

Islamic Republic of Iran:

Non-implementation of accepted and partially-accepted UPR recommendations

Concerning human rights violations against Iranian Bahá'ís

January 2018

The following report is the latest in a series by the Bahá'í International Community evaluating Iran's implementation, or lack thereof, of the accepted or partially-accepted Universal Periodic Review (UPR) recommendations for the improvement of the human rights situation in the country, specifically as it concerns the case of the Bahá'ís.¹ In this report, only those recommendations that unquestionably apply to Iranian Bahá'í citizens have been selected. Since Iran's first UPR review almost eight years ago—and over two years after its second review in October 2014—it is regrettable that not a single recommendation that had been accepted or partially-accepted by the country with regard to the Bahá'ís has been implemented. Unfortunately, by failing to abide by the commitments and assurances it has made to the international community, Iran has gravely undermined the whole UPR process.

This report also follows the publication of Iran's UPR Mid-Term Report for 2015–2016, which was prepared by the Judiciary of the Islamic Republic of Iran High Council for Human Rights. Of the 150-page report, less than two pages are dedicated to the situation of the Bahá'ís, the contents of which are filled with familiar falsehoods and misrepresentations. As Iran's Mid-Term Report has not been made available on the Internet, for ease of reference, we provide a scanned extract as an appendix to this report (**Appendix 1**).

By way of background, the Islamic Republic of Iran underwent its first UPR in February 2010 and accepted a number of recommendations, while specifying that some others were either implemented or in the process of implementation. For Iran's second review in October 2014, the Report of the Working Group featured 291 recommendations submitted by Member States. Among these, 130 were accepted, 102 were rejected, and 59 were partially accepted. We note that in an explanation of its understanding of the term “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[s] time and lengthy deliberations among different constituent parts in the legislative process.”²

From the recommendations that were made by Member States during the second UPR in October 2014, ten are specifically concerning the situation of the Bahá'ís, two of which were partially accepted by Iran. As stated above, this report evaluates the implementation of those recommendations as of December 2017.

Despite Iranian government officials' rhetoric in international fora claiming respect for the rights of the Bahá'ís, it is readily apparent that the reality of the situation of the Bahá'í community in Iran is quite different. Notwithstanding the promising acceptance of new recommendations at the

¹ For all previous Bahá'í International Community reports, please visit the following link:

<https://www.bic.org/focus-areas/situation-iranian-bahais/persecution-bahais-in-iran-updates-reports>.

² A/HRC/28/12/Add.1.

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. In fact, since President Hassan Rouhani's inauguration, hundreds of Bahá'ís have been arrested, thousands have been blocked from access to higher education, and there have been over 700 incidents of economic oppression, including intimidation, threats, and forced closure of Bahá'í-owned businesses by the authorities. In addition, approximately 30,000 pieces of anti-Bahá'í propaganda have been disseminated in the Iranian media. These materials, which are clearly designed to incite hatred against the Bahá'ís, present a wide range of completely false allegations. As a result, Bahá'ís have received threatening telephone calls, text messages, and anonymous letters, and they encounter anti-Bahá'í pamphlets in shops, schools, and other public spaces.

The reality of the situation was captured in the September 2017 Report of the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Ms. Asma Jahangir, to the UN General Assembly, which states the following:³

93. Since the issuance of the Special Rapporteur's first report, members of the Bahá'í community have continued to suffer multiple violations of their human rights. Despite the fact that they have been documented for years, these violations continue unabated and with full impunity, as shown by the release of the murderer of a Bahá'í referred to above. Over 90 Bahá'ís were in detention in prison as of June.
94. In April [2017], the Working Group on Arbitrary Detention ruled that the detention of 24 members of the Bahá'í community was arbitrary and concluded that they had been arrested and detained in violation of their right to freedom of religion.
95. In line with the directives issued in 1991 by the Supreme Council of the Cultural Revolution on the "Bahá'í question", thousands of Bahá'ís have been expelled from their jobs, with their pensions having been terminated, and have been banned from employment in the public sector. Companies are pressured to dismiss Bahá'í employees, banks are forced to block the accounts of Bahá'í clients, and Bahá'í business licences are either not issued, not extended or deliberately delayed. In April [2017], 18 shops owned by Bahá'ís were sealed for being temporarily closed on a Bahá'í holy day.
96. Bahá'ís continue to be denied their right to higher education, either by being banned from entering universities or by being expelled without a proper explanation. At least 15 Bahá'í students were expelled from Iranian universities between December 2016 and January 2017, with at least another 6 being expelled between January and May.

(...)

117. The situation of recognized and unrecognized religious minorities remains a matter of serious concern. Bahá'ís continue to be systematically discriminated against and targeted, and efforts are afoot to systematically deprive them of the right to a livelihood. The Special Rapporteur urges the authorities to recognize that freedom of religion or belief entails the freedom to choose a religion or belief, and that measures restricting eligibility for civil, political, social or economic privileges, or imposing special restrictions on the practice of other faiths, violate

³ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/069/26/pdf/G1706926.pdf>.

the prohibition of discrimination based on religion or belief and the guarantee of equal protection under article 26 of the International Covenant on Civil and Political Rights.

Similarly, in the October 2017 Report of the Secretary-General of the UN concerning the human rights situation of the Islamic Republic of Iran, he adds that “the persecution of members of the Bahá’í community remained unabated.”

As of the date of this report, at least 77 Bahá’ís are presently imprisoned solely because of their beliefs. For ease of access, a list of prisoners’ names and sentences is provided on our website.⁴

Furthermore, this report addresses claims made by the Islamic Republic of Iran in its UPR Mid-Term Report, which includes repeats familiar misrepresentations about the Iranian Bahá’í religious minority. For example, their report falsely states that members of the Bahá’í Faith in Iran are “benefiting from pensions”; “have the rights to obtain business licenses and loan allocations”; “enjoy a significant presence in economic activities”; “have the rights to carry out construction, own lands and natural resources, and carry out agricultural activities, including rangelands of stock”; can be “active in different professions; have the rights to real estate and property trade”; “have private cemeteries; enjoy rights to sectarian activities, such as attending rituals every 19 days”; and have the “right to education in Iranian schools and universities”. All of these claims are based on erroneous information about the Bahá’í Faith. The narrative described in the report regarding the rights of Iranian Bahá’ís completely contradicts the bleak reality of the situation.

In the sections that follow, we provide an updated evaluation of Iran’s UPR performance and respond directly to each of Iran’s misrepresentations by citing specific cases which demonstrate these fallacies.

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⁴ https://www.bic.org/sites/default/files/pdf/iran/list_of_bahai_prisoners-january_2018.pdf.

I. Unlawful Arrests, Arbitrary Detentions, and Violations of Due Process and Norms of the Judicial System

A. Unlawful arrests and arbitrary detentions

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

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 religion without harassment. Arbitrary detentions and interrogations are continually carried out against adherents of the Bahá'í Faith, and the charges they are accused of reflect the unfettered absence of freedom of religion or belief for the Bahá'ís in Iran. The below cases of arbitrary arrests and detention also attest to the inaccuracy of the claim made by Iran in its UPR Mid-Term Report concerning the prohibition of faith inquisition and reprehension based on faith.

Recommendations #138.25 and #138.28 by Burkina Faso and Macedonia call for application of international treaties, to which Iran is a party. 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 homes, immediately taking the Bahá'í residents into custody and interrogated them using violence and intimidation. They have also regularly engaged in searching Bahá'í houses and confiscating their property. This is a 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.”

The following cases are a sample of those which have occurred since our September 2015 UPR report:

- In November and December 2016, the following nine Bahá'ís were arrested and charged with “membership in the perverse Bahá'í sect, with intent to act against national security”: Mr. Farshid Dadvar, Ms. Emilia Hakimian, Ms. Tabassom Hoseini, Mr. Shayan Rahimi, Mr. Siavosh Rahimi, Ms. Elaheh Ram, Ms. Mehrnoush Mohammad Ramazanizadeh, Mr. Behram Rouhani Mehdiabadi, and Mrs. Hida Yazdan. On 15 May 2017, Branch 3 of the Revolutionary Court of Zahedan found the nine individuals guilty as charged and sentenced all but Ms. Tabassom Hosseini to five years' imprisonment under *ta'zir* law;⁵ Ms. Hosseini was sentenced to one year of imprisonment.

The Bahá'ís appealed the verdicts to Branch 2 of the Court of Appeal of Sistan and Baluchestan province. On 30 July 2017, the Court convened to review the case, and, on 31 July, issued a decision reversing the trial court's ruling, exonerating all nine Bahá'ís. In its published opinion, the Court stated that “there is no evidence to suggest that the

⁵ *Ta'zir law* (discretionary punishment): Punishment with maximum and minimum limits determined by law and judge, respectively.

appellants have engaged in any activities against the political system, territory, and/or government of the Islamic Republic of Iran, and none to suggest any connection to and/or conspiracy with foreign intelligence services.” The Court held that the activities of the Bahá’ís do not correspond with the provisions of Article 498 and 500 of the Islamic Penal Code.

Notwithstanding this, in November 2017, after the issuance of the acquittal order for the nine Bahá’ís, the public prosecutor of the province requested a *de novo* hearing—which is, at the time when this report was written, still under review.

In addition to these cases, in late-2015, a wave of arrests of 20 Bahá’ís took place nationwide, with authorities raiding homes as well as workplaces.

- On 15 November 2015 at 7:00 a.m., following Bahá’í holy days, six men and one woman, some of whom were carrying guns, raided and searched the home belonging to Mrs. Yeganeh Agahi and her husband in Isfahan. On the same day, Ministry of Intelligence agents raided the houses and workplaces of many other Bahá’ís in Tehran, Isfahan, and Mashhad and arrested 20 individuals, including Mrs. Zarrin Agha-Babaie, Mr. Adib Janamian, Mr. Vahid Karami, Mr. Keyvan Nik-Aien, Ms. Parvin Nik-Aien, and Mr. Arshia Rowhani. The agents carried warrants that allowed them to not only undertake these searches and arrests, but also empowered them to seek individuals in places of hiding and to arrest anyone that they felt was suspicious. The agents removed items including computers and a variety of documents from the workplaces of these individuals. It is understood that the agents made a video recording of the raid, which depicted Mrs. Yeganeh Agahi, her husband, the inside of the home, and the items which were taken. Mrs. Agahi was interrogated and charged with propaganda against the regime as well as membership in illegal Bahá’í administration and activity against national security. The 20 individuals were later released on bail of 100 million tuman (approximately US\$31,680) each.

On 4 September 2016, Mrs. Yeganeh Agahi, Mr. Adib Janamian, Ms. Parvin Nik-Aien, and Mr. Arshia Rowhani were summoned to the Justice Administration in Isfahan. Three days later, they were interrogated and were told that the court, having completed its investigation, had decided to add two further charges to its verdict: membership in the unlawful Bahá’í administration and engaging in activity which threatens national security as well as engaging in propaganda against the regime. These new charges increased their bail by 200 million tuman (approximately US\$63,360), resulting in a payment of 300 million tuman (approximately US\$95,040). The Bahá’ís were told that if they did not pay, they would receive letters summoning them to prison.

It is now understood that Mrs. Yeganeh Agahi, Mr. Adib Janamian, Ms. Parvin Nik-Aien, and Mr. Arshia Rowhani were released from prison on 7 September 2016, by paying 300 million tuman (approximately US\$92,416) bail.

At a court hearing held on 16 May 2017, Mrs. Zarrin Agha-Babaie, Mrs. Yeganeh Agahi, Mr. Adib Janamian, Mr. Vahid Karami, Mr. Keyvan Nik-Aien, Ms. Parvin Nik-Aien, and Mr. Arshia Rowhani were sentenced by presiding Judge Ravanmehr, at Branch 1 of the Revolutionary Court in Isfahan. They were accused of charges such as “forming and managing of unlawful gatherings”, “active membership in administration and propaganda meetings”, and “spreading anti-cultural ideas”. Mrs. Zarrin Agha-Babaie, Mr. Vahid Karami, and Mr. Keyvan Nik-Aien were sentenced to 6 months’ discretionary imprisonment and 6 months’ suspended imprisonment for a period of 2 years;

Mrs. Yeganeh Agahi, Mr. Adib Janamian, Mr. Keyvan Nik-Aien, Ms. Parvin Nik-Aien, and Mr. Arshia Rowhani were each sentenced to one year of discretionary imprisonment and 16 months' suspended imprisonment for a period of 2 years. This sentence was communicated to them on 1 June 2017. These Bahá'ís have contested the sentences and have submitted an appeal.

In the town of Mashhad, Mr. Navid Aghdasi and Ms. Nakisa Hajipour were two of the 20 Bahá'ís who were arrested. Mr. Navid Aghdasi was released from Evin Prison on 27 December 2015 on a bail of one hundred million tuman (approximately US\$33,318). Ms. Nakisa Hajipour was imprisoned in Vakilabad Prison in Mashhad and was later released on bail on 7 January 2016.

- Mr. Sahba Farnoush was among the six Bahá'ís arrested in Tehran. On 24 December 2015, he was released from Evin Prison on a bail of two hundred million tuman (approximately US\$66,934).

In addition to these, several other cases have come to the attention of the Bahá'í International Community. In 2017, a case of arrests occurred including large bail sums and a recommendation to leave the country:

- On 27 March 2017, five Bahá'ís were arrested simultaneously after their houses were searched. All five were subjected to arbitrary detention, inhuman interrogation, and torture. Previously, one of these Bahá'ís was interrogated in May 2016 by the *Amaken* (Public Places Supervision Office)⁶ in connection with his business.

In May 2017, a number of the Ministry of Intelligence agents went to interrogate one of the five Bahá'ís. The interrogation lasted approximately eleven hours, during which the subject was blindfolded and forced to face the wall. The agents were violent and aggressive, and issued threats and insults to the individual in question.

During the interrogation and detention process, four of the Bahá'ís spent over three weeks in solitary confinement each. The families of four of the prisoners met separately with the authorities in prison and were told that if *Sepah*⁷ were to take over their cases, their sentences would become more severe. The agents suggested that the families should post bail for their release and arrange for temporary flights out of the country as soon as possible. Additionally, the interrogator mentioned to one family that the cases of two of the other detained Bahá'ís were different and relatively severe, but that they will be given an opportunity to choose to leave the country as well.

On 19 April 2017, one of the Bahá'ís was released from prison by offering a property worth 500 million tuman (approximately US\$154,147) as collateral. The authorities hastily accepted the collateral without appraising it. The Bahá'í was then accompanied by the authorities to the airport and flew to a different country to stay with his family there.

On 20 April 2017, three of the Bahá'ís were released from prison after leaving 500 million tuman worth of property in collateral, and were accompanied by the authorities to the airport before leaving the country. Two of them referred the unbearable conditions of solitary confinement to their families as they were leaving to the airport.

⁶ *Amaken* (Public Places Supervision Office): Is reportedly responsible for the enforcement of accepted moral codes in places of work and other offices.

⁷ *Sepah-i-Pasdarán*: Islamic Revolutionary Guard.

- On 8 March 2016, agents of the Ministry of Intelligence went to the homes of Ms. Tara Houshmand, Ms. Rouhiyyeh Safajou, and Mr. Sarmad Shadabi in Tehran and Karaj, and after searching their homes thoroughly, seizing mobile phones, computers, books, pictures, and anything related to the Bahá'í Faith, the agents arrested the youth and took them to an unknown location. Their families later learned that the youth had been taken to Tehran's Evin Prison. The existence of search and arrest warrants for any of these three individuals has not been confirmed; however, even if the authorities were in possession of such documents, it is unlikely that they were presented at the time of the search and arrest.

The three Bahá'ís were subsequently transferred to the political ward in Evin Prison, where they were accused of engaging in activities against national security through membership in and managing the “perverse sect”, i.e., the Bahá'í Faith. Ms. Houshmand, Ms. Safajou, and Mr. Shadabi were released on bail on 27 March 2016.

It should be noted that prior to their arrest, these three Bahá'í youth had been denied entry into university in 2015. In response, they lodged complaints with the Ministry of Science, the Office of the Supreme Leader, and the Office of the President, and had met in person with a representative of the Ministry of Science as well as a member of the *Majlis* (Islamic Consultative Assembly) in Tehran. They had also instructed a lawyer to file a complaint to the Court of Administrative Justice and to apply for the 1991 directive of the Supreme Council of Cultural Revolution—which stipulates that Bahá'ís should be denied access to higher education—to be annulled. Ms. Houshmand, Ms. Safajou, and Mr. Shadabi had been pursuing their right to education and had publicized their efforts.

On 26 September 2017, the court hearing for the three youth was held at Branch 28 of the Revolutionary Court, presided by Judge Mohammad Moghiseh. The hearing took place after the three Bahá'ís been summoned to court six times, and each time, the court did not conduct a hearing for various reasons. The three Bahá'ís were formally charged with “acting against national security through membership to the Bahá'í deviant sect” and “dissemination of falsehoods”, and it appears that their discussions on various social media platforms—informing others that the reason they were denied admission to university is because of their religious beliefs—was considered an aggravating factor.

The court found Ms. Tara Houshmand, Ms. Rouhieh Safajou, and Mr. Sarmad Shadabi guilty under *ta'zir* law and sentenced each of them to five years' imprisonment. The defendants' lawyers were informed of the verdict on 4 November 2017. They plan to appeal.

The sentencing order specifically states that Ms. Rouhieh Safajou is a student of the Bahá'í Institute of Higher Education (BIHE). The verdict does not mention any arguments by the defence. It is possible that the lawyers were not present at the trial, or that they were not allowed to speak, or that Judge Moghiseh intentionally did not include the defence.

B. Violations of due process and norms of the judicial system

Iran has only partially accepted the following recommendations pertaining to due process and the norms of the judicial system:

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 defense; (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) and

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

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

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 calls for the implementation of the rule of law regarding fair trials. Iran has fully accepted the above recommendation, and in doing so, implied that it has already been or is in the process of being implemented.

As stated in relation to the protection of children, Iran has stated in its 2015–2016 UPR Mid-Term Report that Bahá'ís benefit from all citizenship rights; that based on Islamic religious teachings, faith inquisition is forbidden; and that individuals shall not be reprimanded owing to his or her faith. Despite these claims, Bahá'ís are mistreated throughout the judicial processes. In some cases, the lawyers of Bahá'ís have not been allowed to present a defence or are given only a few minutes to read through thousands of pages of court documents. Bahá'ís suffering from ill health are also often mistreated during the judicial process. The violations of a due judicial process are reflected in the nature of the charges levelled against members of the Bahá'í community throughout Iran and the disproportional sentences handed down against them for the “crimes” they have committed, simply for exerting their freedom of religion. The following example of mass arrests and subsequent sentences illustrate the outrageous conditions of the Bahá'í community during judicial process:

- Twenty-four Bahá'ís in the Golestan province, aged between 21 and 60 years old, were arrested following a mass raid on their homes, either in October 2012, January 2013, or March 2013. After a trial, during which lawyers for the Bahá'ís were not allowed to present a defence, the Revolutionary Court of Gorgan issued a guilty verdict dated 5 January 2016. Their charges were unequivocally based on their membership and activities in the Bahá'í community, demonstrating the religious motives behind the arrests and sentencing. The verdict, for example, states that the belief of the Bahá'ís in their prophet—the Báb⁸—is, in itself, considered propaganda against the regime of the Islamic Republic. All 24 Bahá'ís were initially sentenced to long prison terms ranging from six to eleven years. Their sentences were later reduced in the Court of Appeals in 2016, except for those of two individuals. The Bahá'ís were summoned to court for trial in groups of four on 28 December 2014. During the summons of the first group, the lawyer, a human rights activist representing the Bahá'ís, was only given 15 minutes to read 5,000 pages of court documents. He had received threats prior to the court hearing in a meeting with representatives of the Ministry of Intelligence and a cleric.

⁸ The Báb was the prophet-herald of the Bahá'í Faith, who was ultimately executed by order of the Shah of Iran on 9 July 1850.

On 19 April 2017, the UN Working Group on Arbitrary Detention rendered an Opinion⁹ which determined that the detention of the 24 Bahá'ís in Golestan is in contravention of Articles 2, 7, 9, 10, 11, and 18 of the Universal Declaration of Human Rights and of Articles 2, 9, 14, 18, 26, and 27 of the International Covenant on Civil and Political Rights and that it is “arbitrary” under Categories II, III and V of the Working Group. The Working Group requested that the Iranian government take the necessary steps to release the 24 individuals “immediately and accord them an enforceable right to compensation and other reparations, in accordance with international law.”

At the time of writing this report, at least five of the twenty-four Bahá'ís have not had a summons issued for the commencement of their imprisonment.

Currently, as stated above, 77 Bahá'ís are in prison in Iran and many are waiting to be summoned to start serving their sentences. These sentences, as stated, 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 then-Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Ahmed Shaheed, emphasized the inadmissible conditions of detention of the Bahá'ís, using but a few examples among the numerous cases reported.¹⁰ As the situation has not changed, we present recent examples of the conditions of detention:

- Mr. Foad Moghaddam, who is detained in Gohardasht Prison, located in a northern outskirt of Karaj, has been suffering from health issues in prison. He had been treated but returned to prison upon the insistence of the agents after necessary medical treatment. He was denied conditional release on the grounds that this is not yet available to political and religious groups. The Medical Committee has stated for the third time that Mr. Moghaddam is not fit enough to be in prison, but the public prosecutor referred the matter to higher authorities. According to hospital staff, in January 2016, the overcrowding in the hospital—caused by the presence of political prisoners, their improper treatment by the prison officials, and the resulting disorder, as well as the discomfort of the other patients—prompted the hospital director to order the discharge of all political prisoners. They were therefore returned to prison. Mr. Foad Moghaddam returned to Gohardasht Prison from the hospital on 22 January 2016. In July 2016, Mr. Moghaddam was granted medical leave from prison.

II. Attacks on Individuals, Enforced or Involuntary Disappearances, Home Raids, and Destruction of Property

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

Recommendation #138.114 invited the government of Iran to strengthen measures aimed at protecting religious minorities. Regrettably, Iran has not only failed to implement these measures, but has continued to support a systematic effort of creating an environment where the security and well-being of Bahá'ís and their property cannot be guaranteed. Beyond the reality that these cases are heart-breaking for the families and communities involved, they highlight the inability of the

⁹ A/HRC/WGAD/2017/9;

http://www.ohchr.org/Documents/Issues/Detention/Opinions/Session78/A_HRC_WGAD_2017_9.pdf.

¹⁰ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/105/86/pdf/G1510586.pdf>.

Iranian government to uphold the recommendation concerning the protection of religious minorities.

A. Attacks and enforced or involuntary disappearances

The most reprehensible example of the situation is the heinous murder of Mr. Farhang Amiri in Yazd, which was purely motivated by his membership in the Bahá'í community.¹¹

By way of background, on the evening of 26 September 2016, Mr. Farhang Amiri, son of the late Hedayatollah Amiri—one of the seven Bahá'ís murdered in Hormozak, Yazd in July 1955—was stabbed to death in front of his house. Mr. Amiri was 63 years old, married, and had four children.

The murderers—two young men—had called upon Mr. Amiri the day before with the pretence of buying his pick-up truck, but only found Mr. Amiri's son to be at home, who declined to sell the car. The following evening, at 7:30 p.m., the same two individuals returned and met with Mr. Farhang Amiri himself outside his residence while his family members remained inside. Soon after, Mr. Amiri was heard screaming. A family member, who was then joined by several other people, found him severely injured with multiple stab wounds in the chest. At the same time, neighbours and local shopkeepers from the adjacent street noticed that someone was running away. Thinking that a theft had taken place, some of the shopkeepers followed the man, apprehended him, tied his hands behind his back, and delivered him to the police.

After several calls, an ambulance arrived and transported Mr. Amiri to Sadoughi Hospital, accompanied by several of his relatives and friends. A few minutes after arriving at the hospital, at around 8:15 p.m., he passed away.

The perpetrators were later questioned about the incident. Upon recounting the incident, the inspector asked for the motive behind the killing. The suspect had responded, "I knew he was a Bahá'í."

On 25 July 2017, a court in Yazd sentenced one of the convicted men to just 11 years in prison and two years away from home. The younger man was sentenced to half of his brother's sentence for aiding in the murder. The court justified the sentence by stating that, according to the Islamic Penal Code, the accused and the victim are not equal for the general purpose of retributive justice. This provision in the Code clearly and deliberately deprives non-Muslims of the legal right to seek justice on equal-footing with the country's Muslim majority. These sentences for the killing of an innocent Bahá'í clearly demonstrate the inherent discrimination and injustice at the heart of Iran's Penal Code, which discriminates against its own citizens because of their religious belief.

This heinous murder is a consequence of a longstanding systematic effort by the authorities to encourage hatred and bigotry.

In her 14 August 2017 report, the Special Rapporteur for Iran notes that the death penalty for murder charges is referred to as *qisas*,¹² explaining that:

According to the Islamic Penal Code, the application of the death penalty varies depending on the religion of both the perpetrator and the victim. For example,

¹¹ For the Bahá'í World News Service report and background on the case, please visit the following link: <http://news.bahai.org/story/1133/>.

¹² *Qisas*: Retribution in kind.

Muslims, followers of recognized religions and “protected persons” who kill followers of unrecognized religions or “non-protected persons” are exempt from *qisas*. This means that if a Muslim killed a follower of the Bahá’í Faith (which is not a recognized religion) or a non-believer, *qisas* would not be possible.

In June, two people convicted of murdering Farhang Amiri, a Bahá’í citizen who had been stabbed to death in September 2016, were released on bail after having confessed to killing him because of his faith.¹³

In the city of Yazd alone, there have been multiple acts of persecution over the past few years, including dozens of wrongful arrests and imprisonments as well as scores of raids on Bahá’í residences and businesses. Mr. Amiri’s own children had their businesses and residences searched by government agents who confiscated laptops, telephones, and other items. In early-August 2017, a Bahá’í in the same town as Mr. Amiri’s murder, Hormozak, was told while being interrogated by government agents in Yazd that they knew of people in the city who intended on killing Bahá’ís.

Another alarming case is the disappearance of a Bahá’í man, who has been missing since 16 February 2017. In the past, the man had been accused by the authorities of teaching the Bahá’í Faith, which had resulted in his arrest and physical beating.

Sometime after February, a member of the police force expressed awareness of the man’s situation, but said that he was unable to provide any information. Other Bahá’ís of the city were looking for the man and found no trace of him. It was subsequently learned from a contact that the disappeared Bahá’í had been arrested and then severely beaten at the Intelligence Office for 14 days. It is further understood that the Bahá’í was accused of meeting notable individuals and clergy in the city and teaching them about the Bahá’í Faith. In addition, after having detained him for 14 days, it is understood that the Intelligence Office sent the individual to the Protection and Security Office at the Intelligence Office of *Sepah*.¹⁴ From there, he was sent to another division of the Intelligence Office of *Sepah*.

We understand that complications have arisen in the investigation of the man’s disappearance as a result of actions by individuals who are suspected of collaborating with the Ministry of Intelligence Office. The niece of the Bahá’í was threatened with arrest by the head of the criminal investigation group, who said that the Bahá’í caused his own disappearance by acting imprudently and arousing the interest of individuals antithetical to the Bahá’í Faith.

B. Home raids and destruction of property

In addition to murders and disappearances, illegal home raids are regularly conducted, and in some cases, the government agents act in a threatening manner by wearing masks when entering the house. Confiscation and destruction of Bahá’í property, such as religious sites and cemeteries, has also continued. Iran relies on constitutional provisions to criminalize legitimate freedom of expression, association, and assembly of members of the Bahá’í Faith.

The 2015–2016 UPR Mid-Term Report by Iran claims that Bahá’ís enjoy all citizenship rights and that, in fact, they enjoy better conditions than other countries concerned. The following case highlights the violation of Article 23 in the Iranian Constitution, which asserts that faith inquisition is forbidden and individuals should not be reprimanded owing to their faith.

¹³ A/72/322; <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/256/24/PDF/N1725624.pdf>.

¹⁴ *Sepah-i-Pasdarán*: Islamic Revolutionary Guard.

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.”¹⁵ 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.

Iran’s UPR mid-term report falsely claims that Bahá’ís enjoy the right of “sectarian activities such as attending rituals every 19 days”

- On 5 August 2016 at 9:00 p.m., authorities (two or three women and about 10 men, all with their faces covered) raided the house of a Bahá’í couple, where a group of Bahá’í youth were meeting. The 18 Bahá’ís present, including a pregnant woman, were arrested and questioned prior to being released without charge in the early hours of the morning the following day. One of the Bahá’ís present was interrogated for a second time in October 2016.

While at the headquarters of the Intelligence Office in 5 August 2016, one Bahá’í was asked about their professional and educational background, the reason for their arrest and imprisonment, and their Bahá’í activities. The person was advised about several “red lines” that Bahá’ís should not cross. The most significant issue, they were told, was that of teaching and inviting Muslims and other non-Bahá’ís to Bahá’í meetings. Another red line was the holding of Bahá’í gatherings during Muharram,¹⁶ holy days, the month of Ramadan, and the days of lamentation. The agent said that authorities within the Intelligence Office had discovered and thwarted plans made by the *Hojjatiyyeh*¹⁷ to murder a number of Bahá’ís in the city. The agents warned, however, that the Bahá’ís in the city should be careful not to cross the red line by sharing the teachings of the religion with non-Bahá’ís. The meeting ended with one of the two agents saying that, “You can share with others what I have told you. If you invite non-Bahá’ís to your meetings, we may be your last guests.”

III. Right to Education

A. Access to higher education

One UPR recommendation that explicitly mentions the Bahá’ís and was partly accepted by Iran concerns access to higher education:

¹⁵ Article 14 of 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.”

¹⁶ *Muharram*: The first month of the Islamic calendar.

¹⁷ *Hojjatiyyeh*: An anti-Bahá’í association.

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)

Although recommendation #138.111 was partially accepted by Iran, Bahá'í youth nationwide continue to face expulsions from university when they are identified as followers of the Bahá'í Faith. In Iran's UPR Mid-Term Report of 2015–2016, they claim that Bahá'ís enjoy the right to be educated in Iranian schools and universities and that “the presence of different Bahá'ís in Iranian universities studying higher levels of education, such as master's and doctorate” is proof of an equal opportunity provided to Bahá'ís to participate in higher education. The Bahá'í International Community, however, continues to identify a stream of dismissals as part of an integrated approach aligned with the 25 February 1991 confidential memorandum drawn up by the Iranian Supreme Revolutionary Cultural Council and signed by the Supreme Leader, stating that “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.”¹⁸ To this day, the 1991 memorandum is used as a justification for the dismissal of Bahá'í students from Iranian universities.

“Education in Iranian schools and universities”

According to the Secretary-General's March 2017 report, “[i]n October [2016], at least 129 Bahá'í students who had satisfactorily completed their university entrance exam were reportedly excluded from admission.”¹⁹ In addition, the Special Rapporteur notes that “Bahá'ís continue to be denied their right to higher education, either by being banned from entering universities or by being expelled without a proper explanation. At least 15 Bahá'í students were expelled from Iranian universities between December 2016 and January 2017, with at least another 6 being expelled between January and May.”²⁰

The government's denial of higher education for 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]*,²¹ 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’: “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.

¹⁸ For the English translation, please visit the following link:

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. 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.”

¹⁹ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/077/54/PDF/G1707754.pdf>.

²⁰ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/256/24/PDF/N1725624.pdf>.

²¹ <http://www6.sanjesh.org/download/sar94/sarasari.pdf> (in Persian).

The second criterion in the publication states: “Not having enmity towards the regime of the Islamic Republic of Iran. 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.”²² For years, Iran has been portraying the Bahá’í Faith as a “man-made religion” in the government-controlled and state-sanctioned media. As a result, 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, as also indicated in Iran’s UPR Mid-Term Report, 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 undertake their studies.

The third criterion in the General Requirements section of the booklet states: “Being free from moral corruption. Note: Moral corruptions include: Addiction to narcotics and being involved in prostitution.”

Since the inception of the Bahá’í Faith, Iran has employed different tactics to prevent Bahá’ís from entering universities. Previously, for example, Bahá’ís were informed that their files were “incomplete” when they tried to retrieve their university entrance examination results. Whether flashed on a computer screen and printed out or delivered by letter, those messages conveying the incomplete nature of their university files left a paper trail. Consequently, future Bahá’í students were able to contest their “incomplete” files and could use the hard copy letters to their advantage to highlight the violation of the right to education when presenting their cases to the authorities. However, during this academic year, the government has continued to take measures that prevent Bahá’í applicants from obtaining nominal proofs of this denial. One recent example is shared for illustration:

- Ms. Kamand Agahi and seven other Bahá’ís were expelled from university because of an “incomplete file” after completing the National University Entrance Examination and selecting their courses. Ms. Agahi and the seven others travelled to the office of the National Education Measurement and Evaluation Organization in Karaj and each wrote a letter asking for follow-up on their case. They were told to return home, as their letters would be mailed to the same organization’s office in Tehran and they would receive a response at their home addresses. The students then visited the National Education Measurement and Evaluation Organization office in Tehran, where they learned that the office had received instructions from the Ministry of Intelligence to suspend candidates who were not members of the official religions. Upon returning to Isfahan, Ms. Agahi received an acceptance letter from the same university, registered for classes, and began her studies. A month later, she received a phone call requesting that she visit the dean of the university. The dean informed Ms. Agahi about a letter from the National Education Measurement and Evaluation Organization stating that she must be expelled from the university. The dean also expressed that, based on his reading of the letter, it was clear to him that her expulsion had to do with either a political or a religious issue. Ms. Agahi asked for a copy of a letter indicating her expulsion, but the dean said that this could not be done because he believed she would share the letter with various news media outlets, such as the BBC and Voice of America. He proposed that, instead, Ms. Agahi should write a letter to the university testifying that she was Muslim, so that she could be enabled

²² Ibid.

to continue her studies, and then write a follow-up letter denying what she had stated in her first letter. The dean offered to show the first letter for her to continue her studies but keep the second letter in his records. Ms. Agahi responded by saying that she would not go forward with this arrangement, as it meant that she would need to lie. In response, the dean recommended alternatively that she write a letter saying that she is a Muslim but only maintain this lie just for the next four years. Ms. Agahi explained that she had chosen to be a Bahá'í and would not do as he suggested. One week later, Ms. Agahi was told that she was expelled from university, so she and her mother visited the dean's office again. The dean was angry that her mother was present and said that he was trying to find a way for her not to be expelled. After three more days passed, Ms. Agahi was notified that she would be expelled.

This strategy demonstrates an effort 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 lamentable that, instead of finding a solution to extend university admissions to them, the Iranian government is constantly seeking ways to block access for its Bahá'í citizens.

In addition to “incomplete file” cases, this academic year, an official at a university privately shared with a Bahá'í youth who had been recently expelled from the same university that a confidential letter had been sent to all government and open universities urging the expulsion of the Bahá'í students. Some recent cases include:

- A student was expelled from university after completing 137 units. He commenced his studies in the 2012–2013 school year.
- A student was expelled from university at the time of graduation. As a result, he was not issued a university certificate. He was studying metallurgy (energy and physics engineering) and entered university in the 2013–2014 school year.
- Another student was expelled from university during the end of term two examinations. He entered university in the 2015–2016 school year. It is understood that he was an outstanding student, having achieved a high ranking in the National University Entrance Examination.

The few students admitted to higher education without their religious affiliation being known are expelled from university when it is discovered that they are Bahá'ís. Although 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 has continued. It is 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 for them to enrol are not allowed to graduate with a degree.

In 2016, a number of Bahá'í youth who were studying in different universities across the country were expelled because of their Faith, including the following individuals who have agreed to make their case public:

- Ms. Elham Pakrou, who was studying computer engineering at Malard-Azad University;
- Ms. Sahba Avazpour, who was studying at the University of Applied Science of Kermanshah;
- Mr. Rabi Khalili, who was studying at the University of Applied Science of Kermanshah;
- Ms. Shomeis Pour-Shah-Rezaie, who was in her third semester in drama and film directing at Tehran–Azad University;
- Ms. Mehrnoush Shafi’ie-Mehr, who was studying applied science at Karaj-Imam Khomeini of Mohammad-Shahr University; Ms. Shafi’ie-Mehr had previously obtained a qualification in Applied Business Management from Semnan University of Amol; and
- Mr. Arsalan Mirzaie, who was studying materials engineering at Ahvaz-Shahid Chamran University; Mr. Mirzaie had previously been expelled from university along with three other Bahá’ís, although he was able to return to class as a result of follow-ups and other actions taken with the authorities.

The plight of Bahá’í students has also been a case of concern for the UN Secretary-General, who, in his March 2017 report on the situation of human rights in Iran, made reference to the situation:

In many previous reports, the Secretary-General’s predecessor expressed concern over the denial of access to university to members of the Baha’i community. In July 2016, the Court of Administrative Justice confirmed a decision of the Educational Measurement and Evaluation Organization *Sanjeh* denying Ms. Fanaian and Mr. Rahmani entry into university for the 2014–2015 academic year.²³

B. Bahá’í educators

Not only has the government of Iran failed to implement the two aforementioned partially accepted recommendations explicitly pertaining to the situation of the Bahá’ís, it has also failed to implement the recommendations it has fully accepted. The following recommendation invites 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)

In its 2015–2016 UPR Mid-Term Report, Iran claims that followers of the Bahá’í Faith benefit from all citizenship rights. On the contrary, in addition to withholding the right to education from Bahá’ís, Iran attempts to stifle all efforts of the Iranian Bahá’í community to educate its youth. Bahá’í educators continue to be imprisoned and have their rights violated.

The Bahá’í Institute for Higher Education (BIHE)²⁴ was created with the objective of meeting the educational needs of young Bahá’ís who have been denied access to university level studies in the country for three generations.

At least four individuals are currently serving prison terms of four years or greater solely because they had been providing courses to young Bahá’ís with the capacity and deep desire to continue their studies beyond secondary school. Having worked as educators, administrators, or

²³ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/077/54/PDF/G1707754.pdf>.

²⁴ BIHE: An ad hoc higher educational institute, established to meet the higher educational needs of Bahá’í youth. It primarily draws on the volunteer services of Bahá’í professors and lecturers who had been dismissed from their university posts.

collaborators, these four individuals have volunteered their time and skills to help young Bahá'ís with the advancement of their country.

Rather than intensifying opportunities for access to higher education as recommended, Iran has intensified its efforts to deny higher education to Bahá'í 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 and at other periods have been repeatedly harassed, even in the face of medical circumstances:

- A Bahá'í couple, both former volunteer lecturers for the Bahá'í Institute for Higher Education, were among the 17 Bahá'ís who were arrested in a mass raid on the 39 residences of people associated with BIHE on 22 May 2011 by the Ministry of Intelligence for their involvement in the educational institute. One of the charges levelled against them was “activities against national security through membership in BIHE”. In May 2014, the husband was sentenced to five years’ and the wife to four years’ imprisonment under *ta’zir* law. 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. On 28 February 2016, while visiting his wife in prison, the husband was arrested by the authorities and taken to prison to start his five-year sentence. This arrest took place without any summons having been issued or warning given. By prior arrangement, the couple’s only child, a six-year-old son, is being cared for by a Bahá'í family.

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 calls upon Iran to take measures to strengthen the mechanisms for the protection of the rights of women and children. Iran has stated in its 2015–2016 UPR Mid-Term Report that Bahá'ís benefit from all citizenship rights—a claim which must also include citizens who are underage. Regrettably, despite these claims, Bahá'í children continue to face harassment in schools as a result of their religious beliefs.

- In an Iranian school on 17 October 2016, the father of a student was summoned to his child’s primary school by the principal. Upon his arrival at the principal’s office, he was led to the hallway and intensely questioned about his child and his refusal to participate in the school’s obligatory prayer session. After providing an explanation about Bahá'í beliefs and expressing his support for his child’s decision, the principal warned the father that if other students were learning about the Bahá'í Faith through his child’s non-participation in the obligatory prayer sessions, the principal would be compelled to put together approximately 15 CDs with comprehensive information about the child and send them to various offices including the Ministry of Intelligence. He added that students receive a grade for performing obligatory prayers, which are conducted every 35 days. The principal also stated that the child would be expelled from school if they did not participate in obligatory prayers.
- A music school requested permission from the parents of its students for them to perform at a concert in a hall belonging to the Islamic Culture and Guidance Department. The security office of the Department of Culture and Islamic Guidance identified two Bahá'í students and asked the school to remove their names from the list of performers and to

prevent them from being present at the concert. The school expressed regret but said that it acted in accordance with the orders of the Department of Culture.

The two cases above highlight the inadequacy of the measures taken by the Iranian government to promote and protect the rights of Bahá'í children. Children continue to be singled out by government authorities and staff in schools on the basis of their Faith and are disadvantaged as a result.

IV. Economic Persecution

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 Iranian government's efforts to exclude and impoverish them. The fully-accepted recommendation 138.88 has regrettably not been implemented since our last report. Similar to the denial of education, the government's discriminatory policy that prohibits and restricts Bahá'ís the right to employment was set out in the 1991 government memorandum on "the Bahá'í Question". 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. As a result, tens of thousands of Bahá'ís have been deprived of jobs, pensions, and business and educational opportunities, a fact that continues to be systematically denied by the Iranian government. In many cases, officials are also implementing a 2007 government policy memorandum 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.²⁵

Incidents are varied from raids and summary closure of Bahá'í shops in several Iranian cities to denying or revoking business licenses, arson, and vandalization. Unsatisfied, 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 licenses for the Bahá'ís, have sealed off premises, and, following the forced closure of businesses, have seized and sold all merchandise.

In the Special Rapporteur's report dated 14 August 2017, she noted that "Bahá'ís continue to be systematically discriminated against and targeted, and efforts are afoot to systematically deprive them of the right to a livelihood."²⁶

Since our last report, Iranian authorities have continued their discriminatory policies and practices to deny members of the Bahá'í community the right to work and earn a decent living. In its 2015–2016 UPR Mid-Term Report, Iran claims the Bahá'ís enjoy rights in the economic arena, in terms of benefiting from pensions; having the rights to obtain business licenses and loan allocation; enjoying significant presence in economic activities; having the rights to carry out construction, own lands and natural resources, and carry out agricultural activities, including rangelands of stock; being active in different professions; and having the rights to real estate and property trade.

Regrettably, these claims are totally incongruent with the unimpeachable evidence received and verified. Bahá'ís face constant harassment in their professions and workplaces. For the last several years, Iran has utilized a strategy of systematically sealing Bahá'í-owned business

²⁵ Bahá'í International Community, *The Bahá'í Question – Cultural Cleansing in Iran*, September 2008 (pp. 86–87), available at: <http://www.bic.org/sites/default/files/pdf/TheBahaiQuestion.pdf>.

²⁶ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/256/24/PDF/N1725624.pdf>.

premises on the pretext that the shop had temporarily closed to observe a Bahá'í holy day. Additionally, in some cases Bahá'ís have been denied access to their own rightfully earned pensions. The persecution also extends to non-Bahá'ís, who are threatened if they employ Bahá'ís as workers.

The following represents only a selection of the latest cases, which specifically respond to Iran's false claims, as stated in their Mid-Term Report that Bahá'ís enjoy the rights to:

“Work permit issuance”

It is understood that in Iran, applicants for business licenses in the building industry have to complete a college training course. According to recent reports, the application forms for the renewal of building industry business licenses, made available at the technical and vocational college in Isfahan, now contain a column for the religion of the applicant. Four options are provided which do not include “Bahá'í” or “other”.

Authorities also use the absence of a permit—which has itself unlawfully withheld—as grounds to seal the business. For example, on 16 August 2016, two optical stores owned by Bahá'ís were closed because the *Amaken* (Public Places Supervision Office) prevented them from renewing their business licenses. Similarly, in July 2017, an auto body repair and tune-up shop owned by two Bahá'ís was sealed under the pretences of lacking a permit and an individual filing a complaint. When they approached the *Amaken* and enquired about the complainant, the officials did not say who they were, but said the complainant had indicated the owners were Bahá'ís and did not have the right to work.

“Owning lands and natural resource for agricultural activities such as rangelands of stock”

A case that clearly demonstrates the unconscionable circumstances faced by Bahá'ís in the agriculture industry involves an elderly Bahá'í farmer, who has requested to remain anonymous.

The case begins in 1993, when the Bahá'í farmer rented 50 acres of land from the Natural Resources organization and developed the land for crops and animal husbandry. He subsequently bought the land from the Natural Resources organization for 80 million tuman (approximately US\$26,705) and officially confirmed his ownership with the relevant government offices. Since then, the farmer has been subjected to various acts of persecution because of his religious beliefs. The following are the latest events of his case.

On 12 May 2016, in a coordinated action, the Bahá'í farmer was evicted from his 50-acre farm by 30 uniformed officers representing various government organizations, including the Office of the Public Prosecutor and the Ministry of Agriculture, and he was left with only 3,552 square metres (less than an acre) of land, which includes a building. Eventually, the authorities turned off the electricity for farming and stopped the water supply. In addition, Ministry of Agriculture erected a fence around his farm, despite the explicit order from the Court of Appeals that the premise was not subject to confiscation and disposal.

During the following six months, the farmer, with the full support of the Natural Resources Department of the province, presented his case against the Ministry of Agriculture for his business and waited for the official responses. During all of this, his livestock suffered because of lack of water and forage. The farmer continued in his efforts to obtain justice and sent letters to authorities, asking for a review of the Ministry's decision not to respect his ownership of the land, despite the fact that it was fully paid for and a legal contract had been made.

It was recently learned that a court decision dated 1 September 2016 from Branch 2 of the province's Public and Civil Court ordered the Bahá'í's company to evacuate the property and pay all legal fees. The court documents state that the land at issue was a rental property and that the tenant had changed the use of the property without proper authorization from the landlord, the Ministry of Agriculture. Accordingly, the rental agreement was cancelled and the Ministry of Agriculture successfully obtained the eviction order. The matter was subsequently presented to the Court of Appeals of the province, which issued a decision on 15 February 2017 that confirmed the original court decision of 1 September 2016. On 19 April 2017, a Writ of Execution was issued by Branch 2 of the province's Public and Civil court giving the Bahá'í's company ten days to comply with the 1 September 2016 order. Furthermore, in a letter dated 5 July 2017, the Bahá'í's company wrote to Branch 2 of the province's Public and Civil Court and requested a stay of the Writ of Execution pending the outcome of a relevant case in Branch 3 of the Public Court of the province. The letter also disputed the inaccuracies in the final decision in relation to actual property measurements, size, payments, and transfer of the deed. On 21 February 2017, a court order was issued by Branch 104 of the province's Penal Court 2 upholding the Bahá'í's company's objection to the former ruling and Writ of Non-prosecution, previously issued in favour of the Ministry of Agriculture, and ordering the Ministry to attend a criminal court hearing.

“Significant presence in economic activities”; “Being active in different professions”

- On 20 April 2016, 17 shops belonging to Bahá'ís were sealed for being temporarily closed on Bahá'í holy days. On 28 April 2016, four shops were additionally sealed for the same reason in the same province.

Later in 2016, after Bahá'í-owned businesses throughout the province, in cities including Sari, Ghaemshahr, and Bandar Abbas, were temporarily closed on 1 and 2 November 2016 to observe a Bahá'í holy day, Iranian authorities sealed a total of 124 business premises belonging to 132 Bahá'ís.

- In July 2017, 16 Bahá'í-owned business premises in Khuzestan province were sealed following the observance of a Bahá'í holy day. Two months later, after great effort on the part of the business-owners, 14 of the sealed business premises in Ahvaz were unsealed.
- In July 2017, the business premises of a non-Bahá'í in Ahvaz were sealed because of employing a Bahá'í. The owner of the business was forced to dismiss the employee, and after providing an assurance of non-cooperation with the Bahá'ís, the authorities issued an order to unseal the business.
- On 1 May 2017, the business premises of 18 business owners in a city were sealed by the *Amaken* (Public Places Supervision Office) because they were closed on Bahá'í holy days.

“Benefiting from pensions”

Ms. Mehrandokht Hoseinzadeh Mehrabad was dismissed from her job at the Education Department of East Azerbaijan in 1980 because she was a Bahá'í. It was later learned that Ms. Mehrabad requested access to her retirement funds in 2015; in response, the Education Department passed on her records to the retirement agency on 28 November 2015. However, the agency stated on 17 December 2015 that because she was a Bahá'í, she had no legal standing to receive her retirement funds.

“Bahá’í families with deceased during Holy Defense Period benefiting (sic) from facilities and privileges of martyr’s families”

A Bahá’í who had major war injuries and is considered partially disabled or *Janbaz*,²⁷ has been deprived of the benefits of the Janbazan Foundation because of his religion. This is notwithstanding the fact that Supreme Leader Ali Khamenei had recently indicated that there are no objections to allowing the Bahá’í *Azadigan*²⁸ to receiving benefits.

V. Desecration and Destruction of Bahá’í Cemeteries and Violation of Burial Rights

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

Since our last UPR report in 2015, Bahá’í cemeteries have continued to be desecrated and demolished in several cities throughout Iran; this act is contrary to Iran’s own laws which require that the destruction of a cemetery can only be accomplished with an order.²⁹ In addition, there have been several cases of Bahá’ís being prevented from burying their loved ones in local cemeteries. There are also documented cases where authorities have unilaterally decided to exhume bodies of deceased Bahá’ís without consulting the family. Bahá’í cemeteries continue to be desecrated and destroyed, an act which is highlighted in the report of the Special Rapporteur in March 2017.³⁰

The UPR Mid-Term Report by Iran claims that the Bahá’í families with relatives who passed away during Holy Defence period³¹ benefit from facilities and privileges of martyrs’ families. They further assert that Bahá’ís have the right to private cemeteries. The reality could not be further from the truth. There are numerous examples of the destruction and desecration of Bahá’í cemeteries; officials preventing Bahá’í families from burying their loved ones according to Bahá’í laws; the unlawful exhumation of bodies of deceased Bahá’ís; and the burial of deceased Bahá’ís without the consent or knowledge of the families and, in fact, according to Muslim rites.

For example, on 18 April 2017, the caretaker of a local Bahá’í cemetery was contacted by the security police and was told that a Bahá’í had passed away in one of the surrounding localities, and, as there was no one to perform the funeral ceremony, he should go to another cemetery more than an hour away to retrieve the body and make the burial arrangements. The caretaker of the cemetery subsequently learned that the deceased had passed away four months prior to this and had been buried in the Bahá’í cemetery of the town in which he had passed away. The security police told the caretaker, “You have no right to bury your deceased in this cemetery.” Therefore, on the judge’s order, they had exhumed the body, transferred it to the town more than an hour away from where he had died. The body of another Bahá’í was similarly exhumed and reburied without the permission of the family.

In East Azerbaijan province, there have been a number of reports regarding burial rights. For example, when Mrs. Rezvaniyeh Nabavi passed away on 17 June 2016 in the city of Tabriz, the authorities prohibited her burial in the local cemetery (*Vadi-e Rahmat*³²), and she was buried

²⁷ *Janbaz* or *Janbazan*: Disabled in war veteran or veterans.

²⁸ *Azadigan*: Prisoners of war, whether combatant or non-combatant, who were held in custody by the enemies of the Islamic Revolution of Iran.

²⁹ Municipality Article Commission 9 [*Commission e Madeye* 9].

³⁰ A/HRC/34/L.17, pg. 18, para. 77; <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/069/26/pdf/G1706926.pdf>.

³¹ “Holy Defence period” refers to the 1980-1988 Iran-Iraq War.

³² *Vadi-e Rahmat*: Valley of Mercy, referring to the cemetery.

instead in the Bahá'í cemetery of Miandoab,³³ which is more than one hour's drive from Tabriz, without the consent or knowledge of her family.

Moreover, Mrs. Pouran Enayati (Misaghi)—the wife of Mr. Allahverdi Misaghi, who was executed for being a Bahá'í in 1981—passed away on 11 July 2016. Similar to the case of Mrs. Rezvaniyeh Nabavi, the authorities prevented the Bahá'í burial ceremony in Tabriz and transferred her remains to the Bahá'í cemetery in Miandoab.

In addition to these cases, in late-October 2016, unknown individuals destroyed a Bahá'í cemetery. The Municipal Council placed a banner at the cemetery, indicating that burial of the dead there without obtaining a permit from Municipal Council is prohibited. The banner further states that if a person is witnessed burying the deceased, he or she will be prosecuted. Moreover, an affidavit signed by over 30 individuals attests to the cemetery being bulldozed by agents of the Municipal Council on 27 October 2016. The document also asks authorities to investigate the matter. Their testimony was presented in person and read to the mayor's office, the governor's office, the police forces, the Municipal Council, the water authority, and the office of the *Imam Jum'ih*³⁴ of the city. It seems that these parties empathized with the Bahá'ís, but said that, in this case, the order from the Intelligence Office was legal and binding. It should be noted that there is no explicit mention made that the Intelligence Office ordered the destruction of the cemetery.

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 population.³⁵

In her September 2016 report to the UN General Assembly, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran noted:

The Special Rapporteur is particularly concerned at the continuing systematic discrimination, harassment and targeting of adherents to the Baha'i Faith. She notes that discrimination against the Baha'i community is legally sanctioned owing to the fact that the Faith is not recognized in the Constitution and the absence of other legal protections for adherents of the Faith.

³³ This prohibition results in an action that is in contravention of Bahá'í teachings, which requires that the bodily remains of a deceased cannot be buried in a location that is more than an hour's journey from the city in which he or she died.

³⁴ *Imam Jum'ih*: Friday Prayer Leader.

³⁵ Please see our publication entitled *Inciting Hatred: Iran's media campaign to demonize Bahá'ís* 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. For the full report, please visit the following link: <https://www.bic.org/inciting-hatred-irans-media-campaign-demonize-bahais>.

On 8 June 2016, the Special Rapporteur issued a joint statement with the Special Rapporteur on freedom of religion or belief strongly condemning a wave of Government-sanctioned incitement and hatred following the publication of several government statements and publications attacking the Baha'i Faith and community. They included a statement issued by the spokesperson for the judiciary in which he derided the daughter of former President Akbar Hashemi Rafsanjani, Faezeh Hashemi, for her visit to the home of Baha'i leader Fariba Kamalabadi. Ms. Hashemi visited Ms. Kamalabadi, one of seven former Baha'i leaders who were imprisoned in 2008 for exercising their Faith, on 13 May following the latter's temporary release from prison. On 18 May, the spokesperson announced that the judiciary would pursue charges against Ms. Hashemi, who became acquainted with Ms. Kamalabadi during her own brief imprisonment in Evin Prison in 2012, because her decision to meet the political prisoner constituted a "very ugly and obscene act".

Since mid-May 2016, 169 religious, judicial and political leaders have allegedly openly spoken or written against the Baha'i community in the Islamic Republic of Iran. Between 18 May and 4 June, in Friday prayer sermons clerics reportedly attacked, condemned or criticized beliefs espoused by members of the Baha'i community, declaring that the Baha'i Faith was essentially a fabricated political party masquerading as a religion. A number of newspapers published articles and op-eds linking members of the Baha'i community with the country's enemies and branding them "Zionists", and encouraging violence against them. The Special Rapporteur on freedom of religion or belief warned that the combination of incitement against and lack of protection for, the Baha'is "places the community before a very dangerous precipice where its very existence may be threatened". In its response, the Government notes that "the responsibility of opinions expressed by non-governmental personalities lies with themselves".³⁶

As previously stated, Iran claims in its UPR Mid-Term Report that Bahá'ís enjoy all citizenship rights and that Iranian Bahá'ís, in fact, enjoy better conditions than Bahá'ís in other countries. The assertion of faith inquisition being forbidden according to Islamic religious teachings serves as a reminder of the claims made in the report as we highlight some examples that clearly violate these rights. The cases in this section describing incitement to hatred and threats highlight how members of the Bahá'í community are continually targeted based on their beliefs.

The Special Rapporteur's report, as well as the other numerous cases that have been received by and reported on by the Bahá'í International Community, suggest that Iran has not only woefully failed to prosecute those who have incited violence against the Bahá'ís, but has failed to sanction and, in many cases, has sponsored such incitement against them. Regrettably, these acts of violence continue to be perpetrated with complete impunity.

Examples of incitement to hatred include when the *Imam Jum'ih* (Friday prayer leader) has made remarks against the Bahá'í Faith, or when government authorities have harassed Bahá'ís through social media:

- In his sermon delivered on 8 July 2016, Hojjatoleslam Ramezanipour, the *Imam Jum'ih* (Friday prayer leader) of Rafsanjan, referred to Bahá'ís as apostates and said that they should be condemned to death. The same *Imam Jum'ih* has reportedly verbally attacked the Bahá'ís before, calling them *najis*³⁷ among other things, while attending a large gathering of government officials in Rafsanjan in 2014.

³⁶ A/71/418, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N16/304/01/PDF/N1630401.pdf>.

³⁷ *Najis*: Religiously unclean.

- On 25 September 2016, in the small city of Hezar Vahedi of Rafsanjan, the *Imam Jum'ih* announced in the mosque that conducting business with the Bahá'í residents of the town is *haram*.³⁸ Furthermore, on 28 September, shop-keepers were asked over the mosque's loudspeaker not to sell food to the Bahá'ís so that they would be forced to leave the city. The local bakery refuses to sell bread to the Bahá'ís at the insistence of the residents.
- In late-August 2016, government authorities organized internet conferences via the telephone application Telegram, designed to draw in Bahá'ís and with the intention of sowing the seeds of doubt.

VII. Right to Practice One's Beliefs

As previously mentioned, two recommendations specifically concerning the situation of the Bahá'ís were partially accepted by the government during Iran's second review. One of them 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.

Freedom of religion and belief is further called for in a recommendation by Romania:

Rec. #138.221: Ensure the freedom of religion and belief for all citizens of Iran.

These two recommendations invited the government of Iran to ensure that all of its citizens, regardless of religious beliefs, would be free from discrimination and ensured of their human rights, and asked the Iranian government to pay particular attention to the rights of religious minorities. It is lamentable that despite these recommendations, Iran has both failed to ensure the protection of all of its citizens in regard to religious freedom, but also continued to harass the Bahá'ís based purely on their faith.

These human rights violations have not gone unnoticed. In her March 2017 report, the Special Rapporteur reported on the situation of human rights in Iran concerning the situation of Bahá'ís and other recognized and unrecognized religious minorities:

The Special Rapporteur urges the authorities to recognize that freedom of religion or belief entails the freedom to choose a religion or belief, and that measures restricting eligibility for civil, political, social or economic privileges or the imposition of special restrictions on the practice of other faiths violate the prohibition of discrimination based on religion or belief and the guarantee of equal protection under article 26 of the International Covenant on Civil and Political Rights.³⁹

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 faith.

³⁸ *Haram*: Something that is not permissible in the Islamic religious laws.

³⁹ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/069/26/pdf/G1706926.pdf>.

This includes restrictions imposed on the freedom of expression, association, and assembly under the Iranian Constitution. As such, Bahá'ís are not allowed to manifest their religion “in worship, observance, practice and teaching” “in community with others and in public or private”, as required by Article 18 of the ICCPR.

This is further illustrated by the wording in Iran’s UPR Mid-Term Report, where the Bahá’í Faith is referred to as a “sect” and is claimed to have been established “with the aim of undermining Iranian’s Islamic faiths and beliefs.” These claims in Iran’s UPR report demonstrate the religious intolerance and verbal attacks against the Bahá’í Faith even on the level of governmental reports; they further exemplify that Iran views the very existence of the Bahá’í Faith as an act against the state.

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.” This conditionality in Article 14 justifies persecution of non-Muslims who are judged to be engaged in conspiracy or activity against Islam, and as 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.

Specifically, Iran claims in its UPR Mid-Term Report that the Bahá’í community enjoys the rights to “sectarian” activities and “training courses”, as well as the production and distribution of Bahá’í “pamphlets” for members. The claim concerning the absence of “faith inquisition” is particularly relevant in this section, where examples show how the Bahá’ís in Iran remain the continual target of imprisonment, arrests, and attacks based on their beliefs. In the countless examples of home raids, the intelligence agents who take Bahá’ís into custody also search their homes and/or workplaces and seize everything related to the Bahá’í Faith (e.g., books, music, photos, papers, etc.), including computers, printers and documents of value. The claims of Bahá’ís being free to distribute pamphlets to the community members and have “sectarian” activities and training courses are thus utterly false.

“Sectarian training courses for children, teenagers and youth”; “Production and distribution of Bahá’í pamphlets for members”

As demonstrated in Section II(B) of this report, the sheer number of home raids where Bahá’í materials have been confiscated alone illustrates how the above claim in Iran’s UPR report is untrue.

Furthermore, as discussed in Section I(B) of this report, between October 2012 and March 2013, 24 Bahá’ís in Golestan were arbitrarily arrested and detained, following a mass raid on their homes. All individuals had no previous criminal record. The following is a list of the specific charges filed against those 24 Bahá’ís, all of which are related to their membership and activity in the religious community:

- “Teaching in favour of (support of) Baháism and against the regime of Islamic Republic of Iran by active involvement in implementing/ carrying Ruhi⁴⁰ (program/project) in Golestan province;”

⁴⁰ The Ruhi Institute is an educational institution, headquartered in Columbia, which develops programs and materials for the purpose of enhancing the capacity of individuals and communities to serve humanity.

- “Collaboration with hostile governments by helping and effective activity in promoting goals of sectarian and anti-Islamic and anti-Shiah of hostile and arrogant governments;”
- “Administering a section/area of unlawful administration and security intruder of propaganda and growth of Bahaism named Ruhi (program/project) in seven regions of Gorgan and three regions of Gonbad and Minoudasht;”
- “Membership in unlawful administration and security intruder of propaganda and growth of Bahaism named Ruhi (program/project) as (titled) tutor, animator, and children class teacher; and”
- “Formation and administering unlawful administration and security intruder of propaganda and growth of Bahaism named Ruhi (program/project).”

VIII. Conclusion

As the timeline for UPR engagement continues to advance, the Islamic Republic of Iran has been given multiple opportunities to demonstrate its willingness to implement those recommendations relating to the situation of the Bahá’ís. With each passing disregarded opportunity, Iran reinforces its clear enmity towards the Bahá’ís—most recently in its UPR Mid-Term Report. To date, Iran has not implemented a single accepted or partially-accepted recommendation pertaining to the Bahá’ís. The above-mentioned cases include only a few of the numerous incidents since our September 2015 UPR report. Each case unambiguously demonstrates that the Iranian government has not only failed to take any measures to provide opportunities for the Bahá’ís to exercise their right to freedom of religion or belief, but also their basic human rights. The situation remains as dire as before: Bahá’ís continue to be severely persecuted, to the point that merely existing as a religious minority constitutes a threat to their livelihood, education, and, ultimately, to their lives.

Notwithstanding all of this, in their response to the persecution, the Bahá’ís of Iran have refused to succumb to the ideology of victimization. Instead, they have found reserves of surprising resilience. Rather than yielding to oppression, Bahá’ís have bravely approached the very same officials who seek to persecute them, using legal reasoning based on Iranian law and the country’s constitution. Despite the daily pressures and hardships they face, not to mention efforts by the government to encourage them to flee their homeland, many Bahá’ís have chosen to stay. They believe firmly that it is their responsibility to contribute to the progress and advancement of their homeland, an ideal put into action through grassroots efforts, such as literacy programs, often undertaken in collaboration with fellow citizens.

In recent years, Iranian officials have declared that their country is ready to open a new chapter in its relations with the outside world. There are concrete signs to which the international community might look to signify Iran’s willingness to change. These could include President Rouhani informing the world that the 1991 government memorandum on “the Bahá’í Question” and all other state policies designed to marginalise the Bahá’í community have been rescinded. Another sign would be to have Iranian diplomats realistically address the discrimination against their Bahá’í citizens, rather than denying that it occurs or refusing even to discuss the topic at all. Required by their teachings to eschew violence and partisan political involvement, Bahá’ís pose no threat to the government. Accordingly, the government’s policies towards them continue to provide a litmus test of Iran’s genuine commitment to human rights, tolerance, and moderation.

Appendix 1

Iran's UPR Mid-Term Report for 2015–2016, prepared by the Judiciary of the Islamic Republic of Iran High Council for Human Rights

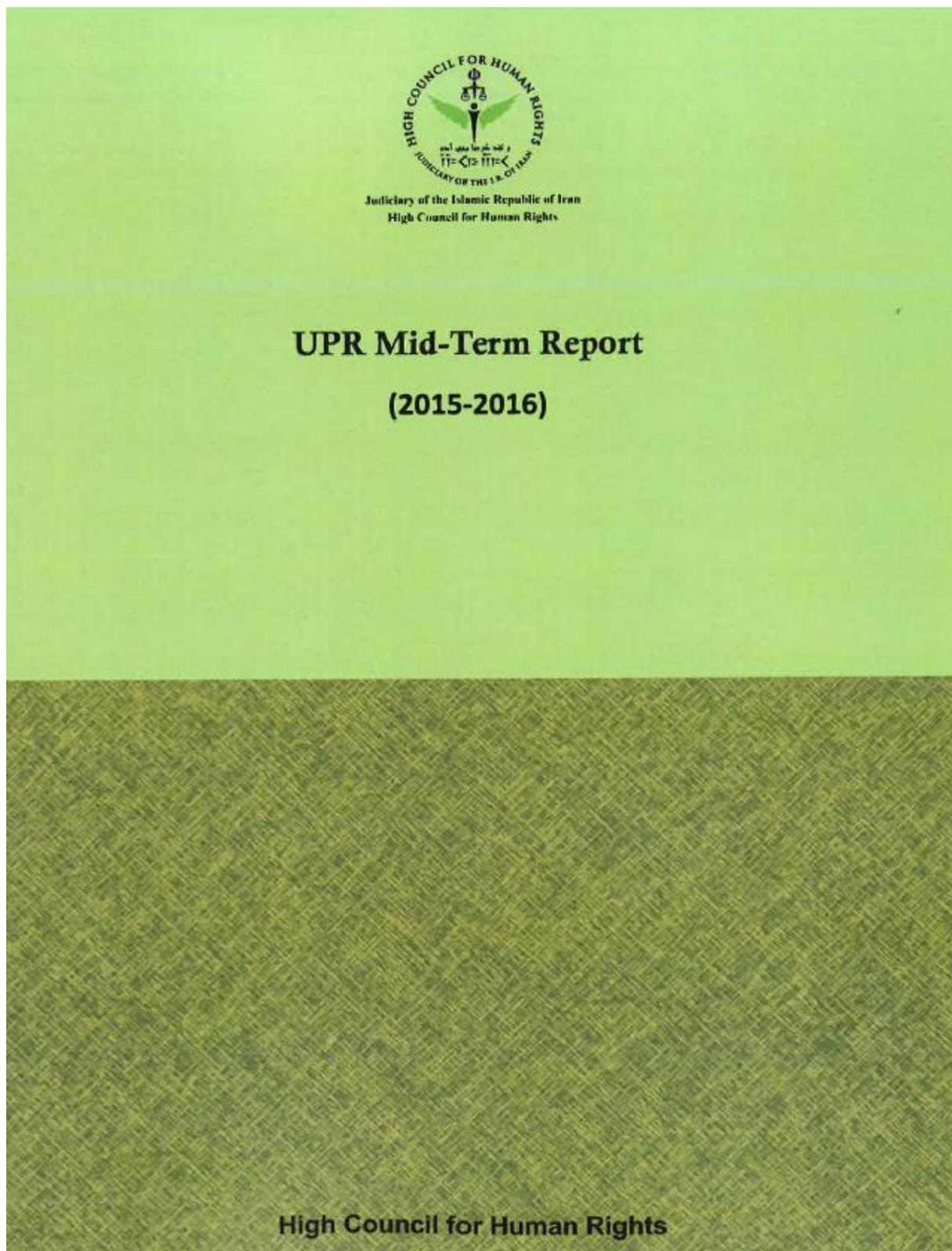
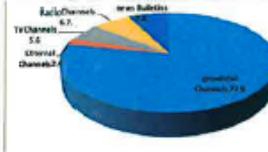


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Chart (3): Performance of Programming Areas in the Media Regarding Ethnicities and Minorities



(Source: Media report to the National UPR Committee, 2015)

Sects

Baha'ism is one the sects which is basically a political - not a religious – one established around 200 years ago by some colonial governments and based on certain documents with the aim of undermining Iranians' Islamic faiths and beliefs. Nonetheless, according to articles 4, 22 and 23 of the Islamic Republic of Iran's constitution. Followers of the sects benefit from all citizenship rights. Based

on Islamic religious teachings, faith inquisition is strictly forbidden and according to article 23 of the constitution "faith inquisition is forbidden and no one shall be reprimanded owing to his faith." In spite of the claims, Baha'is conditions in Iran is much better other countries concerned. The privileges assigned to this category represents a guarantee and observing their fundamental rights as citizens in the Islamic Republic of Iran.

Table (8): Bahai Sect's Set of Rights

Legal Rights	Economic Rights	Social and Cultural Rights*
Registration of marriage in their birth certificates	Work permit issuance	Private Cemetery
Real estate and properties trade	Principle Agreement Issuance	Sectarian activities such as attending rituals every 19 days
Baha'is marriage being official as well as recorded in registry offices	Company establishment permit issuance	Benefiting medical offices Education in Iranian Schools and Universities ,
Baha'i families with deceased during Holy Defense period benefiting from facilities and privileges of martyrs' families	Benefiting bank facilities	benefiting from medical insurance
	Loan allocation and other agricultural services	Benefiting from national medical insurance
	Significant presence in economic activities, communications and public services; winning various tenders; benefiting the right to advertise products in the pervasive media	Construction of Baha'is' nursing home
	Construction and financial organizations permit issuance	
	Owning lands and natural resource for agricultural activities such as rangelands of stock	Production and distribution of Baha'i pamphlets for members
	Owning tractors and agricultural equipment in Cooperative prices	Passport issuance and permission to travel abroad
	Benefiting interest-free loans based on possible notes	Sectarian training courses for children, teenagers and youth
	Being active in different professions such as trade, services, guilds, medical and even some guild being exclusive to them (such as optometry)	
	Living in upper areas of the cities	
	Benefiting from pensions	
	Benefiting from civil rights, amenities and services	

Contrary to the claims regarding preventing Baha'is higher education the following points should be noted. Article 30 of the Constitution names free education and physical training education for everyone at all levels as well as facilitation and expansion of higher education a duty upon the government. According to the Article, "the government is bound to provide free-of-charge education materials for the nation by the end of high school in addition to improving materials of higher education to the point of the country's self-sufficiency." Islamic Republic of Iran's education

centers have rules and regulations that as long as followed – regardless of one's religion and faith – no one has the slightest right to offend them. In contrast to the policies of the countries claiming human rights who officially deprive people with the excuse of having religious signs, Iran respects everyone's religion and beliefs. After all, presence of different Baha'is in Iranian universities studying higher levels of education, such as master's and doctorate, goes in contrary to the claims.