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IRAN: Summary of Concerns and Recommendations

I. Summary of Concerns

There has been a significant increase in human rights violations in Iran since the 2009 elections, and the past year has seen a particular rise in the persecution of religious minorities, principally of Christians from the Iranian house church movement. Since June 2010 there have been nearly 300 confirmed cases of Christians who have suffered arrests, interrogations and detentions in at least 35 cities across Iran; however the full figure is almost certainly far higher. The majority of those arrested have been released following a short incarceration, but many have been called back for further questioning and at least 41 have spent between one month and a year in prison. Detainees face solitary confinement, sleep deprivation, illness as a result of privations, denial of medical treatment, unsanitary conditions in prison and forms of psychological and physical torture during interrogation. Torture is used to pressure individuals to make confessions and to provide information on fellow Christians and religious activities. Exorbitant bail postings, some in excess of US\$30,000, secure the release of individuals, along with illegal documents that religious detainees are forced to sign. Such documents demand an end to participation in Christian activities, the renunciation of faith and compliance with further questioning when summoned. Laptops and mobile phones are often confiscated during raids on private Christian homes, and are used to obtain information on the activities and identities of other Christians.

Beginning with a wave of arrests on 26 December 2010, the situation facing Christians has deteriorated severely; evangelical Iranian Christians now live increasingly in an atmosphere of instability. This intensification of persecution has been undergirded by a proliferation of anti-Christian rhetoric from authority figures in Iran. In October 2010 Supreme Leader Ayatollah Khamenei declared from Qom that Christianity was being deliberately spread by Iran's enemies as a means to weaken Islam within Iranian society. Likewise, on 4 January 2011, Mr Morteza Tamadon, Governor of Tehran, made a speech in which he openly threatened further arrests of Christians and declared that evangelical Christians had inserted themselves into Islam "like a parasite", with the backing of the West. In August 2011, Ayatollah Hadi Jahangosha, echoed this sentiment in a presentation on "Mahdavisim" (belief in the 12th Imam), declaring that "the west is trying to divert our youth by publishing and advertising false Gnostic books... our enemies have noticed that Satanism and false Gnosticism are not popular in Iran and because of that they are taking a religious approach to expand Christianity". He identified the house church movement as a deviant sect by stating that "the 'real Christians' do not believe in this distorted Christianity-Protestantism." Furthermore, following the seizure of a consignment of 6,500 Bibles in Zanjan province in mid-August, Dr Majid Abhari, advisor to the social issues committee of the Iranian parliament, declared that Christian missionaries are attempting to deceive people, especially the youth, with an expensive, Western-backed propaganda campaign. In seeking to portray evangelical Christians as part of a foreign conspiracy against Iran, the regime seeks to justify its continuing crackdown on house churches and individual Christians.

The majority of the Christians arrested in the last year have been released, either on bail or with severe warnings and threats against any further Christian activity. The families of many have been forced to hand over the title deeds to their homes as bail. Once released, they are closely monitored, and risk re-arrest and imprisonment if they engage or are suspected of engaging in any Christian activity. Many will face a gruelling legal process, and until their case is heard, which could take several years, their lives are in limbo. Those awaiting trial that flee the country are tried in absentia.

The Church of Iran evangelical denomination has been particularly targeted in the recent crackdown. In May 2011, an article that sought to discredit this denomination, appeared on a website that is

known to be sympathetic to the government. The article accuses the Church of Iran of targeting socially-excluded people and youth and of using brainwashing methods to convert people. It also claims that the Church of Iran is a specifically “anti-Islamic project” and that the group has a “secret army” that threatens anyone who seeks to abandon the denomination.

Many Church of Iran members have been detained. Eleven members from Bandar-Anzali, including Pastor Abdolreza ‘Matthias’ Ali Haghnejad, were tried on 1 May for “activities against the Islamic Order” and drinking alcohol. The charges against the group related to their involvement in a house church meeting, and to taking communion wine. The group was acquitted in mid-May. However, Pastor Haghnejad was arrested once more on 17 August in Rasht whilst making a pastoral visit. His condition, location and the charges he faces are unknown and he is believed to be held without access to attorney. Furthermore, a group of six members of the Church of Iran in Shiraz are still awaiting a further hearing for charges of blasphemy. The case has been postponed twice and, in a worrying development that may indicate an effort to sow discord amongst the various Christian denominations, the Iranian authorities have said they will be asking members of traditional churches to determine whether or not the blasphemy charges are valid. During an earlier trial at the Revolutionary Court in Shiraz, the six were each handed a one-year sentence for Crimes against the Islamic Order, a sentence which is being appealed.

Of most concern is the ongoing imprisonment of Pastor Yousef Nadarkhani, leader of the Church of Iran in Rasht, who has been sentenced to death for apostasy. Mr Nadarkhani has been imprisoned in Lakan prison since 13 October 2009 and is represented by prominent Iranian human rights lawyer, Mohammad Ali Dadkhah, who is facing legal difficulties himself. In November 2010, Mr Nadarkhani was formally sentenced to death, and Mr Dadkhah filed an appeal, which was heard by the Supreme Court in June 2011. The Supreme Court did not overturn the sentence but requested that the lower court in Rasht, which issued the original death sentence, re-examine some procedural flaws in the case, pertaining to whether Mr Nadarkhani was a practising Muslim or not at the age of maturity (fifteen). As a result of the Supreme Court decision, local judges have been given a free hand to decide whether to release, execute or retry Mr Nadarkhani in September. The written verdict, which was made available to Mr Dadkhah in July, includes provision for annulment should Mr Nadarkhani recant.

Christians from other denominations also remain imprisoned. Farshid Fathi, who was arrested on 24 December 2010 in Tehran, is still being held in the political wing of Evin Prison, since his family is unable to make the high bail payment demanded for his release. Noorollah Ghabitzadeh, a church leader arrested in Dezful on 24 December 2010, is also believed to still be detained. Two Azeri Christians, Vahid Rofegar and Reza Khanamoei, were arrested on 15 July 2011 near the city of Kalibar and are now in prison. Leila Mohammadi, a Christian from Tehran, was detained on 30 July 2011 after her house was raided, while Mostafa Zangooyee, a 24-year-old student from Gachsaran was arrested on 30 June by plain-clothed police officers, as he was leaving his home and was to taken away to an undisclosed location. His parents were later informed that the charges against him are evangelising and the propagation of the Christian faith at his university campus. He remains in custody and his current condition and whereabouts are unknown. Others whose identities cannot be revealed are also known to be detained.

Pastor Vahik Abrahamian, an Armenian-Iranian with dual Dutch-Iranian citizenship, was held in Hamadan prison from the time of his arrest on 4 September 2010 until 29 August 2011. His wife, Sonia, and two other members of his house church were arrested with him and they each faced intense interrogation and severe psychological torture during 44 days in solitary confinement. On 19 September 2010, the group was accused, via a TV news broadcast, of attempting to destroy the Islamic Republic of Iran, and was referred to as “Zionist Christians”. Sonia and the two others were released in late April 2011, but Pastor Abrahamian was held for a further four months.

The initial approval of the Bill for the amendment of the Islamic Penal Code by the Iranian Parliament on 9 September 2008 was a worrying development, as the original draft stipulated the death penalty for male apostates and life-long hard-labour or imprisonment for female apostates. 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 had decided to remove the death penalty from the bill as this was not “in the interest of the regime”, the final version of this bill has yet to be published, and the possibility remains that the death penalty clause may still be in the text. There are fears that if this is the case, the clause may be implemented in the case of Pastor Nadarkhani without warning, at any time.

In Iran the Bahá'í faith is not officially recognised. Bahá'ís have no legal status or identity, and are continually denied access to fair judicial process and to other civil and economic rights. Three years after their incarceration, seven Bahá'í leaders continue to serve twenty-year sentences for “forming an illegal cult”. The seven were all members of a national-level ad-hoc group that assisted in meeting the needs of Iran's 300,000-strong Bahá'í community. They were arrested in early 2008 and detained for over two years before finally being brought to trial in August 2010. Fears particularly for the two female leaders escalated after it was revealed that they were transferred to Qarchak prison early in 2011 and are incarcerated with up to 400 other prisoners in a large warehouse-type room with minimum facilities. The five male Bahá'í leaders remain in Gohardasht prison but were transferred in late January to Section 4, which is more crowded, and are now suffering severe physical deprivations. Government pressure is accompanied by anti-Bahá'í rhetoric. Hozeh News, a media source affiliated with the Mehdi seminary in Qom, reported in June 2011 that a staff member at the seminary had declared that “this [Bahá'í] cult in recent years has become active and today they work under the pretext of cultural and educational centres and have expanded their activities in several provinces”. As is the case with evangelical Christians, Bahá'ís are viewed as a covert threat to the religious integrity of Iran.

2. Recommendations

CSW requests that the EU should:

- Urge the Iranian Government to uphold its obligations under its own constitution and penal code, which do not codify the death penalty for apostasy, and its obligations under international law, including provisions for freedom of religion or belief contained within the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party;
- Urge the Iranian Government to ensure the removal of the clause stipulating the death penalty for apostasy from the draft Bill for the amendment of Islamic Penal Code, in light of Iran's human rights obligations, and to make the amended draft publicly available;
- Call for the acquittal and release of Pastor Nadarkhani;
- Call for the immediate release of Fashid Fathi, Mostafa Zangooyee, Vahid Rofegar, Reza Khanamoei, Leila Mohammadi, Noorollah Ghabitzadeh, Abdolreza 'Matthias' Ali Haghnejad and all other prisoners held on the basis on their religious convictions;
- Call for the swift application of due process in the cases of all who are detained and/or awaiting charges, trials, sentences or appeal hearings;
- Urge the Iranian Government to immediately release all Bahá'í detainees held on account of their beliefs and to end to official discrimination, monitoring, intimidation and other hindrances to their freedom of religion;
- Support Mr Ahmed Shaheed, the newly-mandated UN Special Rapporteur on the situation of human rights in Iran, in monitoring Iran's compliance with international human rights standards, including freedom of religion or belief.