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Members of the Bahá'í Faith, who constitute Iran's largest religious minority, are specifically targeted by official acts of persecution and discrimination on religious grounds. Since 2005, there has been a major upsurge in violations of their civil, political, social, economic and cultural rights, perpetrated by government officials and/or officially encouraged, condoned and committed with total impunity by plainclothes or non-State actors. Arbitrary arrests and detentions, denial of access to education and employment, and other human rights abuses against Iranian Bahá'í citizens are solely based on religious intolerance.

Constitutional issues and international legal context

1. With some 300,000 members, the Bahá'í community is the largest religious minority in Iran but is not recognized as such. The Islamic regime refers to the Bahá'í Faith as a heresy and a conspiracy. Officials quote Articles 14 and 20 of the Iranian Constitution to prove that all citizens “enjoy all human, political, economic, social, and cultural rights”, but these constitutional provisions are not enforced in cases involving Bahá'ís. Article 13 stipulates that Zoroastrian, Jewish, and Christian Iranians are the only *recognized* religious minorities. Indeed, when government officials use the term “religious minorities”, it is understood to mean only those three. Article 23 of the Iranian Constitution reads: “The investigation of individuals' beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief.” But the authorities have launched a vast information gathering campaign over the past four years, with the explicit goal of identifying all Bahá'ís and monitoring their activities. They have then used this information to violate their rights.

2. Persecution against the Bahá'ís has been repeatedly denounced by the international community – the UN, intergovernmental bodies, civil society, and individuals of prominence – when condemning violations of international human rights standards in Iran. UN General Assembly resolutions have repeatedly included references to violations against minorities in Iran, including adherents to the Bahá'í Faith. Since 2005, half a dozen UN Special Procedures have reported and condemned the upsurge in oppression targeting Iranian Bahá'ís (see detailed report in attachment). The UN Secretary General did so, as well, in his October 2008 report on human rights in this country.

3. As for the UN treaty bodies: in 2003, CERD took note “with concern of the reported discrimination faced by certain minorities, including the Bahá'ís, who are deprived of certain rights”, and said that provisions of Iran's legislation “appear to be discriminatory on both ethnic and religious grounds”. The Islamic Republic last presented reports to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in 1992-1993 and is thus not meeting its obligations under the Covenants.

4. The ILO Committee of Experts has repeatedly expressed concern about discrimination in Iran, in the areas of education and employment, against “members of unrecognized religions, in particular the members of the Baha’i faith”. At the ILO Conference in 2006, the statements about discrimination on the basis of religion in Iran focused almost entirely on the Bahá’ís, and the relevant extract in the Provisional Record ran to nearly four printed pages. Violations against Bahá’ís in the areas of employment and vocational education – and the fact that the government had taken no measures to comply with ILO recommendations in this regard – were again evoked by the Committee of Experts and at the ILO Conferences in 2008 and 2009.

Denial of the right to organize as a peaceful religious community

5. Since 1983, the Bahá’í community in Iran has been denied both the right to assemble officially and the right to maintain its institutions. The Bahá’í Faith has no clergy. Its institutions perform many of the functions reserved for clergy in other religions and are the foundational element of Bahá’í community life. In other countries, these democratically elected governing councils organize and administer the religious activities of the community. In Iran, they are banned.

6. As they were not allowed to maintain their institutions, the Iranian Bahá’ís formed small ad hoc groups at national and local levels – with the full knowledge of the government – to coordinate and administer community activities and to serve the religious needs of individual Bahá’ís. In February 2009, however, the government declared **all** Bahá’í administrative arrangements illegal. The seven former members of the national administrative group have been arbitrarily detained in Section 209 of Evin prison in Tehran since May 2008 without trial and without access to their lawyers, Mrs. Shirin Ebadi and Mr. Abdolfattah Soltani (Defenders of Human Rights Centre). These detainees were subjected to ill-treatment while in solitary confinement last year.

7. The authorities have long attempted to prevent Iranian Bahá’ís from participating in social, educational and community-related activities, and from sharing their beliefs with others – trying to suppress, in other words, all activities that go beyond the personal, private observance of religious obligations. For Bahá’ís, however, many of these activities are an integral part of their religious practice.

Denial of the right to life, liberty and security of person

8. In March 2006, the UN Special Rapporteur on freedom of religion or belief expressed grave concern about a confidential letter sent on 29 October 2005 by the Command Headquarters of the Armed Forces in Iran to the Ministry of Information, Revolutionary Guard, *Basij*, Police, Army and others. Citing instructions from Iran’s Supreme Leader, the letter asked officials in all of these branches of government to collect information about and identify all the members of the “misguided” Bahá’í “sect”.

9. From 2006 to 2009, police and officials of the Ministry of Information (i.e. Iran’s intelligence services, hereafter referred to as the Intelligence Ministry) interrogated hundreds of Bahá’ís and some of their non-Bahá’í neighbours, colleagues and friends in over 20 cities and towns. Bahá’ís were also identified and monitored through business and trade associations, the school system, and surreptitious means. In parallel,

persecution increased throughout the country. Bahá'ís of all ages were subjected to physical assaults and hundreds of acts of harassment, intimidation and discrimination.

10. In early 2005 in Yazd, two Bahá'ís were severely injured, a shop was set on fire and the Bahá'í cemetery was demolished, leaving exposed the remains of the interred. In 2006-2007, desecration/destruction of Bahá'í cemeteries or graves were reported in 18 other localities. From 2006 on, arson and vandalism greatly increased, often involving series of incidents targeting different Bahá'ís in the same town. Their homes and vehicles, farms, orchards, shops and other workplaces were attacked, vandalized, defaced with graffiti. Systematic efforts were made to rid certain small towns and villages of their Bahá'í populations, affecting at least 11 localities. A much more intense campaign of the same nature has been under way since last year in Semnan, where Bahá'ís have been subjected to waves of attacks against their homes and businesses (see detailed report in attachment). It is very difficult for members of the community to obtain legal recourse in such cases. The attacks are condoned by the authorities and committed with total impunity.

11. To put the increase in arbitrary arrests and detentions into context, it should be recalled that there were five Bahá'ís in Iranian prisons in 2001, four in 2002-2003, and only two were arrested in 2004. Since late 2004, however, there have been 240 arrests. In addition, police and Intelligence Ministry officials have summoned many hundreds of others for interrogation, without officially arresting or detaining them: 196 such cases were reported in just one year (2007). As of early August 2009, 27 Iranian Bahá'ís were in prison; 109 had been released awaiting trial (100 having posted bail); an additional 78 had been tried and sentenced but remained free pending appeal; eight had been cleared or won their appeals, the remainder had lost their appeals and served out their prison terms (four were still serving additional terms of internal exile).

Denial of access to education

12. Bahá'í children and adolescents have been subjected to vilification and severe psychological pressure in primary, middle and high schools throughout Iran, and these abuses were committed by their teachers and school administrators. Bahá'í pupils have been threatened with expulsion or dismissed from school, pressured to convert to Islam, told they are apostates (punishable by death in Iran), or had their religious heritage slandered, and all those who dared to respond were severely reprimanded. In only two months, January/February 2007, over 150 such incidents were reported from ten different cities. From October 2008 to February 2009, there were reports of well over 100 incidents in a dozen different localities. The psychological trauma is incalculable.

13. Iranian Bahá'ís continue to be denied access to higher education. Since 2004, Bahá'ís have been permitted to take the national university entrance exam without having to declare their religious affiliation. However, all but a token number have either been refused admittance at registration or expelled after having begun their studies. Several official documents clearly establish that the expulsions constitute official policy (see detailed report in attachment). Over 1,000 Bahá'ís took the exam in 2007; 80% of them were informed that their exams would not be graded; only 121 were admitted to universities, at least 36 of whom were rapidly identified as Bahá'ís and expelled. The following year, 2008, students who took the national exam had to consult a specific website to obtain their results. The Bahá'ís were diverted to a page with the URL (note final word): http://82.99.202.139/karsarasari/87/index.php?msg=error_bah

where they received the message: “*Error: ‘Incomplete File. Forward correspondence to...’*”. At this time, no information is available regarding the outcome of the 2009 exam.

14. Many of the students who were refused admission or expelled have written and appealed their cases to the relevant authorities and/or through the courts, but not a single case has been decided in favour of a Bahá'í. On the contrary, a number of courts have upheld the government's discriminatory policy (see detailed report in attachment).

Confiscation and destruction of community property

15. Numerous Bahá'í cemeteries, holy places, historical sites, administrative centres and other assets were seized shortly after the 1979 revolution. No community properties have been returned, and many have been destroyed.

Confiscation of property belonging to individual Bahá'ís

16. Bahá'í homes are frequently searched and personal belongings are seized by Intelligence Ministry agents. Many of those arrested during the past four years have had their homes raided and numerous items confiscated, in particular personal computers, copying machines, and all books, photos, printed material or other possessions related in any way to Bahá'í activities.

17. In court cases involving the official confiscation of private and business properties, homes, farms and shops belonging to individual Bahá'ís throughout the country, the judgements handed down have demonstrated that judicial and other authorities continue to consider the Bahá'í Faith as an illegal movement and to legitimise human rights violations against citizens simply on the grounds of being members of the community.

Denial of employment, pensions and other benefits

18. In hundreds of cases over the past four years, Iranian government officials have taken the following measures to make it impossible for Bahá'ís to earn a decent living:

- debarred Bahá'ís from government jobs
- warned private-sector employers against hiring Bahá'ís and/or harassed such employers to dismiss Bahá'í employees
- banned Bahá'ís who were working independently from continuing their activities
- closed Bahá'í-owned businesses, refused to issue or renew business licenses, work permits and/or trade membership cards for Bahá'ís in a wide range of sectors
- summoned/interrogated Bahá'í shop owners, raided or even vandalized Bahá'í-owned stores, asked landlords to refuse lease renewals to Bahá'í tenant shopkeepers
- issued instructions to stores, government offices, electricity boards and other organizations to avoid purchasing from or to stop all business dealings with Bahá'ís
- incited the population to shun Bahá'í-owned businesses
- instructed banks to refuse to proceed with loan approvals for and/or to freeze assets in checking accounts belonging to Bahá'ís
- imposed excessively high bail demands, thus tying up deeds to property, business licenses and other assets for hundreds of Bahá'ís arbitrarily detained.

19. During 2007, such abuses occurred in 41 different localities. Shops and stock have been burnt in numerous instances while police watched. Official documents prove that these violations are government policy (see detailed report in attachment).

20. The pensions of Bahá'ís who worked in government institutions before the Islamic Revolution, and who were later dismissed on religious grounds, were terminated. Some who are still being deprived of their rightfully earned pensions have attempted to pursue legal remedies, but the courts have systematically ruled against them. Copies of court decisions in such cases explicitly state: “payment of pension to those individuals connected with the baha’i sect is illegal” [or an “unlawful act”].

Denial of civil rights and liberties

21. Bahá'ís have no legal protection in Iran and thus their civil rights can be ignored with impunity. For nearly all administrative procedures, Iranian citizens must fill out forms requiring a declaration of religious affiliation. The freedom of Bahá'ís to travel outside or inside the country has often been impeded by the authorities and sometimes denied, with some having their passports confiscated or being placed on “no-fly” lists. The right of Bahá'ís to inherit is generally denied.

A systematic campaign of incitement to hatred based on religion or belief

22. The major upsurge in human rights violations against Bahá'ís over the past four years has been accompanied by organized efforts to incite hatred against them. Hundreds of articles, sermons, TV/radio programmes, pamphlets, posters, children’s books, school textbooks, exhibitions and public lectures have vilified the Bahá'ís, portraying their religion (and its history) in ways clearly intended to be highly offensive to Muslims.

23. When threats and slander are spray-painted in and around Bahá'í cemeteries and on houses, shops, orchards and vehicles belonging to Bahá'ís, when Bahá'í children and adolescents are subjected to vilification, when members of the community across Iran receive threatening telephone calls, text messages and anonymous letters – these attacks contain the malicious lies published or broadcast through media linked to and/or sanctioned by the government. As the community is prohibited from using any means of communication with the public, and as all Bahá'í Internet sites are blocked within Iran, the Bahá'ís cannot expose the calumnies coming from those who provide the Iranian people with guidance in spiritual matters.

24. The Bahá'í community poses no threat to the authorities in Iran. It is not aligned with any other government, ideology or opposition movement. The principles of the Faith require Bahá'ís to be obedient to the laws of their country and to avoid partisan political involvement, subversive activity and all forms of violence. The Bahá'ís seek no special privileges but only their rights under the International Bill of Human Rights (to which Iran is party), in particular the right to life, liberty and security of person, the right to profess and practice their religion, and the rights to education and work.

25. Only when legal and public steps are taken to firmly establish the complete emancipation of the Bahá'ís, and to uphold the rights of all other groups and individuals in the country who are victims of injustice, will Iran be able to claim full compliance with its oft-stated commitment to universal human rights.