

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	623
Land:	Iran
Kilde:	Immigration and Refugee Board of Canada
Titel:	Iran: Situation and treatment of atheists and irreligious people by society and authorities, particularly in Tehran; state protection available
Udgivet:	23. december 2015
Optaget på baggrundsmaterialet:	13. juni.2016

Recommended citation:

IRB - Immigration and Refugee Board of Canada: ran: Situation and treatment of atheists and irreligious people by society and authorities, particularly in Tehran; state protection available (2014-December 2015), 23 December 2015 (available at ecoi.net)



Immigration and
Refugee Board of Canada

Commission de l'immigration
et du statut de réfugié du Canada

Iran: Situation and treatment of atheists and irreligious people by society and authorities, particularly in Tehran; state protection available (2014-December 2015)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Overview

Sources state that Iran is a theocracy (US 2015, 45; Berkley Center for Religion, Peace & World Affairs n.d.). The official state religion is the Shiite [also known as Shia] branch of Islam (IHRDC 30 July 2014; USIP n.d.; Berkley Center for Religion, Peace & World Affairs n.d.). According to the US Department of State's *International Religious Freedom Report for 2014*, 99 percent of the Iranian population is Muslim, 9 percent of whom are Sunni and 90 percent of whom are Shia (US 14 Oct. 2015, 2). According to sources, recognized non-Muslim religious minorities include Jews, Christians, and Zoroastrians (*Forbes* 13 May 2013; US 14 Oct. 2015, 1; Iran 1979, Art. 13).

According to the *International Religious Freedom Report for 2014*, the Iranian government "maintains a legal interpretation of Islam that forces citizens of all faiths to follow strict rules, justified on the basis of religion" (US 14 Oct. 2015, 5). The Iran Chamber Society, a non-profit organization that provides information promoting Iranian culture and history (Iran Chamber Society n.d.a), similarly states that non-Muslims "are expected to observe Islamic codes of public conduct" (ibid., n.d.b).

2. Treatment of Atheists and Irreligious People

2.1 Treatment by Authorities

Information on the treatment of atheists and irreligious people by authorities was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

According to the *International Religious Freedom Report for 2014*, the Iranian government "rhetoric and actions created a threatening atmosphere for all non-Shia religious groups," including convicting and executing "dissidents, political reformers and peaceful protesters on charges of *moharebeh* [enmity against God] and anti-Islamic propaganda" (US 14 Oct. 2015, 6). The International Humanist and Ethical Union (IHEU), an organization that represents over 120 "Humanist organisations" in 45 countries (IHEU 2 Feb. 2013), states that Iranian citizens must

"declare their faith in one of the four officially recognized religions" in order to access rights, such as applying for the "general examination to enter any university in Iran" (ibid.). A 2015 report on Iran by the Austrian Centre for Country of Origin & Asylum Research and Documentation (ACCORD) [1], citing a 2012 article from German weekly newspaper *Die Zeit*, similarly states that atheists must hide their "true beliefs for fear of...losing their social benefits or being barred from university entrance" (ACCORD 2015, 51).

According to Amnesty International (AI), atheists are "at risk of persecution, including arrest, imprisonment and possible execution" (AI 2015, 189). The 2015 ACCORD report, citing *Die Zeit*, states that "atheism is not recognized in Iran and that under Iran's Sharia law, any Muslim who abandons his faith may face the death penalty for apostasy" (ACCORD 2015, 51). The *International Religious Freedom Report for 2014* similarly states that Muslim citizens do not have the right to "choose, change or renounce their religious beliefs" and that a child born to a Muslim father is considered a Muslim by the Iranian government and conversion from Islam is deemed apostasy, "which is punishable by death" (US 14 Oct. 2015, 3). *The Economist* similarly reports that Sharia law "assumes people are born into their parents' religion" and "ex-Muslim atheists are guilty of apostasy - a *hudud* crime against God" (*The Economist* 24 Nov. 2012).

According to a 2014 report by the Iran Human Rights Documentation Center (IHRDC), a US-based non-profit organisation founded by human rights scholars and lawyers that aims to establish a historical record of the human rights situation in Iran (IHRDC, n.d.), "[w]hile jurists generally concur that leaving Islam and embracing another religion or atheism establishes apostasy, they have different views regarding what specific acts are tantamount to apostasy" (ibid. 30 July 2014). A report written by Dr. Ahmed Shaheed, the UN Special Rapporteur on the situation of human rights in Iran, states that

[w]hile "apostasy" is not specifically criminalised under Iranian law, Iran's new penal code allows for judges to rely on Islamic jurisprudence in the absence of written law. In doing so, Iranian judges frequently seek the opinions of clerics which often view apostasy as a capital offence. (Shaheed [2013])

The IHRDC report also states that Muslim-born converts and "others who espouse unconventional religious beliefs have been targeted and prosecuted by the Iranian state" (IHRDC 30 July 2014). The same source notes that, in addition to apostasy, a person, whether a Muslim or non-Muslim, can be "charged with the crime of 'swearing at the Prophet' if he or she makes utterances that are deemed derogatory towards the Prophet Mohammad, other Shi'a holy figures, or other divine prophet," which is a capital offense (ibid.).

According to the 2015 ACCORD report, citing 2015 email correspondence with a "senior research fellow in Iranian studies" at a German university, "atheists usually do not express their views in public and are thus able to lead normal lives in Iran without facing any further restrictions" (ACCORD 2015, 51). The source further states that although "atheists obviously cannot discuss their opinions in public, they often use the Internet to present their views anonymously" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. Freedom House's *Freedom on the Net 2015*, states that the 2000 Press Law prohibits publishing "ideas contrary to Islamic principles," and notes that people have been arrested for "insulting Islam" on the Internet (Freedom House 2015a).

Information on specific instances of violence or prosecution of atheists or irreligious people in Iran could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.2 Treatment by Society

Information on the treatment of atheists or irreligious people by society was scarce among the sources consulted by the Research Directorate within the time constraints of this Response. According to the *International Religious Freedom Report for 2014*, "[n]on-Muslims faced substantial societal discrimination, aided by official support" (US 14 Oct. 2015, 1). According to the US Department of State's *Country Reports on Human Rights Practices for 2014*, there was "some societal discrimination" against non-Shia persons, though "such discrimination, largely at the individual level, was difficult to determine" (US 25 June 2015, 40-41). According to a 2014 fact-finding mission report produced by the Danish Immigration Service, citing an advocacy officer with the Article 18 initiative of the United Council of Iranian Churches[2], Iran is a "mixed society," with both conservative and more secular groups of people (Denmark June 2014, 13). The source further states that "[s]ome people from the conservative communities pay more attention to public manifestations of religion such as participation in Friday prayers, etc., whereas people from the more secular segment do not" and that there are "more and more atheists in Iran and that this is more accepted among some Iranians" (ibid.). Further and corroborating information on the societal treatment of atheists in Iran could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3. State Protection

Information on state protection available for atheists and irreligious people in Iran could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. However, the following information may be useful.

Country Reports 2014 states that the supreme leader, Ayatollah Ali Khamenei, holds "constitutional authority over the judiciary, the state-run media, and the armed forces" as well as indirect control over the "internal security forces" (US 25 June 2015, 1). Freedom House states that "[t]he head of the judiciary is directly appointed by the supreme leader for a five-year term" and that judges have been "increasingly influenced by the security apparatus" (Freedom House 2015b). According to Amnesty International, the judiciary in Iran lacks independence and "remained subject to interference by the security authorities" (AI 2015, 189).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] ACCORD is an "independent country of origin information centre affiliated with the Austrian Red Cross and co-funded by the European Refugee Fund, UNHCR, the Austrian Ministry of the Interior and the Austrian refugee organizations" (UN n.d.).

[2] Article 18 is an initiative of the United Council of Iranian Churches that advocates for religious freedom (Denmark June 2014, 41). According to Open Doors, Article 18 is a London-based branch of the United Council of Iranian Churches (Hamgaam), which defends and promotes religious freedom in Iran (Open Doors 13 June 2012).

References

Amnesty International (AI). 25 February 2015. "Iran." *Amnesty International Report 2014/15: The State of the World's Human Rights*. <<https://www.amnesty.org/en/countries/middle-east-and-north-africa/iran/report-iran/>> [Accessed 8 Dec. 2015]

Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD). September 2015. *Iran: Freedom of Religion; Treatment of Religious and Ethnic Minorities*. <<http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=5609522a4&skip=0&query=atheist&coi=IRN&searchin=title&sort=date>> [Accessed 8 Dec. 2015]

Berkley Center for Religion, Peace & World Affairs. N.d. Georgetown University. "National Laws on Blasphemy: Iran." <<http://berkleycenter.georgetown.edu/essays/national-laws-on-blasphemy-iran>> [Accessed 15 Dec. 2015]

Denmark. June 2014. Danish Immigration Service. *Update on the Situation for Christian Converts in Iran*. <http://www.ecoi.net/file_upload/1226_1403600474_rapportiranffm10062014ii.pdf> [Accessed 16 Dec. 2015]

The Economist. 24 November 2012. "No God, Not Even Allah." <<http://www.economist.com/news/international/21567059-ex-muslim-atheists-are-becoming-more-outspoken-tolerance-still-rare-no-god-not>> [Accessed 14 Dec. 2015]

Forbes. 13 May 2013. Doug Bandow. "The Perils of Religious Persecution in Iran." <<http://www.forbes.com/sites/dougbandow/2013/05/13/the-perils-of-religious-persecution-in-iran/>> [Accessed 14 Dec. 2015]

Freedom House. 2015a. "Iran." *Freedom on the Net*. <<https://freedomhouse.org/report/freedom-net/2015/iran>> [Accessed 22 Dec. 2015]

_____. 2015b. "Iran." *Freedom in the World 2015*. <<https://freedomhouse.org/report/freedom-world/2015/iran>> [Accessed 18 Dec. 2015]

International Humanist and Ethical Union (IHEU). 2 February 2013. "IHEU Highlights the Criminalisation of Atheism in Many Parts of the World." <<http://iheu.org/iheu-highlights-criminalisation-atheism-many-parts-world/>> [Accessed 8 Dec. 2015]

Iran. 1979 (amended 1992). *Islamic Republic of Iran - Constitution*. <<http://www.unesco.org/most/rr3iran.htm>> [Accessed 14 Dec. 2015]

Iran Chamber Society. N.d.a. "About Us." <http://www.iranchamber.com/about_us/about_us.php> [Accessed 16 Dec. 2015]

_____. N.d.b. "Religion in Iran." <http://www.iranchamber.com/religions/articles/religion_in_iran.php> [Accessed 14 Dec. 2015]

Iran Human Rights Documentation Center (IHRDC). 30 July 2014. *Apostasy in the Islamic Republic of Iran*. <<http://www.iranhrdc.org/english/publications/reports/1000000512-apostasy-in-the-islamic-republic-of-iran.html>> [Accessed 15 Dec. 2015]

_____. N.d. "Mission." <<http://www.iranhrdc.org/english/mission.html>> [Accessed 16 Dec. 2015]

Open Doors. 13 June 2012. "Iranian Authorities Shut Church in Tehran." <<https://www.opendoorsusa.org/take-action/pray/tag-prayer-updates-post/iranian-authorities-shut-church-in-tehran/>> [Accessed 18 Dec. 2015]

Shaheed, Ahmed. [2013]. *Freedom of Religion and Belief in the Islamic Republic of Iran*. <<http://eclj.org/pdf/freedom-of-religion-and-belief-in-the-islamic-republic-of-iran.pdf>> [Accessed 11 Dec. 2015]

United Nations (UN). N.d. United Nations High Commissioner for Refugees (UNHCR). "Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)." <<http://www.refworld.org/publisher/ACCORD.html>> [Accessed 21 Dec. 2015]

United States (US). 14 October 2015. Department of State. "Iran." *International Religious Freedom Report for 2014*. <<http://www.state.gov/documents/organization/238666.pdf>> [Accessed 8 Dec. 2015]

_____. 25 June 2015. Department of State. "Iran." *Country Reports on Human Rights Practices for 2014*. <<http://www.state.gov/documents/organization/236810.pdf>> [Accessed 11 Dec. 2015]

_____. 2015. United States Commission on International Religious Freedom (USCIRF). "Iran." *Annual Report 2015*. <<http://www.uscirf.gov/sites/default/files/Iran%202015.pdf>> [Accessed 9 Dec. 2015]

United States Institute of Peace (USIP). N.d. *The Iran Primer*. <<http://iranprimer.usip.org/resource/iran-and-islam>> [Accessed 8 Dec. 2015]

Additional Sources Consulted

Oral sources: Professor, Iranian Studies, St. Andrews University; International Campaign for Human Rights in Iran; Human Rights in Iran Unit, Brooklyn College, City University of New York.

Internet sites, including: Al Jazeera; Factiva; *Georgetown Journal of International Affairs*; Human Rights Watch; International Campaign for Human Rights in Iran; Justice for Iran; Minority Rights Group International; Open Doors; Qantra; Reuters; Small Media; *Time*; United Nations – Office of the High Commissioner for Human Rights, Refworld; *The Washington Post*.