

Islamic Republic of Iran:

Non-implementation of accepted UPR recommendations

as concerns human rights violations against Iranian Bahá'ís

(September 2015)

The Universal Periodic Review (UPR) has been established with the understanding that member states would adopt its recommendations for the improvement of the human rights situation in their countries. States that accept part or whole of the recommendations during the UPR process are then trusted by the international community to implement those recommendations that they have accepted. Iran was reviewed for the first time in February 2010 and accepted a number of recommendations, while specifying that some others were either implemented or in the process of implementation. Iran was reviewed in October 2014 for a second time, but it regrettably chose to postpone making any commitments under the UPR to the March 2015 session of the Human Rights Council (HRC). The Report of the Working Group on the UPR of the Islamic Republic of Iran was issued in December 2014 and featured 291 recommendations submitted by Member States.

The position of the Islamic Republic of Iran concerning the recommendations was contained in an Addendum to the Report: 130 enjoyed support of the country in review, 102 were rejected and 59 were partially accepted. In the explanation of its understanding of “partially accepted” the Iranian government indicated that: “(...) it should be taken into account that full implementation of some of these recommendations is contrary to our constitution, basic laws and Islamic values. Needless to say, the course of action required to amend current laws need time and lengthy deliberations among different constituent parts in the legislative process. In passing new legislations, we need to take into consideration the view of all the relevant governmental and non-governmental actors (...)”.

During this review ten recommendations specifically concerned the situation of the Bahá'ís and two of those were partially accepted by the Islamic Republic of Iran. Using “facts on the ground” since the Bahá'í International Community’s February 2015 report, this document focuses on the implementation of the recommendations that were officially accepted by that country during its second review.

In this report, we have selected only those recommendations that unquestionably apply to Iranian citizens who are Bahá'ís. Regrettably, as we have demonstrated in previous submissions, since Iran’s first UPR review five years ago, and over six months into its second review, not a single recommendation that had been accepted by that country with regards to the Iranian Bahá'ís has been implemented. Sadly, by failing to abide by its commitments and assurances made to the international community, Iran has gravely undermined the whole UPR process.

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As previously mentioned, during the Islamic Republic of Iran’s second review two recommendations specifically concerning the situation of the Bahá’ís were partially accepted by the government. The first one was submitted by the Czech Republic and concerned freedom of religion and discrimination in the enjoyment of human rights:

Rec #138.131: Review its legislation and policy so as to ensure freedom of religion of persons belonging to religious minorities, including Bahá’ís, as well as protection of their other human rights without any discrimination.

Despite Iranian government officials’ rhetoric at international fora claiming respect for the rights of the Bahá’ís, facts on the ground clearly indicate that the reality of the situation of Bahá’ís is quite different. Despite the promising acceptance of new recommendations since the beginning of Iran’s second cycle of the UPR, violations of civil, economic, social and cultural rights of Iranian Bahá’í citizens have severely intensified:

- Today, there are 74 Bahá’ís imprisoned including the seven former leaders wrongfully convicted and sentenced to 20 years of imprisonment. From late 2004 to the present day, there have been over 816 arrests. In addition, since 2005, intelligence officers have summoned well over 1,000 more for interrogation, without officially arresting them.
- Bahá’í Institute for Higher Education (BIHE) administrators and educators have been imprisoned for four to five years merely for providing education to young Bahá’ís who are unrightfully denied the right to attend university in their country. No steps have been taken by the Iranian authorities to redress such unlawful acts towards individuals whose aim is to enable young Bahá’ís to fulfill their potential to contribute to the advancement of their country.
- Students identified as members of the Bahá’í community continue to be harassed, barred and expelled from universities and vocational training institutes. This academic year, when results of the National University Entrance Examination were made available, Bahá’ís have seen their applications rejected, on the grounds that their file was “Incomplete”. When they sought explanation, they were referred to the office of the National Education Measurement and Evaluation Organization in Karaj. Upon visiting this government office, they were shown only a section on eligibility for university admittance in the booklet on the National Entrance Examination stating that only Muslims and officially recognized minorities can be admitted into university. They submitted grievances to the Court of Administrative Justice to no avail.
- Officials harshly intensified the long-applied measures that deny adherents of this faith the

right to work and earn a decent living. The recent punitive closure of Bahá'í-owned shops in a number of Iranian cities by the authorities, after the proprietors shut their businesses to observe Bahá'í holy days, is merely the latest in a series of efforts by the government of Iran to destroy the economic livelihoods of its Bahá'í citizens. There have been at least 650 employment related incidents against the Bahá'ís in Iran since 2005, including 73 since our latest report in February 2015. Incidents varied from raids and summary closure of Bahá'í shops in several cities throughout Iran, to denying or revoking business licenses, to arson and vandalism, and in other cases preventing Bahá'í farmers from harvesting their crops.

- These and other such attacks on Bahá'í businesses have come amid government-sponsored campaign to incite hatred against Bahá'ís, marked by numerous anti- Bahá'í articles or broadcasts in state-run or state-affiliated media. In the period from January 2014 to May 2015, more than 6,000 individual anti-Bahá'í articles, videos or webpages were disseminated in official or semi-official media in Iran.
- Officials failed even to respect the rights of the deceased Bahá'ís. Bahá'í cemeteries have been closed in several different localities, and Bahá'í families continue facing difficulties in burying their dead at the Bahá'í cemetery in Isfahan, Shiraz, Sanandaj Semnan, Yazd, Ghazvin, Tabriz and Ahvaz.

The denial of human rights to the Bahá'ís was included in the Secretary General's report on the Situation of Human Rights in the Islamic Republic of Iran in February 2015:

Reports of incitement targeting the Bahá'í faith and its adherents, and the destruction of sites of religious and cultural value, such as cemeteries, are of serious concern. In a press statement issued on 4 September 2014, the Special Rapporteur on freedom of religion or belief urged the Government of the Islamic Republic of Iran to take urgent action to stop the destruction of a Bahá'í cemetery in Shiraz by Revolutionary Guards. He stressed that attacks on Bahá'í cemeteries were in violation of freedom of religion or belief, because they were an essential part of how people exercise and manifest their right to freedom of religion or belief and their significance goes beyond their physical presence¹

The situation of the Bahá'ís was also included in the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Ahmed Shaheed, to the Human Rights Council in March 2015:

Despite statements from high-ranking officials that Bahá'ís are entitled to citizenship rights, they continue to face discrimination, arrest, and arbitrary detention in connection with their religion. Between September and December 2014, security forces in the cities

¹ In August 2014, Revolutionary Guards in Shiraz reportedly vandalized and desecrated an old Baha'i cemetery, where approximately 950 Baha'is were buried. They allegedly erected a sign at the cemetery detailing plans to build a cultural and sports centre, a mosque, a library, a restaurant, a theatre and a child-care facility on the site. Remains that had been disinterred during initial excavations in April are said to have been thrown into a nearby trench. The commander of the Revolutionary Guards in Shiraz allegedly stated that the Baha'is had "no rightful place" in Iranian society and that the Islamic regime would not take note of a "foul, unclean and rootless sect". See joint press statement by the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on minority issues and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 4 September 2014.

of Isfahan, Tehran, Shiraz, Hamedan, Karaj and Semnan reportedly arrested at least 24 Bahá'ís, bringing the total number of Bahá'ís in detention to 100.

Reports indicate that Bahá'í students also faced discrimination in admission to the institutions of higher education in the 2014-2015 academic year. Shadan Shirazi, a Bahá'í student who took the national mathematics exam, and placed 113th out of an estimated one million students, was reportedly barred from registering at a public university. The Special Rapporteur invites Bahá'í students to submit complaints of violations of their rights to the High Council for Human Rights².

Incitement against Bahá'ís also appeared to continue this past year. On 15 December 2014, Ayatollah Bojnourdi, (a high-ranking cleric and a former member of Supreme Judicial Council) stated “we never say that Bahá'ís have the right to education; Bahá'ís don't even have citizenship rights.”³ After negative reactions, he later clarified that Bahá'ís who cooperate with Israel or advocate against Islam are not entitled to citizenship rights.⁴ They still have human rights but they cannot use privileges such as going to university in Iran.⁵

I. Right to Education

A. Higher Education

The second and last recommendation explicitly mentioning the Bahá'ís that was partly accepted by the Islamic Republic of Iran concerns access to higher education:

Rec #138.111: Adopt provisions to prevent all forms of discrimination against women and girls and, in particular, promote access to higher education for members of the Bahá'í community and other religious minorities (Chile)

While recommendation #138.111 was partly accepted by Iran, Bahá'í youth continue to be denied access to higher education in any form, from any source in Iran; and those few who are granted access are expelled from public and private universities and vocational training as soon as they are identified as Bahá'ís. According to a confidential memorandum dated 25 February 1991, drawn up by the Iranian Supreme Revolutionary Cultural Council (ISRCC) and signed by the Supreme Leader, “Bahá'ís must be expelled from universities, either in the admission process or during the course of their studies, once it becomes known that they are Bahá'í.”⁶ To this day, this memorandum is referred to as a justification of dismissal of Bahá'í students from Iranian universities.

² Semi-official news ILNA, 6 April 2014, <http://www.ilna.ir/news/news.cfm?id=157330>

³ International Campaign for Human Rights in Iran, 18 December 2014, <http://persian.iranhumanrights.org/1393/09/bojnoordi-bahais/>

⁴ Semi-official Tasnim News, 18 December 2014, <http://www.tasnimnews.com/Home/Single/592485>

⁵ Ibid

⁶ See the English translation at http://news.bahai.org/documentlibrary/575/5_TheISRCCdocument_en.pdf. The memorandum summarizes the steps taken towards the development of a new government policy on “The Bahá'í Question” before enumerating the actual policy initiatives that resulted from the process. On Education it specifies “1. They [Bahá'ís] can be enrolled in schools provided they have not identified themselves as Bahá'ís. 2. Preferably, they should be enrolled in schools which have a strong and imposing religious ideology.

During the 2014-2015 academic year, more than 300 cases of denial to higher education were reported. Some of the recent examples include:

- Four Bahá'ís in Isfahan have been deprived of higher education through the pretext that their university entrance examinations were "incomplete". Between 29 September and 30 October they have submitted grievances to the Court of Administrative Justice, to the Office of the Presidency and other authorities.
- A Bahá'í from Kermanshah received a notification stating that her examination file was "incomplete". Her father - who has been deprived of access to higher education for the past 32 years and whose residence was previously raided on 7 April 2011 - filed a complaint with the Court of Administrative Justice against the Ministry of Education, to no avail. The father subsequently wrote a letter of protest to the head of Court of Administrative Justice for reconsideration. He also wrote to the head of the General Board of the Court of Administrative Justice, requesting that the decision be reconsidered. Both the father and the daughter met with the renowned lawyer and human rights defender Mrs. Nasrin Sotoudeh and were advised to pursue their complaint through the Bar Association of the Kermanshah Commission on Human Rights. Both of them have written separate letters to the head of the Commission, requesting its assistance and guidance in pursuing the matter with the Court of Administrative Justice.

During this academic year, the government has taken new measures to prevent the Bahá'í applicants from obtaining nominal proofs of this denial. However, the government's denial of higher education to Bahá'ís is officially recorded in a publication issued by *Sanjesh*, the national academic evaluation and measurement organization of Iran's Ministry of Science, Research and Technology. Entitled, '*A guide to enrolling and participating in the national entrance examination for academic year 1394 [2015–2016]*'⁷, this 50-page publication presents detailed guidelines on the application process for students wishing to enter university in Iran, including criteria for admission. The first admission criterion of the publication by *Sanjesh* states as follows on page 4 under the heading 'General Requirements':

4.1. A belief in Islam or in one of the recognized religions (Jewish, Christian, Zoroastrian) in the Constitution of the Islamic Republic of Iran.

This requirement of Iran's own official admission document clearly states that access to higher education in Iran is restricted only to those who believe in Islam or in one of the three other recognized religions specified in Iran's Constitution – thus excluding those who believe in the Bahá'í Faith.

The second criterion reads as follows:

4.2. Not having enmity towards the regime of the Islamic Republic of Iran.

3. They must be expelled from universities, either in the admission process or during the course of their studies, once it becomes known that they are Bahá'ís."

⁷ See <http://www6.sanjesh.org/download/sar94/sarasari.pdf> 'A guide to enrolling and participating in the national entrance examination for academic year 1394 [2015–2016]' (in Persian) for the booklet

Note: cases of animosity include:

1. Taking arms against the Islamic Republic of Iran
2. Being affiliated with militant groups
3. Financially sponsoring militant groups, providing organizational support to them or being a member thereof
4. Promoting materialism or man-made religions

Note: teaching materialism does not necessarily mean speaking about it (materialism) but trying to promote it.

For years, Iran has been portraying the Bahá'í Faith as a "man-made religion" in the government-controlled and state-sanctioned media. Thus, this false categorization could also be used to exclude the Bahá'ís from higher education.

Although Islamic teachings and Article 23 of the Constitution strongly forbid the investigation of individuals' beliefs, it is clear that Bahá'ís are denied their fundamental rights solely because they are identified as such. Most Bahá'ís are identified early in the university application process and are not even permitted to complete the procedure. The third criterion in the General Requirements section of the booklet reads as follows:

4.3. Being free from moral corruption

Note: Moral corruptions include: addiction to narcotics and being involved in prostitution

Since its inception, the Islamic Republic of Iran has employed different tactics to prevent Bahá'ís from entering universities. In the previous years, for example, Bahá'ís were told that their files were "incomplete" when they tried to get university entrance examinations results. Whether flashed on a computer screen and printed out or delivered by letter, that message left a paper trail. During this academic year, the government has taken new measures to prevent Bahá'í applicants from obtaining nominal proofs of this denial. This academic year, when Bahá'í students sought their exam results online, many found the following written in front of their names:

"Please write to Post Office Box 3166- 31635 Karaj, or go to the National Education Measurement and Evaluation Organization, Inquiries Unit."

Several of them visited the above-referenced office in Karaj and made inquiries; they were all shown the Sanjesh publication. The new strategy clearly shows an effort by the government to deprive Bahá'ís of any document or paper that can be used to prove that they were denied higher education because of their religious beliefs. It is rather unfortunate that instead of finding a solution to extend university admissions to its Bahá'í citizens, Iran is constantly finding new ways to block their access.

The few students admitted without their religious affiliation being known are later expelled from university when it is discovered that they are Bahá'ís. Many have appealed such cases. Unfortunately, to this day, all appeals to relevant authorities and/or through the courts have been rejected; not a single expulsion case has ever been decided in favour of a Bahá'í. This past year, the pattern of such expulsion cases continues. It has become clear that the authorities are trying to ensure that Bahá'í students who began their studies during the few years that it was made possible are not allowed to graduate with a degree. The following represents only those cases that have been reported to us since our last UPR implementation report in February 2015:

- In February 2015, a Bahá'í from Najafabad was expelled from Azad University on the grounds that she was a Bahá'í. On 29 December 2014, at the start of the first term exams, she was

asked to go to the Admissions office of the university because she had entered “other” for her religion when she registered. She was asked to go to the security office and when she said that she was a Bahá’í she was told to leave.

When, on 17 January 2015, the young Bahá’í checked her student account online, she noticed that on the main page it said, “The process of your studies has encountered problems raised by the Security Office—refer to university Admissions Office.” She was told that she must change her response of “other” in the religion section. When she raised the problem with the director, he responded that Bahá’ís do not have the right to go to university. Despite her requests, the admissions office would not provide her with a written document giving the details of her expulsion.

The head of the Department of Education merely showed her the university admissions booklet, which states that only students from recognized religions are eligible to register for university. She then asked if she could have written documentation of the reason she cannot attend the university and received the following note by the head of the Department of Education:

“We hereby inform you that according to the guidelines for the enrolment of students (general rules), it is not permissible to enrol students from religions that are not specified in the Constitution.”

Sometime in May 2015 the Admissions Office of Azad University in Najafabad asked the Bahá’í to state in writing that her expulsion from university was not because of her belief. Then she was told that because she does not believe in Islam she was expelled. She insisted that she believed in Islam but they did not accept this from her.

The Bahá’í intends to pursue her case through the Court of Justice.

- A Bahá’í student in the field of music from the University of Beiza in Shiraz, was expelled, before the end of the semester, in March 2015. He was one of the best students.
- In April 2015 one female and three male students were expelled from their respective universities in Sari and Ahvaz because of their membership in the Bahá’í Faith.

In his March 2015 annual report to the Human Rights Council, the Special Rapporteur on the human rights situation in the Islamic Republic of Iran mentioned the situation of the Bahá’í students:

Bahá’í students also faced discrimination in the 2014-2015 national entrance exam for institutions of higher education. Mr. Shadan Shirazi, a Bahá’í student who took the national mathematics exam and placed 113th out of an estimated one million students, was reportedly barred from registering at the public university.⁸

B. Bahá’í Educators

Not only has the government of the Islamic Republic of Iran failed to implement the two above mentioned partially accepted recommendations which explicitly pertain to the situation of the Bahá’ís, but it has also failed to do the same with recommendations it has fully accepted. The following recommendation inviting the Iranian government to intensify its efforts in the area of the right to education, applies to all Iranian citizens, including the Bahá’ís.

Rec #138.271: Intensify and carry forward its efforts, particularly in the area of right to education (Democratic People’s Republic of Korea)

⁸ http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_70_en.doc

The Bahá'í Institute for Higher Education (BIHE) was created with the objective to meet the educational needs of young Bahá'ís who have been denied access to university level studies in the country for three generations.

Since May 2011, we have been documenting cases that concern educators and students arrested because of their participation in the work of the BIHE.

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.

Seven individuals are currently serving prison terms ranging from four to five years, solely because they had been providing courses to young Bahá'ís with the capacity and deep desire to continue their studies beyond secondary school. Educators, administrators or collaborators, these seven individuals have volunteered their time and skills to help young Bahá'ís with the advancement of their country.

In the case of the Bahá'ís, rather than intensifying opportunities for access to higher education as was recommended, Iran has intensified its efforts to deny higher education to students and considers the act of educating young people a criminal offence.

Many of the Bahá'ís involved in the concerted attack against BIHE staff in 2011 have been repeatedly harassed:

- On 1 March 2015, agents of the Intelligence Office in Shiraz went to the home of one of the 17 people who were arrested in a coordinated countrywide series of raids on 22 May 2011. The raid targeted 39 residences of people associated with the BIHE. After searching the house, the Agents confiscated the usual items (books, CDs, laptops, music, photos, papers, printers and documents of value).
- A Bahá'í couple is currently waiting to serve their respective five and four year sentences under *ta'zir* law⁹. One of the charges against them was “activities against national security through membership in BIHE”. They are expecting to be summoned to start their prison terms soon. In April 2015 the wife was summoned by telephone to serve her sentence, and on 5 May 2015, a hearing was held for the husband in the court of appeals. They were both volunteer lecturers for the BIHE and their home was raided on 22 May 2011 by agents from the Ministry of Intelligence. The wife was also one of the 17 Bahá'ís who were arrested in a mass raid on the 39 residences of people associated with BIHE on 22 May 2011. Their son, Bashir, was 17 months old at the time of the raid of their home. He is now five years old and the greatest concern of the couple is how Bashir will survive without them when they are serving their sentences.
(See also under Judicial Process)
- Two Bahá'í individuals were arrested on 22 May 2011 along with the other individuals in relation to their collaboration with the BIHE. Released on bail after being interrogated, they were sentenced, on 16 June 2012, to five years' imprisonment. Along with the individuals

⁹ Ta'zir (discretionary punishment): punishment with maximum and minimum limits determined by law and judge, respectively.

who were arrested in relation to their association with the work of BIHE, they remain imprisoned, and continue to serve their prison sentences. They have all requested conditional release, but they have been denied this on the grounds that this is not yet available to political and religious groups. They are thus continuing to serve their sentences.

C. Protection of children

Rec #138.110: Continue to take measures to strengthen mechanisms for the protection of the rights of women and children (Uzbekistan)

The fully accepted recommendation #138.110, submitted by Uzbekistan, asks Iran to take measures to strengthen mechanisms for the protection of the rights of women and children. Regrettably, new cases of discrimination and harassment against children have occurred in the face of a total absence of measures taken by the Iranian government to prevent or redress such acts. Bahá'í children continue to be identified and vilified at school:

- Recently the teacher of a 13 year-old Bahá'í in grade seven, who lives in Karaj, informed the class that the Bahá'í Faith is useless and that they should avoid it. The student told his teacher, Mr. Esmailzadeh, that what he was saying is incorrect. After the break, the student went to speak with the principal of the school, who said he would talk to Mr. Esmailzadeh. The principal told the teacher that he comes to school to teach not to talk about religion. Afterwards, the teacher complained to the student because he had spoken to the Principal. Mr. Esmailzadeh also said that some of his colleagues had defended him, saying that they will complain to the Ministry of Education. Since then, whenever the Bahá'í student wants to talk in his classroom, his teacher does not allow him to speak.
- In a school in Tehran, on 24 November 2014, a Bahá'í defended the Bahá'í Faith to her teacher. She was told that she has to move to a new school now that her fellow students know she is a Bahá'í.

The above two cases clearly suggest that Iran is not only neglecting taking measures to promote and protect the rights of Bahá'í children but it has taken steps to identify them and hamper their progress.

II. Judicial process

Iran has only partially accepted recommendations pertaining to the judicial process:

Rec # 138.185: Ensure decent conditions of detention (France);

Rec #138.205: Ensure the independence of the judicial system and ensure the rules of fair trial and the rights of the defence (France);

Rec #138.207: Allow all prisoners access to legal counsel during all phases of pretrial detention and the investigative stages of cases, and allow for legal counsel to advise the accused during these proceedings (United Kingdom of Great Britain and Northern Ireland);

Rec #138.210: Guarantee due process of law in all judicial proceedings (Germany)

The above mentioned recommendations call for the respect of due process of law and fair trial in judicial proceedings during all investigative stages of detention. Unfortunately, across the country Bahá'ís are not only prosecuted and sentenced on baseless grounds but regrettably their trials are conducted in an unfair manner.

Violations of the due judicial process are reflected in the charges that are brought against members of the Bahá'í community throughout Iran and the disproportional sentences handed down against them for the "crimes" they committed. The following cases include unlawful court trials and malicious sentences levelled against the Bahá'ís for simply exerting their freedom of religion. Subsequent to our February 2015 report:

- On 28 December 2014 about twenty-one Bahá'ís in Gorgan were, in groups of four, summoned to court for trial. Their homes had been raided in October 2012. When the first group of four presented themselves at court, the lawyer, a human rights activist, representing the Bahá'ís was only given 15 minutes to read 5,000 pages of court documents. Prior to the court hearing, in a meeting with representatives of the Ministry of Intelligence and a cleric, he had received threats. A second group of four Bahá'ís has been summoned to court, to be tried on 21 February 2015. On 25 April 2015, a court hearing was held for another group of Bahá'ís in Gorgan and Gonbad who were on bail awaiting trial.
- On the morning of 16 August 2014, the agents of the Ministry of Intelligence in Shahinshahr went to the home of a Bahá'í. After making a thorough search, they arrested her and confiscated books and other items. The Bahá'í was interrogated and released at the end of the day. Two court hearings were held: the first court hearing was related to the main accusations against her: propaganda against the regime, participation in teaching activities of Bahá'ísm and providing children's day care without a license. It was held on 26 January. The second court hearing, related to owning a satellite dish, was held on 27 January.
- Six Bahá'ís in Tabriz were sentenced to one year of imprisonment under Ta'zir law. These Bahá'ís have initiated a review with the court of appeals. They were charged with a) formation of groups opposing the regime, b) engaging in propaganda in support of groups opposing the regime by holding meetings related to teaching where decisions were made, and c) use of satellite equipment.
- After having their homes raided in Isfahan in January 2015, a Bahá'í married couple had two court hearings relating to Bahá'í books found in their home and the charges arising from that. In the first court hearing they were asked questions regarding the Bahá'í books and accused of teaching the Bahá'í Faith, which they denied. In the second hearing, they were charged with propaganda against the regime of the Islamic Republic and propaganda against national security. The wife was again asked about teaching and was accused of being a librarian for Bahá'í books. At one point, the prosecuting attorney said to her that if she wanted to be a Bahá'í, she must be a Bahá'í for herself and not teach. She said that she does not teach and asked what he meant by teaching, to which he said "just the fact that you speak to another Bahá'ís about Bahá'ism means that you are teaching and have promoted the Bahá'í Faith." In the end, the couple were fined 300000 tuman (approximately \$109 USD) and were told that, were they to provide bail of either an employment card or business license, they could be released, but otherwise they would be kept in the detention centre until the fine was paid. They were released on bail through a friend providing a business license.
- On 17 February 2015, a Bahá'í married couple was arrested after a search of their home and confiscation of the usual items. The couple was brutally treated, arrested, blindfolded and taken to the Intelligence Section of the Revolutionary Guards at the central Prison in Isfahan. The husband was taken for interrogation on Wednesday, 18 February. He was asked about Bahá'í feasts and devotional meetings and the participants in these gatherings—including Muslims, and Bahá'í books in his house. During the interrogations, the husband informed his

interrogators that his father, uncle, and three other Bahá'í farmers, had been arrested and executed by shooting in 1980 for their belief in the Bahá'í Faith. The agents told him "we will also shoot you". At the court, without meeting with a judge, the husband was given a paper indicating the charge against him as 'propaganda against the regime and national security and teaching' and that he was arrested while committing a crime. He responded by denying this in a written statement, which was signed by him and marked with his fingerprint. The couple was released following their signing of an undertaking. Their belongings were not, however, returned to them. When the husband picked up his clothes, he was asked to sign another paper indicating that he had received his personal items and that he was healthy and had not been ill-treated.

(See also under Arbitrary Arrest).

- On 17 February 2015, agents of the Revolutionary Guards of Isfahan visited a Bahá'í's home, where three Bahá'ís and two non-Bahá'ís were studying a Bahá'í book and reciting prayers. They were blindfolded and it seemed that the agents did not have a predetermined place to go to and stopped at a few places. The individuals were held in detention and interrogated the next day. The interrogator told one of the Bahá'ís that if they were praying they must have been holding a Feast. The agent then instructed her to write down the crime she had committed. She indicated that she and her friends were arrested when they were gathered together for praying, serving the community and learning virtues. The interrogator also asked about her education and why she had not attended university. She responded that because she was a Bahá'í, she was not allowed to and that she studies accounting online at BIHE. The interrogator asked her the names of those who attend the Bahá'í Feasts and the Bahá'í refused to answer since the question was unrelated to the accusations against her. Another question which was repeated during the interrogation concerned teaching the Bahá'í Faith. "Don't you know that teaching Bahá'ísm is a crime?" the interrogator enquired. She denied the accusation.

The three Bahá'ís were in detention for three days, during which time they were searched, fingerprinted and had their photographs taken. On the third day, 19 February, they were taken to a court in Kohandezh Street. At the court, the judge asked the Bahá'í if she acknowledged that she was guilty of teaching Bahá'ísm. She refuted the accusation but was asked to sign an undertaking that she would not participate in gatherings. She responded that she could give an undertaking not to teach, but that if someone asks her about the Faith she is obliged to respond. The judge wrote down her responses. She signed this paper together with a second undertaking that, when summoned, she would immediately return to the court, ready to provide bail equivalent to \$6908 USD. The second undertaking was given to the other individuals to sign as well.

(See also under Arbitrary Arrest).

- On 17 February 2015, four agents visited the home of a Bahá'í, showed her an illegible warrant, searched the house, confiscated the usual items, and arrested her. She was detained at the same place as the three Bahá'ís mentioned above. The Bahá'í was insulted, threatened and harassed by her interrogators during her pre-trial detention. She was told that she was accused of teaching Bahá'ísm. During the interrogation, a camera was set in front of her and her interrogator was behind her. The interrogators were particularly unpleasant, and repeatedly insinuated that she would remain in prison and give birth to a child there. Different interrogators questioned her and her fingerprints were taken. In another of the interrogations, she was asked questions verbally and once she had answered verbally she was required to write down the answers she had given. The Bahá'í realized that the questions she had to answer on paper were different from those she had answered verbally. During the second interrogation, the agent wanted her to write what he dictated to her. On the third interrogation, she was asked why she still teaches Bahá'ísm. The Bahá'í clarified that she did not teach her

Faith and the undertaking she had signed at the time of her previous arrest was not about teaching but about not challenging Islam—the Bahá'í said that as she believes in Islam she had been happy to sign it. She realized the next day when she and the others were taken to Kohandezh Public and Revolutionary Court that her charges had been changed from teaching Bahá'ism to propaganda against the regime. The arrested Bahá'ís were given a paper to sign that said that they were arrested by the Intelligence Office of Revolutionary Guards on the charge of propaganda against the regime. She was then released on bail.

She had already been arrested in a similar raid on 12 July 2011, and was released on a bail for 100 million tuman (approximately \$94,000 USD).

(See also under Arbitrary Arrest).

- A Bahá'í who was released from Adelabad Prison in Shiraz on 11 March 2015, having completed his six-month sentence, has been sentenced to further 18 months' imprisonment because of statements he posted on Facebook. The case is pending in the Court of Appeal.
- On 14 April 2015, a 66 year old Bahá'í from Mehdishahr was arrested and sent to Semnan Prison to serve his one-year sentence under ta'zir law. He appealed to the Court of Appeals, but on 5 February 2015 the Court dismissed his case. He was one of four Bahá'ís who were found guilty of “teaching against the regime” and “disrupting the mind of the public” and fined 100 million tuman (ca. \$100'000 USD) in January 2007. On 1 January 2010, he was arrested, then released on bail, and was sentenced again on 4 October 2011 to 1 year imprisonment.
- Between November and December 2013, agents of the Ministry of Intelligence in Mashhad went to the home of Mr. Manouchehr Kholousi. He was arrested, charged with propaganda against the Islamic Republic of Iran and activities against national security, and detained in Mashhad Prison. He was sentenced to six years imprisonment in December 2014. He has appealed the verdict, but has been sent to prison to serve his sentence in Vakilabad Prison in Mashhad.
- 20 Bahá'ís were tried in Yazd on 16 September 2013 and charged with “propaganda against the regime of the Islamic Republic of Iran” and “propaganda in support of groups or organizations opposing the Islamic Republic of Iran”. The Bahá'ís in question have reported that the Ministry of Intelligence in Yazd is trying to control them by summoning them for interrogation and forcing them to write undertakings not to disclose that they have been summoned. They are also being pressured to “collaborate” with the authorities by reporting on the affairs and activities of the Bahá'ís. In addition, it is reported that their lawyers were not informed at that time that the sentences had been handed down.

Nine of the above mentioned individuals, namely Mr. Fariborz Baghi, Mrs. Naghmeh Farabi, Mrs. Farahnaz Misaghian, Mrs. Shabnam Mottahed, Mr. Iman Rashidi Ezzabadi, Mr. Mehran Eslami Amirabadi, Mrs. Farah Baghi Asrabadi, Mr. Khosrow Dehghani Mohammadi and Mrs. Fariba Ashtari, have been sentenced under ta'zir law from two to four years' imprisonment with 1 year suspended. They were summoned to Yazd prison between February and April 2015 in order to start their sentence. In court, they were charged with propaganda against the regime and “assembly against national security”. They are awaiting the start of their sentences. Bail was placed at 40 to 80 million Tumáns.

In the case of two of the above mentioned individuals, their sentences by the Revolutionary Court in Yazd were pending for months in the Court of Appeal, before they received summons instructing them to present themselves by 14 December 2014, in order to begin serving their terms of imprisonment.

Currently, 74 Bahá'ís are in prison and many more are waiting to be summoned to start serving their unjust sentences. A Bahá'í married couple is currently waiting to serve their respective five and four year sentences under ta'zir law. They were both lecturers for the BIHE and their home was among the 39 homes that were raided on 22 May 2011 in a coordinated countrywide series of raids. Their son is now five years old and they are expecting to be summoned to start their prison terms soon. On 5 May 2015, a hearing was held for the husband in the Court of Appeal. It was reported in April 2015 that the wife was summoned by telephone to serve her sentence. However she has not yet responded to this summon. (See also under Bahá'í Educators).

The following cases include summons and imprisonments of Bahá'ís since our February 2015 report:

- Mr. Fardin Aghsani from Oroumieh, was taken to prison on 1 December 2014 to serve his term. In July 2014, he was sentenced to 6 years imprisonment under ta'zir law on charges of spreading propaganda against the government. In November 2014 the Oroumiyeh Court of Appeal reduced the six-year sentence to three years.
- Mrs. Sousan Tebyanian from Semnan, who had been sentenced to one year's imprisonment under ta'zir law, has gone to Semnan prison to begin serving her sentence of one year of imprisonment for engagement in teaching activities of the Bahá'í Faith and six months for membership in anti-regime groups.
- On 21 January 2015, Mr. Navid Haghghi from Arak and Mr. Shahram Fallah from Kerman were sent to prison to begin serving their sentence. They had been arrested in July 2012 following home raids and confiscation of personal items. The first was charged with being responsible for Bahá'í administration in the city of Arak, and the second was charged with propaganda against the regime, assembly and collusion against national security, and for being responsible for Bahá'í administration in the city of Kerman. In December 2013, they were sentenced to three and four years' imprisonment under ta'zir law and a one year suspended sentence.
- A further two of the accused individuals—this time from Yazd —were also ordered to present themselves in order to start their terms of imprisonment.
- On 3 February 2015, three Bahá'ís who had been released on bail in Tonekabon, Mr. Famarz Lotfi, Mr. Ziaollah Ghaderi, and Mr. Soroush Garshasbi, were summoned to court for judgment and immediately transferred to prison. They all have been charged with activities against the national security, and propaganda against the regime.
- On 18 April 2015, two Bahá'í residents of Marvdasht in Fars, Mr. Hasan Bazrafkan and another Bahá'í, went to Marvdasht prison to serve their one year sentences under ta'zir law.
- It was reported in December 2014 that a Bahá'í, who was imprisoned in Mashhad and released on 5 August 2014 on conditional discharge, was summoned to the Ministry of Intelligence, presumably for interrogation. She had been arrested by officers of the Ministry of Intelligence in June 2010 while she was playing music in an orphanage in Mashhad. She was detained in a detention centre for over one month. The Bahá'í was tried, on 20 December 2010, along with other Bahá'ís in a closed court session in Mashhad. They were sentenced to five years' imprisonment; they rejected the court's ruling and filed an appeal.
- In June 2015 a resident of Hamadan, Mr. Hamid Azizi, who had been sentenced to one year's imprisonment, went to serve his sentence. His home had been raided in October 2014 by

agents of the Ministry of Intelligence. He was then arrested but released on bail of a hundred million tuman (approximately \$37,253 USD).

Conditional release has been denied to six BIHE educators who fulfilled the requirement that prisoners serve a minimum of one third of their sentence before being eligible. Five of the six individuals had applied for conditional release, but the government denied them on the grounds that this type of release is not yet available to political and religious prisoners. In the case of the sixth educator, who remains imprisoned, his sentence being longer than those of the other BIHE educators, i.e. five years, had requested conditional release almost one year ago, approximately in July 2014, and has not received any response to date.

The sentences handed down against them remain profoundly unjust and constitute unlawful and discriminatory policies aimed at suffocating the progress of the Bahá'ís and their contribution to the advancement of their country.

In his March 2015 report to the Human Rights Council, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran emphasized the inadmissible conditions of detention of the Bahá'ís, using but a few examples among the numerous cases reported¹⁰:

Ms. Nasim Ashrafi, a Bahá'í citizen, was sentenced on 19 October 2013 to one year in prison on charges of "propaganda against the system" for organizing Bahá'ísm classes. Ms. Ashrafi is currently serving her one-year prison sentence in the women's ward of Evin Prison. She has suffered in the past from anaphylactic shock, and there are concerns that she could face the same issue again if not treated properly. Mrs. Ashrafi recently received temporary suspension of her sentence on medical grounds. However, she was re-arrested by security forces allegedly interrupting her treatment. Mrs. Ashrafi's disease and the lack of medical care while imprisoned have led the Medical Examiner's Office to issue an opinion stating Mrs. Ashrafi's imprisonment is physically "intolerable."

Ms. Shamis Mohajer, a Bahá'í reportedly imprisoned for organizing group prayers, is serving her one-year sentence for "propaganda against the system" in the women's ward of Evin Prison. When Ms. Mohajer reported to prison, she was undergoing a medical evaluation to determine if she had uterine cancer. The prison health facility reportedly does not have a gynecologist on staff, and authorities have allegedly refused to transfer Ms. Mohajer to a hospital for medical care. She, reportedly, also suffers from chronic uterine bleeding, fatigue, and weight loss. It was recently reported that authorities agreed to transfer her to a hospital for a surgical biopsy, but no date for such transfer has been set.

Mr. Amanollah Mostaghim is serving a five-year sentence at Rajae'i Shahr Prison for collaborating with the Bahá'í Institute for Higher Education.¹¹ He was allowed medical furlough to address issues related to his heart disease but was reportedly returned to prison in August 2014. His physician objected and reportedly stated that Mr. Mostaghim was physically unable to endure his sentence.

¹⁰ http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_70_en.doc

¹¹ <http://news.bahai.org/human-rights/iran/education/profiles>

Two further cases of unacceptable conditions of detention for Bahá'ís have been reported since our February 2015 report:

- Mr. Behfar Khanjani who is imprisoned in Semnan, was forbidden to have visitors for 15 days. He was imprisoned on 21 June 2011 to begin serving his 4 year prison sentence on the grounds of “formation and membership in groups that aim to disrupt national security” and for “engaging in activities against national security” and “spreading propaganda activities against the regime”. He was subsequently moved to the “Banishment area” in Semnan prison. He was granted medical leave various times due to his precarious health condition.
- Dr. Foad Moghaddam, who is detained in Gowhardasht prison, was hospitalized for one day on 18 January 2015 in order to receive medical treatment and with the insistence of agents has returned to prison. Since then he has been treated in prison for an ailment, and has returned to prison after necessary medical treatment. He had been arrested in 2011 because of his involvement with the BIHE. Released on bail and interrogated, he was sentenced, on 16 June 2012, to five years’ imprisonment.

A. The Judicial Process - The case of the Yaran

Rec #138.211 Ensure, in law and in practice, that all citizens are given fair trials based on the rule of law, as accepted in the 2010 UPR examination (Norway)

Recommendation 138.211, submitted by Norway, calls for implementation of the rule of law regarding fair trials, as accepted by Iran in its first UPR cycle. As it has been discussed in our February 2015 report, Iran has fully accepted and has indicated that two recommendations explicitly concerning the Yaran¹² have been already implemented or are in the process of being implemented.

Regrettably, and despite these promising reassurances, Iran has failed to implement any of the recommendations it has accepted during its first UPR cycle in 2010 and so far during its second cycle concerning the fair trial of the seven Bahá'í leaders that have been imprisoned since 2008.

As it has been discussed in our previous reports, in dealing with the case of the Yaran, Iran violated a number of ICCPR provisions including Articles 9(2), 9(3) and 14.¹³ By keeping the Yaran in prison for some 20 months before informing them of the charges against them, Iran violated Article 9(2) which requires that the arrested individual be promptly informed, at the time of arrest, of the reason for the arrest and the charges against him¹⁴ and Article 9(3) of the ICCPR which requires that anyone

¹² Rec # 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)

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

¹³ Art 9 (2) ICCPR, Art 9(3) ICCPR and Art 14 ICCPR

¹⁴ Also see Art 32 Iran Constitution: no one may be arrested except by the order and in accordance with the procedure laid down by law. In case of arrest, charges with the reasons for accusation must, without delay, be communicated and explained to the accused in writing, and a provisional dossier must be forwarded to the competent judicial authorities within a maximum of twenty-four hours so that the preliminaries to the trial can be completed as swiftly as possible. The violation of this article will be liable to punishment in accordance with the law.

who is arrested or detained on a criminal charge be promptly brought before a judge or other officer authorized by law to exercise judicial power and be entitled to trial within a reasonable time or else be released. During their trial, the Yaran were provided with limited access to their lawyers and the purported “evidence” that was used to prosecute them. As such, yet another international norm was violated, namely Article 14 of the ICCPR, which requires that the accused “have adequate time and facilities for the preparation of his defence and to communicate with counsel of his choosing.”¹⁵

There has been no change to the status of the seven Bahá'ís, they continue to serve their sentence. Visits are occasionally held with the former members of the Yaran, some in person and some through glass enclosures. It was, however, reported in December 2014 that security procedures in Gowhardasht were stricter than in the past, and telephone conversations were controlled.

On 5 May 2015, Mr. Jamaloddin Khanjani, a 80 year-old member of the Yaran, was admitted to Pars Hospital for required treatments and medical examinations. He was returned to prison on 13 May 2015.

In May 2015, Mr. Afif Naimi, another member of the Yaran, was deemed to require constant monitoring by an attending physician. He has been hospitalized a number of times, and then returned to prison after each treatment.

In Recommendation 138.211, Norway recommended that Iran ensures that all citizens are given fair trials based on the rule of law, consistent with the recommendations it had accepted during its first review. As set forth above, Iran has neither been transparent in conducting the trial of the Yaran, nor has it complied with its commitment to the ICCPR, international norms, or their own legal procedures set forth in the Iranian Constitution. As such, it is quite disconcerting to note that five years since the beginning of Iran's first UPR cycle and six months into its second review that Iran persists in denying the seven Bahá'í leaders with the protections enshrined in its own Constitution, Penal Code and in the International Treaties it has ratified.

Section 10 of the new Islamic Penal Code states that whenever a judgment has not yet been pronounced in a case, and the penalty for the offense is less than the sentence at the time the act was committed, the presiding judge has to take the new law into consideration in issuing the sentence. According to Mahnaz Parakand, an attorney and human rights defender, under Section 134 of the 2013 Islamic Penal Code, in multiplicity of offenses cases although the judge is required to issue independent sentences in regards to each individual offense, however in the execution phase only the punishment for the most severe sentence applies. This means that the concept of « aggregation of punishment » does not apply in the execution phase under the new Islamic Penal Code.

Moreover, under the 2013 Islamic Penal Code, those who have been convicted, under section 47 of the old law, of a multiplicity of offenses and have received heavy sentences should only serve the greater sentence under the new law. The seven leaders of the Iranian Bahá'í community have been sentenced to 20 years for committing two offenses under section 47 of the old law: first, they have been sentenced to 10 years for creating a group aimed at overthrowing the Iranian government; then they have also been sentenced to 10 years for espionage - totalling 20 years from 2008. If the new

¹⁵ Art 14 ICCPR

2013 Penal Code is applied, only one of the two sentences must be applied against them. The new penal law, if applied, could help expedite their release and enable their parole.

Finally, in regards to imprisonment sentences, the ordering court can issue parole with the recommendation of the prosecutor or the implementing judge for those who were sentenced to more than 10 years of imprisonment and who have served at least half, and in many cases one third, of their sentences. Therefore, if the sentence of the Bahá'í leadership is reduced from 20 years to 10 years, they could be released on bail after three years and a few months. Given that more than seven years have passed since their imprisonment and they have already served more than one third of their sentence, they are eligible for conditional release. If the new law is not used in their case, they have to serve five more years in order to qualify for this release. Apparently however the new Islamic Penal Code does not respect the rights of the Bahá'í prisoners.

Detailed information about the above case can be found in a report available at: <http://news.bahai.org/human-rights/iran/yaran-special-report/>.

III. Right to Employment

Rec # 138.88: Continue its national policy to promote equal opportunities and treatment with respect to employment (Sri Lanka)

Barring Bahá'ís from higher education is only one aspect of the government's efforts to exclude and impoverish them. The fully accepted recommendation 138.88 regrettably, has, not been implemented since our last report. The Iranian government's discriminatory policy that denies Bahá'ís the right to employment and education has been carried out since the very inception of the Islamic Republic. This policy is set out in a 1991 government memorandum on "the Bahá'í question" prepared by the Supreme Revolutionary Cultural Council and approved by the Supreme Leader. The policy document specified that "employment shall be refused to persons identifying themselves as Bahá'ís." These instructions have been implemented ever since, throughout the country. Tens of thousands of Bahá'ís have been deprived jobs, pensions, and business and educational opportunities, a fact that is being systematically denied by the Iranian government.

Since our last report, Iranian authorities have greatly intensified their discriminatory policies and practices to deny members of the Bahá'í community the right to work and earn a decent living. Recently Bahá'í-owned shops have been closed and vandalised in a number of Iranian cities by the authorities, after the proprietors shut their businesses to observe Bahá'í holy days.

On 14 April 2015, a Bahá'í was summoned by telephone to the Ministry of Intelligence Office in Sari, and interrogated for four hours. The focus of the questions posed by the Ministry of Intelligence agent was solely on identifying Bahá'ís in neighbouring localities, who are physicians, builders or business owners capable of generating good incomes, or who are employed in the private sector, such as clinic receptionists, etc. This clearly indicates the government's policy to identify Bahá'ís and discriminate against them.

Since the inception of the Islamic Republic of Iran, members of the Bahá'í community have been banned from work in the public sector. Incidents varied from raids and summary closure of Bahá'í shops in several Iranian cities, to denying or revoking business licenses, to arson and vandalism. Not satisfied with this, the government in an attempt to put economic pressure on the Bahá'ís has entered the private sector by harassing and intimidating business owners and shopkeepers. They

have also refused to issue and renew business licences, sealed off premises and following forced closure of businesses seized and sold all merchandise.

In most cases, officials are implementing a 2007 government policy memo issued by the Public Intelligence and Security Force (NAJA) instructing the enforcement of the exclusion of Bahá'ís from 25 specified trades and any work that could provide them with more than a minimum wage.¹⁶

Authorities throughout the country continue to use harassment, intimidation and false accusations to shut down or impede the activities of tens of thousands of Bahá'í-owned businesses. Bahá'ís throughout Iran are denied access to their own rightfully earned pensions. The homes and work places of Bahá'ís are frequently searched and raided and their owners summoned and interrogated. The following represents only those cases that have been reported to us since our last UPR implementation report in February 2015:

- In December 2014 in Isfahan, the home of the father of a Bahá'í student (whose architectural design won first prize in a competition to find a design to beautify the main entrance run by the Industrial University of Sharif) was raided and his place of work was sealed. It was clear from what was said to his parents during the search that the agents were aware of the student's academic achievements and his success in the prestigious competition.
- In January 2015 four Bahá'í opticians in Marvdasht, two shopkeepers from Kashan and one shopkeeper from Aligoudarz were summoned for interrogation to the Public Places Supervision Office (Amaken)¹⁷ responsible for the enforcement of accepted moral codes in places of work and other offices.
- On 8 April 2015 agents of Amaken closed and sealed a store in Kashan owned by a Bahá'í who distributes optical lenses and eyeglasses using a false pretext. The owner was detained for three days and released after providing collateral.
- On 16 April 2015 the grocery store of a Bahá'í in Khuzestan was sealed by the authorities. The only reason given was that the owner was a Bahá'í.

In the recent months Iranian authorities have intensified their discriminatory policies and practices towards members of the Bahá'í faith through different measures of economic disruption. In many cities the local authorities sealed Bahá'í-owned shops giving spurious reasons for doing so.

On 25 October 2014 agents of the Amaken in Kerman sealed 80 shops of the Bahá'ís in Kerman, Rafsanjan and Jiroft under the pretext that the shops had been closed during the Bahá'í holy days (23 October and 12 November). In November 2014, twenty days after the businesses of the Bahá'ís in the cities of Kerman, Rafsanjan, Jiroft and Bam had been closed the authorities continued to threaten those whose businesses that had been shut down. The business owners in Rafsanjan continued in their efforts to fight the obstructions put in their way by various government offices like the Public Places Supervision Office, the Finance Department and especially the municipality when obtaining new business licenses. The shop owners decided that if the authorities would try to

¹⁶ Bahá'í International Community, *The Bahá'í Question – Cultural Cleansing in Iran*, September 2008, (pgs 86-87) available at <http://www.bic.org/sites/default/files/pdf/TheBahaiQuestion.pdf>

¹⁷ The Public Places Supervision Office (Amáken) is reportedly responsible for the enforcement of accepted moral codes in places of work and other offices.

separate them by giving one group more lenient conditions, they would refuse to have their businesses unsealed, would stand by their friends and insist that everyone be given the exact same conditions.

Subsequently, after continuous efforts by the owners, some of the shops in Rafsanjan have been permitted to reopen. However, as in the case of shop closures in Kerman, the shop owners in Rafsanjan were required to sign undertakings to “promise to close my business place according to the law and calendar of the country and will observe my religious holy days in coordination with the Public Places Supervision Office and the Trades Union Council.”

The following represents only those cases that have been reported to us since our last UPR implementation report in February 2015:

- In June 2015 agents of the Ministry of Intelligence and Public Places Supervision Office in Arak and Aligoudarz summoned the Bahá'í shop owners and questioned them about the Bahá'í Holy Days and the expiration dates of their business licences.
- On 18 November 2014 four shops in Nashtarud and Tonekabon, belonging to two Bahá'ís were sealed by Agents of the Public Places Supervision Office (*Amaken*) a few days after two Bahá'í Holy Days (23 October and 12 November). The authorities also visited 16 other shops belonging to Bahá'ís with the intention of sealing the businesses but did not succeed because they lacked a warrant. The Bahá'ís immediately went to Sari, capital of the province, and tried to meet with the governor general, but were not successful. They returned to Tonekabon and met with the local governor to inform him of the incident. Thereafter they visited the Office of Industries and Mines in that city and sought their assistance. The person in charge of that office contacted the Public Places Supervision Office by telephone and asked about the reason for the closure of the shops. The response was, “The Bahá'ís closed their shops with prior coordination (between themselves). This action is legally considered against national security.” The individual from the Office of Industries and Mines responded, “We too close everything on Tasua and Ashura with prior coordination; is it also considered against national security?” He then encouraged the Bahá'ís to visit the public prosecutor’s office which they did and explained the situation to him. The prosecutor said “such actions have to be approved and agreed by me, whereas I am unaware of what has happened.” After preliminary investigations it became apparent that the warrant had been prepared illicitly as the official stamp included on it was clearly not authentic. The prosecutor in Tonekabon suggested that the Bahá'ís file a complaint against the agents of the Ministry of Intelligence so that their case would be investigated. In the evening of that same day agents of the Public Places Supervision Office quietly unsealed and opened the shops.
- On 21 April 2015 — a Bahá'í holy day — the Office of Amaken sealed a number of shops in Mazandaran and Kerman provinces.
- A further eleven shops in Rafsanjan, seven shops in Kerman and six shops in Sari were sealed on 29 April 2015 — another Bahá'í holy day.

On 24 May 2015 the agents of the Public Places Supervision Office in addition to the six shops that they had already closed in Sari, sealed off another 11 shops because they had not opened for business on Bahá'í Holy Days. Since April 2015 the following incidents occurring in Mazandaran province indicate the existence of systematic and coordinated plans to impose further restrictions on the Bahá'ís there:

- The Public Places Supervision Office’s officials in Sari and Babol have recently been asking Bahá’ís who go to that office to renew their business licences to sign an undertaking to the effect that they will not close their shops on Bahá’í Holy Days and that even in an emergency they need to obtain permission from the Public Places Supervision Office to be able to close their stores.
- Bahá’ís in Kerman have pursued the issue of the shop closings by visiting in person or submitting letters to relevant offices:
 - Kerman business owners whose shops were closed for Bahá’í holy days in April, having visited Office of Amaken, went to the Governor’s Office and the Provincial Governor General to resolve their issue. When enquiring they were told that as they had a warrant from the judiciary they would have to go to the Justice Administration and see a specific judge. When they went to see the judge they were told to first specify their trades. After a lengthy discussion, the judge told them to get an order from Office of Amaken. When the Bahá’ís asked what they should do regarding the sealing of their shops, the judge responded that the shops could be sealed for at least 10 days and they would also have to sign some kind of an undertaking. On 10 May 2015 the Bahá’ís returned to the Office of Amaken and later to the Ministry of Intelligence Office where they were told their office had nothing to do with their issue and that it must be resolved at another place. An officer expressed annoyance asking why the Bahá’ís had complained against them to the Justice Administration saying that it is the Bahá’ís who have committed the illegal act. The officer at the Office of the Ministry of Intelligence asked the Bahá’ís to go to the Office of Amaken in order to give an undertaking pledging not to close their shops except on official holidays. The shop owners insisted that they could not keep their shops open on Bahá’í Holy days and refused to sign the undertaking. At this point, the Intelligence officer said harshly “If you do not cooperate your business licences will be cancelled.” Since then various authorities’ treatment of the Bahá’ís have become more aggressive and have generally tried to avoid accepting responsibility.
 - On 25 May 2015 when a number of Bahá’í shop owners from Kerman and Rafsanjan went to the Office of the President they first asked for an appointment to visit the Office of Hujjat’ul-Islam Younesi, special assistant to the president on ethnic and religious minorities affairs. Permission for a visit was not granted and no response was received.
 - The Bahá’í shop owners then went to the President’s Office of Public Affairs and after going through the initial steps and submitting a letter to the person in charge their complaint was very carefully reviewed by the staff in the office. It was suggested that the matter be referred to the headquarters of the Islamic Republic of Iran Police or the Office of the Supreme Leader. Having received this advice the staff refused to accept the letter. It should be noted that the shop owners from Rafsanjan have followed the advice given to them and sent letters via Tipax¹⁸ to the two offices suggested. They have of course also pursued the matter in person.

Bahá’ís are prevented from being promoted in certain types of professions and have been denied membership or presidency in their related trade. Their membership in syndicates and trade unions, their participation in exhibitions and becoming well-known exporters, importers and any other type of major distributors of any goods is stifled. They are frequently dismissed from their work as soon it

¹⁸ [Tipax: A courier company similar to Federal Express]

becomes known that they are Bahá'ís and experience difficulties in obtaining business licences. The following represents only those cases that have been reported to us since our last UPR implementation report in February 2015:

- Two music teachers were dismissed from their jobs in Babolsar for being Bahá'ís as a result of pressure placed on their superiors by the local office of the Ministry of Intelligence.
- Two Bahá'ís were dismissed from their position as music teachers in Sari because they were Bahá'ís. The dismissal came about at the instigation of the Intelligence Office. One of the two individuals had already been arrested on 22 November 2008 and charged with “propaganda against the regime.”
- Three other Bahá'í music teachers in Sari were summoned to the Intelligence Office and were warned to stop their educational activities. One individual who was teaching in two institutes was dismissed and the other two had already been the victims of persecution for their beliefs, the persecution included house raids, confiscation of personal belongings and physical assault.
- It has been reported in June 2015 that a resident of Kata village tried for the first time to obtain a business licence for selling hygiene products in a store she had opened in her backyard. She was told that it was illegal for her to have a shop in her backyard and thus she could not get a business licence. As a result, she moved her shop to the centre of the village and again applied for a licence and payed all the fees required. The licence was refused. When she asked why the licence had not been granted she was told that “It’s because you teach the Bahá'í faith in your store.” She responded that the Bahá'ís have served in the army, have been imprisoned and martyred but they cannot get a licence to work and make a living. A few days later the police visited the village and told her that if she did not get a business licence they would close her shop. She then went back to the Public Places Supervision Office and spoke to the head of the Office via a telephone in the waiting area. He told her that he could not grant a business licence to the woman because of a government circular. When she asked to see the circular he said that it was not possible. She asked what she should do to which he responded “go and be a shepherd or a carpet weaver.” He then became angry and told her to go away. The Bahá'í returned to her shop and continued working. However, on the night of 02 May 2015 the shop was set on fire. Members of the Bahá'í family which owns the building were asleep above the shop, on the top floor. If they had not woken in time they could well have lost their lives.
- A Bahá'í owning a bookbinding workshop in Vilashahr, Isfahan has been banned from renting the second floor of his house to non-Bahá'í tenants and has been told that he must not renew his contract with the sitting tenants when their lease expires. The rationale behind this, given by the agent of the Ministry of Intelligence, was quoted to be: “with your good conduct you attract them, and then you infuse your religious beliefs into them. As a result they become Bahá'ís and then their families become Bahá'ís.” His shop had been closed by agents of the Ministry of intelligence in November 2014.
- On 23 May 2015, at 6:30 pm, an agent from the Public Places Supervision Office and two agents from the Ministry of Intelligence Office in Isfahan visited the business premises of a Bahá'í, asked to see his business licence and took down information from it. The agents also asked him many questions about the kind of Bahá'í activities he carries out, the Bahá'í meetings in which he participates, his monthly-earnings and the number of his bank account. When the Bahá'í asked their reasons for collecting such information, the agents responded

that the instructions to do so had come from the top. Subsequently the agents went to the shops of other Bahá'ís and took those individuals who did not have a business licence to the Public Places Supervision Office and spoke to them about teaching the Bahá'í faith.

IV. Attacks on Property, home raids and eviction

Rec #138.114: Strengthen measures aimed at the protection of religious minorities, in accordance with articles 13 and 14 of its Constitution (South Africa)

The recommendation #138.114 submitted by South Africa invited the government of Iran to strengthen measures aimed at protecting religious minorities. Regrettably, Iran has not only failed to implement such measures but it has carried out a systematic and wide spread campaign to harass and suffocate the country's biggest religious minority: the Bahá'ís.

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.

Iran relies on constitutional provisions to criminalize legitimate freedom of expression, association and assembly of members of the Bahá'í Faith.

Article 13 of the Iranian Constitution stipulates that Zoroastrian, Jewish and Christian Iranians are the only recognized minorities who are free "within the limits of the law" to perform their religious rites and ceremonies and to act according to their own canon in matters of personal affairs and religious education. Since religious practices are effectively limited to these three religions other religious minorities are essentially stripped of the freedom to practice their religion. This includes the freedom of expression, association and assembly under the Iranian Constitution. As such, 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.

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 applies to all who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran."¹⁹ This conditionality in Article 14 justifies persecution of non-Muslims who are judged to be engaged in conspiracy or activity against Islam. Since belief in the Bahá'í Faith is considered heresy 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 bring conspiracy charges against members of the Bahá'í Faith.

In our previous reports we detailed the confiscation of farmland and the destruction of many Bahá'í homes in 2010 and attacks against Bahá'ís in 2011. These attacks were directly related to disputes over confiscated land and recent confiscations involving farmland in several different provinces,

¹⁹ Art 14 The Constitution of the Islamic Republic of Iran states that "In accordance with the sacred verse 'God does not forbid you to deal kindly and justly with those who have not fought against you because of your religion and who have not expelled you from your homes' [60:8], 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 applies to all who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran."

including a group of several Bahá'í farmers in Kata imprisoned in 2012 because they continued to cultivate their own land after repeated official attempts to seize their property. Their properties have been attacked and they were all subject to forcible seizure of farmland. At their trial, the court convicted them to "forcible possession" of their own farmland, they have been required to return it and were sentenced to six months in prison. The five Bahá'ís claim to be wrongly accused and are in the process of appealing the case. The following cases have been reported to us:

- On 15 December 2014 in the Village of Kata 115 trees belonging to a Bahá'í were cut down during the night. On 2 January 2015 the building on the property was demolished, its water pumping station dismantled and six more trees were felled. The Bahá'í went to the local police station and filed a complaint to bring this incident to the attention of the authorities. He is in the process of following up the matter. The case was due to be heard at the court in Dena, on 17 January 2015.
- On 11 January 2015 in the Village of Kata the woodshed of a Bahá'í was set on fire. The fire was contained and then extinguished with the help of his neighbours.

Additionally, the right to property is also totally disregarded by intelligence agents who search Bahá'í homes and/or workplaces. They have seized everything related in any way to the Bahá'í Faith i.e. books, music, photos, documents, CDs, and computers, amongst other things.

- On 29 January 2015 agents of the Ministry of Intelligence raided the home of a Bahá'í in Shiraz and confiscated the usual items.
- On 17 February 2015, agents went to the home of two Bahá'ís in Kerman who had two non-Bahá'í visitors. The home was searched and the usual items were confiscated.
- On Thursday 26 February 2015 in Shiraz agents of the Intelligence Office went to the home of a Bahá'í and his mother with a search warrant and confiscated their Bahá'í books, computer and other usual items.
- On 11 March 2015 and 16 March 2015 respectively, the homes of two Bahá'ís in Shiraz were raided by agents of the Intelligence Office. The usual items were confiscated and the two individuals were made to sign an undertaking to go to the Intelligence Office when summoned by telephone. To date the homes of more than 20 Bahá'ís in Shiraz have been searched and their belongings confiscated. Most of them are teachers in Bahá'í children's classes.
- An increasing number of persecutions relating to the property of a Bahá'í family in Semnan were reported in June 2015 these include tight control over the movements of individuals, gun shots at night, electricity being cut off, the transport of fruits during harvesting season being blocked and the water supply being reduced. In addition, it was reported that on 19 April 2015 exactly six days after the arrest of a Bahá'í an announcement was placed on a building of his that was under construction saying that it would be levelled to the ground after 48 hours. The demolition work which started on 22 April 2015 was brought to a halt by the efforts of a friend and a lawyer, and a complaint to the Supreme Court. The building remains half demolished.

V. Bahá'í cemeteries and burial rights

Rec #138.221: Ensure the freedom of religion and belief for all citizens of Iran (Romania)

Since Iran's UPR, Bahá'í cemeteries have been demolished in several cities throughout Iran; this act is contrary to Iran's own laws which requires that the destruction of a cemetery only be carried out upon an order.²⁰ Moreover Bahá'ís have been prevented from burying their deceased in three different cities in the country.

It was previously reported that Revolutionary Guards began demolishing the old Bahá'í cemetery in the city of Shiraz, where approximately 950 Bahá'ís are buried. In early May 2014, excavations began in the western part of the Bahá'í cemetery of Shiraz and the remains of those who were disinterred were moved into a nearby trench. The foundations of a new building have been laid and flooring is gradually underway. Among those buried in this cemetery are the ten women who were cruelly hanged in 1983 for belonging to the Bahá'í Faith.

In November 2014, a Bahá'í who was following up on the destruction of the Shiraz cemetery, visited the Office of Supreme Leader in Tehran and asked to meet with him. Once agents realized he was a Bahá'í, he was insulted, treated rudely and was asked to leave the premises. However, the Bahá'í insisting that he was an Iranian citizen and had the right to meet with the leader, forced the clerk to register his letter. In response to his enquiry, he was summoned to the Ministry of Intelligence Office in Shiraz and the letter from the Office of the Supreme Leader was read to him.

The content of letter stated that his three letters had been reviewed by experts and since he does not have any family buried in the old cemetery of Shiraz, he is not eligible to pursue his complaint. It was further said that if he proceeds with his complaint, his action will be considered a disruption in the government and he will be prosecuted. The agent of the Ministry of Intelligence obtained an undertaking from the Bahá'í that he will not pursue his complaint any further.

On 4 September 2014 three Special Rapporteurs issued a joint statement expressing their dismay with the excavation work at the Bahá'í cemetery of Shiraz and asked the government to take urgent action to stop the exaction.²¹ Mr. Heiner Bielefeldt, the Special Rapporteur on freedom of religion or belief noted that "cemeteries, like places of worship, are an essential part of how people exercise and manifest their right to freedom of religion or belief. Their significance goes beyond their physical presence." According to Mr. Bielefeldt, "attacks on cemeteries are unacceptable and are a deliberate violation of freedom of religion or belief."

The destruction of the Bahá'í cemetery of Shiraz was also mentioned in the Special Rapporteur's latest report on the situation of human rights in the Islamic Republic of Iran to the General Assembly: "The destruction or closure of religious sites such as cemeteries, prayer centers and churches continues. In May 2014, officers from the Islamic Revolutionary Guard Corps demolished a Bahá'í cemetery in Shiraz, the appeals from the community and rights groups notwithstanding."²² Furthermore, the Report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran, states that:

Reports of incitement targeting the Bahá'í faith and its adherents, and the destruction of sites of religious and cultural value, such as cemeteries, are of serious concern. In their comments on the present report, the Iranian authorities pointed out that burial in the cemetery had been banned since 1981 and that a substitute cemetery had been designated for Bahá'ís in Shiraz. They added that

²⁰ Municipality Article Commission 9. [*Commission e Madeye 9*]

²¹ See <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14990&LangID=E>

²² A/69/356

the destruction of the cemetery was based on public health reasons, not to denigrate the Bahá'í faith.

Despite the appeal by the Special Rapporteurs and the concerned Bahá'í community of Iran, no action has been taken by the government to stop the excavation. We have recently learned that construction materials have been unloaded into the cemetery and that the land has been excavated deeply enough to lay the foundations of what appears to be a building of several stories.

In November 2014, government agents closed the Bahá'í cemetery in Mahmoudiyeh, near the city of Najafabad in Isfahan, denying the burial of the deceased. Bahá'í families have been told that the cemetery would be open every Thursday to visit the graves. Authorities in the city of Semnan have recently asked families of the deceased to sign an agreement in order to be able to bury their loved ones at the Bahá'í cemetery.

Following the closure and demolition of the Bahá'í cemetery in Sanandaj in December 2013, in April 2015 the Office of the Assistant to the Public Prosecutor for the Execution of Judgments in the city commissioned the Department of Natural Resources to prepare an affidavit and obtain signatures from local trustworthy individuals such as witnesses, in order to evict a Bahá'í. The Bahá'ís and other local people refused to sign the affidavit.

The issue of the closure of the Bahá'í cemetery in Sanandaj is being pursued through the courts. Municipalities are responsible for assigning a cemetery for their citizens. No municipality is permitted to provide burial plots to the citizens of another city. This would imply that Sanandaj should not require its Bahá'í citizens to bury their dead in Ghorveh but is rather responsible for providing land for a cemetery for the Bahá'í community. The court proceedings have been postponed.

In December 2012, the Bahá'í cemetery in Yazd was also destroyed and closed down: the trees had been cut down and a sign stated that the property had been allocated to the University. The Bahá'ís learned that the new property to serve as a Bahá'í cemetery is between 4 factories, close to the city garbage dump and is within 1 hour's drive of the city. The old Bahá'í cemetery in Yazd was truly a beautiful flower garden, situated in a vast property in the central area of the city. The new piece of land given to the Bahá'í community was in a desert area outside the town, close to the ring road and near to the Zoroastrian cemetery. 100 Bahá'ís have been buried there. Despite its remote position, the Bahá'ís worked hard to make it attractive through planting trees. However, its trees were destroyed and a Bahá'í was imprisoned for making a video of the destruction of the cemetery and reporting it to the Manoto television station. An earth embankment a few metres in height was constructed to prevent the Bahá'ís from using it. The families were prevented from going to the cemetery to pray for their loved ones. After the efforts of some Bahá'ís, approximately two years ago a third piece of land was allocated for the burial of the deceased Bahá'ís in Yazd. This land is situated in the middle of the desert, between two sandy hills, where there is no access road and anyone wishing to go there has to pass through the rubbish dump. So far the Bahá'ís have been able to install a small platform with a curtain around it to allow bodies to be prepared for burial. They plan to beautify this third cemetery in due course, in spite of the poor access and the sand storms. In June 2015 the funeral of one of the Bahá'ís of Yazd was held in the new Yazd Bahá'í cemetery.

During first week of June 2015, a number of unknown individuals cut down the trees in the Bahá'í cemetery in Ghazvin.

In some cities Bahá'ís are not even allowed to bury their loved ones in peace. As the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Ahmed Shaheed, states in his report²³:

Discriminatory restrictions increased with regard to the burial of Bahá'ís in cemeteries across the country. Authorities in the city of Semnan have reportedly discouraged families from inscribing epitaphs on tombstones and inscriptions are restricted to first and last names, date of birth and death. Authorities have also restricted the construction of additional buildings to accommodate burials in the Semnan Bahá'í cemetery. In at least three cases, Iranian authorities have also reportedly delayed the burial of Bahá'ís in the cities of Tabriz and Ahvaz.

Indeed, many cases of refusal by the authorities to issue burial permits to Bahá'í families have been reported in Ahvaz. In March 2014 the Bahá'í cemetery of Ahvaz's metal door was brutally welded shut and a wall was built in front of it– the adjacent Zoroastrian cemetery was left untouched. A Bahá'í family began legal proceedings in November 2014 to have the body of their deceased relative released from the Coroner's Office, where it is being stored, and buried in that cemetery. However, their efforts were not successful: the body of the deceased was held in the morgue for three months in Ahvaz because local officials refused to allow the burial. The deceased Bahá'í had passed away on 29 October 2014, but the issue was not resolved until January 2015. The authorities stated that the deceased Bahá'ís in the Province of Khuzestan must be taken to and buried in the Bahá'í cemetery in the village of Safaiyeh. On the evening of 1 February 2015 an ambulance deposited the remains of the deceased in front of the entrance to the Safaiyeh cemetery. The Intelligence Office in Ahvaz then called the head of the village council in Safaiyeh and instructed him to take a lantern to the cemetery and oversee the burial. It was only then, three months after the passing of their relative, that the Bahá'ís in Ahvaz held a befitting memorial service. The hospital authorities asked the lawyer representing the deceased for a large sum of money to cover the hospitalization costs which the lawyer refused to pay. The Bahá'ís in Ahvaz are continuing with their efforts to obtain a piece of land for a Bahá'í cemetery, and have recently sought the assistance of a representative in the Parliament.²⁴

This episode is the latest in a series of incidents in recent months where Iranian officials have blocked or interfered with the burial of Bahá'ís – or sanctioned the destruction of their cemeteries – in what appears to be a campaign to force Bahá'ís to deny their own religious identity. Authorities in the city of Tabriz continue to deny burial rights to Bahá'í families. Over the past years, Bahá'ís have been prevented from burying the deceased individuals in the Bahá'í cemetery in Tabriz. Many deceased Bahá'ís from Tabriz have been buried in the Miandoab cemetery, which is at least 2 hours (160 kilometres) from Tabriz by order of local authorities who are presumed to be acting under orders from the Ministry of Intelligence. From 2013 to 2014, 15 deceased Bahá'ís from Tabriz have been buried in the Miandoab cemetery. In several cases, the families concerned were only informed after the fact that the burials had taken place, while their efforts to redress the situation have remained fruitless. The efforts of the community of Bahá'ís to redress to this situation illustrates the courage, the sincerity, the perseverance and the validity of the Bahá'í community to those in charge. These efforts include some 400 contacts with the local authorities.

A 12-year-old Bahá'í girl passed away on 21 October 2014 in Tabriz but the authorities denied her burial rights at the Tabriz Bahá'í Cemetery. She was an artist from Tabriz who was physically disabled

²³ http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_70_en.doc

²⁴ <http://news.bahai.org/story/1034>

and enjoyed popularity and acceptance among the people. Much effort was made to obtain the agreement of the Ministry of Intelligence to bury her remains in the local cemetery (Vadi-e-Rahmat) while her body was kept in the morgue for 24 days. However, owing to the objection of the Intelligence Office, the girl's family was informed that her body had been taken to Miandoab where she was finally buried.

In the past, officials have transferred remains of the deceased to the Miandoab cemetery without informing the families. They buried the bodies without a casket, according to Muslim rites, and without any family member present. This has become a recurrent problem in Tabriz where local authorities seem determined to impose Muslim burial rites on Bahá'í residents. In several cases, the families of the deceased were informed only after the fact that the burials had taken place.

A Bahá'í passed away on 2 October 2014 in Tabriz. The family was told that by order of higher authorities they could only bury the remains without a casket. The Bahá'í family visited a number of authorities to seek permission to bury the remains according to Bahá'í laws. The local authorities also informed them that they would take the body of deceased to Miandoab for burial. They explained that "people" do not want the body to be buried in Tabriz and that they [the authorities] were afraid that people will disinter the remains and that they could not place a guard by every Bahá'í grave.

Another Bahá'í passed away in Tabriz on 7 November 2014. The family visited their non-Bahá'í friends, neighbours and local residents to prepare an affidavit attesting to their agreement to the burial of the remains in Vadi-e-Rahmat Cemetery in Tabriz. They submitted it to the authorities. However, the authorities refused to have her remains buried in that cemetery. Despite the family's early efforts to bury the deceased, two days after the passing of their loved one, the body still remained in the morgue. The authorities put forward two conditions to the family in order for the burial to take place. The conditions were that either the body be buried without a casket or that it must be buried 20 kilometres from Miandoab which would be 220 kilometres from the deceased's residence. The family did not accept either requirements as it would be contrary to the spiritual obligations and precepts of the Bahá'í faith. The reasoning behind such requirements according to the authorities usually is as follows:

- Burying the remains with a casket takes too much space;
- The Muslim citizens object to the commingling of their graves with non-Muslims;
- The authorities are merely enforcing regulations and directives given to them and they do not have the authority to change them.

However, we see no logic behind the authorities' claims, as there are quite a number of family graves in the Vadi-e-Rahmat cemetery, with mausoleums occupying considerable space; the Bahá'ís would be happy to have a separate piece of land as a cemetery; and it only took 45 minutes for the family to prepare an affidavit, signed by 48 of their neighbours, including Muslims, attesting that they had no objection to Bahá'ís being buried in Tabriz according to Bahá'í customs and laws.

During a visit made by President Rohani to Tabriz, the local Bahá'ís submitted approximately 200 grievance letters protesting against the refusal to issue burial permits for Vadi-e-Rahmat cemetery to Bahá'ís. So far no response has been received.

The mother of a well-known Bahá'í in Ghaemshahr passed away. The family had intended to take their guests to a local restaurant in Ghaemshahr after the burial. Upon their arrival, the manager of the restaurant apologized and said that he had been instructed by agents of the Ministry of Intelligence not to serve them.

On 12 July 2015 a Bahá'í from Sanandaj passed away. The family was prevented to conduct the burial by military officers and police personnel stationed at the Bahá'í cemetery. The Bahá'ís in Sanandaj collaboratively visited a number of authorities and were told that the remains of the deceased had to be buried in the Ghorveh cemetery which is located about an hour and a half's journey from Sanandaj. During these contacts their argument for the burial of the remains in the Bahá'í cemetery in Ghorveh was that recently provisions set out by the Supreme National Security Council stated that the Bahá'ís are permitted to have only one cemetery in each province, and that for the province of Kermanshah, Ghorveh had been designated. The Bahá'ís in Sanandaj responded that Sanandaj and Ghorveh are 90 kilometers apart and are linked for the most part by mountain roads which makes for dangerous travelling. They further explained that it would take more than one hour to accomplish the journey and that according to Bahá'í burial law they are forbidden to transport a body for such a distance. The officials responded that an ambulance would be provided, that could ignore the speed limit and take less than one hour. The Bahá'ís transferred a hand-built cooling system from Kermanshah cemetery to Sanandaj and the remains were kept in a workshop in Sanandaj. During this time, the security officials were searching for the remains and the Bahá'ís in Sanandaj left their daily routines in order to visit the officials as a united group. A memorial service for the deceased Bahá'í was held and a large number of people attended this meeting. On 15 July 2015 the deceased's son was summoned for questioning. After four hours of harsh and threatening interrogation, he finally revealed the location of the remains and gave permission for the body to be collected and transported to Ghorveh. The officials came at 6:00 and took the body which result in the family not being able to bury the deceased according to Bahá'í law.

VI. Incitement to Hatred and threats

Rec #138.50: Continue its policies and initiatives aimed at the promotion of dialogue, cooperation and tolerance between different cultures and religions of the national minorities of Iran (Armenia);

Rec #138.53: Strengthen and expand interreligious and intercultural dialogue (Lebanon)

The Iranian government has not only failed to implement the above mentioned fully accepted recommendations concerning interreligious dialogue and tolerance but it has continued to carry out a systematic and wide-spread campaign of inciting hatred amongst the population²⁵. In his March 2015 report to the Human Rights Council, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran noted:

Incitement against Bahá'ís also continued this past year. On 15 December 2014, Ayatollah Bojnourdi, a high-ranking cleric and a former member of Supreme Judicial Council, stated that “we never say that Bahá'ís have the right to education; Bahá'ís don't even have citizenship rights.”²⁶ After negative reactions, he later clarified that only Bahá'ís “who cooperate with

²⁵ See our publication “Inciting Hatred: Iran's media campaign to demonize Baha'is” released in October 2012 and documenting more than 400 press and media items issued in Iran by state-controlled or pro-government media over a 16-month period from late 2009 to early 2011. The report documents a wide-ranging campaign by the Islamic Republic of Iran to incite hatred and violence towards the Baha'i minority. Using false accusations, inflammatory terminology, and repugnant imagery, this campaign is shocking in its volume and vehemence. To be downloaded at <https://www.bic.org/inciting-hatred-irans-media-campaign-demonize-bahais>

²⁶ <http://www.ilna.ir/news/news.cfm?id=157330>

Israel” or “advocate against Islam” are not entitled to citizenship rights, and that they still have human rights even though they cannot take advantage of “privileges,” such as going to university in Iran.²⁷

Unfortunately, facts on the ground and the Special Rapporteur’s report suggest that Iran has not only failed to prosecute those who have incited violence against the Bahá’ís but it has failed to sanction and in many cases, has sponsored such incitement against them. To date, not a single individual has been judicially prosecuted for acts of violence against the Bahá’ís. Regrettably, these acts of violence continue to be perpetrated with complete impunity.

Over the course of one month and in the Kerman province, two Friday prayer leaders made remarks against the Bahá’í Faith, indicating organization on the part of the authorities:

- According to Fars News dated 16 December 2014, at a large gathering of government officials in Rafsanjan, the Friday prayer leader of Rafsanjan, Mr. Abbas Ramazanipour, said “The sect of Baháism has done many things and brought various plans into our city, and the rightful request of the people, who do not want the Bahá’ís in this city, should be fulfilled”²⁸. He stated “A number of sects have been created among the people during the past years. This situation was predicted, and was explained in the Holy Quran.” He added, “There are a few groups and sects in the city of Rafsanjan, who, owing to the lack of knowledge of the people, are living and working among the ordinary people, and cannot even be recognized.” He mentioned, “A number of Jewish people also work in the city bazaar; however, their situation is different from the perverse sect of Baháism. Based on the legal decree (fatwa) issued by the religious leaders, [the followers of] Baháism are religiously unclean (najis).” In his address, the Friday prayer leader of Rafsanjan emphasized that the followers of this sect are najis and any business dealings with them are not permissible in the Islamic religious laws (haram). The talk came a few days after an anti-Bahá’í demonstration was held in front of the Governor’s office in that city. Given the influence the statements by clerics have on those who follow them, Hujjat’ul-Islam Ramezani-Pour’s address was clearly aimed at inciting hatred against the Bahá’ís of Rafsanjan.
- On 20 January 2015, the Friday prayer leader in Jiroft, Hujjat’ul-Islam” Reza Karamipour made some defamatory statements about the Bahá’í community. The content of an interview with Hujjat’ul-Islam Reza Karamipour, the Friday prayer leader of Jiroft, has been subsequently reported in an article hostile to the Bahá’ís posted on the Daqianus website.

Moreover, incitement to hatred is perpetrated countrywide by using newspapers, magazines and publications. A bulletin entitled “Political and social knowledge” is published every season by the political deputy of the Public Intelligence and Security Force of the Islamic Republic of Iran (NAJA) and is distributed to its staff confidentially. The bulletin for the spring of 2014, was published and was entitled “a commentary on Salafi’sm, Baháism and false theologies.” Salafism takes its name from the term salaf (“predecessors”) used to identify the earliest Muslims, who, its adherents believe, demonstrated the epitome of Islamic practice. This special edition is specifically related to the activities of the Bahá’í community.

In spring 2015 a number of posters against the Bahá’í Faith have been displayed in most of Tehran’s metro stations. The anti-Bahá’í posters described Bahá’ís as members of a cult devised by imperialist

²⁷ <http://www.tasnimnews.com/Home/Single/592485>

²⁸ For more information, see *Hateful propaganda sparks concern for Baha’is of Rafsanjan*, 16 December 2014 <http://www.bic.org/news/Hateful-propaganda-sparks-concern-Baha%E2%80%99-Rafsanjan>

powers, whose aim is to spy and to change the culture and religion of Iranians, specifically Shi'a Muslims²⁹. Images of the same insulting poster which had been displayed in the metro in Tehran were sent by mail to some Bahá'í homes in Isfahan and Shahinshahr in June 2015. Concurrently, extensive anti-Bahá'í programs are also being aired on the TV and radio accusing the Bahá'ís of cultism, spying and propagation of immorality.

Since our report in February 2015, three cases of threats and mistreatment have been reported against Bahá'ís in different localities:

- Bahá'í youth in Mashhad had planned to hold a youth celebration on 6 January 2015 for Youth Day. Agents of the Ministry of Intelligence summoned three of the youth and asked them to cancel the celebration and notify others that the event had been called off otherwise they would be dealt with through legal channels. As a result the gathering was not held.
- On 14 February 2015 at 2:30 p.m. in Bandar Abbas while returning home a Bahá'í who is approximately 35 years old, married and employed at the optical shop was threatened by two individuals and taken to a secluded area. They blindfolded him and while threatening him with a gun held to his head forced him to urinate into a cup and then drink the contents. They subjected him to a beating and verbal abuse whilst threatening him saying "just as we sent Mr. Rezvani (a Bahá'í who was assassinated in 2013) to hell we will do the same to you". Owing to the traffic and people passing by the intruders fled the scene.
- In April 2015 in Isfahan, following the raiding of the house of a Bahá'í by the Office of the Intelligence Ministry she was tried in court. A week after the court hearing on 28 April 2015 the Bahá'í received a telephone call from the Ministry of Intelligence Office asking her whether a verdict had been issued in her case. Although she said it had not, the agent insisted that she provide a copy of the verdict and was asked to go the Ministry of Intelligence Office the following day (29 April). She was questioned about her husband's store, its whereabouts and how well the business was doing. She did not provide the address of her husband's store. The agent also indicated several times that he wanted her to recognize her mistake in believing in the Bahá'í faith; for him to put a seed of doubt in her heart so that perhaps she would understand that she is wrong. He also encouraged her to consider speaking with one of the clerics in Qom. Throughout the interrogation, the Bahá'í responded with firmness. The agent asked her to bring a copy of her sentence when it arrived and she agreed to do so.

VII. Arbitrary Arrests and Detention of Members of the Bahá'í Community

Rec #138.25 Strengthen its national legislation in accordance with the international treaties that it has ratified (Burkina Faso);

²⁹ This information was relayed by Saham News, a website linked to Mr. Karroubi, and can be found at the following address: <http://sahamnews.org/2015/02/275904/>

Iran Press Watch also did an English translation of the article and it can be found at the following address: <http://iranpresswatch.org/post/11538/>.

Rec # 138.28 Make all efforts to guarantee and to protect the rights and freedoms enshrined in the international instruments the country is a party to (the former Yugoslav Republic of Macedonia).

Bahá'ís are not free to practice their faith without harassment. Dozens of home raids, arbitrary detentions and interrogations are carried out every month against adherents of the Bahá'í Faith, who see their belongings confiscated and endure violent and arbitrary detention and interrogation. The trials they are subject to are unjust and discriminatory, and the charges handed out against them reflect the unfettered absence of freedom of religion or belief for the Bahá'ís in Iran.

The Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Ahmed Shaheed, specifically mentions the discrimination perpetrated against Bahá'ís³⁰:

Despite statements from high-ranking officials that Bahá'ís are entitled to citizenship rights, they continue to face discrimination, arrest, and arbitrary detention in connection with their religion. Between September and December 2014, security forces in the cities of Esfahan, Tehran, Shiraz, Hamedan, Karaj, and Semnan reportedly arrested at least 20 Bahá'ís. In February 2015, it was reported that four of these 20 individuals had been summoned to serve sentences (including Ms. Fariba Ashtari,)³¹ bringing the total number of imprisoned Bahá'ís to over 100.

Recommendations #138.25 and #138.28, by Burkina Faso and Macedonia, call for application of international treaties that Iran is party to. Iran ratified the International Covenant on Economic, Social and Cultural Rights (ICCPR) in 1975, yet Iranian Bahá'ís continue to be arrested, summoned and interrogated by government officials solely for their religious beliefs. Such discrimination is in clear violation of Article 2 of the ICCPR concerning protection without discrimination, Article 18 concerning freedom of thought, conscience and religion and Article 27 concerning religious minorities. Officials have also ransacked numerous homes immediately taking the Bahá'í residents into custody, interrogating them using violence and intimidation, and have searched Bahá'í houses and confiscated property. This is systematic violation of Article 7 concerning degrading treatment or punishment, Article 9 concerning arbitrary arrest and detention, and Article 17: "No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation".

Such dispositions are systematically violated when homes belonging to Bahá'ís are raided, and their inhabitants are arbitrarily arrested, detained and interrogated. In each of these cases of extreme harassment, Bahá'í documents and books are almost always confiscated, signalling that these are religious based home raids. This clearly leads one to conclude that Iran does in fact discriminate on the basis of a person's belief. The following cases include only those that have been reported to us since our February 2015 UPR implementation report:

- On 17 November 2014, agents of the Ministry of Intelligence in Rasht went to the homes of several Bahá'ís and confiscated all the usual items, after which they went to their work places and, after conducting a search, took computers and other usual items. So far five non-

³⁰ The Report of the Special Rapporteur to the 28th Session of the Human Rights Council (March 2015) can be found at:
http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_70_en.doc

³¹ <https://hra-news.org/en/fariba-ashtari-begins-2-year-sentence-yazd-prison>

Bahá'í friends of these individuals have been summoned, interrogated and threatened by agents of the Ministry of Intelligence and made to confess to being taught the Bahá'í Faith. The agents also forced them to sign a pledge not to associate with Bahá'ís. They were released on bail, and subsequently charged with "assembly for propaganda against the regime".

On 28 May 2015, two of the above mentioned Bahá'ís together with 12 of their non-Bahá'í friends, were summoned, arrested, and then, on 8 June 2015, released on bail of 50 million tuman (Approximately \$1700 USD) each.

On 25 May 2015, one of the above mentioned Bahá'ís, his son and, an employee in his optical shop, were summoned to the Ministry of Intelligence Office in Rasht and subsequently arrested. In the preceding months, the Bahá'í and his son had been summoned to the Intelligence Office several times and their house had been raided. A bail amount has been set for these three individuals and they were told that they will be held in temporary detention in the public prison of Rasht, in Lakan, until the wife and mother of said Bahá'ís presents herself to the Intelligence Office. They remain in prison with bail set for 120 million tuman (Approximately \$40,815 USD).

- On 19 January 2015, agents visited homes and work places of five Bahá'ís in Shiraz and obtained undertakings from them to report for questioning were they to be summoned.
- On 29 December 2014, agents of the Ministry of Intelligence raided six Bahá'í homes in Abadeh, arresting four Bahá'ís. One of them was beaten and as a result was suffering from headache and a bruised eye, and another was threatened with imprisonment in Adelabad prison in Shiraz. He was told that if he wants to live in Abadeh he has to cease his Bahá'í activities. All of these individuals were interrogated and then released the next day, having been required to sign undertakings not to participate in any Bahá'í activities, take part in illegal activities, nor participate in group or teaching activities.
- On 16 February 2015, agents went to the homes of three Bahá'í women in Tehran: Ms. Mona Mehrabi, Ms. Elham Karampisheh, and Mrs. Safa Forghani. After searching their homes and taking the usual items, they were arrested and sent to Evin Prison.
- On 17 February 2015, agents went to the home of Mr. Mehrdad Forghani in Varamin, and after searching his home and taking the usual items, they arrested him and sent him to Evin Prison.
- On 17 February 2015, a Bahá'í married couple was arrested after a search of their home and confiscation of the usual items. When the doorbell rang, the caller introduced himself as a representative of the Electricity Office. When they opened the door, several men and a woman entered and began raiding the house. They were not shown an arrest warrant and were spoken to in insulting language. After calling a relative and asking him to take care of their daughter, the couple was arrested, blindfolded and taken to the Intelligence Section (the Revolutionary Guards) at the central prison in Isfahan. They were interrogated the following day and were eventually released following the signing of an undertaking. Their belongings were not, however, returned to them.
(See also under Judicial Process).
- On 17 February 2015, agents of the Revolutionary Guards of Isfahan visited a Bahá'í's home, where three Bahá'ís and two non-Bahá'ís were studying a Bahá'í book and reciting prayers.

These individuals were arrested and held in detention for three days before being taken to court and then released.

(See also under Judicial Process).

- On 17 February 2015, four agents visited the home of a Bahá'í, showed her an illegible warrant, searched the house, confiscated the usual items, and arrested her. She was detained at the same place as the Bahá'ís mentioned above. The Bahá'í was insulted, threatened and harassed by her interrogators during her pre-trial detention. She had already been arrested in a similar raid on 12 July 2011, and was released on a bail of 100 million tuman (approximately \$94,000 USD).
(See also under Judicial Process).
- On 1 March 2015, agents of the Intelligence Office went to the home of two Bahá'ís in Shiraz and, after searching the house, confiscated the usual items.
- On 7 March 2015, agents of the Intelligence Office in Tehran visited the home of Mrs. Laleh Mehdinejad in Tehran and, after searching and confiscating the usual items, arrested her, along with her three guests. Her guests were released after two days without being required to post bail. However, Mrs. Mehdinejad remains detained in Evin prison.
- On 6 April 2015, agents raided the homes of two Bahá'ís in Tehran, and after confiscating the usual items, arrested one of them.
- On 3 October 2014, agents of the Intelligence Office in Yazd went to the home of Mr. Naser Bagheri Ghalat, and after searching the house arrested him and his son, and after searching the house arrested him and his son, Mr. Faez Bagheri Ghalat. Both were charged with propaganda against the regime and both were imprisoned on 27 February 2015 in Yazd Central Prison. On 21 February 2015, the wife of Mr. Naser Bagheri Ghalat, who was free on bail and awaiting the start of her sentence under a separate case, was summoned to Yazd Central Prison.
- A Bahá'í was arrested in Tehran and held at the Intelligence Office detention centre from 21 to 23 April 2015. He was then released on bail.
- During the month of April 2015, 15 arrests occurred in Hamadan. After their homes had been raided and personal belongings confiscated, they were all charged with engaging in propaganda against the regime, released and are awaiting court trial. In most cases interrogations were conducted in a violent, humiliating and cruel manner, and in some cases agents used false pretexts to introduce themselves into the homes of Bahá'ís, without a warrant and to confiscate their belongings.

In one case a Bahá'í was violently attacked on the street by agents in plain clothes then held in solitary confinement for nine days and subjected to severe mental pressure. Her family members had no way of knowing her circumstances while she was being detained. The agents who interrogated her took advantage of her emotional state and succeeded in making her frantic and distressed. They finally were able to pressure her into agreeing with the strange pledges, such as promising not to speak with any Muslim, and not even to speak to her own children about the Bahá'í Faith in her own home.

In another case, the Security Forces raided a home where a children's class was being held for three and four-year-old children. They filmed the children present at the house together

with their teacher, and after having created an atmosphere of fear and terror, they arrested the parents of one of the non-Bahá'í children along with four other Bahá'ís. It should be mentioned that there were a number of further arrests made among the Bahá'ís in connection with this Muslim family over the following days.

Security agents also went to the apartment of a Bahá'í family who was travelling at the time. The agents forced their way into the apartment complex under a false pretext and searched all the floors but did not find anything. The neighbours protested about the agents' behaviour.

Agents also used a false pretext to raid the home of a Bahá'í, initially introducing themselves as being her neighbours, so she unknowingly opened the main door for them. The agents rushed in with the intention of breaking down the wooden door of her apartment, but she stopped them, asking to be allowed time to change her clothes. The agents ignored her request and broke open the door, causing her to be thrown against the wall and injure her head. After her home was searched and her belongings confiscated, she was arrested along with three family members. They were interrogated until 4:00 a.m.

The same day, agents of the Ministry of Intelligence went to the homes of two Bahá'ís and arrested them. The arrest was carried out with verbal altercations, insults and violence. A Bahá'í was suffering from shortness of breath and had agitatedly complained to the judge about the beatings and battering she had received at the hands of the agents and their boorish behaviour.

- On 12 May 2015, the agents of the Ministry of Intelligence in Kerman went to a Bahá'í's home, and after raiding her house, arrested her. In response to the family's follow-up, the agents said that her arrest warrant was issued in the city of Yazd, and she would be transferred to Yazd very soon.
- In the afternoon of 29 June 2015, eight agents of the Ministry of Intelligence raided the home of Mr. Shahriar Cyrus in Tehran and, after confiscating books and other items, arrested him.
- On 6 May 2015, at 7:00a.m., Mr. Enayatollah (Sohrab) Naghipour, an approximately 66 year-old resident of Isfahan, was arrested by the agents and sent to Dastgerd Prison in Isfahan. He had been previously arrested and released on bail of 80 million tuman (approximately \$2,700 USD). He was among 20 Bahá'ís who were tried in Yazd on 16 September 2013. In the Court of Appeal on 13 April 2014, he was charged with propaganda against the regime of the Islamic Republic of Iran and propaganda in support of groups or organizations opposing the Islamic Republic of Iran. He had been sentenced to 2 years' imprisonment under Ta'zir law, with 1 year suspended imprisonment. He is suffering from various health related issues.

A. Arbitrary Arrest – the case of the Yaran

In Iran seven Bahá'í leaders have been imprisoned for over seven years. On 5 March 2008, Mahvash Sabet was summoned to Mashhad by the Ministry of Intelligence ostensibly on the grounds that she was to be questioned about a Bahá'í burial. Her immediate arrest was followed, on 14 May 2008, by the incarceration of the six other Bahá'í leaders: Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Saeid Rezaie, Behrouz Tavakkoli, and Vahid Tizfahm. After an early morning sweep on their homes in Tehran, the six were taken to Evin prison where they were held incommunicado. These five

men and two women were all members of a national-level group known as the “Yaran-i-Iran” – or “Friends in Iran”, in charge of the administrative affairs of the already extensively persecuted community in Iran. Their 20-year sentences are the longest given to any current prisoners of conscience in Iran.

In Recommendations 138.25 and 138.28, Burkina Faso and Macedonia urge Iran to ensure compliance with the international treaties that it has ratified. As set forth above, Iran has neither been transparent in conducting the trial of the Yaran, nor has it complied with its commitment to the ICCPR, international norms, or their own legal procedures set forth in the Iranian Constitution. As such, it is quite disconcerting that Iran has failed to implement the three recommendations concerning the Yaran during its last UPR cycle and that it continues to deny them a fair trial and the protection enshrined in the Constitution and International Treaties the country has ratified.

Detailed information about the above case can be found in a report available at:
<http://news.bahai.org/human-rights/iran/yaran-special-report/>.

VIII. Conclusion

In October 2014 Iran entered its second UPR cycle, accepting new recommendations, albeit without implementing a single one pertaining to the situation of the Bahá'ís. The above documents only those incidents that have been reported to us since our February 2015 UPR report, and clearly demonstrates that the Iranian government has failed to take measures of any kind to implement the recommendations pertaining to the Bahá'ís that it accepted. On the contrary, since the beginning of the country's first UPR review, over five years ago, 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, and it is the Bahá'ís in Iran who are paying the price.