

## Islamic Republic of Iran: Universal Periodic Review, second cycle

### Contribution concerning human rights violations against the Bahá'ís

1. The Islamic Republic of Iran has not taken any measures to implement the UPR recommendations that its government accepted four years ago, as concerns members of the Bahá'í religious community. The opposite is true, in fact: during the years after Iran's UPR in 2010, human rights violations against the Bahá'ís severely intensified throughout the country. A wide range of civil, political, economic, social and cultural rights were systematically abused, as detailed below.

2. In this contribution to the second cycle of the UPR, we will address the recommendations accepted by Iran at its first review that unquestionably apply to Iranian citizens who are Bahá'ís. These recommendations were made by ten different States: Poland (recommendation 9), Qatar (22), Denmark (42), United States (47), Germany (48), Denmark (49), Romania (50), Chile (103), Australia (117), New Zealand (118), Luxembourg (119), Australia (123). The wording of each can be found in the UPR Working Group report on Iran.<sup>1</sup>

### Recommendations concerning imprisonment and judicial issues

3. Recommendations 50, 117, 118, and 123 refer to court cases that concern Bahá'ís, including the seven former leaders who were on trial at the time of Iran's UPR. The authorities made no attempt to ensure that the trial of the former leaders 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 charges against these Bahá'ís, who were wrongfully convicted and are now serving 20-year sentences. Detailed information can be found at: <http://news.bahai.org/human-rights/iran/yaran-special-report/>

4. Many provisions of national legislation are ignored when intelligence officers arrest and detain Bahá'ís, and also when cases against members of the community are brought to trial. During 2011, the number of Bahá'ís in prison rose steadily for six months – from 57 in January to 103 in June – and then remained high, peaking in July (when 111 Bahá'ís were in prison) and again in September 2011 (when the total rose to 112). During 2012, over **180** Bahá'ís were arrested and the number incarcerated never went below 100, reaching **116** in August and again in November and December. As of December 2013 there were **136** Bahá'ís imprisoned in Iran. In addition, since 2005, intelligence officers have summoned well over 1000 more for interrogation without officially arresting them.

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<sup>1</sup> See 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, and Zoroastrians), so we do not include recommendations that use this term. We consider accepted recommendations that either specifically mention the Bahá'ís or cite “freedom of religion or belief” and/or Article 18 of the ICCPR, because its definition covers all individuals.

5. Grave cases of arbitrary arrest and detention were reported in 2013 in several cities including Kerman, where members of the community were detained for five to six months under highly stressful conditions in one of the “temporary detention” centres run by Iran’s intelligence services. One woman in her 50s was seriously ill, but the authorities denied her medical care, and her husband (67 years old) was kept in solitary confinement for over two and a half months. In Semnan in 2011-2012, local Bahá’ís were repeatedly harassed and intimidated by local intelligence officers, summoned for interrogation over and over again, insulted and threatened. During the same period, the authorities in Semnan rounded up and incarcerated all Bahá’ís previously released on bail or free pending appeal; three of the women were nursing mothers with babies and were incarcerated with their infants.

6. Other violations against those arrested since 2010 have included: arbitrary detention without charge for periods of up to three years; prison sentences served under very harsh conditions, in some cases inside Intelligence Ministry detention centres (which is illegal concerning sentenced prisoners); transfers and incarceration far from home and family, forcing relatives to travel long distances to visit their loved ones; periods of internal exile under severe restrictions and with no protection from physical assault; and bail demands so excessive as to constitute extortion.

#### **Recommendations concerning torture**

7. Recommendation 42 refers to elimination of torture and other forms of ill treatment. Intelligence officials carrying out arrests heightened their use of violence after Iran’s UPR. Similar to others who have been detained because their beliefs or opinions differ from those of the regime, many Bahá’ís were also ill-treated while under interrogation. In the past year, beatings were common, and some were subjected to incommunicado detention and/or solitary confinement during the interrogation period for a duration of up to 89 days. In 2012, one such victim was seated on a metal chair and was then repeatedly shocked with ice water until he lost consciousness. In a few other cases, including two reported to relevant UN Special Procedures in 2013, officials inflicted severe torture on Bahá’ís while questioning them.

#### **Recommendations concerning harassment, home raids and freedom of worship**

8. Recommendations 47 and 48 refer to upholding the constitutional provision guaranteeing freedom of worship and respect of religion. Starting in 2010, the authorities ransacked numerous homes and greatly increased their efforts to eradicate all the community events, gatherings and group activities that are, for members of the Bahá’í Faith, not only a social and cultural right, but also an integral part of their religious practice. Just recently, in October 2013, agents of the Ministry of Intelligence in Shiraz, with the collaboration of agents in Abadeh, raided the homes of 14 Bahá’ís. In each case of these forms of harassment, Bahá’í documents and books were confiscated. Article 23 of the Iranian constitution explicitly states that “the investigation of individuals’ beliefs is forbidden, and none may be molested or taken to task simply for holding a certain belief.” However, a book of worship is used as evidence to establish a belief system, clearly demonstrating that freedom of worship is not applied to the Bahá’í community. Bahá’ís

continued to be singled out for treatment inconsistent, not only with international law, but also with the legal standards normally applied to Iranian citizens.

### **Discriminatory policies related to housing**

9. Recommendation 49 concerns discriminatory policies with regard to housing. After Iran's UPR, confiscation and destruction of Bahá'í property continued. In April 2010, for example, farmland in Ghaemshahr was confiscated because Bahá'ís are not permitted to inherit property. In June 2010, homes belonging to some 50 Bahá'í families were destroyed in Ivel; all the Bahá'í homes in this village were eventually razed and the land cleared to erase evidence. A group of Bahá'í farmers in Kata were imprisoned in 2012 because they had continued to cultivate their own land after repeated official attempts to seize it (the court later convicted them of "forcible possession" of their own property). Throughout the country, plainclothes agents and others also persisted in attacking Bahá'í homes and cemeteries with total impunity. Other discriminatory policies and practices are detailed in section 5, below.

### **Incitement to hatred and violence**

10. Recommendation 119 refers to incitement to hatred against adherents of the Bahá'í Faith. This is a very important issue because the upsurge in human rights violations against members of this religious community since Iran's UPR was preceded and accompanied by efforts to incite hatred, intolerance and discrimination against them. Since 2010, some officials and members of the clergy, as well as government and State-affiliated media, conferences, publications, exhibitions, websites and other sources sponsored by officials or clergy, have publicly continued to engage in incitement targeting the Bahá'í Faith and its adherents. In Iran, they do so with total impunity (for details, see <http://news.bahai.org/story/861>). Most recently, the government broadcast a slanderous six part documentary called "Meet the Darkness" about the Bahá'í Faith.

11. The widespread vilification of the Bahá'í Faith and its adherents has incited violence against them, as well as increased harassment and intimidation from officials and plainclothes agents. A Bahá'í was murdered in Bandar Abbas in August 2012, and it was clear that this crime was religiously motivated. Violent attacks on Bahá'í homes, farms, shops, vehicles and cemeteries throughout the country were perpetrated with complete impunity during the years since Iran's UPR. In 2012, our office issued a publication documenting a rising tide of violence against Bahá'ís (see "Violence with Impunity: Acts of aggression against Iran's Bahá'í community" <http://news.bahai.org/story/942>). The report shows that attacks on Bahá'ís in Iran were engineered by government agents, actively encouraged by the authorities and the clergy, and that attackers were well aware that they would go unpunished. The government's refusal to hold accountable perpetrators who commit acts of violence against members of the Bahá'í community has signalled to those who are fuelled by these hate propagandas that they can commit such heinous crimes with impunity. In February 2014, another Bahá'í family was violently attacked and stabbed in their home in Birjand. No attempts have made to identify and arrest the masked assailant.

## **Protection of Children**

12. Recommendation 22 is regarding the implementation of measures that will promote and protect children's rights. In many cases reported since Iran's UPR, 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. In hundreds of incidents, young Bahá'ís were pressured to convert to Islam, obliged to use textbooks that denigrate and falsify their religious heritage, and singled out as their Faith was attacked; all who dared to respond were severely reprimanded. Inside two high schools in 2013, one Bahá'í student was assaulted, and four others were detained and interrogated by intelligence agents. There has been no measure set forth by the government of Iran to protect these children.

## **Other discriminatory policies and practices**

13. Although recommendations were set forth regarding ending all discrimination against Bahá'í young people, Iran insisted that no Bahá'í student was denied access to higher education due to their religious belief and therefore the recommendations were not accepted. As a result, the recommendations that Iran accepted at its first UPR did not specifically refer to a long-standing policy, promulgated by the Iranian government, that specifically discriminates against members of the Bahá'í community concerning the right to education (for documentation, see <http://news.bahai.org/story/575>). The authorities have taken no measures since 2010 to rescind or counter the application of this policy. On the contrary, in recent years, officials have implemented specifically discriminatory governmental guidelines and instructions in a much more methodical and comprehensive manner.

### **Regarding the right to education:**

14. Students identified as Bahá'ís continued to be denied access to public and private universities and vocational training institutes in their country. From 2011 to early 2013, there were at least two dozen additional expulsion cases involving the small number of Bahá'ís who had entered university without their religion being identified. Clearly, 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.

15. In May 2011, over a year after Iran's UPR, officials again launched a concerted attack on the Bahá'í Institute for Higher Education (BIHE), whose only objective is to meet the educational needs of young Bahá'ís that are denied access to university-level studies in Iran. Twelve BIHE administrators and teachers are now serving four to five year prison terms merely for having helped young members of their religious community to educate themselves and fulfil their potential. In 2011-2012, parents and students were subjected to harsh treatment and threats during questioning about the BIHE. The parents were warned that their homes would be expropriated if classes continued; the students were ordered to stop taking BIHE courses and told that they would never be granted access to higher

education in Iran as long as they did not abandon their faith and declare that they are Muslims.

### **Right to employment and livelihood**

16. After Iran's UPR, the Iranian authorities also intensified the application of discriminatory policies that deny members of the Bahá'í community the right to work and earn a decent living. In most cases, officials were 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 (for examples, see <http://news.bahai.org/story/884> and <http://news.bahai.org/human-rights/iran/semnan/feature-articles/economic-attacks>).

17. 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, both before and since Iran's UPR, have included harassment and intimidation (particularly of business owners and shopkeepers), refusal to issue or renew business and work 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 Bahá'ís, refusal of loans and other banking services, and (following the forced closure of a business) the seizure and sale of all merchandise by government officials. These policies and practises have affected hundreds of families since 2010. 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.

18. One very grave case involved 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 and other severe intimidation and harassment, forced termination of employment with denial of duly-earned benefits, and further forms of pressure intended to force the business and its factory to cease all operations.

19. During the past four years, the authorities have implemented discriminatory policies regarding employment in a much more methodical and comprehensive manner. Shops and other businesses were shut down in over 20 cities and towns throughout the country. In November 2012, governmental authorities sealed all the Bahá'í shops in and around Hamadan: a total of 32 shops and at least one warehouse. In Semnan from late 2011 to early 2013, officials shut down at least 30 enterprises – factories, shops, workshops, offices, etc. – putting over 110 people out of work (which was only one aspect of the intense persecution against Bahá'ís in Semnan, see: <http://www.bic.org/news/launch-special-report-documenting-persecution-bahais-semnan-iran>).

20. In this context, we would also recall that Bahá'ís throughout Iran are denied access to their own, rightfully earned pensions. In cases taken to court, the judgements have always gone against them. Court decisions have explicitly stated: “payment of pension to those individuals connected with the Bahá'í sect is illegal” [or an “unlawful act”].

## Conclusion

21. A brief contribution of this kind cannot adequately reflect the situation on the ground in the Islamic Republic during the years after Iran's UPR, particularly because members of the Bahá'í community in some localities were subjected to recurrent, relentless, multiple abuses. In 2011-2013, multiple violations struck Bahá'ís in Abadeh, Aligudarz, Babol, Birjand, Bukan, Isfahan, Ivel, Khorramabad, Laljin, Marvdasht, Mashhad, Nour, Najafabad, Parsabad, Rafsanjan, Ravansar, Sanandaj, Semnan, Shiraz Tehran, Tomekabon, Vilashahr, Yassouj, and Yazd. The persecution was intense and mobilized a wide range of actors in some of these cities and towns, including police, the courts, clergy, local bureaucrats and plainclothes agents, in addition to intelligence officials.

22. On 26 November 2013, Mr. Hassan Rouhani, president of Iran, released a draft Charter of Citizens' Rights. The Charter was posted, only in Persian, on the presidential website, and Iranian citizens were invited, for a one-month period, to offer comments on its provisions.<sup>2</sup> Unfortunately, in its present stage, the Charter represents an effort by the government of Iran to convey the impression that it is now committed to upholding the rights of its country's citizens. However, it continues to treat particular segments of the population as being outside the framework of constitutional protection and the various covenants on human rights to which Iran is a party.

23. The government of Iran should be made to understand that its treatment of the Bahá'ís will be regarded as a litmus test of the sincerity of its intention to safeguard the human rights of all its citizens. Unless the rights of all segments of society are guaranteed, no one can be assured that their own rights will not eventually be violated.

24. This documents demonstrates that, to date, 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 four 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.

25. Despite all its claims, Iran has yet to show any sign that it intends to cooperate with this or any other UN human rights mechanism.

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<sup>2</sup>Vice-President for Legal Affairs with the assistance of the Presidential Centre for Strategic Studies, *First Draft Charter of Citizenship Rights*, 26 November 2013 available at <http://www.president.ir/att/shahrvandi.pdf>. Web 10 January 2013