

## 2008 Annual Report of the U.S. Commission on International Religious Freedom

### Other Countries on the Commission's CPC List: Iran

The government of Iran engages in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused. Over the past few years, the Iranian government's poor religious freedom record has deteriorated, especially for religious minorities and in particular for Baha'is, Sufi Muslims, and Evangelical Christians, including intensified harassment, detention, arrests, and imprisonment. Heightened anti-Semitism and Holocaust denial rhetoric and activities by senior government officials have increased fear among Iran's Jewish community. In early 2008, the Iranian parliament began considering a new proposal that would codify serious punishments, including the death penalty, on converts from Islam. Since the 1979 Iranian Revolution, significant numbers from religious minority communities have fled Iran for fear of persecution. Dissident Muslims also continue to be subject to abuse. Since 1999, the State Department has designated Iran as a "country of particular concern," or CPC. The Commission continues to recommend that Iran remain a CPC.

The Constitution of the Islamic Republic of Iran proclaims Islam, specifically the doctrine of the Twelver (Shi'a) Jaafari School, to be the official religion of the country. It stipulates that all laws and regulations, including the Constitution itself, be based on Islamic criteria. The head of state, Ayatollah Ali Khamenei, is the Supreme Leader of the Islamic Revolution and has direct control over the armed forces, the internal security forces, and the judiciary. The Assembly of Experts, a group of 86 Islamic scholars elected to eight-year terms by popular vote from a government-screened list of candidates, choose the Supreme Leader. The Guardian Council, half of whose members are appointed by the Supreme Leader, reviews all legislation passed by the *Majlis* (parliament) for adherence to Islamic and constitutional principles. The Constitution grants the Guardian Council the power to screen and disqualify candidates for elective offices based on a vague and arbitrary set of requirements, including candidates' ideological and religious beliefs. The 290-member *Majlis* is elected by popular vote to four year terms and candidates are screened by the Guardian Council. Five seats in the *Majlis* are reserved for recognized religious minorities: two for Armenian Christians, one for Assyrian Christians, and one each for Iranian Jews and Zoroastrians.

In recent years, hundreds of prominent Muslim activists and dissidents from among the Shi'a majority advocating political reform have been sentenced to lengthy prison terms by the Revolutionary Court on charges of seeking to overthrow the Islamic system in Iran; others have been arrested and detained for alleged blasphemy and criticizing the nature of the Islamic regime. Reformists and journalists are regularly tried under current press laws and the Penal Code on charges of "insulting Islam," criticizing the Islamic Republic, and publishing materials that deviate from Islamic standards. Prominent Iranian investigative journalist Akbar Ganji was released from prison in March 2006 after serving a six-year prison sentence on reportedly spurious charges of "harming national security" and "spreading propaganda" against the Islamic Republic. Ganji was arrested and convicted as a result of attending a human rights conference in 2000 in Germany, where he publicly expressed views critical of the Iranian regime. Following a visit to Iran, the UN Special Rapporteur on the Right to Freedom of Opinion and Expression

concluded in early 2004 that such charges brought by Iranian courts “lack any objective criteria” and are open to “subjective and arbitrary interpretation by judges implementing them.”

A number of senior Shi’a religious leaders who have opposed various religious and/or political tenets and practices of the Iranian government have also been targets of state repression, including house arrest, detention without charge, trial without due process, torture, and other forms of ill treatment. In October 2006, a senior Shi’a cleric, Ayatollah Mohammad Kazemini Boroujerdi, who opposes religious rule in Iran, and a number of his followers were arrested and detained after clashes with riot police. Iranian officials charged him with “sacrilege” for having claimed to be a representative of the hidden Imam, a venerated figure in Shi’a Islam. Boroujerdi has denied these charges. While the current status of Boroujerdi and his followers is unknown, it appears that he and several of his followers remain in detention.

Muslim minorities continue to face repression. Some Iranian Sunni leaders have reported widespread abuses and restrictions on their religious practice, including detentions and torture of Sunni clerics, as well as bans on Sunni teachings in public schools and Sunni religious literature, even in predominantly Sunni areas. Sufi and Sunni Muslim leaders are regularly intimidated and harassed by intelligence and security services and report widespread official discrimination. The Sunni community still has not been able to build a mosque in Tehran. Ethnic Turkmen Sunni Muslims from the northeastern part of Iran bordering Turkmenistan report an intense government campaign to convert them to Shi’a Islam.

In November 2007, clashes in the western city of Borujerd between security forces and followers of a mystic Sufi order resulted in dozens of injuries and the arrests of approximately 180 Sufis. The clashes occurred after authorities began bulldozing a Sufi monastery; authorities are reportedly cracking down because the number of Sufi followers is growing. It is not clear how many remain in detention or if any charges have been brought against those arrested. In May 2007, security forces arrested the leader of the Nematollahi Gonabadi Sufi order, Nurali Tabandeh; the reason for his arrest and whether formal charges have been brought against him are not known. In February 2006, Iranian authorities closed and destroyed a Sufi house of worship in the northwestern city of Qom and arrested approximately 1,200 Sufis who took to the streets in protest. Most were released within hours or days, although dozens reportedly suffered serious injuries. More than 170 Sufis were detained and reportedly tortured in order to extract confessions that would be broadcast on national television. Those who were released were forced to sign agreements saying they would not attend Sufi religious activities in Qom and would make themselves known to intelligence offices. Some were forced to sign documents renouncing their beliefs. In May, a court sentenced more than 50 Sufis to jail on various charges in connection with the February incident. According to the State Department, the defendants and their two lawyers were sentenced to a year in prison, fines, and 74 lashes. In addition, there were reports that the government is considering banning Sufism outright.

The constitution of Iran formally recognizes Christians, Jews, and Zoroastrians as protected religious minorities who may worship freely and have autonomy over their own matters of personal status (e.g. marriage, divorce, and inheritance). Nevertheless, the primacy of Islam and Islamic laws and institutions adversely affects the rights and status of non-Muslims. Members of these groups are subject to legal and other forms of discrimination, particularly in

education, government jobs and services, and the armed services. Non-Muslims may not engage in public religious expression and persuasion among Muslims; some also face restrictions on publishing religious material in Persian. In 2004, the Expediency Council—an advisory body appointed by the Supreme Leader with ultimate adjudicating power in disputes over legislation between the *Majlis* and the Guardian Council—authorized collection of equal blood money for the death of Muslim and non-Muslim men. Baha'is, Sabian Mandaean men, and all women remain excluded from the revised ruling. According to the law, Baha'is can be killed with impunity.

Since August 2005, the Iranian government has intensified its campaign against non-Muslim religious minorities. A consistent stream of virulent and inflammatory statements by political and religious leaders and an increase in harassment and imprisonment of, and physical attacks against, these groups indicate a renewal of the kind of oppression seen in previous years. Ayatollah Ahmad Jannati, head of the Guardian Council, has publicly attacked non-Muslims and referred to them as “sinful animals” and “corrupt.” In November 2005, after publicly criticizing Ayatollah Jannati's remarks, the lone Zoroastrian member of the Iranian parliament was charged with the “dissemination of false information, slander and insult” by Iranian authorities, although the case never went to trial. In March 2006, the UN Special Rapporteur for Freedom of Religion or Belief confirmed that religious freedom conditions are worsening for all religious minorities in Iran, particularly Baha'is. In early 2008, the Iranian parliament began considering a new law that would impose serious punishments, including the death penalty, on converts from Islam. Although the Iranian government has in the past applied the death penalty for apostasy under Islamic law, it has not been explicitly codified. If this recently proposed penal code is passed, it would seriously endanger the lives of all converts from Islam, particularly members of the Baha'i faith, who are already considered apostates, even if they are fourth- or fifth-generation Baha'i adherents.

The Baha'i community has long been subject to particularly severe religious freedom violations in Iran. Baha'is, who number approximately 300,000 – 350,000, are viewed as “heretics” by Iranian authorities, and may face repression on the grounds of apostasy. Since 1979, Iranian government authorities have killed more than 200 Baha'i leaders in Iran, and more than 10,000 have been dismissed from government and university jobs. Baha'is may not establish places of worship, schools, or any independent religious associations in Iran. In addition, Baha'is are barred from the military and denied government jobs and pensions as well as the right to inherit property, and their marriages and divorces are also not recognized. Baha'i cemeteries, holy places, and community properties are often seized and many important religious sites have been destroyed.

In recent years, Baha'is in Iran have faced increasingly harsh treatment. Baha'i property has been confiscated or destroyed and dozens of Baha'is have been harassed, interrogated, detained, imprisoned, or physically attacked. In 2007, Baha'i cemeteries were destroyed in Yazd and outside of Najafabad. In the past several years, a series of articles in the government-controlled newspaper *Kayhan*, whose managing editor is appointed by Supreme Leader Ayatollah Khamenei, have vilified and demonized the Baha'i faith and its community in Iran. In March 2006, the UN Special Rapporteur on Freedom of Religion or Belief revealed a confidential October 2005 letter from the Iranian Chairman of the Command Headquarters of the Armed Forces to several Iranian government agencies directing these entities to collect

information on all members of the Baha'i community in Iran and to monitor their activities. An August 2006 letter from the Iranian Ministry of Interior requested provincial officials throughout the country to "cautiously and carefully monitor and manage" all Baha'i activities. Moreover, the Iranian Association of Chambers of Commerce reportedly is compiling a list of Baha'is in every type of trade and employment. In the past, waves of repression against Baha'is began with government orders to collect such information, and the new directives have created a renewed sense of insecurity and fear among Baha'i adherents.

In the past two years, dozens of Baha'is have been arrested, detained, interrogated, and subsequently released, in some cases after weeks or months in detention. Charges typically ranged from "causing anxiety in the minds of the public and of officials" to "spreading propaganda against the regime." In December 2005, Zabihullah Mahrami, a Baha'i who had been jailed for more than 10 years on charges of apostasy, died in prison under mysterious circumstances. In May 2006, 54 Baha'is, mostly young women in their teens and 20s, were arrested in Shiraz while teaching underprivileged children non-religious subjects such as math and science. In November 2007, three of the Baha'is were sentenced to four years in prison for "spreading propaganda against the Islamic Republic." According to numerous media reports, the other 51 Baha'is were given one year suspended sentences, conditional upon their attendance at courses held by the state's "Islamic Propaganda Organization," which would require them to sign documents saying they are Muslim. They have refused to participate in these courses. Throughout the fall of 2006, several other Baha'is were arrested and released, pending trial. Approximately 150 Baha'is have been arbitrarily arrested since late 2004. Dozens are awaiting trial, while others have been sentenced to prison terms ranging from 90 days to one year. All of those convicted are in the process of appealing the verdicts. As of this writing, 10 Baha'is are in prison and there are more than 60 Baha'is awaiting trial on account of their religious beliefs.

In the past, Baha'is in Iran have not been allowed to attend university. Significantly, in the fall of 2006, because the 2006-2007 applications did not require students to list religious affiliation, for the first time in decades nearly 300 Baha'i students were admitted to a number of universities and colleges in Iran; however, the majority of those admitted were later expelled when it became known that they were Baha'is. Although more than 1,000 Iranian Baha'i students registered for the national university entrance examination in 2007, only 77 have been able to enroll during the current school year. The low number is reportedly due to the fact that more than 800 Baha'i students were only told months after they had completed the examination that their files were "incomplete." In August 2006, the Baha'i International Community received a copy of a confidential letter issued sometime in 2006 by the director general of the Central Security Office of Iran's Ministry of Science, Research and Technology, which instructs 81 Iranian universities to expel any student who is discovered to be a Baha'i, whether at the time of enrollment or in the course of his or her studies. Furthermore, during the past year, young Baha'i schoolchildren in primary and high schools increasingly have been vilified, pressured to convert to Islam, and in some cases, expelled on account of their religion. In December 2007, the UN General Assembly adopted a resolution condemning the Iranian government's poor human rights record, including its continued human rights abuses targeting religious minorities and the escalation and increasing frequency of violations against members of the Baha'i faith.

Christians in Iran, in particular Evangelical and other Protestants, continue to be subject to harassment, arrests, close surveillance, and imprisonment; many are reported to have fled the country. Iranian President Mahmoud Ahmadinejad reportedly has called for an end to the development of Christianity in Iran. Over the past few years, there have been several incidents of Iranian authorities raiding church services, detaining worshippers and church leaders, and harassing and threatening church members. According to one Christian advocacy organization, dozens of house church leaders were arrested and interrogated in the past year for engaging in religious activities in their homes. It is a common practice, particularly in cases involving offenses based on religious belief, for Iranian authorities to release prisoners but to leave the charges against them or their convictions in place in order to threaten them with re-imprisonment at any time in the future.

In December 2006, at least eight house church leaders were arrested in a sweep by authorities in four different cities. The church leaders were charged with evangelization and “acts against the national security of the Islamic Republic.” All were released within days or weeks of the original arrests. According to the State Department, a Christian couple who had been arrested in September 2006 for leading a house church in Mashhad was released after almost two weeks in detention. Formal charges have still not been made against the couple, but authorities have indicated that the couple’s arrest and detention were in connection with their Christian beliefs and activities. In May 2006, a Muslim convert to Christianity, Ali Kaboli, was taken into custody in Gorgan after several years of police surveillance and threatened with prosecution if he did not leave the country. He was interrogated, held incommunicado, and released after a month. No charges have been filed against him. During the past few years, representatives of the Sabian Mandaean Association reported that even the small, unrecognized Mandaean religious community, numbering between five and ten thousand, is facing intensifying harassment and repression by authorities.

Official policies promoting anti-Semitism are on the rise in Iran, though members of the Jewish community have usually been singled out on the basis of “ties to Israel,” whether real or perceived. Since coming to power, President Ahmadinejad and other top political and clerical leaders have made public remarks in the past year denying the existence of the Holocaust and stating that Israel should be “wiped off the map.” In 2007, there was a rise in this officially sanctioned anti-Semitic propaganda, involving official statements, media outlets, publications, and books; anti-Semitic editorial cartoons depicting demonic and stereotypical images of Jews, along with Jewish symbols, were also published in the past year.

In the fall of 2006, in response to the Danish cartoon controversy, a prominent newspaper, *Hamshahri*, co-sponsored a cartoon contest in which the paper solicited submissions from around the world attacking Jews and the Holocaust. Iran’s official Cultural Ministry awarded the contest’s first prize of \$12,000. In past years, several government-controlled newspapers celebrated the anniversary of the anti-Semitic publication, the *Protocols of the Elders of Zion*. In February 2006, the leader of Iran’s Jewish community, Haroun Yashayaei, sent an unprecedented public letter to President Ahmadinejad expressing serious concern about the President’s repeated Holocaust denial statements and the extent to which these statements have intensified fears among Iran’s 25,000 – 30,000-member Jewish community. Official government discrimination against Jews continues to be pervasive. According to the State

Department, despite minimal restrictions on Jewish religious practice, education of Jewish children has become increasingly difficult in recent years, and distribution of Hebrew religious texts is strongly discouraged. In December 2006, President Ahmadinejad hosted a Holocaust denial conference in Tehran. In response, UN Secretary-General Kofi Annan denounced the conference, and the UN Security Council issued a Presidential Statement condemning statements made by President Ahmadinejad denying the Holocaust.

The government's monopoly on and enforcement of the official interpretation of Islam negatively affect the human rights of women in Iran, including their right to freedoms of movement, association, and thought, conscience, and religion, as well as freedom from coercion in matters of religion or belief. The Iranian justice system does not grant women the same legal status as men; for example, testimony by a man is equivalent to the testimony of two women. Provisions of both the Civil and Penal Codes, in particular those sections dealing with family and property law, discriminate against women. In April 2007, Iranian authorities arrested five women's rights activists for their involvement in collecting signatures for the Campaign for Equality, aimed at ending discrimination against women in the application of Islamic law in Iran. Some of the activists' demands included: 1) that women's testimony in court carry the same weight as that of men; 2) equality of inheritance rights between men and women; 3) eliminating polygamy; and 4) the equality of compensation payments between women and men in the event of wrongful death. Two activists were released after one day and the other three were released on bail after nearly two weeks in detention. In October and November 2007, Hana Abdi and Ronak Safarzadeh, respectively, were arrested for activities related to the Campaign for Equality. As of this writing, they continue to be held without charge.

In March 2008, Freedom House released a study on "Discrimination and Intolerance in Iran's Textbooks." The study found that the country's textbooks published for the 2006-2007 school year, including religious subjects for grades 1 – 11, teach "the country's children to discriminate against women and minorities, to view non-Muslims with suspicion if not contempt, and to perpetuate the regime's theocratic ideology." While the study found that the textbooks did not contain any "direct hostility" toward recognized religious minorities, the textbooks include intolerant content about the Baha'i religion, including that the Baha'i faith is a "hidden" minority and a "false sect" that is used as a tool for foreign governments.

Throughout the past year, Commission staff met with members of non-governmental organizations representing various religious communities in Iran, as well as human rights groups and other Iran experts and policymakers. In February 2008, the Commission held a hearing on Capitol Hill entitled, "Advancing Religious Freedom and Related Human Rights in Iran: Strategies for an Effective U.S. Policy." The Commission hearing explored current U.S. policy toward Iran, highlighting the deteriorating religious freedom conditions and other human rights abuses taking place in Iran. In March 2008, Commissioner Nina Shea briefed Members of Congress on religious freedom conditions in Iran at a congressional Iran Working Group briefing titled "Assessing the Human Rights Situation of Ethnic Religious Groups in Iran." In January 2007, the Commission released a statement on Holocaust Remembrance Day, including a reference to the Iranian government's hosting of the December 2006 Holocaust denial conference as an example of a government that actively fuels anti-Semitism.

In August 2006, the Commission called on the National Cathedral to ensure that former Iranian President Mohammad Khatami would be questioned about his record on human rights and religious freedom during a presentation he was to make at the Cathedral in September. The Commission wrote a letter to Reverend Canon John Peterson of the National Cathedral's Center for Global Justice and Reconciliation, pointing out the irony of inviting Mr. Khatami to speak on the role of the Abrahamic faiths in the peace process when, in his own country, Mr. Khatami served as President during a time when religious minorities—including Jews, Christians, Sunni and Sufi Muslims, Baha'is, dissident Shia Muslims, and others—faced systematic harassment, discrimination, imprisonment, torture, and even execution based on their religious beliefs. In September, then-Commission Chair Felice D. Gaer and Vice Chair Nina Shea published an op-ed in the *Washington Post* pointing to this “troubling irony” of inviting President Khatami to speak at the National Cathedral on the role the Abrahamic faiths can play in shaping peace in the world. In June 2006, then-Commission Vice Chair Nina Shea testified before the House International Relations Subcommittee on Africa, Global Human Rights and International Operations at a hearing titled “The Plight of Religious Minorities: Can Religious Pluralism Survive?” Commissioner Shea's testimony focused on religious freedom conditions in five countries—Egypt, Iran, Iraq, Pakistan, and Saudi Arabia—and presented recommendations for U.S. policy.

In addition to recommending that Iran continue to be designated a CPC, the Commission recommends that the U.S. government should:

- at the highest levels, vigorously speak out publicly about the deteriorating conditions for freedom of thought, conscience, and religion or belief in Iran, and draw attention to the need for the international community to hold authorities accountable in specific cases where severe violations have occurred, such as:
  - extremely poor treatment of the Baha'i community;
  - increasing problems facing Christians, Sufi Muslims, and dissident Muslims; and
  - state-sponsored anti-Semitism and Holocaust denial activities;
- work within its current overall policy framework to ensure that violations of freedom of religion and belief, and related human rights, are included in any multilateral or bilateral discussions with the Iranian government;
- ensure that funding budgeted to promote democracy and human rights in Iran includes support for effective initiatives advancing freedom of religion or belief, as well as ways to promote rule of law programs that specifically seek to protect religious minorities in Iran;
- adequately fund U.S. public diplomacy entities, such as Voice of America and Radio Farda, and expand and develop new programming solely focusing on the situation of human rights—including the freedom of thought, conscience, and religion or belief—in Iran;

- continue to support a UN General Assembly resolution condemning severe violations of human rights, including freedom of religion or belief, in Iran, and calling for officials responsible for such violations to be held accountable;
- call on the UN Human Rights Council to monitor carefully and demand compliance with the recommendations of the representatives of those special mechanisms that have already visited Iran, particularly those of the UN Special Rapporteur on Freedom of Religion or Belief (1995), the Working Group on Arbitrary Detention (2003), and the Special Rapporteur on Freedom of Opinion and Expression (2003); and
- encourage the UN Human Rights Council to continue to use its procedures to maintain oversight of conditions for freedom of religion or belief in Iran, including, as Iran has issued a standing invitation, continued visits and reporting by the Special Rapporteur on Freedom of Religion or Belief, and other relevant special rapporteurs and working groups.