

**The compliance of the Islamic Republic of Iran
with the International Covenant on Civil and Political Rights
as concerns the situation of the Bahá'ís
(August 2020)**

The Bahá'í International Community submits to the United Nations Human Rights Committee, for consideration at the 130th session, the following list of issues prior to the reporting of the Islamic Republic of Iran in 2021. The relevant ICCPR articles with regard to the situation of the Bahá'ís in Iran will be addressed.

Introduction

Following Iran's previous review, unfortunately, the situation of the Bahá'ís in Iran has not improved. The Committee's concluding observations expressing concern for the situation of the Bahá'ís and calling on the Iranian government to "ensure full respect for the freedom of everyone, including members of the Baha'i community, to have or to adopt a religion or belief of his or her choice, and the freedom, either individually or in community with others and in public or private, to manifest this religion or belief in worship, observance, practice and teaching" and "to take immediate steps to ensure that members of the Baha'i community are protected against discrimination in every field, that violations of their rights are immediately investigated, that those found responsible are prosecuted and that they are provided with effective remedies" were not heeded by the Iranian government, as evidenced by the cases in this submission.

To begin, in the previous reply to the list of issues in 2011, Iran emphatically claimed that "Baha'ism is not a religion" instead likening it to a political movement. They further stated that "no one has been arrested or prosecuted merely on the basis of being follower of Baha'ism", yet, Bahá'ís are arbitrarily arrested and detained on spurious charges, Bahá'í students are denied access to higher education on account of their faith, Bahá'í-owned businesses are routinely closed for observing Bahá'í holy days, and Bahá'ís are systematically vilified by the authorities to incite hatred towards them; all policies contained in official government documents as proof that the persecution of Bahá'ís in Iran are part of a systematic effort by the government to deny a segment of its population their basic human rights while claiming to the international community that it upholds citizens rights and the rule of law.

Persecution of religious minorities (Article 2)

At the core of this submission is Iran's non-compliance with the ICCPR stemming from its Constitution. Although Iran's Constitution seems to comply with the articles of the Covenant, on closer inspection and the reality in practice suggests otherwise. This is most clear when examining the situation of Iranian Bahá'ís.

Article 12 of Iran's Constitution establishes Islam as the country's official religion and Article 13 only recognises Christianity, Judaism and Zoroastrianism as other minority religions under the law. However, although Article 14 can be seen to guarantee freedom of religion of its citizens, it only extends this right to Muslims and those belonging to the recognised religions mentioned above. Only these constitutionally-recognised religious minorities have the right to practice their religion "within the limits of the law". However, even this has been given a wide interpretation resulting in the persecution of individuals who are seen to contradict Islamic principles. Christians, Jews and Zoroastrians, along with Yarsanis and Sabean-Mandaeans, continue to face harassment, detention and interrogation for their faith-related activities. Their places of worship or other public gatherings are subject to monitoring by the Ministry of Culture and Islamic Guidance. There have also been sporadic violent attacks on places of worship during prayers and social gatherings.

Followers of religions which are not recognised in the constitution, including the Bahá'ís, are deprived of many of their basic rights, as they are not legally protected under the law. They face discrimination, arbitrary arrests, interrogations, and educational and economic restrictions and are considered *najis* (physically and spiritually unclean, polluting).

Equal recognition and treatment before the law (Articles 16 and 26)

Articles 19 and 20 of the Iranian Constitution state that regardless of ethnicity, tribe, colour, race, or language, whether man or women, all citizens enjoy protection and equal rights under the law, as long as they are "in compliance with Islamic precepts". These sections of the Constitution make no mention of religion and the authorities have given the proviso "in compliance with Islamic precepts" a wide interpretation. As a result, Bahá'ís, as an unrecognised religion, are treated disparately under the Iranian Penal Code as they are not afforded any protection under the Constitution. For example, the Code only makes mention of *diya* (blood money) and *qisas* (retributive justice) for Muslims and adherents of the three constitutionally recognised religious minorities, thus, legally depriving Bahá'ís the right to seek justice for crimes committed against them.

Appendix 1 contains examples which illustrate how Bahá'ís have been treated differently under the law.

Arbitrary arrests and detention and denial of due process (Articles 9 and 14)

The above stated unequal treatment before the law has resulted in Bahá'ís facing spurious charges and constant arbitrary detentions and interrogations throughout the country. Again, it is the wide interpretation of the Iranian Constitution which allows the authorities to act with impunity.

Under Article 14 of the Iranian Constitution, "the government of the Islamic Republic of Iran and all Muslims are duty-bound to treat non-Muslims in conformity with ethical norms and the principles of Islamic justice and equity and to respect their human rights". This principle only applies to those who "refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran." This conditionality in Article 14 justifies persecution by the State of non-Muslim religious minorities who are judged to be engaged in conspiracy or activity against Islam or the regime. The Bahá'í Faith is considered heresy, and as such, any involvement in the Faith is then considered as "engaging in conspiracy or activity against Islam." The Iranian government has used the vague conditionality of Article 14 to routinely bring conspiracy charges against members of the Bahá'í community or threaten to "uproot" them, as shown in the examples provided in Appendix 2.

Those who are arrested suffer ill-treatment at the hands of governmental officials. In nearly all cases, their homes and/or workplaces are searched and the usual items, such as personal belongings, are confiscated, particularly books, photographs, mobile phones and computers, copying machines, and other supplies, as well as items related to the Bahá'í Faith. Many have been kept in solitary confinement for long periods and are often detained for weeks or months before being released on bail. The bail demands are exorbitantly high, requiring families to hand over deeds to their properties or business licenses.

Regarding arrests, Article 32 of the Iranian Constitution states that reasons for arrests “must be immediately conveyed and communicated to the defendant in writing” and the “file must be submitted to qualified judicial authorities within twenty-four hours and the preliminaries for the trial must be set as quickly as possible. Anyone who deviates from this principle will be penalized in accordance with the law.” This seems to comply with articles under the ICCPR, however, in most cases when Bahá'ís are being arrested, they are not provided with a list of charges, in writing or otherwise.

As to Articles 34 and 35 of the Iranian Constitution which ensure due process by guaranteeing access to “qualified courts” and the right to an attorney, respectively, as the examples in Appendix 2 show, these are routinely violated in the case of Bahá'ís. The cases provided, being representative of most cases concerning the Bahá'ís, show instances of lack of due process at trial, or defendants being denied access to attorneys, or the prosecution removing the word Bahá'í from the charges in order to assuage calls of discrimination and provide some semblance of judicial fairness.

Appendix 2 contains some examples and cases illustrating the above violations.

Freedom of religion (Article 18)

Iranian Bahá'ís, constituting the country's largest non-Muslim religious minority, are not free to practice their religious beliefs. This unrecognised minority is considered to be the most persecuted religious minority in Iran, however, this persecution is not new. They have been the subject of persecution by Iran's Shiite clerics since the Bahá'í Faith's inception in the mid-nineteenth century. After the Islamic Revolution, the persecution of the Bahá'ís became state-sponsored and systematic with discrimination of their civil rights in law and practice as a result of the announcement of the Iranian Attorney General on 29 August 1983 declaring a legal ban on all Bahá'í administrative and community activities in Iran, effectively making membership of Bahá'í administrative institutions a criminal offence.

Subsequently, the Iranian government formalised its policy against their Bahá'í citizens, which is summarized in a government memorandum obtained in 1993 by the UN Special Representative on the Human Rights Situation in the Islamic Republic of Iran.¹ Produced in 1991 by Iran's Supreme Revolutionary Cultural Council and approved by the Supreme Leader, Ali Khamenei, this document, entitled ‘The Bahá'í Question’, sets forth specific guidelines for dealing with the Bahá'ís. It states that “[t]he government's dealings with [Bahá'ís] must be in such a way that their progress and development are blocked”. It outlines a series of measures to restrict the educational, economic, and cultural life of Iranian Bahá'ís. Most recently, on 26 March 2018, the Supreme Leader issued a *fatwa* concerning

¹ The text of the 1991 government memorandum can be accessed through the following links:
Persian original: <<https://www.bic.org/sites/default/files/pdf/ran/1991%20Bahai%20Question%20Memo%20PER.pdf>>;
English translation: <<https://www.bic.org/sites/default/files/pdf/ran/1991%20Bahai%20Question%20Memo%20ENG.pdf>>.

“association and dealing with Bahá’ís”. He stated: “You should avoid any association and dealings with this perverse and misguided sect.” These directives are still in effect today.

In addition to the above memorandum, there have been a number of other official directives and policies specifically targeting Bahá’ís, clearly indicating the Iranian government’s complete disregard for compliance with the ICCPR or their obligations to protect the rights of a segment of their citizenry. These policies are aimed to disrupt every aspect of daily life for adherents of this Faith merely for their beliefs.

Bahá’ís are denied access to higher education because of their beliefs: The 1991 government memorandum mentioned above contains a section that defined the “educational and cultural status” of adherents to the Bahá’í Faith and includes the instruction that “[t]hey must be expelled from universities, either in the admissions process or during the course of their studies, once it becomes known that they are Bahá’ís.” Other government documents have been identified that indicate that this discriminatory treatment represents formal and settled official State policy. Chief among these is a communication sent in 2006 by the Central Security Office of the Ministry of Science, Research and Technology, and addressed to 81 Iranian universities, the names of which were listed.² The letter instructed these universities to expel any student that was found to be a Bahá’í at the time of enrolment or during their studies. Even during the academic year, university authorities have summoned students and demanded that they identify their religion. Whenever a student has identified as a Bahá’í, they have been expelled.

Bahá’ís suffer state-sponsored economic persecution because of their beliefs: In many cities, the authorities systematically seal Bahá’í-owned shops, giving spurious reasons for doing so. Official documents prove that these abuses are not isolated cases but are, in fact, a matter of established government policy. In particular, a letter from Tehran’s *Amaken* (Public Places Supervision Office)³ dated 9 April 2007 confirms orders to the commanders of police and heads of intelligence and security throughout its province that members of the “perverse Bahaist sect” must be prevented from engaging in certain occupations.⁴ The letter stipulates that Bahá’ís must be denied work permits and licenses for over 25 kinds of specifically-listed businesses and are barred from any other “high-earning businesses”.

Furthermore, with the adoption of this governmental policy, applicants applying for business licenses are required to fill out and sign a form asking them to declare their religion. The authorities attempt to actively and pre-emptively deny legal recourse to those already subject to mistreatment under discriminatory regulations. Moreover, since 2006, various trade associations, unions, and business organisations have been instructed⁵ to compile lists of Bahá’ís in every type of employment under their purview.

² A scanned copy of this letter and a provisional English translation are available at the following link: <<https://iranbahai persecution.bic.org/archive/bahais-must-be-expelled-university>>.

³ *Amaken* (Public Places Supervision Office): Is reportedly responsible for the enforcement of accepted moral codes in places of work and other offices.

⁴ Letter dated 9 April 2007 from the Public Intelligence and Security Force F.A.A. [F.A.A., Headquarters of Intelligence and Security] in the province of Tehran—Public Places Supervision Office, to the Commanders of Police Forces of the Provincial Regional Municipalities—Heads of the Public Intelligence and Security Force; <<https://iranbahai persecution.bic.org/archive/measures-restrict-involvement-bahais-many-business-categories>>.

⁵ For example, in May 2006, the Trade Affairs Association Manufacturing & Technical Services of Kermanshah sent a letter to the Battery Resellers Trade Union, directing it “to provide this Association with the list of the names of the members of the Baha’i sect who are members of your Union.” <<https://iranbahai persecution.bic.org/archive/requesting-names-bahais-battery-trade-kermanshah>>.

Appendix 3 contains a selection of cases which show the Iranian government's discriminatory policies towards the Bahá'ís both in their economic and academic lives.

Use of media and incitement to hatred (Articles 19 and 20)

The human rights violations against Bahá'ís in Iran are usually preceded and accompanied by efforts to incite hatred, distrust, intolerance, and even violence against them. Not only is this not prohibited under the law, the media, which is heavily controlled by the authorities, is systematically used by them and others to incite this hatred. Some officials have openly encouraged the persecution, and some members of the clergy have preached sermons against the Bahá'í Faith and its adherents. National and provincial budgets have included allocations for "educational" programmes to "confront" the Bahá'í Faith, and official organs have been established and dedicated to that purpose. This is institutionalised incitement to hatred.

The materials used in the media present a wide range of completely false allegations. Incitement to hatred against the Bahá'ís has long been a mainstay of campaigns by the government to promote religious orthodoxy. Members of the Bahá'í community across Iran receive threatening telephone calls, text messages, and anonymous letters, and they encounter anti-Bahá'í pamphlets in shops, schools, and other public places. In many localities, graffiti is spray-painted in and on Bahá'í cemeteries, houses, shops, orchards, and vehicles. Without fail, these secondary sources of slander contain the very same malicious lies and incendiary language found in media affiliated with and controlled and sanctioned by the government.

Moreover, because Iranian Bahá'ís have long been denied access to all means of communication with the public, they cannot counter the lies and misinformation propagated about them and their religion, which, in many cases, originate from the very individuals who give the Iranian people guidance in spiritual matters. When Bahá'ís have tried to contact newspapers and other media requesting right of reply, they have been ignored or else mocked for having thought that they would be granted the means to deny published allegations or to present their own point of view. This refusal is in total contradiction with Article 5 of Iran's own *Press Law*.⁶

On 26 March 2018, the Supreme Leader Ali Khamenei issued, via his website,⁷ a new religious decree (fatwa) concerning "association and dealing with Bahá'ís". He stated that, "[y]ou should avoid any association and dealings with this perverse and misguided sect." An English translation of the entire decree is included in Appendix 4 to this document.

Appendix 5 contains some examples that show the impunity with which the media continues to demonise Iranian Bahá'ís.

Denial of cultural rights (Article 27)

The Islamic Republic of Iran has a long history of systematically confiscating the historical and cultural sites of its Bahá'í community in an effort to strip the Bahá'ís of their cultural identity and to erase any ties to the community as a whole. This has been highly damaging as Iran is the birthplace of the Bahá'í Faith and the place of many historical and memorial sites. Soon after the Islamic Revolution, numerous

⁶ Article 5: The press are lawfully permitted to acquire and disseminate domestic and foreign news aimed at enhancing public awareness by taking into consideration the best interests of the community and by observing the provisions of the existing law. *Press Law* (Ratified on 19 March 1986) And Its Executive By-law (31 January 1987) With amendments of 18 April 2000.

⁷ <<http://www.leader.ir>>.

Bahá'í religious and cultural sites, including cemeteries, were seized, desecrated and/or demolished. In addition to holy places, numerous other Bahá'í-owned properties have been confiscated and destroyed throughout Iran since the Revolution. These have included the Bahá'í National Center in Tehran and numerous other regional or local centers or sites where Bahá'ís used to come together as a community.

In addition to the seizure and destruction of Bahá'í holy sites, the desecration and destruction of Bahá'í cemeteries, which began methodically during post-revolutionary Iran, still continues to this day with implications on Bahá'í burial rights. Although, in some cities, Bahá'ís have been given access to land for a modest cemetery, such initiatives on the part of the authorities are not acts of compassion, rather, it is a reflection of their deep-seated prejudice towards the Bahá'ís and the practice of their Faith. Most alarming are their rationales that Bahá'ís should not be buried in Muslim cemeteries because they are considered *najis* (unclean)⁸ and they are not “people of the Book [Qur'an].”⁹ When Bahá'ís are provided property to use as a cemetery, oftentimes officials fail to respect the rights of the deceased Bahá'ís to be buried according to Bahá'í laws.¹⁰ For example, many deceased Bahá'ís from Tabriz and Sanandaj are required to be buried in the Miandoab and Ghorveh Cemeteries respectively, which are at least 160 and 90 kilometres away, and take well over an hour to get to. This is because the authorities have barred the use of Tabriz and Sanandaj Bahá'í Cemeteries knowing full well of its implications for Bahá'í burial rights. Ghorveh Cemetery itself has also faced vandalism and destruction of its facilities. In several cases, where the authorities have taken over the burial process altogether, the families concerned were only informed of the location of their loved ones after the burials had already taken place.

Appendix 6 contains some historical and recent instances of destruction of significant Bahá'í properties with the sole aim of erasing Bahá'í identity in Iran.

⁸ For example, in April 2017, the Bahá'ís in Tabriz visited the director of the *Vadiy-i-Rahmat* (“Valley of Mercy”, referring to a cemetery) in Tabriz to ask about the refusal to bury Bahá'ís in the cemetery. The Bahá'ís were told that instructions had been issued by higher authorities, and were advised to wait patiently for a response to a complaint filed earlier. A member of the Islamic Council in Tabriz wrote to the Mayor of Tabriz requesting him to make it possible for the Bahá'ís to bury their deceased in the city. However, in response, the authorities, determining the Bahá'ís to be *najis* (“unclean”) based on the fatwa of the religious jurists, stated that the people were opposed to the burial of the Bahá'ís in the public cemetery.

⁹ In the early 1980s, the Mayor of Tehran, Mohammad Kazem Seifian, instructed cemetery directors to prohibit the burial of Bahá'ís in Muslim cemeteries. In one letter dated 12 December 1981, the mayor said, in part, “Many simpletons have been misled by this sect and many Muslims have wasted their time arguing with them [the Bahá'ís]. It [“Bahá'í sect”] is therefore, not an officially recognized religion and these individuals [i.e., the Bahá'ís] must be buried in the section of the cemetery that is allocated to those people who are not of the Book.”

<<https://iranbahai persecution.bic.org/archive/bahais-must-be-buried-part-cemetery-reserved-those-who-are-not-people-book>> In another letter dated 27 December 1982, the mayor said, “In view of the approval given by Sharia Judge Hojjat al-Eslam Mohammadi Gilani and to prevent contamination of the environment and to maintain cleanliness [purity], it is permissible to construct in the cemetery a facility where individuals who are not of the Book can be washed in the cemetery.” <<https://iranbahai persecution.bic.org/archive/permission-build-washing-area-cemetery>>.

¹⁰ Bahá'í teachings require that the bodily remains of a deceased be buried in a location that is less than an hour's journey from the city in which he or she died.

Appendix 1

Equal recognition and treatment before the law

- Following the appalling murder of a Bahá'í, Mr. Farhang Amiri, by two men, who confessed to killing him because of his religious beliefs, on 25 July 2017, a court in Yazd sentenced one of the convicted men to just 11 years in prison and two years away from home. The younger man was sentenced to half of his brother's sentence for aiding in the murder. The court justified the sentence by stating that, according to the Islamic Penal Code, the accused and the victim are not equal for the general purpose of retributive justice. This provision in the Code clearly and deliberately deprives non-Muslims of the legal right to seek justice on equal-footing with the country's Muslim majority.

Mr. Farhang Amiri, a 63-year-old father of four children, was stabbed to death in September 2016 on the street outside of his home in Yazd.

These sentences for the killing of an innocent Bahá'í clearly demonstrate the inherent discrimination and injustice at the heart of Iran's Penal Code, which discriminates against its own citizens because of their religious belief.

- In June 2017, Mr. Naim Baghaie, who had owned an optometry shop in Khomein with his father, Mr. Laghaollah Baghaie, and two brothers for ten years, was assaulted by another local shop owner. It was clear that the attack was instigated by the local authorities. The shop owner had accused Mr. Baghaie of insult and assault. During the subsequent sham trial, the judge ruled against Mr. Baghaie without considering the evidence in his favour, such as recorded video footage of the event in question and statements of those who had witnessed the incident. The judge sentenced Mr. Naim Baghaie to payment of *Diya*,¹¹ as well as 20 lashes.

(More case examples, or further information on listed cases, can be provided upon request)

¹¹ *Diya* is a financial punishment (“blood money”) that is imposed by a judge.

Cases of arbitrary arrests and detention and denial of due process

- It was learnt in April 2020 that the files of 31 Bahá'ís in Shiraz, who were arrested between 2016 to 2019, were reviewed by Branch 10 of the Revolutionary Court. A number of them had been summoned to testify and provide their final defence on the last days of the previous year, i.e. before 20 March 2020. However, considering the coronavirus (COVID-19) pandemic, the hearing was postponed until early April. In mid-April some of the Bahá'ís were again summoned by the Prosecutor of Branch 10 of the Revolutionary Court of Shiraz, Mr. [first name unknown] Khosravani, who treated them offensively and rudely and told them that he intended to gather all of the Bahá'í cases by the end of 19 April and uproot the Bahá'ís in Shiraz from the city.
- On 16 November 2019, the Court of Appeal of Bushehr, without providing any reasoning or ensuring due process, confirmed the sentences of Mrs. Farrokh Faramarzi (Ansari), Mr. Asadollah Jaberri, Mr. Emad Jaberri (son of Asad and Ehteram), Mrs. Farideh Jaberri (Asad's sister), Ms. Pouneh Nasheri (daughter-in-law of Mrs. Faramarzi), Mrs. Minou Riazati (Zarei), and Mrs. Ehteram Shaikhi (wife of Asadollah), each to 3 years of imprisonment under *tazir* law—as per the initial ruling of the preliminary court.¹² These individuals were all initially arrested on 13 February 2018 after their homes were raided and computers, mobile phones, and photographs, and personal items associated with the Bahá'í Faith, were confiscated. It was learnt in February 2020 that Mr. Asadollah Jaberri, Mrs. Farideh Jaberri, Mrs. Riazati, and Mrs. Shaikhi had been sent to prison to start their sentences.
- On 20 April 2020, Branch 2 of the Birjand Revolutionary Court, presided over by Judge Hojjat Nabavi, sentenced Ms. Farzaneh Daymi, Ms. Nasrin Ghadiri (Navazi), Mr. Ataollah Melaki, Mr. Saied Melaki, Ms. Roya Milaki, Ms. Arezou Mohammadi (Rouzi), Ms. Banafsheh Mokhtari (Zamani), and Atieh Salehi (Hajipour) to 6 years in prison each. Mr. Rahmatollah Daymi was sentenced to 3 years and 8 months in prison, due to his advanced age. The charges against these citizens are “membership in the illegal and anti-security deviant Baha'i sect, and propaganda in favor of the Baha'i group as an organization opposed to the sacred Islamic Republic.”
- It was learnt in May 2020 that Mr. Farzan Masoumi and Mr. Farham Sabet, two Baha'is living in Shiraz, were sentenced—by the First Branch of the Shiraz Revolutionary Court presided over by Judge Seyyed Mahmoud Sadati—to six years in prison each on charges of “propaganda activity against the regime” and “membership in anti-regime groups.”
- It was learnt in June 2020 that Mrs. Vida Haghghi Najafabadi (Parvini), resident of Vilashahr, Isfahan—who had been arrested nine years ago in Vilashahr and who had after three years been sentenced by the Islamic Revolutionary Court of Yazd to one year of imprisonment under *tazir* law and one year of suspended sentence—was summoned to the police station in Vilashahr where she was arrested and transferred, at the instruction of the prosecutor's office, to Dolatabad Prison in Isfahan for the enforcement of her order, six years after receiving her sentence.
- It was learnt in June 2020 that Ms. Fariba Ashtari was sentenced by Branch 1 of the Revolutionary Court of Yazd for membership in groups against the regime, and propaganda

¹² *Tazir* law (discretionary punishment): Punishment with maximum and minimum limits determined by law and judge, respectively.

against the regime and in the interest of groups against the regime, to five and one years' respectively, to a total of six years' imprisonment under *tazir* law. Mrs. Ashtari completed her three-year term of imprisonment for propaganda against the Islamic Republic and adherence to the Bahá'í Faith in Yazd in January/February 2017. Subsequently, it was learnt that she was arrested again in Yazd and sentenced to six years' imprisonment under the charges of deception of the complainant in luring [her] towards "Baháism", propaganda against the Islamic Republic and participation in groups in opposition to the Islamic Republic of Iran.

- On 14 December 2019, a hearing was convened at the Revolutionary Court of Karaj concerning the case of Mr. Abolfazl Ansari, Mr. Rohollah Zibaie, and Mr. Rouin Kohansal. The defence lawyers of the men were barred from attending. On 26 January 2020, it was conveyed to the three men that they were sentenced to 1 year imprisonment under *tazir* law.
- On 18 April 2017, the authorities in Hormozagan coordinated a series of arrests throughout the Province resulting in the arrest and detention of eight Bahá'ís after some of their houses were searched and items related to the Bahá'í Faith were confiscated. Two of the individuals were arrested on the island of Qeshm while serving a period of exile as part of a previous sentence.

The judicial order to arrest these individuals was issued initially as a two-month detention, however, it is understood that, usually the initial detention is for only one month, which is then extended if deemed necessary.

After approximately two months of detention, the prisoners were released from Bandar Abbas Prison, each on 120 million tuman (approximately US\$36,783) bail, pending their criminal trial. While the exact charges have not been made public, it is clear that they are based solely on the eight individuals' membership and activities in the Bahá'í community, demonstrating the religious motives behind the arrests.

- It was learned in October 2018 that the five individuals—Ms. Farzaneh Amini, Mr. Peyman Ghiami, Mrs. Soheila Mollaei, Ms. Sinou Rasouli, and Mr. Borhan Tebyanian—who were all arrested in 2017, were called back to Branch 7 of the Court of Kermanshah for further questioning and for "amendment of charges". The wording of the charges against these individuals were changed and no longer included the phrases "Bahá'í sect" and "perverse sect" but were reworded to "membership in groups against the regime" and "intent to disturb state security".
- Branch 2 of Gorgan's Revolutionary Court in the Province of Golestan sentenced 24 Bahá'ís to long terms of imprisonment solely because of their religious beliefs. The Court sentenced two individuals to 11 years in prison, 13 to nine years in prison, and nine to six years in prison. At the time, these were some of the heaviest sentences issued against Bahá'ís in the preceding years. The 24 men and women, who ranged in age from 21 to 60 years old, were arrested by government intelligence agents in coordinated raids on their homes in October 2012, January 2013, and March 2013. All were literate, self-employed, married and with no criminal record. Their charges were solely based on their membership and activities in the Bahá'í community, demonstrating the religious motives behind the arrests and sentencing. Some of the verdicts, for example, stated that the belief of the Bahá'ís in their prophet – the Báb – is, in itself, considered propaganda against the regime of the Islamic Republic.¹³

¹³ The Báb was the prophet-herald of the Bahá'í Faith.

Their court proceedings were held over a period of time exceeding two months, in six sessions, with four individuals being summoned to court at a time. It was learnt in June 2016 that the Bahá'í defendants appealed the Revolutionary Court's decision within the prescribed time frame of 20 days. During their detention, and contrary to the legal procedure, none of the detainees had access to a lawyer until after they were released on bail, when they were able to hire a lawyer to represent them. For some time after the arrests, the families of the detainees had no information about the place of their detention or the state of the prisoners. Gradually the Bahá'í detainees informed their families about their well-being by telephone. The lawyers of these Bahá'ís were given only a very limited opportunity to study their clients' files (15 to 20 minutes). Some of the lawyers were indirectly threatened. Normally, in most court sessions involving Bahá'ís, the judge is not impartial. Typically, he will not listen to either the Bahá'ís or their legal representatives. As this was the expected behaviour of the judge, the lawyers prepared a written defence statement which was appended to the court file. In court, the defendants were not given permission to summon any witnesses in aid of their defence.

- On 15 November 2015, following Bahá'í holy days, Intelligence agents raided the houses and workplaces of many Bahá'ís in Isfahan, Mashhad, and Tehran and arrested 20 individuals. The agents carried warrants that allowed them not only to undertake these searches and arrests, but also empowered them to seek individuals in places of hiding and to arrest anyone that they felt should be arrested. The agents removed items including computers and a variety of documents from the workplaces of these individuals. These individuals were targeted solely because of their beliefs. Further information on the individuals arrested at that time can be provided upon request.

(More case examples, or further information on listed cases, can be provided upon request)

Freedom of religion

- On 10 May 2020, seven Bahá'ís from Shiraz were put on trial, which was held in the presence of four of their lawyers. They were each issued with heavy sentences by the court: Mr. Navid Bazmandegan and his wife, Mrs. Bahareh Ghaderi, who were arrested in connection with their environmental activities, were each sentenced to five years of imprisonment for the charge of formation of a group in opposition to the regime and to one year of imprisonment under *tazir* law for the charge of propaganda against the regime;¹⁴ Mr. Ehsan Mahboube-Rahe-Fada was sentenced to one year of imprisonment under *tazir* law for the charge of propaganda against the regime; Ms. Elaheh Samizadeh and Ms. Soudabeh Haghighat were each sentenced to five years' imprisonment for the charge of formation of a group in opposition to the regime and to one year of imprisonment under *tazir* law for the charge of propaganda against the regime. Apparently they must undergo a trial in another court for the charge of insulting the imams; Mrs. Niloufar Hakimi was sentenced to five years' imprisonment for the charge of formation of a group in opposition to the regime, one year of imprisonment under *tazir* law for the charge of propaganda against the regime, five years for the charge of insulting the sanctities of Islam, and two years for the charge of insulting the imams, totalling 13 years of imprisonment under *tazir* law; and lastly, Mrs. Noura Pourmoradian was sentenced to five years for the charge of formation of a group in opposition to the regime and to one year of imprisonment under *tazir* law for propaganda against the regime. It is important to note that Ms. Haghighat, Mrs. Hakimi, Mrs. Pourmoradian, and Ms. Samizadeh were arrested by the Intelligence Organization of the Islamic Revolutionary Guard Corps of Shiraz for working in preschools and daycares as teachers, educators, and child counsellors. They were specifically accused and punished for the crime of teaching and counseling children.
- On 27 June 2019, a number of agents from the *Amaken* Office in Karaj attempted to close two nursing homes of the Bahá'í community. The nursing homes had been running for approximately 20 years with an official licence from the Welfare Organization, under the management of a Bahá'í. As a result of encountering serious objections by the occupants and staff, the authorities demanded that the manager appear at the Public Prosecutor's Office on 30 June. Upon presenting at the Prosecutor's Office on the appointed day, the manager was told in a brief meeting that the case was with the Department of Health and that the matter would be followed up by them.

On 3 July 2019, agents from the Department of Health and Welfare returned to the nursing home with a warrant from the Prosecutor's Office with an intent to transfer the elderly to another location and seal the premises. However, owing to the resistance of the occupants, they again, did not succeed.

There are a total of 42 elderly residents in care in two nursing homes. Both establishments have received notification of transfer of the residents to other welfare centres. All the residents are Bahá'ís.

About 15 of the residents are disabled and unable to move. There are 15 permanent employees, who are all Bahá'ís, in the two nursing homes. There are also a few casual staff members, who

¹⁴ *Tazir law* (discretionary punishment): Punishment with maximum and minimum limits determined by law and judge, respectively.

are not Bahá'ís, who are utilized from time to time on a daily basis to carry out tasks such as cleaning, physiotherapy, massage, etc.

During the manager's meeting with the Welfare Organization at their office, the manager was asked for the names of the residents and the contact numbers for their families, saying, "Because this matter has been publicised, it is best that you do not continue operating. According to the order of the Prosecutor's Office, the places will be vacated." The authorities decided to gradually contact the families of the residents and move them to other welfare centres.

The manager stated to them that some of the relatives of these elderly people were abroad. The manager also pointed out, "What will you do about the ruling of the issue of *najis*, which was ordered by Mr. Khamenei?¹⁵ Mixing elderly Bahá'ís with others in welfare centres is in contradiction to his order." In response, the manager was told, "We will try to designate a special place and rooms for them." The manager then retorted "This treatment is clearly discriminatory action, which is ethically contrary to moral principles and is in violation of human rights."

- In early 2019 a trend was observed involving the rejection of bank loan applications from young married Bahá'í couples. The couples had applied for loans at several banks and were repeatedly rejected because the documentation they used to prove their marriage were not accepted by the banks. For context, standard marriage certificates are not granted to Bahá'ís, who must use a unique form of marriage documentation registered through Notary Public Offices. Most banks recognise the validity of this documentation, however, such documentation helps banks identify Bahá'ís, which can lead to discriminatory practices.
- On 1 May 2017, the business premises of 18 business-owners in Shahinshahr, Isfahan, were sealed by the Public Places Supervision Office (*Amaken*)¹⁶ because of their having closed on Bahá'í holy days. The concerned business-owners have asked that their names not be made public.
- In May 2017, the Sects and Religions Commission, which was formed on 30 October 2016 at the Public and Revolutionary Courts in the centre of Mazandaran Province, decided to refuse any requests by Bahá'ís to close their business premises on Bahá'í holy days and required them to provide an undertaking to not close. This decision was announced to 11 organisations across the province in a directive, along with an order of the Justice Administration of the Province of Mazandaran to city public prosecutors.
- Following a Bahá'í holy day on 9 July 2017, at least 50 Bahá'í-owned stores were sealed by the Public Places Supervision Office (*Amaken*) throughout the country. The mass business closures included 11 stores in Ahvaz, Khuzestan; 16 business premises in other cities in Khuzestan Province; and 19 business premises in Urmia, West Azerbaijan.
- In July 2017, it was learned that an official at the Tehran Open University had privately shared with a Bahá'í youth, who had been expelled from the same university, that a confidential letter had been sent to all government and open universities urging the expulsion of the Bahá'í students. Further information on this case can be provided upon request.

¹⁵ *Najis*: Religiously unclean or dirty.

¹⁶ Public Places Supervision Office (*Amaken*): Reportedly responsible for the enforcement of accepted moral codes in places of work and other offices.

- Regarding a Bahá'í-owned oil-change business in Hamadan, which had been sealed since 2012, it was learnt in June 2016 that despite a May 2014 court decision ordering the reopening of the shop, Hamadan's Intelligence Office continued to use its influence to prevent the court order from being enforced. In order to earn his living, the Bahá'í business owner was forced to conduct his business activities on the sidewalk in front of his shop.
- On 25 September 2016, in the small city of Hezar Vahedi of Rafsanjan, the Imam Jumih, the Friday Prayer Leader, announced in the mosque that conducting business with the Bahá'í residents of the town is unlawful (haram). Furthermore, on 28 September, shop-keepers were asked over the mosque's loudspeaker not to sell food to the Bahá'ís so that they would be forced to leave the city. At the insistence of the non-Bahá'í residents of the town, the local bakery refused to sell bread to Bahá'ís.
- It was learnt in February 2016 that a number of Bahá'í youth who were studying in different universities across the country were expelled because of their beliefs. Before this time, such individuals were dismissed post-registration, apparently at random. These dismissals led the Bahá'í community in Iran to conclude that these expulsions may have been part of an integrated approach to identify any Bahá'ís who had managed to gain a university place at the start of the academic year and to expel them. Intellectuals and dissidents within Iran are aware of these expulsions and they see them as being clearly both discriminatory and contrary to the Iranian Constitution.
- Over one hundred Bahá'í-owned businesses in cities across Iran, including Sari, Ghaemshahr, and Bandar Abbas, were sealed by Iranian authorities after they were temporarily closed to observe a Bahá'í holy day on 1 and 2 November 2016.

(More case examples, or further information on listed cases, can be provided upon request)

Appendix 4

Provisional translation of the decree issued on the website of the Supreme Leader Ali Khamenei concerning association and dealing with Bahá'ís

6 Farvardín 1397 [26 March 2018]

<http://www.leader.ir>

[Emblem] The Office of the Supreme Leader Website

New Enquiry (Farvardín [March/April])

[This website provides answers to various religious enquiries. The following question relates to Bahá'ís:

Association and dealing with Bahá'ís

Q. What is the judgment about association and dealings with a Bahá'í?

A. **You should avoid any association and dealings with this perverse and misguided sect.]**

Use of media and incitement to hatred

- It was learnt in June 2019 that efforts were made in Shiraz on the occasion of mid-Shaban,¹⁷ on 8 April 2019, to invite people to a question and answer meeting providing information against the Bahá'í Faith and to post related banners and promote an anti-Bahá'í magazine in Shiraz. The pamphlets were, however, discarded by most shop owners. After making these efforts, the relevant officials returned to the shop owners and requested them to pay for the cost of printing the anti-Bahá'í magazines.
- It was learnt on 21 July 2019, that Twitter had closed the accounts of a number of Iranian news outlets, including, Young Journalists Club (YJC), run by state broadcaster IRIB, state-run IRNA, and Mehr for their harassment of Bahá'ís. These are among the news outlets that have a history of regular, coordinated, and targeted attacks on the Bahá'í community and its members in Iran.
- In July 2018, it was confirmed that during the 2:00 p.m. news broadcast, the presenting journalist read a letter from an individual who had stated that members of “the perverse Bahá'í sect” turn on their air conditioners and open their windows during the electricity shortage to increase electricity consumption and create difficulties for other Iranians.
- It was learned in July 2018 that at an exhibition in Baharestan from 29 April to 2 May 2018, a six-page anti-Bahá'í pamphlet entitled *Musleh-e-Jahan*¹⁸ was being disseminated, along with many other materials. A copy of the pamphlet may be shared upon request.
- In April 2016, scores of Friday prayer leaders in twenty-five of the thirty-one provinces of Iran condemned the Bahá'í “sect” calling the individual members of the community “the enemy” and encouraging the population to disassociate themselves from the Bahá'ís and to have no contact with them. Fatwas written decades ago as well as those penned more recently that forbid Muslims from consorting with “infidel” Bahá'ís were published.

Some claimed that “Bahaism” is not a faith, a religion or an ideological belief, but rather, it is a fabricated political party. The Association of Friday Prayer Leaders, a nine-member council appointed by Ayatollah Khamenei, which oversees the appointment and functioning of all the Friday prayer leaders in Iran, had provided prayer leaders with the themes for their weekly sermons. In his sermon on 20 May 2016, Ayatollah Imami Kashani—one of the Friday Prayer Leaders of Tehran, an appointee of Ayatollah Khamenei and one of the most senior clerics in Iran—in his sermons, referred to the Bahá'ís as a “polluted sect” and asked his audience ‘which country and which constitution allows “the enemy” to live within its borders.

Around the same time, the editor of the Kayhan newspaper, considered in Iran as the mouthpiece of the Supreme Leader, referring to the Bahá'í Faith stated, “each and every member of this sect is considered a member of the Zionist party.” Hundreds of pieces inciting

¹⁷ 15th Sha'ban, one of the months of the Muslim calendar, of 255 A.H. (After Hijrat) according to Shi'ah Islam marks the birthday of the twelfth Imam, who is called Mahdi, and is believed to be the redeemer of Islam. This day is a Holy day of festivity for Shi'ah Muslims.

¹⁸ “Reformer of the world”.

religious hatred against the Bahá'ís appeared in the media after the above sermons of the Friday Prayer Leaders were delivered.

- It was reported in August 2015 that on 10 July 2015, the last Friday prayer congregation marking the end of Ramadan, the month of fasting (Day of Quds), anti-Bahá'í banners were placed on the walls of Tehran University.
- In March 2015 a number of posters against the Bahá'í Faith were displayed in most of Tehran's metro stations. The anti-Bahá'í posters described Bahá'ís as members of a cult devised by imperialist powers, whose aim is to spy and to change the culture and religion of Iranians, specifically Shi'a Muslims.
- In a speech at the end of November 2014, Hujjat'ul-Islam Abbas Ramezani-Pour, the Friday Prayer Leader of Rafsanjan, called for the Bahá'ís to be expelled from the city of Rafsanjan. He also mentioned that according to religious fatwas, Bahá'ís are "unclean" and that it is "forbidden" to conduct business with them. The speech came a few days after an anti-Bahá'í demonstration was held in front of the governor's office in that city. And on 20 January 2015, the Friday Prayer Leader in Jiroft, Hujjat'ul-Islam Reza Karamipour made some defamatory statements about the Bahá'í community, that were subsequently reported in an article hostile to the Bahá'ís posted on the Daqianus website.

(More case examples, or further information on listed cases, can be provided upon request)

Appendix 6

Denial of cultural rights

- The confiscation and destruction of the House of the Báb in Shiraz occurred in 1979.¹⁹ This holy site was a place of pilgrimage for Bahá'ís from all over the world.
- In 1984, the original Bahá'í Cemetery in Isfahan was confiscated by government authorities.

In July 2010, the Bahá'ís continued in their efforts to reclaim the Bahá'í Cemetery in Isfahan. One of the local Bahá'ís had filed a complaint against the municipality. After some time, he was summoned to court and given an order that directed him not to pursue the case. He was also verbally told not to pursue his complaint. The important point is that the verdict was written in the summons notice, in the section for the reason for being summoned. They avoided providing him with a formal document containing the decision of the court.

- In September and October 1983, the Shiraz Cemetery was confiscated by the government, at which time its grave markers were levelled and its main building destroyed. Its ownership was held by the Revolutionary Guards and then by the municipality. In April 2011, the Revolutionary Guard installed a sign to say that it acquired the site and intended to construct a cultural and sports centre in the area.

In April 2014, the Revolutionary Guard announced that a building for community activities was going to be constructed on the same land where the Bahá'í cemetery was situated. At this time, the cemetery was over 30-years-old and although such change of use was legally allowed, it required permission of the municipality, which the Revolutionary Guard never requested nor obtained. The Bahá'ís petitioned that the change in land use be done sensitively (as has been done for Muslim cemeteries in the same circumstances), allowing the graves to become a green space, whilst the open ground that was also part of the site, could be developed. On the Bahá'í Holy Day, 21 April, the cemetery became a building site, despite the availability of open ground on which to build. Graves were destroyed as excavations began and buildings were erected.

- In October 2011, the local office in Sanandaj of the environmental agency of Iran ordered the closing and confiscation of the Bahá'í cemetery there. This was often done by the Intelligence Ministry, but it appeared that the environmental agency was acting on its behalf. The spurious reason cited for the closure was that the Bahá'ís had been planting trees which was causing destruction.
- It was learnt in May 2013, that the Shokouhi family was not permitted to bury the bodily remains of their son, Kamyar, in the city cemetery in Tabriz. As is becoming the norm for the Bahá'ís, they were required to take the remains to the Bahá'í cemetery at Miandoab; this requirement is in contravention of Bahá'í teachings, which states that the body of a deceased cannot be buried in a location that is more than an hour's travel from the place in which he or she died. In this connection, it was recently reported that the authorities in Tabriz are continuing to insist that deceased Bahá'ís are buried in Miandoab Bahá'í Cemetery rather than the municipal cemetery in Tabriz and have even left bodies there unprotected when the Bahá'í families of Tabriz have refused to acquiesce to burials taking place at Miandoab.

¹⁹ The Báb was the prophet-herald of the Bahá'í Faith.

- On 14 July 2016, at around 5:00 a.m. the Bahá'í cemetery of Ghorveh was levelled to the ground in the presence of Ministry of Intelligence agents. Bulldozers and other heavy equipment were used by the police to demolish the mortuary, funerary hall, boiler room and a store of coffins. Nearly 300 trees, all over twenty years old were knocked down and items of equipment that were not destroyed were taken away. The police then raised a banner stating “Buildings in this property was demolished by orders of the judiciary. The owner or owners may contact the Provincial Offices of the Jihad-e-Keshavarzi for information.”²⁰

This incident followed a sermon given by the new Friday Prayer Leader of Ghorveh. He is reported to have said, “I have come to this town to combat Bahaism.” After the destruction of the Bahá'í cemetery in Ghorveh, a local Bahá'í approached Jihad-e-Keshavarzi and other relevant authorities and, as a result of his actions, he was summoned to the Public Court, was arrested and later released on bail. It is understood that no Ghorveh resident was willing to cooperate with the authorities and so, in order to carry out their plans, the authorities were forced to ask for help from the city of Malayer, which is 165 km away from Ghorveh.

- In August 2018, as a result of the authorities' prohibition against burials at the Bahá'í cemetery and despite repeated actions taken and approaches made by the family of a deceased individual, who had passed away on 7 August 2018 in Kerman Province, his body had to be buried, against the family's will, in Rafsanjan, which is over 100 kilometres away.
- On 24 October 2018, Ms. Shamsi Jahan Khanum Azamiyan passed away in Gilavand. Her family decided to bury her in the Gilavanad Bahá'í Cemetery, where the funeral had taken place. It is worth noting that the authorities had previously banned burial in the Gilavanad Bahá'í Cemetery. On 28 October 2018, with an order from the Prosecutor's Office, the authorities exhumed the body. On the same day, the police called one of the Bahá'is in Gilavand to convey that the authorities had found Ms. Azamiya's corpse in the nearby desert area and transferred it to Tehran Bahá'í Cemetery. The authorities asked the caretakers of Tehran Bahá'í Cemetery to bury the body there, which eventually was done.
- It was learnt in July 2020 that the cemetery of Taft—a region in the province of Yazd—which had been confiscated from the Bahá'is shortly after the revolution in 1979, is now being divided and sold.

(More case examples, or further information on listed cases, can be provided upon request)

²⁰ *Jihad-e-Keshavarzi*: Ministry of Agriculture.