

Bahá'í International Community

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The Bahá'í International Community's contribution to the UN Special Rapporteur's report on FoRB

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Introduction

The freedom of religion and belief, when it releases human potential for service to others and for dissolving barriers of prejudice and discrimination, can address some of the root causes of conflict and insecurity. Our submission opens with a conceptual note on the connection between realising the principle of freedom of religion and belief in a society and meeting the SDG16 goals. The submission then details 40 years of systematic state-led persecution faced by Bahá'ís in Iran—the country's largest non-Muslim religious minority—as an example of the consequences of a state denying a faith group the freedom to believe.

The specific area of the SDG16 goals that this submission addresses, with respect to freedom of religion and belief, is the promotion of “peaceful and inclusive societies” particularly at the community level. The goals described by points 16.1, 16.2, 16.5 and 16.7 are all indirectly addressed by this submission.

States, government bodies, religious institutions, civil society organisations, and communities together share responsibility for cultivating social conditions that promote freedom of religion and belief. The greatest responsibility lies with states—with civil society groups coming in a close second. Faith groups, which can promulgate spiritual teachings regarding human nature, the purpose of individual and social life, and the moral frameworks conducive to peaceful and inclusive societies, are able to act through grassroots initiatives to render high ideals into a lived experience for people within and beyond a religious community.

But faith groups are subject to the laws of the state. A state may perhaps simply leave faith groups alone, and be uninterested in the contributions they can offer, or a state can create conditions where a faith group plays a fundamental part in social wellbeing; or a state can repress the rights of a faith group by limiting or eliminating their role in the life of society.

Bahá'ís in countries where the state does not uproot their institutions or scatter their activities, meanwhile, have found that promoting and acting on Bahá'í principles around equality and the oneness of humanity can undo entrenched prejudices and social ills.

Grassroots educational and community-building initiatives offered by the Bahá'ís, and taken up by the wider community, help to advance efforts for gender equality, class equality and racial equality. Bahá'ís working with their compatriots in the Democratic Republic of Congo, for instance, use their community educational activities to address the challenge of gender equality; in India, the same is true for addressing caste. Bahá'í communities across Europe have made their activities a space to welcome migrants and refugees—often while host societies express mixed sentiments over their arrival—even as these activities also offer both migrants and locals the tools to overcome suspicions borne of prejudice. Alongside these brief examples is the understanding that the freedom of religion and belief, when fostered by a state and by civil society for the sake of tapping into the unique contributions offered by spiritual insights and religiously-motivated service to society, is itself the surest guarantee of the ongoing freedom of religion and belief.

Discrimination takes many forms. Gender inequalities, class tensions, hostility to migrant populations, and religiously-motivated prejudice are all examples of how prejudice lies at the root of insecurity and conflict. States and civil society can work to heal these ills. But religious teachings around the oneness of humanity—which are present in the world's great faiths—can inspire faith groups to put oneness at the heart of its activities in society. Faith groups do not stop at uprooting prejudice; instead, they hope to plant new seeds of harmony, so long as there is the freedom for diverse beliefs to prosper.

Submission

For the purpose of the current call for submission, the Bahá'í International Community will draw on the continued persecution of Iranian Bahá'ís, who, in the words of the former-United Nations Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, are subjected to discrimination in law and practice “from the cradle to the grave, and beyond.” Below are some patterns and examples of this systemic discrimination.

Discrimination of civil rights

Iranian Bahá'ís, constituting the country's largest religious minority, continue to face discrimination of their civil rights in law and practice, which under the current regime, stem from the announcement of the Iranian Attorney General on 29 August 1983 declaring a legal ban on all Bahá'í administrative and community activities in Iran, effectively making membership of Bahá'í administrative institutions a criminal offence. Subsequently, the Iranian government formalised its policy against their Bahá'í citizens, which is summarized in a government memorandum obtained in 1993 by the UN Special Representative on the Human Rights Situation in the Islamic Republic of Iran.¹ Produced in 1991 by Iran's Supreme Revolutionary Cultural Council and

¹ The text of the 1991 government memorandum can be accessed through the following links:

Persian original:

<<https://www.bic.org/sites/default/files/pdf/ran/1991%20Bahai%20Question%20Memo%20PER.pdf>>; English translation:

<<https://www.bic.org/sites/default/files/pdf/ran/1991%20Bahai%20Question%20Memo%20ENG.pdf>>.

approved by the Supreme Leader, Ali Khamenei, this document, entitled ‘The Bahá’í Question’, sets forth specific guidelines for dealing with the Bahá’ís. It states that “[t]he government’s dealings with [Bahá’ís] must be in such a way that their progress and development are blocked”. It outlines a series of measures to restrict the educational, economic, and cultural life of Iranian Bahá’ís.

This memorandum remains in effect today. As such, Bahá’ís are treated disparately under the Iranian Penal Code. They are routinely denied due process and are sentenced to imprisonment on spurious charges such as espionage and propaganda against the regime.

Below are some recent examples:

- On 10 May 2020, seven Bahá’ís from Shiraz were put on trial, which was held in the presence of four of their lawyers. They were each issued with heavy sentences by the court: Mr. Navid Bazmandegan and his wife, Mrs. Bahareh Ghaderi, who were arrested in connection with their environmental activities, were each sentenced to five years of imprisonment for the charge of formation of a group in opposition to the regime and to one year of imprisonment under *tazir* law for the charge of propaganda against the regime;² Mr. Ehsan Mahboube-Rahe-Fada was sentenced to one year of imprisonment under *tazir* law for the charge of propaganda against the regime; Ms. Elaheh Samizadeh and Ms. Soudabeh Haghighat were each sentenced to five years’ imprisonment for the charge of formation of a group in opposition to the regime and to one year of imprisonment under *tazir* law for the charge of propaganda against the regime. Apparently they must undergo a trial in another court for the charge of insulting the imams; Mrs. Niloufar Hakimi has been sentenced to five years’ imprisonment for the charge of formation of a group in opposition to the regime, one year of imprisonment under *tazir* law for the charge of propaganda against the regime, five years for the charge of insulting the sanctities of Islam, and two years for the charge of insulting the imams, totalling 13 years of imprisonment under *tazir* law; and lastly, Mrs. Noura Pourmoradian has been sentenced to five years for the charge of formation of a group in opposition to the regime and to one year of imprisonment under *tazir* law for propaganda against the regime. It is important to note that Ms. Haghighat, Mrs. Hakimi, Mrs. Pourmoradian, and Ms. Samizadeh were arrested by the Intelligence Organization of the Islamic Revolutionary Guard Corps of Shiraz for working in preschools and daycares as teachers, educators, and child counsellors. They were specifically accused and punished for the crime of teaching and counseling children.
- It was learnt in April 2020 that the files of 31 Bahá’ís in Shiraz, who were arrested between 2016 to 2019, were reviewed by Branch 10 of the Revolutionary Court. A number of them had been summoned to testify and provide their final defence on the last days of the previous year, i.e. before 20 March 2020. However, considering the coronavirus (COVID-19) pandemic, the hearing was postponed until early April. In mid-

² *Tazir law* (discretionary punishment): Punishment with maximum and minimum limits determined by law and judge, respectively.

April some of the Bahá'ís were again summoned by the Prosecutor of Branch 10 of the Revolutionary Court of Shiraz, Mr. [first name unknown] Khosravani, who treated them offensively and rudely and told them that he intended to gather all of the Bahá'í cases by the end of 19 April and uproot the Bahá'ís in Shiraz from the city.

- On 20 April 2020, Branch 2 of the Birjand Revolutionary Court, presided over by Judge Hojjat Nabavi, sentenced Ms. Atieh Salehi, Mr. Ataollah Malaki, Ms. Farzaneh Daymi, Ms. Nasrin Ghadiri, Ms. Banafsheh Mokhtari, Mr. Arezou Mohammadi, Mr. Saied Malaki and Ms. Roya Malaki to six years in prison each. Mr. Rahmatollah Daymi was sentenced to three years and eight months in prison, due to his advanced age. The charges against these citizens are “membership in the illegal and anti-security deviant Baha’i sect, and propaganda in favor of the Baha’i group as an organization opposed to the sacred Islamic Republic.”
- On 14 December 2019, a hearing was convened at the Revolutionary Court of Karaj concerning the case of Mr. Abolfazl Ansari, Mr. Rohollah Zibaie, and Mr. Rouin Kohansal. The defence lawyers of the men were barred from attending. On 26 January 2020, it was conveyed to the three men that they were sentenced to 1 year imprisonment under *tazir* law.
- It was learnt in December 2019 that Mrs. Sima Behrouzi Mahdiabadi, resident of Yazd, was sentenced to 3 months of imprisonment under *tazir* law by the Revolutionary Court for the charge of membership in a group averse to the regime. Her court proceedings were held on 18 August 2019. Mrs. Behrouzi’s charges pertaining to activities on the Internet were read to her at the prosecutor’s office in Yazd after which she was transferred to Yazd Prison. She was subsequently released on bail after two days’ detention and is awaiting the start of her sentence.
- On 16 November 2019, the Court of Appeal of Bushehr, without providing any reasoning or ensuring due process, confirmed the sentences of Mrs. Farrokh Faramarzi (Ansari), Mr. Asadollah Jaberi, Mr. Emad Jaberi (son of Asad and Ehteram), Mrs. Farideh Jaberi (Asad’s sister), Ms. Pouneh Nasheri (daughter-in-law of Mrs. Faramarzi), Mrs. Minou Riazati (Zarei), and Mrs. Ehteram Shaikhi (wife of Asadollah), each to 3 years of imprisonment under *tazir* law—as per the initial ruling of the preliminary court. These individuals were initially arrested on 13 February 2018 after their homes were raided by the security forces of Bushehr Province. In addition to their arbitrary arrests, the authorities also confiscated personal effects and items associated with the Bahá’í Faith—such as computers and equipment, mobile phones, Bahá’í books, and photographs.

Discrimination of economic rights

Further to the 1991 memorandum entitled ‘The Bahá’í Question’, the Iranian government has also formalised its policy of discrimination in relation to the economic rights of Iranian Bahá’í

simply because of their beliefs. In particular, a letter from Tehran's *Amaken* (Public Places Supervision Office)³ dated 9 April 2007 confirms orders to the commanders of police and heads of intelligence and security throughout its province that members of the “perverse Bahaist sect” must be prevented from engaging in certain occupations.⁴ The letter stipulates that Bahá'ís must be denied work permits and licenses for over 25 kinds of specifically-listed businesses and are barred from any other “high-earning businesses”. The economic discrimination of Bahá'ís also includes the confiscation of their property and the arbitrary closure of Bahá'í-owned businesses. Since 2013, the BIC has documented over 750 incidents of economic persecution—including arbitrary shop closures, unjust dismissals, and the actual or threatened revocation of business licenses—leaving scores of families without an income. After constant appeals to the authorities by Bahá'ís to be allowed to continue their businesses, many of the shops still remain closed.

Below are some recent examples:

- It was learnt in January 2020 that Mr. Kamran Shahidi has been sentenced by Justice Moghiseh at Branch 28 of the Revolutionary Court of Tehran to 5 years of imprisonment. Mr. Shahidi, who is a jeweller, had about two kilograms of gold and a substantial amount of coins and dollars to the value of 300 million tuman (approximately \$72,000 USD), which were confiscated by the authorities at the time of his arrest. The court subsequently ordered the confiscation of the rest of his belongings and assets kept at his workplace.
- On 4 November 2019, the Special Court for Article 49 of the Constitution decided to confiscate all of the properties belonging to Bahá'ís in the Village of Ivel. It is worth noting that these properties were in the possession of the Bahá'ís since the mid-1800s. Further documents can be provided upon request.

Discrimination of social rights

The 1991 government memorandum also makes it clear that Iran's Bahá'ís are to be treated such “that their progress and development shall be blocked.” The document outlines the government's aims to keep the Bahá'ís illiterate and uneducated, living only at a subsistence level. The section that defined the “educational and cultural status” of adherents to the Bahá'í Faith includes the instruction that “[t]hey must be expelled from universities, either in the admissions process or during the course of their studies, once it becomes known that they are Bahá'ís.”

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

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

In addition, other government documents have been identified that indicate that this discriminatory treatment represents formal and settled official state policy. Chief among these is a communication sent in 2006 by the Central Security Office of the Ministry of Science, Research and Technology, and addressed to 81 Iranian universities, the names of which were listed.⁵ The letter instructed these universities to expel any student that was found to be a Bahá'í at the time of enrolment or during their studies. Even during the academic year, university authorities have summoned students and demanded that they identify their religion. Whenever a student has identified as a Bahá'í, they have been expelled.

Below is a recent example:

- It was learnt in November 2019 that Mr. Parsa Molaie, who is a 2019/20 University National Entrance Examination candidate from Kermanshah, was told he had an “incomplete file” in relation to his entrance examination. Mr. Molaie, accompanied by his father, went to the University in Karaj to follow-up the matter. When meeting with the university officials, his father was prevented from attending. During the meeting with Mr. Molaie, the University officials told him that it was the fault of the Bahá'ís that they had received “incomplete file” messages. Then, the officials asked Mr. Molaie to fill out a form which required him to agree to an undertaking barring him from practicing as a Bahá'í and forcing him to choose either his faith or his country. Instead of filling out the form, Mr. Molaie wrote his own undertaking that said that he believes in the Bahá'í Faith, that he obeys the laws of Iran, and that he has no intention to teach the Bahá'í Faith at the university. Copies of documents can be made available upon request.

⁵ A scanned copy of this letter and a provisional English translation are available at the following link: <https://iranbahaipersecution.bic.org/archive/bahais-must-be-expelled-university>.