

## **Islamic Republic of Iran: non-implementation of accepted UPR recommendations**

as concerns human rights violations against the Bahá'ís

(September 2013)

The Islamic Republic of Iran has not yet taken a single step to implement the UPR recommendations that its government accepted nearly four years ago, as concerns members of the Bahá'í religious community. The opposite is true, in fact: since Iran's UPR in 2010, human rights violations against the Bahá'ís have severely intensified. A wide range of civil, political, economic, social and cultural rights have been systematically abused:

- The number of arrests targeting Bahá'ís has escalated since Iran's UPR: from 74 in 2009 to **125** in 2010, **164** in 2011 and at least **177** in 2012. The number of Bahá'ís in prison steadily multiplied, as well, reaching **117** in August 2013, including the seven former leaders wrongfully convicted and sentenced to 20 years of imprisonment.
- Officials harshly intensified the measures they have long been applying to deny adherents of this faith the right to work and earn a decent living. More Bahá'í farmland and other property was confiscated, as well.
- Bahá'í children and adolescents were subjected to intimidation and harassment by teachers and school officials in classrooms, and some were expelled from their schools when it became known that they are members of this community. Inside two high schools this past year, one Bahá'í student was assaulted; four others were detained and interrogated by intelligence agents.
- A Bahá'í was murdered in Bandar Abbas in August this year, and it was clear that this crime was religiously motivated. Violent attacks on Bahá'í homes, farms, shops, vehicles and cemeteries throughout the country continued to be perpetrated with total impunity. In parallel, officials, clerics, and media affiliated with the government persisted in inciting hatred against Bahá'ís and their beliefs.
- Since Iran's UPR, the authorities have also greatly increased their efforts to eradicate all the community events, gatherings and group activities that are, for members of the Bahá'í Faith, an integral part of their religious practice.
- Students identified as members of this community continued to be barred and expelled from universities and vocational training institutes. In 2011, over a year after Iran's UPR, officials again launched a concerted attack to block the Bahá'í Institute for Higher Education (BIHE) from providing courses for the Bahá'í students who have been denied access to university. More of those arrested have been convicted on false charges and sentenced this past year: twelve BIHE administrators and teachers are now serving four or five year prison terms merely for having helped young members of their religious community to educate themselves and fulfil their potential.

We document these “facts on the ground” in the following report, under headings that correspond to eight recommendations accepted by Iran under the Universal Periodic Review (UPR). We have selected only those recommendations that unquestionably apply to Iranian citizens who are Bahá’ís. Each section below quotes the recommendations as they appear in Iran’s UPR Working Group report.<sup>1</sup>

## 1. Recommendations based on ICCPR Article 18

We will begin with three accepted recommendations of a general nature:

**9. Ensure that its legislation and practice conform fully with requirements of article 18 of ICCPR and with its other obligations under international human rights law (Poland)**

**48. Respect the freedom of religion (Germany)**

**103. Guarantee, in compliance with its obligations under ICCPR, the effective independence of the procedures and administration of justice, restricted emergency legislation, adequate protection for human rights defenders and political opposition members, and the effective guarantee of freedom of expression and opinion and freedom of religion and belief (Chile)**

*Iran has taken no measures of any kind to implement these recommendations with regard to members of the Bahá’í religious community. Issues must be addressed in both law and practice, as recalled below.*

Iran’s Constitution establishes Islam as the State religion and stipulates that “Zoroastrian, Jewish and Christian Iranians are the only recognized religious minorities”. All relevant legal provisions are interpreted and applied to restrict freedom of religious practice to these four religions, and to legitimize **persecution** against those who practice other faiths. Bahá’ís are not allowed, “in community with others and in public or private”, to manifest their religion “in worship, observance, practice and teaching”, as required by Article 18 of the ICCPR.

Although Iran claims to guarantee justice and respect for the human rights of non-Muslims, its officials avoid applying such guarantees to Bahá’ís by wrongfully accusing them of activities “against Islam and the Islamic Republic” – a charge that strips them of protection under the law. Since Iran’s UPR, the authorities have extended their use of this false

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<sup>1</sup> A/HRC/WG.6/7/L.11. Iran has repeatedly stated that it uses the term “religious minorities” to mean only the three recognized in its own Constitution (Jews, Christians, Zoroastrians), so we do not include recommendations that use this term. We consider accepted recommendations that cite “freedom of religion or belief” and/or Article 18 of the ICCPR, because its definition covers all individuals:

*Article 18, ICCPR*

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

allegation to arrest, arbitrarily detain, convict and sentence (solely on religious grounds) many more Bahá'ís than in previous years.

Moreover, Iran's Constitution does *not* explicitly prohibit **discrimination** based on religion or belief. Bahá'ís in this country have always been subjected to unfair and unequal treatment, especially since the Islamic Revolution. But during the past few years – and thus **after** Iran's UPR – officials have implemented discriminatory policies in a much more methodical and comprehensive manner: blocking access to higher education, business/trade, and many areas of social and cultural life for all known members of this religious community.

## 2. Recommendations concerning imprisonment and judicial issues

The following recommendations refer to court cases that concern Bahá'ís, including the former leaders who were on trial at the time of Iran's UPR. The Yárán ("Friends") was the name given to this group:

**50. Respect freedom of religion, and assure a fair and transparent trial for members of the Baha'i faith, in full compliance with the commitments undertaken as a State party to the implementation of ICCPR and other human rights instruments (Romania)**

**117. Ensure the trials of seven Baha'is are fair and transparent and conducted in accordance with international standards, and that Iran amend all legislation that discriminates against minority groups (Australia)**

**118. Ensure that the trial of the Yarran is conducted in a fair and transparent manner, consistent with Iranian law, natural justice and due legal process (New Zealand)**

### 2.1 The former leadership group

*Iran made no attempt at any time to ensure that the trial of the seven Bahá'ís was fair, transparent and consistent with due process, whether according to international legal standards or even its own laws and regulations.*

There was no basis in fact to any of the accusations against the former leaders. For over two years, they were detained in Evin prison in Tehran, where they suffered ill-treatment (while in solitary confinement) and were repeatedly denied release on bail.

In 2010, these Bahá'ís were convicted on six charges and sentenced to 20 years in prison. The UN High Commissioner for Human Rights raised the case several times in letters to and meetings with the Iranian authorities, expressing deep concern that the judiciary had not met the requirements of due process and fair trial... but to no avail.

While the case was on appeal, the group was illegally transferred to Gohardasht prison, notorious for its appalling conditions. The five men are still there, under close scrutiny in a wing reserved for political prisoners. The two women have since been transferred twice and are back in Evin prison.

The seven former leaders were included in the recommendations made by the UN Special Rapporteur on the situation of human rights in Iran in his second annual report to the Human Rights Council in March 2013. The Special Rapporteur called on Iran to:

...consider the immediate release of prisoners of conscience such as [Christian] Pastors Behnam Irani, Farshid Fathi, as well as the leaders of the Baha'i community, and fully honor its commitments under Article 18 of ICCPR that guarantee the right to freedom of thought, conscience and religion, which was accepted by Iran without reservation.<sup>2</sup>

The imprisonment of the seven former leaders was also deplored in the 2013 annual report to the Human Rights Council by the Special Rapporteur on freedom of religion or belief. In a section that presented patterns of violations against members of religious minorities in countries throughout the world, he stated:

51. Some States unduly interfere in the internal affairs of religious communities, with the purpose of exercising tight political control. (...) Some leaders of religious groups are even arrested or detained over a long period of time.<sup>40</sup>

<sup>40</sup> In the Islamic Republic of Iran, seven Bahá'í members who coordinated the community's religious and administrative affairs were detained and sentenced to long-term imprisonment by a Revolutionary Court in Teheran (A/HRC/16/53/Add.1, paras. 185-196; Opinion No. 34/2008 of the Working Group on Arbitrary Detention).

Detailed information about the case can be found in a report available at:

<http://news.bahai.org/human-rights/iran/yaran-special-report/>.

## 2.2 Other arbitrary arrests and imprisonments

*In other Bahá'í cases, as well – both before and since the UPR – Iran's intelligence services and its judiciary have failed to act in accordance with due process.*

*Officials cite Iran's own laws and regulations to prove that their legal system is consistent with international standards, but many provisions of national legislation are ignored when intelligence officers arrest and detain Bahá'ís, and also when cases against adherents of this religion are brought to trial.*

This situation has steadily worsened since Iran's UPR, with many more arrests than in previous years: **125** in 2010, **164** in 2011 and at least **177** in 2012. The number of detained and sentenced Bahá'ís in prison has continually increased, as well, reaching **116** in November/December 2012 and **117** in August 2013. Moreover, unlike in previous years, that total remained over 100 throughout 2012 and 2013 (to date). A total of **115 Bahá'ís are currently in prison** in Iran. An up-to-date list is provided in attachment, with basic details about each case.

<sup>2</sup> See [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-56\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-56_en.pdf)

**Over 80 new arrests** have been documented in at least a dozen localities since early October 2012, including several group arrests. For example, more than 20 Bahá'ís were rounded up and detained in October/November 2012 in Golestan Province, and in December 2012 intelligence agents raided a Bahá'í meeting in Karaj, videotaping the participants and arresting 16 of them. In addition to official arrests, many other Bahá'ís were summoned and interrogated, and officials ransacked numerous homes without immediately taking the Bahá'í owners into custody. In January 2013, the authorities positioned armed forces at the entrances to 13 Bahá'í homes in Ghorveh and in the streets leading to them; each house was searched by six officials from the police and Intelligence Ministry.

The interim report on human rights in Iran submitted by the UN Secretary-General to the main session of the Human Rights Council this year (March 2013) included the following paragraph about imprisoned Bahá'ís:

27. As of late November 2012, a notable increase in the imprisonment of Baha'is had been observed, with over 100 Baha'is detained apparently because of their religious beliefs. In most cases, security forces, who conduct these arrests, also searched Baha'i homes and/or workplaces in order to seize materials related to their faith. In a joint communication of 14 May 2012, a group of Special Procedures mandate holders expressed serious concerns at the ongoing arrest and detention of members of the Baha'i faith. These included the arrest, on 26 February 2012, of Ms Mahsa Mehregani, a 12 year-old student in Yazd, at a time when she was taking an online exam with the Baha'i Institute for Higher Education (BIHE). Furthermore, on 6 January 2012, security forces arrested Ms Bakhtiyar Rasekhi, Mrs Farahnaz Naimi (Rasekhi) and Ms Farin Rasekhi during a Baha'i event in their home, and charged them with propaganda of the Baha'i faith. Mr Rasekhi allegedly remained detained in solitary confinement for over 70 days.<sup>3</sup>

In addition, the latest joint report by UN Special Procedures (A/HRC/22/67) recalls a recent communication to the Islamic Republic of Iran that cites 41 cases of arbitrary arrest and detention targeting Bahá'ís.<sup>4</sup>

It is of grave concern that intelligence officials have heightened their use of violence when raiding homes and arresting members of this religious community in the years since Iran's UPR. Like others arrested because their beliefs or opinions differ from those of the regime, many Bahá'ís have also been **ill-treated while under interrogation**: beatings have been common, and other violations have included incommunicado detention and solitary confinement (during this past year, for periods up to 89 days).

In some cases **more severe torture** was reported. One Bahá'í arrested at the passport office in Karaj in October 2012 was transferred to the Public Places Supervision Office headquarters and held there in solitary confinement, three floors underground. During the

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<sup>3</sup> The report (A/HRC/22/48) can be found at: [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-48\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-48_en.pdf)

<sup>4</sup> See [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-67\\_EFS.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-67_EFS.pdf)

first interrogation session, he was beaten continually with a hose. At two further interrogation sessions, while seated on a metal chair, he was repeatedly shocked with ice water until he lost consciousness. Also this past year, a Bahá'í in Babolsar was arrested by the Intelligence Ministry, tortured, threatened against disclosing information about his arrest and interrogation, and ordered not to file a complaint with the public prosecutor.

The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment submitted a report to the Human Rights Council in March 2013 (A/HRC/22/53/Add.4) following up on communications with governments. One section concerns Bahá'í cases, as follows:

g) JUA 14/05/2012 Case No. IRN 10/2012 State reply: 19/06/2012, 12/07/2012, 12/07/2012

**Alleged new arrests and continued detention of the members of Bahá'í faith community in the Islamic Republic of Iran.**

55. The Special Rapporteur thanks the Government of the Islamic Republic of Iran for its response to the communication dated 14 May 2012, regarding the alleged arrests and continued detention of members of the Bahá'í faith community. The Special Rapporteur thanks the Government for addressing the cases involving the people in Sanandaj, but insists that the Government further investigate in order to determine the circumstances surrounding those arrested in relation to the issuance of an order to confiscate the Bahá'í cemetery in Sanandaj. The Special Rapporteur thanks the Government for its explanation of the cases from Shiraz that occurred on 3, 4, 5, 6, and 23 February 2012, and the case from Yazd that occurred on 26 February 2012. The Special Rapporteur regrets that the Government did not address allegations of violence perpetrated against those arrested in Shiraz. In addition, the Government did not clarify how Ms. Mehregani's beliefs are not the reason for her arrest since she is charged with being a member of a Bahá'í organization. In addition, the Special Rapporteur regrets that the Government failed to address additional cases which took place in Tehran, Rasht, Semnan, Shiraz and Kerman, which included allegations of lack of medical care for a severely ill detainee and solitary confinement for another. Given the common origin of all of the persons involved in the communications, the Special Rapporteur would like to remind the Government of Article 27 of the ICCPR which establishes that "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language." The Special Rapporteur would also like to draw the Government's attention to rule 25(1) provides that, "The medical officer shall have the care of the physical and mental health of the prisoners and should daily see all sick prisoners, all who complain of illness, and any prisoner to whom his attention is specially directed." He would also like to remind the Government that "prolonged solitary confinement of the detained or imprisoned person may amount to acts prohibited by article 7 [on the prohibition of torture and other cruel, inhuman or degrading treatment or punishment] of the ICCPR (adopted at the 44th session of the Human Rights Committee, 1992). The Special Rapporteur calls on the Government to end all arbitrary arrests of Bahá'í members, and insists that the Government investigate, prosecute and punish all cases of ill-treatment, in addition to providing the result of any investigation, medical examination, and judicial or other inquiries which may have been carried out in relation to these cases.

In this context, we would add that for many of those arrested, **bail demands** have been so excessive as to constitute extortion. The highest demands were made in a case involving a Muslim and his Bahá'í nephew arbitrarily detained without trial for nearly 22 months. Their detention was related to numerous human rights violations perpetrated in 2011 against Bahá'ís who were among the owners, managers and employees of the Achilan Door Company, based in Mashhad. Those violations included arrests and arbitrary detention, torture, the threat of summary execution, intimidation and harassment, forced termination of employment with denial of duly-earned benefits, and other forms of pressure intended to force the business and its factory to cease all operations. The two detainees were finally released on bail only after each of them had posted collateral valued at three billion تومان – at that time, an amount equivalent to **2.4 million US dollars**. It seems clear that the extortionate demand was a means to ensure that their company would be shut down, once and for all.

Iran's judiciary has been bringing similar **charges** against Bahá'ís throughout the country. We noted the following charges in particular during this past year: “propaganda activities against the regime in the interest of the Bahaist sect”, “propaganda against the holy regime of the Islamic Republic of Iran”, “forming illegal groups”, “formation of and membership in illegal groups against the regime”, “activity against national security through membership in illegal groups connected to Bahá'ism”, “gathering and colluding with intent to harm state security, propaganda against the regime and disturbance of public order”. One Bahá'í resident of Birjand, who is well into his 80s, was arbitrarily detained for nearly nine months before being tried and sentenced – “based on the fact that Baha'is are spies” – to six years of imprisonment (three of which were suspended due to his age). Some members of the community who had organized group activities were even charged with encouraging prostitution or with “corruption”. For example, although an arrest warrant (signed by a judge) stated that a Bahá'í woman had been charged with “propagating Bahá'ism”, at her trial the charges were specified as: “inviting people to partake in corruption, prostitution, and illicit relationships”. The authorities now use such terms to characterize organizing or participating in Bahá'í community gatherings and events.

During the past few years, officials throughout the country have instructed Bahá'ís to sign statements declaring that they would no longer take part in any of their religion's group activities (including, for example, the gathering held every 19 days by each local Bahá'í community throughout the world). Participating in community activities is not only a social and cultural right but also, and even more importantly for Bahá'ís, a foundational component of their Faith and an intrinsic aspect of Bahá'í religious practice. When officials try to force Bahá'ís to swear that they will no longer participate in these activities, the government is violating the right to religious practice enshrined in Article 18 of the ICCPR.

This issue is emphasized in the 2013 report by the UN Secretary-General to the Human Rights Council, as follows:

25. Serious discrimination in law and in practice against ethnic and religious minorities continues to be reported, especially against the Baha'i community. Although the participation in community activities is a foundational element of the Baha'i faith and an integral part of their religious practice, in recent years many Baha'is have been asked, under threat and duress, to sign statements undertaking

not to participate in their community's gatherings and other collective activities. Such practices run contrary to Iran's obligations under article 18 of the ICCPR, which guarantees everyone's right to freedom of thought, conscience and religion. (...).<sup>5</sup>

### 3. Discriminatory policies

One accepted recommendation concerns discriminatory policies:

**49. Take all measures necessary to ensure the protection of religious minorities, including implementing the recommendations on adequate housing put forward by the Special Rapporteur after his visit in 2006 (Denmark)**

*[That report referred to discrimination against Bahá'ís; see below.]*

#### 3.1 Confiscation of property, evictions, burial rights

The UN Special Rapporteur on adequate housing is one of only a few Special Procedures permitted to visit Iran during the past 10 years. His report highlighted violations against Bahá'ís such as forced evictions and abusive confiscations, as follows:

43. In some regions, these expropriations seem to have targeted disproportionately property and land of religious and ethnic minorities, such as Baha'i cemeteries, but also houses. (...)

82. The impact of discriminatory laws and practices on the housing situation of religious minorities in Iran is especially evident in the legal provisions concerning inheritance rights and in the abusive use of property confiscation. Article 881 of the Civil Code, for example, states that if one of the heirs declares that he converted to Islam he is entitled to the entire inheritance in detriment of the remaining heirs who belong to another faith. These provisions apply even to housing units inhabited by any other heirs, and may lead to homelessness.

83. Property confiscation (...) testimonies and reports indicate that religious minorities may be particularly affected in this regard, including members of the Baha'i faith, which, although not constitutionally recognized, is the largest religious minority in the Islamic Republic of Iran. (...) property confiscation in rural areas was often accompanied by threats and physical violence before and during related forced evictions.

85. (...) Some verdicts which the Special Rapporteur has been able to examine declare that the confiscation of the property of "the evil sect of the Baha'i" is legally and religiously justifiable. The Special Rapporteur is concerned at the clear evidence of discriminatory conduct with respect to Baha'i property, including housing. (...)<sup>6</sup>

*Since Iran's UPR, confiscation and destruction of Bahá'í property has continued. Plainclothes agents and others have also continued to attack Bahá'í homes and cemeteries with total impunity.*

<sup>5</sup> See [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-48\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-48_en.pdf)

<sup>6</sup> E/CN.4/2006/41/Add.2, 21 March 2006

In previous reports, we detailed the confiscations of farmland and the destruction of many Bahá'í homes in 2010, attacks against Bahá'ís in 2011 that were directly related to disputes over confiscated land, and recent confiscations involving farmland in several different provinces, including a group of Bahá'í farmers in Kata imprisoned in 2012 because they had continued to cultivate their own land after repeated official attempts to seize their property. At their trial, the court convicted them of “forcible possession” of their own farmland.

Throughout Iran, not only have vandals attacked Bahá'í cemeteries, destroying graves and causing extensive damage in at least ten different locations since Iran's UPR, but more cemeteries have been confiscated, as well. We previously reported the case of the Bahá'í cemetery in Sanandaj (see <http://news.bahai.org/story/881>). In December 2012, graves were destroyed and all the trees were cut down in the Bahá'í cemetery in Yazd, and a sign was posted there stating that the property had been allocated to the university. In the Bahá'í cemetery in Semnan towards the end of last year, intruders demolished the morgue and used bulldozers to cover all the graves with dirt 40 centimetres deep. In late June 2013, the Bahá'í cemetery of Abadeh was vandalized, and some caskets were disinterred. In all such cases to date, attacks on Bahá'í cemeteries have been committed with total impunity.

Serving the same end, in some localities officials have refused to issue burial permits to Bahá'í families. This has become a recurrent problem in Tabriz, where local authorities seem determined to impose Muslim burial rights on Bahá'í residents. In the two most recent cases, cemetery officials again denied permits for burial with Bahá'í rites to two families. In both cases, officials transferred the remains of the deceased to the Bahá'í cemetery in Miandoab in the neighbouring province (over 160 kilometres away) without informing the families, and they buried the bodies without a casket, according to Muslim rites, without any family member present.

To complete this section, we would add that the right to property is totally disregarded by intelligence agents who search Bahá'í homes and/or workplaces. They seize everything related in any way to the Bahá'í Faith (books, music, photos, documents, etc.), along with computers, printers, and other personal belongings, sometimes also including chequebooks, deeds to property and other documents of value.

### 3.2 Other discriminatory practices

*All the discriminatory practices that target Bahá'ís have continued during the years since Iran's UPR. Illustrative examples are given below.*

It is of particular concern when the abuse of fundamental rights and freedoms affects **children**. In public schools during the past year, religious education teachers vilified Bahá'ís and their beliefs, singling out Bahá'í children for exclusion, shunning and intimidation. Muslim clerics were invited to school classrooms to give presentations that insulted the Bahá'í Faith. And we were particularly appalled by two recent incidents targeting high school students:

- The first involved serious violence: the date of this attack is not known, but a Bahá'í high school student in Isfahan was severely beaten at school, and verbally assaulted, as well, with his religious beliefs insulted by his teacher. When his family put in a complaint, the teacher stated that he personally knew members of the Islamic Revolutionary Guard Corps and security officials, so their protests would have no effect. And indeed, the family's complaint has not been addressed.
- The second incident took place in March 2013 in Semnan, where Intelligence Ministry agents went to Shahhid Beheshti and Amir Kabir High School to detain and interrogate four Bahá'í students. The interrogators tried to entice the students into collaborating with the Intelligence Ministry and giving them information about the Bahá'í community. The students were released after a few hours, and their parents are seeking redress through legal means.

In other recent individual cases, Bahá'í pupils and high school students have been expelled from their schools because they had asked not to participate in congregational prayer, had not remained silent when teachers made false accusations about their religion in class, had complained about anti-Bahá'í flyers distributed at school, or had correctly and honestly filled out mandatory declarations of religion on registration forms.

Moreover, all Iranian citizens identified as members of the Bahá'í religious community continued to be **denied access to public and private universities and vocational training institutes** in their country.

There may still be some Bahá'ís in Iran who have not been officially identified as such. For at least five years, however, the authorities have undertaken systematic efforts through the school system to identify all Bahá'í pupils and students. Identified Bahá'ís can take the national university entrance exams, but when they try to obtain their results, they receive notice that they have "*Incomplete Files*" and are thus not allowed to apply for admission. Many have appealed such cases; none have obtained recourse. Among the few students admitted without their religious affiliation being known, all those later identified as Bahá'ís were expelled from university, and their appeals were also rejected by educational authorities and the judiciary.

One Bahá'í student from Kermanshah was unable to complete enrolment for the current academic year after having passed the national university entrance exam and selected her course of study. Like all other previously identified Bahá'ís, she received notice online that her file was "incomplete". When she pursued the matter with the relevant office, she was told that every Bahá'í student is expelled once their religious affiliation becomes known. In such cases, the students always ask for clear statements of this kind to be put in writing, but no official has ever accepted to do so.

This past year there were more expulsion cases regarding the small number of Bahá'ís who entered university without their religion being identified. It has become clear that the authorities are trying to ensure that no more Bahá'í students who began their studies (during the few years when this was possible) will be allowed to graduate with a degree.

Several 2012 cases involved students expelled in their final semester, just before graduation. Since October 2012, there have been at least 11 additional cases where students have been expelled after being identified as members of the community. The latest cases include, for example:

- an undergraduate computer science student at Khajeh Nasireddin Toosi University in Tehran, expelled while registering for his third semester;
- an honour student of industrial engineering at the University of Science and Industry, expelled on 23 February 2013 after having completed 89 credits;
- a third year associate diploma student studying for a Bachelor's degree in civil engineering at Babol University, expelled after having completed 59 credit hours;
- a medical school student in her final semester at the University of Tabriz, summoned by the intelligence services office of the Ministry of Health and Medical Treatment – when she obeyed the summons, she was told that she would not be allowed to continue her studies and graduate unless she filled in a form declaring Islam as her religion;
- a resident of Sari and student of applied mathematics at Rouzbeh University in Behshahr, expelled sometime in October/November 2012;
- a physics student at Khajeh Nasir Toosi University of Technology (KNTU) in Tehran, who had been admitted in 2010 – he was expelled on 15 December 2012;
- a fifth-semester student of architecture at Tabari University in Babol, expelled on 1 January 2013 after being summoned to the *Herasat* [Intelligence] office at the university.

Further evidence of the government's policy can be found in a publication issued by *Sanjesh*, the national academic evaluation and measurement organization of Iran's Ministry of Science, Research and Technology. Last year's edition, entitled *A guide to enrolling and participating in the National Entrance Examination for academic year 1391 [2012–2013]*,<sup>7</sup> presented detailed guidelines on the application process for students wishing to enter university in Iran, including criteria for admission. On page 5, the text stipulated the four eligibility requirements for participation in the national university entrance exam, and the first one was:

- a. "Belief in Islam or in one of the religions specified in the Constitution of the Islamic Republic of Iran (Judaism, Christianity, Zoroastrianism).

This requirement explicitly states that access to higher education in Iran is restricted to those who believe in Islam or in one of the three other recognized religions – excluding those who believe in the Bahá'í Faith.

Concerning the right to education in Iran, the March 2013 report to the Human Rights Council by the UN Secretary-General clearly states:

... Baha'is are also denied access to public and private universities. The few admitted to universities without their religious affiliation being known have faced expulsion

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<sup>7</sup> available on the organization's website at [www.sanjesh.org](http://www.sanjesh.org)

upon revelation of their faith, and had their appeals systematically rejected by relevant authorities and courts. (...).<sup>8</sup>

Since May 2011, we have been documenting cases that concern educators and students arrested because of their participation in the work of the Bahá'í Institute for Higher Education (BIHE). The latest joint report submitted by UN Special Procedures (mentioned above) recalled a communication about these cases:

**Iran (Islamic Republic of)**

**Arbitrary detention; Freedom of religion; Iran; Minority issues;**

Alleged arrests and arbitrary detention of members of religious minorities, in particular those belonging to the Bahá'í faith. According to the information received, on 21 May 2011, raids were carried out in at least 30 homes of individuals involved in the activities of the Bahá'í Institute for Higher Education. These households were reportedly subjected to extensive searches which took place simultaneously in cities throughout the country, including Gohardasht, Isfahan, Karaj, Sari, Shiraz, Tehran and Zahedan, with 15 individuals being arrested. A further eight other members of the Bahá'í faith were reportedly interrogated by intelligence officers, and were released on the same day. These events reportedly form part of a continuous effort to deny access to education to members of the Bahá'í faith, who are reportedly being prevented from entering public and private universities and vocational training institutions in the Islamic Republic of Iran.<sup>9</sup>

It should be recalled that the only objective of the BIHE is to meet the educational needs of young Bahá'ís who are denied access to university-level studies in Iran. At the time of the concerted attack against faculty and staff in 2011, nearly 300 people were serving the Institute, including international volunteer educators who teach through the Internet. About 1,000 BIHE students were studying at home and in inconspicuous laboratories in privately owned premises. This past year, more of those arrested in this context were convicted on false charges and sentenced. Twelve BIHE educators are currently serving prison terms ranging from four to five years, solely because they had been providing courses for young Bahá'ís with the capacity and deep desire to continue their studies beyond secondary school.

Barring Bahá'ís from higher education is only one aspect of the government's efforts to exclude and impoverish them. The Iranian authorities continue to apply a wide range of discriminatory policies and practices **to deny members of the Bahá'í community the right to work and earn a decent living**. In most cases, officials are implementing the government's instructions (promulgated by the Public Places Supervision Office in 2007) to exclude Bahá'ís from 25 specified trades and any other activities that could provide them with more than a minimum wage.

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<sup>8</sup> See [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-48\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-48_en.pdf)

<sup>9</sup> A/HRC/22/67, see [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-67\\_EFS.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-67_EFS.pdf)

Since the Islamic Revolution, members of the Bahá'í religious community have been totally banned from work in the public sector. Methods to exclude them from the private sector, as well, include harassment and intimidation (particularly of business owners and shopkeepers), refusal to issue or renew business licences, the sealing of premises, orders for destruction of farmlands and livestock, threats against merchants and professionals to dissuade them from doing business with or awarding contracts to Baha'is, refusal of loans and other banking services, and following forced closure of a business, the seizure and sale of all merchandise by government officials. Bahá'í business owners often employ other Bahá'ís, and because so many members of the community have no access to employment, the loss of each job almost always affects an entire family.

During the past three years, the authorities have implemented long-standing discriminatory policies in a much more methodical and comprehensive manner. This past year, officials throughout the country used harassment, intimidation and false accusations to shut down or impede the activities of dozens of Bahá'í-owned businesses. While searching these workplaces, the officials tried to find books, papers, photos, or other personal items related to the Bahá'í Faith. Bahá'í-related belongings were then seized and used as “evidence” to seal the businesses (and sometimes also to arrest the owners) on the charge of “propaganda against the regime”.

New work-related cases since October 2012 include:

- all of the Bahá'í shops in and around Hamadan, sealed in November 2012 (32 stores and warehouses);
- all but one of the shops belonging to Bahá'ís in Semnan, shut down and sealed towards the end of last year by a large number of officials;
- an aluminium company owned by a member of the community in Tehran, raided in December 2012 by intelligence agents who confiscated all the documents and records, as well as cash and the company's cheques;
- a shop in Babolsar, closed and sealed early this year after the Bahá'í owner was arrested;
- four Bahá'í shops closed and sealed in Birjand, and four more denied business permits;
- shops owned by nine Bahá'ís in Bandar-e Torkaman, closed by the Public Places Supervision Office in March 2013; and
- a large distribution centre of cleaning supplies and hygiene products belonging to two Bahá'ís in Tehran, raided and searched by 13 officials from the Intelligence Ministry and other government offices on 13 December 2012 before being closed and sealed, putting some 70 employees out of work. The Bahá'í owners were threatened and warned not to file any complaints. Government agents later came to unseal the centre only to put all of the items on sale. The Bahá'í owners were told by the authorities that their business would never be reopened, and they were advised to leave Iran.

After their businesses had been sealed, all the Bahá'í shop owners in Hamadan were summoned to the local office of the Intelligence Ministry, where they were told to sign undertakings not to close their shops on Bahá'í holy days. Some of them were interrogated for five or six hours. The intelligence officials tried to intimidate them by threatening their

relatives and close friends and by warning that their shops would be permanently closed and their business licenses revoked. One of the Bahá'ís began to sell goods out of his truck, in front of his shop, which led to his vehicle being confiscated and his home raided.

The intergovernmental body most concerned with the right to work is the International Labour Organization (ILO). Its Committee of Experts has repeatedly deplored discrimination against Bahá'ís in Iran with regard to vocational education and employment. In its 2013 report, the Committee noted “with **deep concern** that the Government does not address the very serious concerns that have been raised for many years regarding discrimination against unrecognized religious minorities, in particular the Baha’i, and the urgent need to take decisive action to combat such discrimination (...).” Again urging the Iranian government “to combat discrimination and stereotypical attitudes against religious minorities, in particular the Baha’i, through actively promoting respect and tolerance for religious minorities, to repeal all discriminatory legal provisions, including regarding the practice of *gozinesh*, and withdraw all circulars and other government communications discriminating against religious minorities”, the Committee called on the authorities “to ensure that religious minorities, including unrecognized religious minorities, in particular the Baha’i, as well as ethnic minorities, are protected against discrimination, and have equal access and opportunities, in education, employment and occupation, in law and practice.”

Concerning the matters detailed above, the March 2013 report to the Human Rights Council by the UN Secretary-General clearly states:

(...) Economic activity in various cities such as Semnan, Aligoudarz, Isfahan and Mashhad has also been affected by discriminatory policies and practices against the Baha’i community. In Semnan at least 27 Baha’i-run business enterprises had reportedly been closed by the authorities as of October 2012, leaving more than 110 Baha’i families without a source of income. This has a serious negative impact on the right to work and the right to an adequate standard of living, both of which are guaranteed by the International Covenant on Economic, Social and Cultural Rights, to which Iran is a State party.<sup>10</sup>

And indeed, in May 2013 when the Committee on Economic, Social and Cultural Rights adopted its *Concluding Observations* on Iran, the section devoted to the Bahá'ís read as follows:

1. The Committee is concerned that members of the Baha’i community face widespread and entrenched discrimination, including denial of access to employment in the public sector, institutions of higher education, as well as to benefits of the pension system. (art.2).

**The Committee recommends that the State party take steps to ensure that members of the Baha’i community are protected against discrimination and exclusion in every field, including denial of employment and benefits of the pension system. The Committee also recommends that the State party take steps to guarantee, in law and practice, the unhindered access of Baha’i students to universities and vocational training institutions, and to prevent**

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<sup>10</sup> See [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-48\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-48_en.pdf)

**refusals of access and expulsions of students from such institutions based on their belonging to the Baha’i community.**

As noted by the Committee, Bahá’ís throughout Iran are denied access to their own, rightfully earned pensions. In cases taken to court during the past ten years, the judgements have always gone against them. Several court decisions explicitly stated: “payment of pension to those individuals connected with the baha’i sect is illegal” [or an “unlawful act”].

#### **4. Incitement to hatred and violence**

One accepted UPR recommendation called on the Iranian government to:

**119. Fully respect the rights of the adherents of the Baha’i faith and to judicially prosecute those inciting hatred against them in religious environments, the media and the Internet (Luxembourg)**

This is important because the upsurge in human rights violations against Bahá’ís in Iran during the past seven years was preceded and accompanied by efforts to incite hatred against them.

*Some officials and members of the clergy have publicly continued to engage in incitement to hatred, intolerance and discrimination against the Bahá’í Faith and its adherents. In Iran, they do so with total impunity.*

*National and provincial budgets include allocations for programmes to “confront” the Bahá’í Faith, and there are official organs dedicated to that purpose.*

*Articles and broadcasts on government and State-affiliated media, as well as conferences, publications, exhibitions, etc., sponsored by officials or clergy, persist in vilifying the Bahá’ís and their beliefs, inciting hatred and violence against them.*

Largely unknown outside Iran, a State-sponsored campaign has been demonizing and maligning the Bahá’ís for years, using false accusations, inflammatory language and repugnant imagery (for details, see <http://news.bahai.org/story/861>). Officials and members of the clergy continued to incite hatred against Bahá’ís and their beliefs in 2012 and 2013.

Widespread incitement to hatred has encouraged and condoned **violence** against Bahá’ís, with the worst cases involving physical assault. Many Bahá’í homes, vehicles, farms, shops and workplaces have been badly damaged or defaced with graffiti; some were destroyed. Half a dozen communities have been affected for years.<sup>11</sup> All incidents were reported, but

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<sup>11</sup> In particular Ghaemshahr, Isfahan, Karaj, Mashhad, Rafsanjan and Semnan, but recurrent pressure has been applied to Bahá’ís in at least 10 other localities: Abadeh, Aligudarz, Bukan, Khorramabad, Laljin, Parsabad, Sari, Ravansar, and Asfin and Gaziran in the suburbs of Arak.

the police always reply that they can do nothing. Those who attack Bahá'ís do so with impunity.

To cite the most grievous case of this past year: a Bahá'í resident of Bandar Abbas, Mr. Ataollah Rezvani, was **murdered** on Saturday, 24 August 2013. Few details are known, but it seems that he was shot in the back of the head, and that his body was found in his car, near the railway station on the outskirts of the city where he lived with his wife and two children. Information received thus far evokes the possibility that his assailants had forced him to drive to that location. His body was discovered following a search, after he failed to return home.

It is certain that Mr. Rezvani's murder was religiously motivated. He was well known as a Bahá'í in Bandar Abbas, and was loved and respected by his friends and neighbours for his honesty and helpfulness. As a young man, he was expelled from engineering studies at university because he had been identified as a member of the Bahá'í religious community. Nonetheless, he came to be regarded as an expert in water purification, and his work took him to other cities. Recently, due to pressure and threats made by agents of the Intelligence Ministry, he was dismissed from his position and had to earn his living independently, selling water purification equipment.

For some time, Intelligence Ministry agents had also been pressuring him to leave the city. Even more recently, he started to receive menacing telephone calls from unknown individuals. It should be noted that, on several occasions during the past few years, senior local clerics have attempted to incite the population to hatred and intolerance in highly inflammatory sermons against the Bahá'ís of Bandar Abbas. Since the days of the Islamic Revolution, local members of the community have been subjected to all the forms of persecution and discrimination that continue to this day to be inflicted upon adherents of the Bahá'í Faith throughout Iran.

The Bahá'í International Community strongly urged the UN, civil society, and international public opinion to call the Iranian government to account for the impunity that shields those who attack Bahá'ís. The authorities must take all possible steps to bring the perpetrators of this crime to justice and to ensure that the Bahá'ís in their country are protected from those who incite and carry out violence against them.

Earlier this year, the Bahá'í International Community issued a publication with case studies and statistics documenting a rising tide of violence against Baha'is (see <http://news.bahai.org/story/942>). The report shows that attacks on Baha'is in Iran are engineered by government agents, actively encouraged by the authorities and the clergy, and that attackers are well aware that they will go unpunished.

The issue of incitement was included in this year's report to the Human Rights Council by the UN Secretary-General, which states:

26. An ongoing anti-Baha'i media campaign resulted in increasing attacks on its members and their properties. This national campaign that consists of Anti-Baha'is pamphlets, posters, seminars and the broadcasting of anti-Baha'i speeches on radio networks appears to be tacitly condoned by the authorities. In addition, anti-Baha'i

speeches reportedly delivered to different audiences including schools, youth organizations and the general public.<sup>12</sup>

Members of the Bahá'í community often receive threatening telephone calls, text messages and anonymous letters, based on the malicious accusations in the media. The government blocks Bahá'í websites, and Bahá'ís are prohibited from using any means of communication with the public, so they have no means of providing fellow Iranians with accurate information about their beliefs. As it is forbidden for them to associate with Muslims, they cannot offer assistance to their friends and neighbours or even express good will without being accused of acting “against the regime”.

An article published on 29 July 2013 by a national news agency aligned with the government of Iran cites a large selection of fatwas issued by Iran’s Supreme Leader, Ayatollah Ali Khamenei. We translate the title and introductory paragraph below:

**The latest fatwa of the leadership regarding the use of internet, satellite, business dealings with Zionist companies, overtime work, etc.**

Tasnim News Agency: The latest fatwas of Ayatollah Khamenei, the Supreme Leader and the source of authority for the Shia of the world, have been published; they include subjects such as satellites, e-commerce, business dealings with Zionist companies, Bahaism, psychic mediums, confiscated lands, overtime work, music, etc. (...)<sup>13</sup>

Some of the fatwas cited in the article are indeed new, but others are old. One is quoted as follows: “Association with Bahaism: Avoid any association with the perverse and misleading sect of Bahaism.” This is an old fatwa, discussed on the KHAMENEI.IR website in a section that presents a series of questions answered by the Supreme Leader. Ayatollah Khamenei clarifies various fatwas, including some that refer to *infidels and Tahárat* (cleanliness and purification according to Islamic religious laws). He is quoted as stating, *inter alia*:

All of the followers of the perverse sect of Bahaism are condemned to be impure [*najis*] and if they come in contact with anything, it is absolutely necessary [for Muslims] to practice the guidance related to purification...

All of the believers should resist the trickery and corruption of the misguided sect of Bahaism...

Avoid any association with the perverse and misleading sect of Bahaism.

They are najis and they are the enemy of your religion and what you believe in; therefore, my dear children, absolutely avoid them.

The recent publication of one of these instructions from the Supreme Leader – falsely presented by Tasnim as a new fatwa – raises serious concerns, particularly as it was issued one day before the inauguration of Iran’s new president. However, we are gratified that

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<sup>12</sup> See [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-48\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-48_en.pdf)

<sup>13</sup> available (in Persian) at: <http://www.tasnimnews.com/Home/Single/107422>

this matter received a great deal of media coverage and online attention, with expressions of support for the Bahá'ís from people around the world, including within Iran.

## 5. Conclusion

Reporting to UN human rights mechanisms often entails grouping violations by mandate (or by accepted UPR recommendations, as in this document), which may not adequately reflect the situation on the ground – particularly when individuals or groups are subjected to recurrent, relentless, multiple abuses. In 2011-2012, multiple violations struck Bahá'ís in Abadeh, Aligudarz, Bukan, Isfahan, Ivel, Khorramabad, Laljin, Mashhad, Parsabad, Rafsanjan, Ravansar, Semnan and Shiraz. The persecution was intense and mobilized a wide range of actors in some of these cities, including police, the courts, clergy, local bureaucrats and plainclothes agents, in addition to intelligence officials.

During the same period, however, many more people became aware of how intolerable the situation of Iran's Bahá'ís has become in recent years. Both inside and outside the UN, international condemnation of the Iranian government's dismal human rights record – and specifically its oppression of the Bahá'í community – has greatly increased. And the violations have been deplored by prominent people in countries throughout the world: Nobel Peace Prize winners, parliamentarians, religious leaders, theologians, academics, business and trade union representatives, lawyers, judges, writers, artists, filmmakers....<sup>14</sup>

The range and extent of the persecution is fully recognized by the relevant UN Special Procedures. In his March 2013 report, the Special Rapporteur on human rights in Iran devoted a long section to the situation of the Bahá'ís, stating:

### Religious minorities

59. The Special Rapporteur remains deeply concerned about the human rights situation facing religious minorities in Iran. Reports from and interviews with members of the Bahai, Christian, and Sunni Muslim communities continue to portray a situation in which adherents of recognised and unrecognised religions face discrimination in law and/or in practice. This includes various levels of intimidation, arrest and detention. A number of interviewees maintained that they were repeatedly interrogated about their religious beliefs, and a majority of interviewees reported being charged with national security crimes and/or propaganda against the state for religious activities. Several interviewees reported that they were psychologically and physically tortured.

#### 1. Baha'is

60. In its comments on the Special Rapporteur's report to the 67th session of the General Assembly, the Government asserted that despite the fact that the Baha'i faith is not a recognised religion in the country, its followers have equal rights under the law, and that they may not be prosecuted or imprisoned for adhering to their beliefs. However, it was also maintained that propagation of the Baha'i faith is in "breach of the existing laws and regulations" and that activities that constitute its proselytisation disrupt public order and may be limited in accordance with Article 18

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<sup>14</sup> see <http://news.bahai.org/human-rights/iran/iran-update/international-reaction.html>.

and 19 of the ICCPR. However, the Human Rights Committee emphasises that the teaching of religious beliefs are protected and that “the practice and teaching of religion or belief includes acts integral to the conduct by religious groups of their basic affairs, such as the freedom to...establish seminaries or religious schools and the freedom to prepare and distribute religious texts or publications.”

61. It has been reported that 110 Baha’is are currently detained in Iran for exercising their faith, including two women, Mrs. Zohreh Nikayin (Tebyanian) and Mrs. Taraneh Torabi (Ehsani), who are reportedly nursing infants in prison. It was further estimated that 133 Baha’is are currently awaiting summonses to serve their sentences, and that another 268 Baha’is are reportedly awaiting trial. Authorities reportedly arrested at least 59 members from August to November 2012, some of whom have been released. Several sources reported that since October 2012, authorities have raided the homes of at least 24 Baha’is and arrested 25 individuals in the city of Gorgan and its surrounding provincial areas, 10 of whom remained in custody at the time of drafting this report. It has also been reported that Baha’is in the northern city of Semnan have been the focus of escalating and broad persecution over the last three years. Baha’is in this city have allegedly faced physical violence, arrests, arson, and vandalism to their homes and grave sites. The majority of Baha’i-owned businesses in Semnan and the northern city of Hamadan have reportedly been closed.<sup>65</sup>

62. Members of the Baha’i community are reported to continue to be systematically deprived of a range of social and economic rights, including access to higher education. Informed sources have reported that authorities from three different universities expelled five Baha’i students in November 2012. Four of these students were reportedly offered continued admission if they denied and/or pledged to abandon their religious practices. The students were reportedly expelled for refusing the offer.<sup>15</sup>

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<sup>65</sup> <http://www.bic.org/bahais-semnan-case-study-religious-hatred>

Since Iran’s UPR, human rights violations against the Bahá’ís have been so numerous and extensive, they fully evidence the statement made by the Special Rapporteur on freedom of religion or belief (in October 2011) that Iran’s persecution of Bahá’ís is among the most “extreme manifestations of religious intolerance and persecution” in the world today. Among the statements of principle in the annual report submitted to the Human Rights Council by this Special Rapporteur in 2013, we noted the following:

23. (...) Freedom of religion or belief empowers all human beings to freely find their own ways in the broad field of religion or belief, as individuals and in community with others. They have the freedom, inter alia, to retain, adopt or change their religion or belief; to broaden their horizons by communicating with members of their own communities or with people holding different convictions; to hold religious ceremonies alone or with others; to educate their children in conformity with their own faith; to import religious literature from abroad and to network with co-religionists across State boundaries. Individuals also have the right not to be

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<sup>15</sup> The report (A/HRC/22/56, 77 pages) can be found at: [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-56\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-56_en.pdf)

exposed publicly in their religious or belief-related orientations against their will and to keep their convictions to themselves.

To this day, the Iranian authorities resolutely refuse to accord these rights and freedoms to all known members of the Bahá'í religious community.

This document has demonstrated that **the Iranian government has taken no measures of any kind to implement the UPR recommendations that it accepted, pertaining to the Bahá'ís.**

On the contrary: during the past three and a half years, **the situation of the Bahá'ís has steadily deteriorated, and the violations against them are now much more intense and severe than in 2010.**

Despite all its claims, Iran has shown no sign that it intends to cooperate with this (or any other) UN human rights mechanism.