their detention they were interrogated regularly, verbally abused, asked to recant their faith and threatened with apostasy and treason charges. They were released only after either signing documents pledging no involvement in Christian activities or paying hefty bails and turning over deeds to their properties, with no guarantees that the investigations against them were dropped or that they would not be charged.

In September 2008, a prosecutor at the Public and Revolutionary Court in Shiraz requested the death penalty for 53-year-old Mahmoud Mohammad Matin-Azad and 40-year-old Arash Ahmad-Ali Basirat by evoking the judge’s constitutional obligations to refer to Shari’a law, and by citing Imam Khomeini’s book, *Tahrir-ul-Vasile*, which stipulates the death penalty for apostasy. Mr Matin-Azad and Mr Basirat, who had been held in detention since 15 May, were subsequently released following international pressure. The possibility of such charges

continues to limit and criminalise the right to freedom of thought, conscience and religion of some 10,000 Christians from a Muslim background in the country.

During 2008, CSW was reliably informed of a minimum of 40 cases of Christians, particularly converts from Islam, whose passports had been confiscated at the airport on their return from attending Christian conferences abroad. They were all required to present themselves in front of judges, who coerced them to convert to Islam if they wanted to regain their travel documents without facing criminal charges. A significant number succumbed to the pressure.

CSW was able to interview one of these Christians. He was summoned to court five times during 2008. At each hearing, he was asked for the reasons behind his conversion and pressured to recant his Christian faith. He repeatedly refused to convert back to Islam and stopped reporting to the court, which to date is still demanding his appearance. Not only is he no longer allowed to travel abroad, but he was also fired from his job once his coworkers learned about his conversion and refused to work alongside an apostate, whose presence 'defiled' the office. This reaction arose from the pervading theological idea that non-Muslims, particularly apostates, are *najess* (meaning 'impure'); thus, any physical contact with them or even with products produced by them can potentially defile a Muslim's purity. Ayatollah Khomeini himself declared that "non-Muslims of any religion or creed are *najess*."² Khomeini argued that although a handshake with a non-Muslim is not *najess*, contact with the bodily liquids of a non-Muslim was. Thus, washing the clothes of non-Muslims and Muslims together, eating food, consuming products or using utensils touched by non-Muslims are potentially *najess*.

Although physical intimidation and torture during detention is rarely reported, on 25 June 2008, Compass Direct News reported that a couple, both of whom are Christians from a Muslim background, were detained for four days during which they were subjected to physical harm.³ Tina Rad (28) and Makan Arya (31) were arrested for holding a Bible study at their house and Mr Arya was charged with participating in "activities against national security". During their detention, they were threatened with the death penalty and told that the police would place their four-year-old daughter in a care institution if they did not stop attending the church. They were forced to sign documents pledging to stop participating in Christian activities before they were released. According to Compass Direct News, Tina Rad was released on bail of \$30,000 and Makan Arya on bail of \$20,000.

During 2006, CSW was informed of various cases of detention of Christians. An Iranian church leader was arrested in April of that year and interrogated about his Christian faith and activities. In June, after a period of solitary confinement and having appeared in court several times, he was told he had been charged with "working against the Islamic government of Iran and conspiracy to overthrow it". This charge amounts to treason and could result in the death penalty. However, this man was later released on bail.⁴

On 2 May 2006, Mr Ali Kaboli (51) was arrested from his shop in Gorgan, Golestan province, and was held incommunicado for several weeks. No reason was given for his arrest. However, it is likely that he was targeted for his Christian beliefs. He had converted to Christianity more than 30 years before and held church leadership responsibilities in northern Iran. Prior to his arrest, he had been threatened, arrested and interrogated on several occasions in connection with his Christian activities. Although he was never formally

² Sanasarian, Eliz (2000) *Religious Minorities in Iran*, Cambridge: Cambridge University Press, pg. 85-86

³ "Convert couple arrested, tortured, threatened", Compass News Direct, 25 June 2008
<http://www.compassdirect.org/en/display.php?page=news&lang=en&length=long&idelement=5448&backpage=&critere=&countryname=&rowcur=>

⁴ Source: Middle East Concern. His name and details have been withheld for security reasons.

charged, the authorities made threats to his family that he would face legal proceedings. He was released on bail on 12 June 2006.

Reza Montazami and his wife, Fereshteh Dibaj, were detained by the secret police for nine days in October 2006 before they were released on bail. The couple, who were house church leaders in Mashhad, still await an official charge.⁵ Fereshteh Dibaj is the daughter of the late Rev. Mehdi Dibaj, who was abducted and killed in 1994 following his release from prison where he was incarcerated for nine years for apostasy.

On 22 November 2005, Pastor Ghorban Tourani, a 53-year-old Christian from a Muslim background, was murdered by a group of extremists in front of his house. His murder came after his release from interrogation by the police. The police raided Mr Tourani's house after his murder, confiscating Christian materials. To date, his murderers have not been brought to justice.

In February 2005, Hamid Pourmand, a colonel in the Iranian army and senior church leader, was given a three-year prison sentence for deceiving the armed forces about his faith, having converted from Islam to Christianity over 25 years prior. Non-Muslims are not allowed to become officers in the army. Evidence presented to the court to show that his superiors knew about his faith before his promotion to the rank of officer was rejected as false. Mr Pourmand was subsequently charged with apostasy and proselytising Muslims. However, he was acquitted by the court in May 2006, following intense international attention. Finally, Mr Pourmand was released from prison on 20 July 2006, fourteen months before the end of his three-year sentence. No formal explanation was given for his early release.

Christians from a Muslim background are still the most vulnerable among the Christian community in Iran. However, vibrant house and public churches exist, most of which are formed by converts. Even though Christians from a Muslim background are able to continue practising their faith and meeting with others, those who are in leadership positions and lead Christian ministries face serious risks of detention, intimidation, imprisonment and extra-judicial physical harm.

3.2.2. Assimilation of children

Children of recognised non-Muslim minorities are exempt from Islamic religious education and can study at registered minority schools. Minority schools are still state schools, using the same curriculum, but offer additional minority language and history lessons. The principals of minority schools have to be Muslims, and the schools' activities are closely monitored. There are around twenty Armenian schools in Tehran and a few others in Isfahan and Tabriz. Assyrians have only two schools in Tehran.

Although these schools offer classes in minority languages and cultures, minorities complain that the hours allocated to these subjects are minimal and don't provide children with enough time to learn their native languages in addition to Farsi studies. Similarly, there are increasing concerns over the religious education textbook used in the minority schools. All non-Muslim children are required to read the official books in all school years, which are written by the Ministry of Education. The books contain clear Islamic assumptions, such as referring to Jesus Christ as "prophet Jesus". Similarly, the books allude to Qur'an verses and sayings of Mohammed without referencing the sources or acknowledging that they are Islamic ideas. Rather than teaching children about their own religion, the books offer general comments on ethics and God from an Islamic perspective.

⁵ For a detailed account see "Christian Couple Released on Bail", Compass Direct, 5 October 2006; <http://www.compassdirect.org/en/display.php?page=news&idelement=4571&lang=en&length=short&backpage=index&critere=Iran&countryname=&rowcur=0>

Minorities are generally concerned about the limitations on language and culture lessons and the teaching of Islamic values and ideas to non-Muslim children in 'religious education' classes.

3.3. Bahá'í community

Bahá'ís living in Iran have faced intense persecution since 1979. Since then, around 200 Bahá'ís have been killed and 10,000 have been dismissed from government and university posts. Holy places have been destroyed, many Bahá'ís have been arrested, and thousands of students have been denied access to university education. They are considered apostates and heretics by Islamic clerics, since they believe in a prophet and holy book which came after Mohammed, who is seen by Muslims as the final prophet from God. Although Islamic traditions show respect for religions preceding Islam, any claim of a new revelation from God after Mohammed is considered blasphemous.

This automatically places Bahá'ís at odds with Iranian religious politics. Since the revolution and the reification of Islam for Iranian identity, Bahá'ís are perceived as a threat to the homeland and seen as a group previously favoured by the Shah. They are not officially recognised in Iran, having no legal status or identity, and they are continually denied access to fair judicial process and other civil and economic rights.

The official attitude towards Bahá'ís can be seen in various documents leaked to the public. On 29 October 2005, the chairman of the Command Headquarters of the Armed Forces sent a confidential letter to various government agencies, requesting the identification and monitoring of Bahá'ís. This has resulted in increased media attacks against Bahá'ís.⁶ According to the Bahá'í International Community (BIC) in March 2006, the official *Kayhan* newspaper "has carried more than 30 defamatory articles about the Bahá'ís and their religion in recent weeks with the clear intention of arousing suspicion, distrust, and hatred for the Iranian Bahá'í community."⁷

In November 2006, a new letter, dated 19 August 2006, from the Ministry of Interior to provincial officials was brought to the attention of the international community. The letter, similar to that sent by the military headquarters in 2005, requests officials to acquire detailed information on the financial status, social interactions and activities of Bahá'ís.⁸

According to the BIC, 60 Bahá'ís were imprisoned between 2004 and 2006.⁹ On 14 May 2008, the following members of the Bahá'í national coordination group were arrested and continue to be held in prison: Mrs Fariba Kamalabadi, Mr Jamaloddin Khanjani, Mr Afif Naeimi, Mr Saeid Rezaie, Mr Behrouz Tavakkoli and Mr Vahid Tizfahm. With these arrests, the total number of national Bahá'í leaders who are in detention reached seven. Mrs Mahvash Sabet, the first leader to be detained, was arrested on 5 March 2008. CSW continues to be concerned for their safety and welfare. They await trial in October 2009 and have been accused of "espionage for Israel, insulting religious sanctities and propaganda against the Islamic republic".

⁶ "Rising Discrimination against the Bahá'ís", International Federation for the Human Rights, 5 April 2006; http://www.fidh.org/rubrique.php?id_rubrique=2

⁷ "Treatment of the Followers of the Bahá'í Faith in the Islamic Republic of Iran", statement submitted by the Bahá'í International Community to the UN, 27 March 2006

⁸ See "Iran Steps up Secret Monitoring of Baha'is", Bahá'í World News Service, 2 November 2006, <http://news.bahai.org/story/488>

⁹ "Treatment of the Followers of the Bahá'í Faith in the Islamic Republic of Iran", statement submitted by the Bahá'í International Community to the UN, 27 March 2006

In September 2009, Bahá'í World News Service reported that there are currently 33 Bahá'ís in prison because of their religion.¹⁰

Despite international pressure, Bahá'ís are still denied university education. BIC notes that the “majority of the roughly 200 Bahá'ís who managed to enrol in Iranian universities had been expelled by the end of the year [2008]. And for the academic year 2007-2008, almost 800 of the more than 1,000 Baha'is who sat for and properly completed the entrance exam in June 2007 have received word that their files are ‘incomplete’ – thus preventing their enrolment”.¹¹

3.4. Jewish community

The small Jewish community in Iran currently faces a similar situation. In 2005, the Annual Report of the United States Commission on International Religious Freedom stated that “Iran’s anti-Israel policy continues to create an atmosphere of fear and intimidation among Iran’s Jews, and members of the Jewish community have been singled out on the basis of “ties to Israel,” whether real or perceived”.¹² President Ahmadinejad has taken this policy a step further by making radical threats against Israel a cornerstone of his political rhetoric. On various occasions, he has declared the Holocaust to be a myth created and used by the Zionist elite to control the world for their purposes. Anti-Semitic books such as *The Protocols of the Elders of Zion* continue to be widely distributed in Iran, and the media continually publishes propaganda against Jews, together with international conspiracy theories.

These conspiracy theories sometimes reach extraordinary levels, as comments on TV by Hasan Bolkhari, the cultural advisor to the Iranian Education Ministry, have shown. Mr Bolkhari claimed that the cartoon series *Tom and Jerry* is part of a Jewish conspiracy to improve the image of mice, since Jews were called “dirty mice” in Europe. His comments included statements such as; “It should be noted that mice are very cunning...and dirty. No ethnic group or people operates in such a clandestine manner as the Jews. Read the history of the Jews in Europe. This ultimately led to Hitler's hatred and resentment. As it turns out, Hitler had behind-the-scenes connections with the Protocols [of the Elders of Zion]. *Tom and Jerry* was made in order to display the exact opposite image. If you happen to watch this cartoon tomorrow, bear in mind the points I have just raised, and watch it from this perspective”.¹³

Often, Iranian politicians and intellectuals fail to differentiate between Jews as a people group and the policies of the State of Israel. This, combined with extravagant theories which single out Jews as the root of the various problems facing Iran and the Islamic world, has engendered a direct threat to the Jewish community in Iran.

4. Background

4.1. Demography of religious and ethnic minorities

Although the demography of religious minorities has changed rapidly due to emigration, 97 per cent of the population is thought to be Muslim (89 per cent Shi'a and 8 per cent Sunni). The remaining three per cent is comprised of Christians, Jews, Zoroastrians, Mandaeans and

¹⁰ Bahá'í World News Service, *Number of Bahá'ís currently in prison*, 1 September 2009; <http://news.bahai.org/human-rights/iran/iran-update/#bahaisinprison>

¹¹ See <http://www.bahai.org/persecution>

¹² Annual Report of the United States Commission on International Religious Freedom, p 112, May 2005

¹³ The talk, which was broadcasted by the Iranian TV Channel 4 on 19February 2006 can be viewed with the accompanying translation and transcript at the Middle East Media Research Institute website, <http://www.memritv.org/search.asp?ACT=S9&PI=1049#>

Bahá'ís. According to government sources, there are 30,000 Zoroastrians, 79,000 Christians, 13,000 Jews, 28,000 'others' and 47,000 'not stated' residing in Iran.¹⁴ However non-governmental sources claim there are 13,000 Chaldean, Latin and Armenian Catholics; 122,000 Armenian, Assyrian and Greek Orthodox (112,000 of which are Armenian) and 8,500 Protestants.¹⁵ In addition the BIC estimates that around 300,000 Bahá'ís are still living in Iran.¹⁶ This makes the Bahá'í community the largest non-Muslim religious minority in Iran.

4.2. The Situation of ethnic and religious minorities

Iran has a long history of well-catalogued human rights abuses and of the harsh treatment of intellectuals, journalists and Muslim clerics who oppose the State. There are two areas of discrimination which are often given less emphasis than political dissidents – women's rights and the rights of religious and ethnic minorities. Although there have been improvements in women's access to education and, consequently, literacy rates, women are continually denied their most basic rights.¹⁷ Yakin Ertürk, the UN Special Rapporteur on violence against women, noted that the continuing violence against women is upheld and perpetuated by two interrelated factors: "patriarchal values and attitudes based on male supremacy, and state-promoted institutional structures based on gender-biased, hard-line interpretations of religious principles".¹⁸ Ertürk added that, while the former is a universal problem, the latter is specific to the politics of Iran.

Similarly, cultural values and state-promoted institutional structures have resulted in the perpetuation of violence and discrimination against religious and ethnic minorities in Iran. One of the main features of the 1979 revolution was the antipathy of Iranians to colonial powers, which helped create a strong national identity. This led to Islam's association with the opposition of the Shah's secular regime. Furthermore, the traditional Islamic perception of other religions, a history of conflict between Sunni and Shi'a groups, and Western 'Christian' domination has resulted in a culture of mistrust and intolerance towards religious and ethnic minorities.

Khomeini's doctrine of *Welayat al Faqih* describes the jurisdiction of a learned religious scholar, the Supreme Leader, who leads the country in accordance with Islam. The Supreme Leader has direct authority over the military, judiciary and security forces. All legislation passed by the parliament (*Majlis*) must be reviewed by the Council of Constitutional Guardians for adherence to Islam and the constitution of Iran. The Council, half of whose members are clerics chosen by the Supreme Leader, also decides on the eligibility of candidates for seats in parliament. According to Article 168 of the constitution, the judiciary functions "in accordance with the criteria of Islam".

Article 167 allows for judges to deliver verdict "on the basis of authoritative Islamic sources and authentic *fatawa*" in the absence of any relevant legislation in the codified law. This automatically explains the use of *Shari'a* law in punishing apostates from Islam with death, in granting greater value to the testimony of a Muslim over a non-Muslim in judicial processes and in forbidding the marriage of a Muslim woman to a non-Muslim man.

¹⁴ Iran: International Religious Freedom Report 2005, released by the United States Bureau of Democracy, Human Rights, and Labor, Section I

¹⁵ Marshall, Paul, (2000) *Religious Freedom in the World; A Global Report on Freedom and Persecution*. Tennessee: Broadman & Holman, p 171

¹⁶ "Closed Doors: Iran's Campaign to Deny Higher Education to Bahá'ís", Bahá'í International Community, New York, 2005

¹⁷ For a more detailed account on the violation of women's rights, see articles II.D and III.A-B of the Report of the Special Rapporteur on violence against women, its causes and consequences, Mission to the Islamic Republic of Iran, 27 January 2006

¹⁸ Report of the Special Rapporteur on violence against women, its causes and consequences, Mission to the Islamic Republic of Iran, p 2, 27 January 2006

The Ministry of Intelligence and Security and the Revolutionary Guards, which monitor the application of the law, and the paramilitaries Basijis and Anser-e-Hezbollah can intimidate or threaten individuals who do not conform to the values of Islam or those of the Islamic Republic.

Although Article 19 of the constitution guarantees that “all people of Iran enjoy equal rights whatever their ethnic group or tribe”, official discrimination against religious minorities exists. Government employees are expected to adhere to Islam and Islamic laws and those who do not follow an Islamic code of conduct can be punished. Even though officially recognised minorities are allowed to own their own schools, they are still required to teach Islam and be governed by Muslim principals. Students aspiring to pursue degree-level education must demonstrate a sufficient knowledge of Islam, which blocks opportunities for minorities.

4.2.1. Muslim minorities

4.2.1.1. Sunni

Iran’s Sunni population, which is the largest religious minority group in the country, enjoys a greater degree of religious freedom than other non-Muslim groups. However, Sunnis complain of state bias against them, especially over the lack of Sunni participation in senior and influential government positions. In April 2004, a group of Sunni representatives sent a letter to Ayatollah Khamenei, asking for an end to anti-Sunni propaganda in the media.¹⁹ The problems that Sunnis face are much more complicated than religious affiliation. Sunni minorities in Iran are from Turkmen, Arabic and Kurdish communities, all of which have a strong geo-political presence in countries neighbouring Iran. The discrimination they face is primarily based upon this ethnic and political tension rather than their religious beliefs per se.

4.2.1.2. Shi’a

Over the years many Shi’a clerics, intellectuals and journalists have been arrested, detained or imprisoned or have been subjected to public bans limiting their teaching and writing. The most significant of these has been the house arrest of Ayatollah Hossein Ali Montezari from 1997 to 2003 and the ban which still forbids him to teach Islam or criticise Iran’s Supreme Leader and his teachings. As in the case of Sunni minorities, the persecution of Shi’a clerics and intellectuals is not primarily due to religious belief but rather a reaction to the regime and the possible threat such criticism may pose to the power of the regime’s control over Iranian society.

4.2.2. Non-Muslim minorities

The situation is different for non-Muslim minorities who do not pose an actual political threat to the unity of Iran or the political power of the government, since their numbers are significantly smaller than both Muslim minorities and political dissidents. Furthermore, they do not have any significant presence in state structures or in positions of influence. The persecution of non-Muslim minorities is primarily due to theological, cultural and political assumptions of Iranian society and the government, which perceive them to be a moral threat or decadence.

4.2.2.1. Bahá’í community

Bahá’ís living in Iran have faced intense persecution since 1979. Around 200 Bahá’ís have been killed and 10,000 have been dismissed from government and university jobs. Holy

¹⁹ Iran: International Religious Freedom Report 2005, released by the United States Bureau of Democracy, Human Rights, and Labor, Section II

places have been destroyed, many Bahá'ís have been arrested and thousands of students have been denied access to university education. They are considered apostates and heretics by Islamic clerics, since they believe in a prophet and holy book which came after Mohammad, who is seen by Muslims as the final prophet from God. Though Islamic traditions show respect for religions preceding Islam, any claim of a new revelation from God after Mohammad is considered blasphemous.

This automatically places Bahá'ís at odds with Islam and Iranian society. Since the revolution and the reification of Islam for Iranian identity, Bahá'ís are perceived as a threat to the homeland and seen as a favoured group by the Shah. They are not officially recognised in Iran, having no legal status or identity, and they are continually denied access to fair judicial processes and other economic and civil rights.²⁰ Changes in laws relating to 'blood money' which equalised the money paid for the death of a non-Muslim with that of a Muslim, excluded Bahá'ís whose blood is seen to be 'mobah' according to the law, meaning "it can be spilled with impunity."

4.2.2.2. *Christian community*

Armenian, Assyrian and Chaldean Christians live in relative peace and enjoy official recognition as ethnic and religious minorities. However they suffer similar limitations and discrimination to other recognised minorities, in terms of access to education, government and army positions. The Armenian MP Leon Davidian argued that Christian minorities "enjoy more advantages than non-Muslims in other self-declared democratic nations. We have our own schools and teach our own languages...We freely practise our own religions".²¹ However, a high emigration rate among these communities is indicative of the difficulties faced by these minorities in Iran, despite relative privileges offered by the government.²²

Evangelical and Pentecostal churches are distrusted and their members are persecuted in Iran. In addition to state-based persecution, church leaders or proselytizing Christians have been attacked, kidnapped and killed by mobs or state agents.²³ One of the main reasons for such intense persecution has been the high number of apostates from Islam in Evangelical and Pentecostal churches. Unlike ethnic Christians of the Armenian and Assyrian communities, Protestant churches actively proselytise. The fact that most of these groups meet on private property also fuels suspicion and reaction from local authorities. The government has requested that church leaders provide a full list of their members to the Ministry of Information and Islamic Guidance and do not allow any Muslims to attend their churches or change their religion.²⁴ Many church leaders continue to ignore these orders. In 2009, an Assyrian church in Tehran which allowed Christians from a Muslim background to attend its services and to be members of the church was shut down by authorities.

²⁰ For a detailed account see "The Bahá'í Question: Cultural Cleansing in Iran", Bahá'í International Community, 2005

²¹ "Interview with Armenian MP Leon Davidian" by Sergeh Barseqian, Yes-e-no, Daily Newspaper, No. 268, 31 Jan 2004

²² Reuters article titled "Iran's religious minorities waning despite own MPs", 16 February 2000, states that though Armenians are not persecuted as Bahá'ís and enjoy relative freedom even in producing alcohol for domestic consumption, nevertheless their numbers are decreasing as many Armenians choose to emigrate.

²³ The well known cases of Protestant church leaders killed since the founding of the Islamic Republic of Iran: In 1979, Rev Sayyah of the Anglican Church in Shiraz was killed, Bishop Dehqani survived an attack but his son Bahram Dehqani was kidnapped and killed. In 1990, Rev Soodmand from the Assemblies of God Church in Mashad was imprisoned and hung for proselytising. In 1994, Mehdi Dibaj, Bishop Haik Hovsepian-Mehr, and Rev Tateos Michaelian of the Presbyterian Church were killed, along with Rev 'Ravanbakhsh' Yusefi in Sari in 1996. Source: <http://www.elam.com/articles/Remember%2DTheir%2DSacrifice/>

²⁴ See *Ethnic and Religious Groups in the Islamic Republic of Iran*, prepared by Nazila Ghanea-Hercock for UNHCR, 5 May 2003, pp 16

The publication of any religious material in Persian is forbidden. This directly affects Christians with a Persian background, rather than ethnic minorities who use their own languages, such as Armenian, in religious practices.

4.2.2.3. Jewish community

Jews living in Iran have been allowed some freedom to practise their religion, including the use of Hebrew for religious instruction. However, the Jews face various limitations on their rights to travel and to communicate with Jewish communities outside Iran, especially in Israel. They are required to seek exit clearance each time they leave Iran, and family members are generally not allowed to leave the country at the same time. Jewish schools have been asked to remain open on Saturdays to comply with the national education calendar. This poses a problem for Jews who want to keep Saturday as a day of rest in accordance with Jewish teachings on the Sabbath. There have also been sporadic acts of vandalism and personal attacks against Jews.²⁵

4.2.2.4. Zoroastrian community

According to the UNHCR, there are around 45,000 Zoroastrians living in Iran.²⁶ Zoroastrianism is an ancient Near Eastern religion that has had a dominant presence among Persian people before the conversion of Persians to Islam. This close historical link with the national identity of Persians and the relative respect Islam shows to religions preceding Islam has resulted in their official recognition and tolerance. Although Zoroastrians enjoy legal freedoms such as the ability to open schools and charitable associations, they share similar difficulties with other minorities in accessing employment in the public sector.

5. Conclusion

Religious minorities in Iran face an unknown future. At some levels, Iranian society is tolerant and supportive of non-Muslim compatriots. However, the politics of 'defending Islam' and the 'Islamic Republic' automatically exclude and marginalise them. They remain vulnerable to persecution at the hands of the state, security forces and militias, as well as socio-economic discrimination in their day-to-day lives. The international community must continue to monitor the situation of non-Muslims in Iran and to hold the Iranian Government accountable to its obligations under international human rights law.

²⁵ Iran: International Religious Freedom Report 2005, states; "In 2000, 10 of 13 Jews arrested in 1999 were convicted on charges of illegal contact with Israel, conspiracy to form an illegal organization, and recruiting agents. Along with 2 Muslim defendants, the 10 Jews received prison sentences ranging from 4 to 13 years. An appeals court subsequently overturned the convictions for forming an illegal organization and recruiting agents, but it upheld the convictions for illegal contacts with Israel with reduced sentences. One of the 10 was released in February 2001 and another in January 2002, both upon completion of their prison terms. Three additional prisoners were released before the end of their sentences in October 2002. In April 2003, it was announced that the last five were to be released. It is not clear if the eight who were released before the completion of their sentences were fully pardoned or were released provisionally. During and shortly after the trial, Jewish-owned businesses in Tehran and Shiraz were targets of vandalism and boycotts, and Jews reportedly suffered personal harassment and intimidation."

²⁶ Background Paper on Refugees and Asylum Seekers from the Islamic Republic of Iran, UNHCR, Centre for Documentation and Research, p 27, January 2001