

Legal framework

Article 13 of Iran's constitution recognises Christianity, Zoroastrianism and Judaism, while Article 14 states that "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." Article 23 forbids "the investigation of individuals' beliefs" adding that "no one may be molested or taken to task simply for holding a certain belief." Furthermore, Article 38 prohibits "any kind of torture used to extract an admission of guilt or to obtain information is forbidden. ... Any person infringing this principle is to be punished in accordance with the law". Finally, Article 39 states that "aspersion of the dignity of and respect due to any person who has been arrested or put in detention or imprisoned or exiled by command of the law is forbidden in any form, and is liable to punishment."

Iran is also party to several international covenants protecting the right to freedom of religion or belief (FoRB), but religious minorities are viewed with suspicion and treated as a threat by a theocratic system that imposes a strict interpretation of Shi'a Islam. Baha'is, Christians, Sufi Dervishes and Sunni Muslims can experience a variety of violations, including harassment, property seizure, desecration of burial sites, torture, imprisonment, and even extrajudicial execution.

On 18 June 2021 Ebrahim Raisi was elected President of Iran in an election marred by irregularities, and in which moderates were barred from standing. Raisi, who took office on 5 August 2021, is infamous for his role in a death commission which forcibly disappeared and extrajudicially executed in secret thousands of political dissidents in 1998. It is likely restrictions on minority religious and belief groups will intensify under Raisi's tenure.

Violations against Christians

The targeting of Muslim converts to Christianity has been escalating since 2009, often accompanied by anti-Christian rhetoric from senior officials. Any gathering of Christians, including social gatherings such as birthday or engagement parties, is viewed as potential house church activity, and is subject to raids.

Many Christians are currently serving excessive sentences on unfounded charges relating to 'national security,' 'extremism' and 'propaganda.' Legal processes are often presided over by judges notorious for miscarriages of justice and are marred by repeated delays to trials.

Among those currently imprisoned is Pastor Yousef Nadarkhani, who was arrested along with three other members of the Church of Iran during a series of raids by security agents on Christian homes in Rasht in May 2016. He is currently serving a six-year sentence, and the UN Working Group on Arbitrary Detention has [published](#) an opinion that his continued detention is arbitrary.

On 10 November 2021 Pastor Amin Khaki of the Church of Iran denomination in Karaj was summoned to begin serving a five-year prison sentence. He was convicted of 'engaging

in propaganda against the Islamic regime' alongside fellow Christians Milad Goudarzi and Alireza Nourmohammadi in June 2021, after they were initially charged with "sectarian activities" under a new amendment to the Iranian penal code.

Pastor Matthias (Abdulreza Ali) Haghnejad, who had been released on 30 December 2021 after nearly three years in prison on charges of "endangering state security" and "promoting Zionist Christianity," was rearrested on 15 January 2022 on charges of "acting against the security of the country by forming a group and propagating Christianity outside the church and in the house church, and giving information to the enemies of Islam", which were initially levelled against him in 2014. Eight other members of the Church of Iran who had been convicted alongside him were released on 1 January 2022. All nine men were acquitted on 28 February 2022; however, Pastor Haghnejad still faces a six-year sentence on the second set of charges.

Several Christians have been forced to flee the country following harassment by the Iranian authorities. For example, in August 2020 Pastor Victor Bet-Tamraz and his wife Shamiram Isavi were informed that their appeals against sentences of ten and five years respectively had failed. The pastor and his wife had been convicted of national security-related crimes for normal church activities. Pastor Bet-Tamraz was charged with 'conducting evangelism' and 'illegal house church activities,' while Shamiram Isavi was charged with 'membership of a group with the purpose of disrupting national security' and 'gathering and colluding to commit crimes against national security'. The couple subsequently fled Iran and are now safe in a European country.

In a response to [concerns](#) raised by UN experts regarding Iran's "continued systematic persecution" of Christians, the government [responded](#) that it had taken legal action against members of "enemy groups" and "private churches" that belong to a "Zionist Christian cult" with "anti-security purposes."

Violations against other religious and belief minorities

The Baha'i community, Iran's largest non-Muslim religious minority, does not enjoy official recognition. Along with the Sufi Dervish community, Baha'is have been increasingly targeted with hate speech, and they face a raft of discriminatory and repressive policies, including with regard to access to education and burial sites.

In late 2020 two Iranian courts ruled that ancestral land belonging to Baha'i families in the village of Ivel in Mazandaran province could be confiscated because of the community's "perverse ideology", which nullified the "legitimacy in their ownership" of any property. In July 2021 the Baha'i International Community [reported](#) that it had documented 676 arrests of Baha'is and summons to prison under the presidency of Raisi's predecessor, Hassan Rouhani, and that 47 arrests had taken place in the previous year.

Anti-Baha'i and anti-Semitic rhetoric are widely used by the clerical establishment, despite a decline in the use of anti-Semitic narratives by government officials following the 2014 nuclear deal between Iran and the P5+1 countries (China, France, Russia, the United States, the United Kingdom and Germany), later abrogated by the Trump administration.

Executions

Iran remains one of the few countries to execute minors, homosexuals and women claiming self-defence against rapists. Most victims are hanged, often in public. A large proportion of those executed are members of minority religious or ethnic groups, particularly Sunni Muslims and Kurds. Political opponents are often accused of being foreign agents or spies, while many from minority ethnic and religious communities often face execution following conviction on drug-related charges. Many are executed after trials that fall short of international fair trial standards.

Recommendations

To the government of Iran:

- Protect and fulfil the right to freedom of religion or belief for all citizens, in line with Article 18 of the International Covenant on Civil and Political Rights (ICCPR) to which Iran is a party.
- Immediately and unconditionally release all individuals detained on account of their religion or belief or in relation to the defence of human rights, including those detained on charges of blasphemy or apostasy, and on vague national security charges related to their religion or belief.
- Ensure due process in all cases involving religious minorities, and that judges found responsible for violations of human rights do not preside over trials, and are brought to justice accordingly.
- Extend recognition to the sizeable Baha'i community, and ensure the return of all property seized from religious minority communities.

To the United Nations and Member States:

- Urge Iran to amend Article 13 of the Constitution to ensure that all religious minorities are recognised, and that Article 18 of the ICCPR is upheld and not contravened by national laws or practices that penalise apostasy or legislate against changing one's belief.
- Call on Iran to immediately cease all targeting of religious or belief minorities, including during interactive dialogues with the Special Rapporteur on Iran at the UN Human Rights Council and at the UN General Assembly, and use these opportunities to name individuals who have been arbitrarily detained on account of their

religion or belief in oral statement interventions.

- Urge all relevant UN mechanisms, including the Special Procedures and Treaty Bodies, to include the situation of freedom of religion or belief in their reporting on Iran, addressing the vulnerabilities and violations faced by religious or belief communities and those seeking to defend them.
- Monitor reports of arbitrary detention of religious or belief minorities, and wherever possible follow court proceedings to ensure detainees are afforded a fair trial in accordance with international standards.

To the European Union and Member States:

- Ensure that human rights are mainstreamed across every level of dialogue and diplomacy, with a particular focus on ensuring Iran's cooperation with special procedures of the HRC.
- Sanctions applied for human rights violations must continue to remain independent of negotiations on the revival of the Joint Comprehensive Plan of Action (JCPOA). An expansion of the list of individuals should also be considered.

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T +32 473 53 29 50

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f /CSWUK

csw.org.uk

PO BOX 90 Brussels Livingstone

1000 Brussels,

Belgium

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