

2006 ANNUAL REPORT OF THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Countries Named as CPCs by the Department of State

Iran

The government of Iran engages in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused. Over the past year, the Iranian government's poor religious freedom record deteriorated, especially for religious minorities and Baha'is in particular; all minority groups faced intensified harassment, detention, arrests, and imprisonment. Since the 1979 Iranian revolution, significant numbers from religious minority communities have fled Iran for fear of persecution. Dissident Muslims also continue to be subject to abuse. Since 1999, the State Department has designated Iran as a "country of particular concern," or CPC. The Commission continues to recommend that Iran remain a CPC.

The Constitution of the Islamic Republic of Iran proclaims Islam, particularly the doctrine of the Twelver (Shi'a) Jaafari School, to be the official religion of the country. It stipulates that all laws and regulations, including the Constitution itself, be based on Islamic criteria. The Head of State, Ayatollah Ali Khamenei, is the Supreme Leader of the Islamic Revolution and has direct control over the armed forces, the internal security forces, and the judiciary. The Council of Guardians, half of whose members are appointed by the Supreme Leader, reviews all legislation passed by the *Majlis* (parliament) for adherence to Islamic and constitutional principles. The Constitution grants the Council of Guardians the power to screen and disqualify candidates for elective offices based on an ill-defined set of requirements, including candidates' ideological and religious beliefs. In February 2004, elections were held for the 290-seat Parliament in Iran. In a move to diminish pro-reformist re-election chances, the Guardian Council disqualified approximately one-third of the 8,200 submissions for candidacy, including those of more than 80 reformists holding Majlis seats, effectively limiting the democratic alternatives available to Iranian voters. In June 2005, the mayor of Tehran, Mahmoud Ahmadinejad, known to be supportive of hardliners in the regime, won the presidential elections and assumed power in August.

In recent years, hundreds of prominent Muslim activists and dissidents from among the Shi'a majority advocating political reform have been sentenced to lengthy prison terms by the Revolutionary Court, ostensibly on charges of seeking to overthrow the Islamic system in Iran; others have been arrested and detained for alleged blasphemy and criticizing the nature of the Islamic regime. Reformists and journalists are regularly tried under current press laws and the Penal Code on charges of "insulting Islam," criticizing the Islamic Republic, and publishing materials that deviate from Islamic standards. Prominent Iranian journalist Akbar Ganji was finally released from prison in March 2006 after serving a six-year prison sentence on reportedly spurious charges of "harming national security" and "spreading propaganda" against the Islamic

Republic. Ganji was arrested and convicted as a result of attending a human rights conference in Germany in 2000 where he publicly expressed views critical of the Iranian regime. Following a visit to Iran, the UN Special Rapporteur on the Right to Freedom of Opinion and Expression concluded in early 2004 that such charges brought by Iranian courts “lack any objective criteria” and are open to “subjective and arbitrary interpretation by judges implementing them.” A number of senior Shi’a religious leaders who have opposed various religious and/or political tenets and practices of the Iranian government have also been targets of state repression, including house arrest, detention without charge, trial without due process, torture, and other forms of ill treatment.

Muslim minorities continue to face repression. Iranian Sunni leaders have reported widespread abuses and restrictions on their religious practice, including detentions and torture of Sunni clerics as well as bans on Sunni teachings in public schools and Sunni religious literature, even in predominantly Sunni areas. Sufi and Sunni Muslim leaders are regularly intimidated and harassed by intelligence and security services and report widespread official discrimination. The Sunni community still has not been able to build a mosque in Tehran. In February 2006, Iranian authorities destroyed a Sufi house of worship in the northwestern city of Qom and arrested approximately 1,000 Sufis after clashes with security forces. Most were released within hours or days, although dozens reportedly suffered serious injuries.

The Constitution of Iran formally recognizes Christians, Jews, and Zoroastrians as protected religious minorities who may worship freely and have autonomy over their own matters of personal status (e.g. marriage, divorce, and inheritance). Nevertheless, the primacy of Islam and Islamic laws and institutions adversely affects the rights and status of non-Muslims. Members of these groups are subject to legal and other forms of discrimination, particularly in education, government jobs and services, and the armed services. Non-Muslims may not engage in public religious expression and persuasion among Muslims; some also face restrictions on publishing religious material in Persian.

Since August 2005, the Iranian government has intensified its campaign against non-Muslim religious minorities. A consistent stream of virulent and inflammatory statements by political and religious leaders and an increase in harassment and imprisonment of, and physical attacks against, these groups indicate a renewal of the kind of oppression seen in previous years. Ayatollah Ahmad Jannati, head of the Guardian Council, has publicly attacked non-Muslims and referred to them as “sinful animals” and “corrupt.” In November 2005, after publicly criticizing Ayatollah Jannati’s remarks, the lone Zoroastrian member of the Iranian parliament was charged with the “dissemination of false information, slander and insult” by Iranian authorities, though as of this writing, the case has not gone to trial. In March 2006, the UN Special Rapporteur for Freedom of Religion or Belief confirmed that religious freedom conditions are worsening for all religious minorities in Iran.

The Baha’i community has generally been subject to particularly severe religious freedom violations in Iran. Baha’is, who number approximately 300,000 to 350,000, are often viewed as “heretics” by Iranian authorities, and may face repression on the

grounds of apostasy. Since 1979, Iranian government authorities have killed more than 200 Baha'i leaders in Iran, and more than 10,000 have been dismissed from government and university jobs. Baha'is may not establish houses of worship, schools, or any independent religious associations in Iran. In addition, Baha'is are denied government jobs and pensions as well as the right to inherit property, and their marriages and divorces are not recognized. Baha'i cemeteries, holy places, and community properties are often seized and some have been destroyed. Members of the Baha'i faith are not allowed to attend university.

Over the past two years, Baha'is in Iran have faced increasingly harsh treatment. Baha'i property has been confiscated or destroyed and dozens of Baha'is have been harassed, interrogated, detained, imprisoned, or physically attacked. In January 2005, the personal property of several Baha'is in Yazd was confiscated and destroyed and in February 2005, a Baha'i cemetery in Yazd was razed. In the past year, dozens of Baha'is were arrested, detained, interrogated and subsequently released after, in some cases, weeks or months in detention. Charges typically ranged from "causing anxiety in the minds of the public and of officials" to "spreading propaganda against the regime." As of this writing, there are more than 60 Baha'is awaiting trial on account of their religious beliefs. In December 2005, Zabihullah Mahrami, a Baha'i who had been jailed for more than 10 years on charges of apostasy, died in prison under mysterious circumstances. Over the last several months, a series of articles in the government-controlled newspaper *Kayhan*, whose managing editor is appointed by Supreme Leader Ayatollah Khamenei, have vilified and demonized the Baha'i faith and its community in Iran. In December 2005, the UN General Assembly passed a resolution condemning Iran's poor human rights record, including its continued human rights abuses targeting religious minorities and its "escalation" of violations against the Baha'i community. In March 2006, the UN Special Rapporteur exposed a confidential October 2005 letter from the Iranian Chairman of the Command Headquarters of the Armed Forces to several Iranian government agencies directing these entities to collect information on all members of the Baha'i community in Iran and to monitor their activities.

Christians in Iran continue to be subject to harassment, arrests, close surveillance, and imprisonment; many are reported to have fled the country. In the past 15 years, numerous Evangelical Christians reportedly have been killed at the hands of government authorities and more than a dozen are reported missing or "disappeared." According to a 2001 report of the UN Special Representative on Iran, some are said to have been convicted of apostasy. Over the past two years in particular, there have been several incidents in which Iranian authorities raided church services, detained worshippers and church leaders, and harassed or threatened church members. As a result of one of these raids, an evangelical pastor, Hamid Pourmand, remains in prison on charges of apostasy even after being acquitted in November 2005 by an Islamic court. Pourmand has been serving the balance of a three-year sentence handed down by a separate military court in February 2005. Also in November, Ghorban Tourani, a Turkmen Christian pastor who converted from Islam in the mid-1990s and reportedly has received numerous death threats over the years, was abducted and killed by unknown assailants. President Ahmadinejad reportedly has called for an end to the development of Christianity in Iran. During the past year, even the small, unrecognized

Mandaean religious community is reportedly facing intensifying harassment and repression by authorities.

Official policies promoting anti-Semitism are on the rise in Iran, though members of the Jewish community have always been singled out on the basis of “ties to Israel,” whether real or perceived. President Ahmadinejad and other top political and clerical leaders have made public remarks in the past year denying the existence of the Holocaust and stating that Israel should be “wiped off the map.” Anti-Semitic tracts have also increased in the government-controlled media. In February 2006, the leader of Iran’s Jewish community, Haroun Yashayaei, sent an unprecedented public letter to President Ahmadinejad expressing serious concern about the President’s repeated Holocaust denial statements and the extent to which these statements have intensified fears among Iran’s 30,000-member Jewish community. Official government discrimination against Jews continues to be pervasive. According to the State Department, despite minimal restriction on Jewish religious practice, education of Jewish children has become increasingly difficult in recent years, and distribution of Hebrew religious texts is strongly discouraged.

The government’s monopoly on and enforcement of the official interpretation of Islam negatively affect the human rights of women in Iran, including their right to freedoms of movement, association, thought, conscience, and religion, and freedom from coercion in matters of religion or belief. The Iranian justice system does not grant women the same legal status as men; for example, testimony by a man is equivalent to the testimony of two women. Provisions of both the Civil and Penal Codes, in particular those sections dealing with family and property law, discriminate against women.

Throughout the past year, Commission staff met with members of non-governmental organizations representing various religious communities in Iran, as well as human rights groups and other Iran experts and policy makers. In May 2005, the Commission held an on-the-record briefing, “Iran, Conditions for Human Rights Deteriorating,” featuring the co-founders of the Iran Human Rights Documentation Center, a non-partisan organization that seeks to remedy a deficit in the systematic, objective, and analytical documentation of human rights violations committed in Iran since the 1979 revolution. In February 2006, the Commission issued a statement documenting recent religious freedom abuses by Iranian authorities and expressing concern about the worsening treatment of religious minorities in Iran.

In addition to recommending that Iran continue to be designated a CPC, the Commission recommends that the U.S. government should:

- at the highest levels, vigorously speak out publicly about the deteriorating conditions for freedom of thought, conscience, and religion or belief in Iran, including drawing attention to specific cases where severe violations have occurred;
- ensure that new funding budgeted to promote democracy and human rights in Iran includes support for effective initiatives promoting freedom of religion or belief, as

well as ways to promote rule of law programs that specifically seek to protect religious minorities in Iran;

- increase funding for U.S. public diplomacy entities, such as Voice of America and Radio Farda, and develop new programming solely focusing on the situation of human rights—including the freedom of thought, conscience, and religion or belief—in Iran;
- advocate for creation of a UN Special Rapporteur to investigate and report publicly on the human rights situation, including freedom of religion or belief, in Iran at the first session of the newly established UN Human Rights Council and, as appropriate, the UN General Assembly's Third Committee;
- call on the UN Human Rights Council to monitor carefully and demand compliance with the implementation of recommendations of the representatives of those special mechanisms that have already visited Iran, particularly those of the UN Special Rapporteur on Freedom of Religion or Belief (1995), the Working Group on Arbitrary Detention (2003), and the Special Rapporteur on Freedom of Opinion and Expression (2003); and
- encourage the UN Human Rights Council to continue to use its procedures to maintain oversight of conditions for freedom of religion or belief in Iran, including continued visits and reporting by relevant UNCHR rapporteurs and working groups.