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USCIRF Annual Report 2010 - Countries of Particular Concern: Iran

FINDINGS: The government of Iran continues to engage in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused. Iran is a constitutional, theocratic republic that discriminates against its citizens on the basis of religion or belief. During the past year, the Iranian government's poor religious freedom record deteriorated, especially for religious minorities such as Baha'is, Christians and Sufi Muslims, and physical attacks, harassment, detention, arrests, and imprisonment intensified. Even the recognized non-Muslim religious minorities – Jews, Armenian and Assyrian Christians, and Zoroastrians – protected under Iran's constitution faced increasing discrimination and repression. Dissident Muslims were increasingly subject to abuse and several were sentenced to death and even executed for the capital crime of *moharebeh* ("waging war against God)." A revised penal code that would codify serious punishments, including the death penalty, for converts from Islam remains under consideration by the Iranian parliament. Heightened anti-Semitism and repeated Holocaust denials by senior government officials have increased fear among Iran's Jewish community. Since the 1979 Iranian revolution, members of minority religious communities have fled Iran in significant numbers for fear of persecution.

Since 1999, the State Department has designated Iran as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The Commission recommends in 2010 that Iran again be designated as a CPC.

Since the disputed June 12, 2009 elections, human rights and religious freedom conditions in Iran have regressed to a point not seen since the early days of the Islamic revolution. Killings, arrests, and physical abuse of detainees have increased, including for religious minorities and Muslims who dissent or express views perceived as threatening the legitimacy of the government. The Iranian government has repressed its citizens on the basis of religious identity for years. However, in recent months it has increasingly manipulated the reach of its religious laws to silence, and in some cases put to death, Shi'a Muslims simply for exercising their internationally protected rights to freedom of expression and freedom of thought, conscience, and religion or belief.

PRIORITY RECOMMENDATIONS: The U.S. government should invoke IRFA's statutory provisions by identifying those Iranian officials and entities responsible for severe religious freedom violations and imposing travel bans and asset freezes on those individuals. The U.S. government should also work with its European allies to do the same. Current U.S. policy on human rights in Iran has primarily relied on the issuance of statements or reports, and USCIRF concludes that it is now time to go further and take concrete policy action against human rights violations in Iran. USCIRF urges the U.S. government to continue to vigorously speak out, including during P5+1 talks and in any other formal or informal bilateral or multilateral fora, about deteriorating human rights and religious freedom conditions, and to demand the release of all prisoners of

conscience. In addition, the U.S. government should use appropriated funds to advance Internet freedom and protect Iranian activists from harassment and arrest by developing new technologies and immediately distributing proven and field-tested programs to counter censorship. Additional recommendations for U.S. policy toward Iran can be found at the end of this chapter.

Religious Freedom Conditions

Heightened Concerns after the June 12 Disputed Elections

Since the June 12, 2009 disputed elections, human rights and religious freedom conditions have regressed to a point not seen since the early days of the Islamic revolution 30 years ago. In the weeks and months following the elections, hundreds of thousands of Iranians demonstrated and protested in the streets. Security and paramilitary forces violently suppressed these demonstrations. Dozens of Iranians were killed and approximately 4,000-5,000 were arrested. Hundreds remain in detention. More than 100 prominent activists and demonstrators were tried in a mass "show trial" which started in August. Human rights groups reported that at least 20 of these defendants were sentenced to six months to 15 years in prison. At least three were sentenced to death and executed on a variety of charges, including baseless religious crimes, such as "waging war against God," "spreading corruption on earth," and "moral corruption." Since the election, the Iranian government has leveled unsubstantiated charges against members of religious minority communities and others of crimes such as "confronting the regime" and apostasy and has followed the same trial procedures as in other national security cases.

Government Structure

The Constitution of the Islamic Republic of Iran proclaims Islam, specifically the doctrine of the Twelver (Shi'a) Jaafari School, to be the official religion of the country. It stipulates that all laws and regulations, including the Constitution itself, be based on Islamic criteria. The head of state, Ayatollah Ali Khamenei, is the Supreme Leader of the Islamic Revolution and has direct control over the armed forces, the internal security forces, and the judiciary. The Supreme Leader is chosen by the Assembly of Experts, a group of 86 Islamic scholars elected by popular vote from a government-screened list of candidates. All legislation passed by the *Majlis* (parliament) is reviewed for adherence to Islamic and constitutional principles by the Guardian Council, half of whose members are appointed by the Supreme Leader. The Guardian Council also has the power under the Constitution to screen and disqualify candidates for all elective offices, including the Assembly of Experts and the 290-member *Majlis*, based on a vague and arbitrary set of requirements, including candidates' ideological and religious beliefs. Disputes over legislation between the *Majlis* and the Guardian Council are adjudicated by the Expediency Council, an advisory body appointed by the Supreme Leader. Five seats in the *Majlis* are reserved for recognized religious minorities, two for Armenian Christians, one for Assyrian Christians, and one each for Jews and Zoroastrians.

Majority and Minority Muslims

Over the past few years, and especially after the contested June 2009 presidential election, the Iranian government has imposed harsh prison sentences on prominent reformers from the Shi'a majority community, many of whom have been tried on criminal charges of "insulting Islam," criticizing the Islamic Republic, and publishing materials that allegedly deviate from Islamic standards. The Iranian government has been repressing its citizens on the basis of religious identity for years, but in recent months it increasingly manipulated the reach of its religious laws to silence, and in some cases put to death, Shi'a Muslims simply for exercising their internationally protected rights of freedom of expression and freedom of thought, conscience, religion, or belief.

In early 2010, the Iranian government started convicting and executing reformers and peaceful protestors on the charge of *moharebeh*. Reportedly, more than 10 individuals have been charged, convicted, and sentenced to death for *moharebeh*. At least three

are known to have been executed during the past year.

Iranian authorities regularly detain and harass bloggers who write anything critical of the Islamic revolution or the Iranian government. The government requires bloggers to register their Web sites with the Ministry of Art and Culture. Government officials reportedly claim to have blocked millions of Web sites, particularly since the June 2009 elections. Pending legislation would make the creation of blogs promoting "corruption, prostitution, and apostasy" punishable by death. In November 2008, well-known Iranian-Canadian blogger Hossein Derakhshan was arrested in Tehran while visiting the country and remains in the notorious Evin prison in northwestern Iran. According to human rights groups, Derakhshan has been physically and psychologically abused while in prison. Although no formal charges have been filed, some groups have reported that Derakhshan may be charged with "insulting religion." In March 2009, Iranian blogger Omid Mirsayafi died in prison while serving a 30-month sentence imposed by a revolutionary court in Tehran for "propaganda against the state" and criticism of religious leaders; Iranian authorities claim his death was a suicide, but his lawyer and family have demanded an investigation.

A number of senior Shi'a religious leaders who have opposed various religious and political tenets and practices of the Iranian government also have been targets of state repression, including house arrest, detention without charge, trial without due process, torture, and other forms of ill treatment. Since the June 2009 elections, the government has cracked down on clerics, prohibiting them from questioning the election results and from criticizing the government's response to protests. In December 2009, Grand Ayatollah Hussein-Ali Montazeri, once the designated successor to Ayatollah Ruhollah Khomeini, died after years of imprisonment, harassment, and house arrest because of his strong criticism of clerical rule in Iran. Authorities even prevented supporters and mourners from attending Ayatollah Montazeri's funeral in Qom by blocking streets leading to the funeral site. During demonstrations in late December just after Ayatollah Montazeri's death, nearly 1,000 people were arrested by authorities. Approximately 200 remain in detention.

In 2006, Ayatollah Mohammad Kazemini Boroujerdi, a senior Shi'a cleric who advocates the separation of religion and state, was arrested and imprisoned. He and 17 of his followers were initially sentenced to death for *moharebeh*, but the death sentences were later withdrawn on appeal. Ayatollah Boroujerdi is serving an 11-year prison term and is reportedly in poor health. Some of his supporters have claimed that Ayatollah Boroujerdi has suffered physical abuse while in prison. He remains in jail.

Muslim minorities continue to face repression. Some Iranian Sunni leaders have reported widespread abuses and restrictions on their religious practice, including detentions and torture of Sunni clerics, as well as bans on Sunni teachings in public schools and Sunni religious literature, even in predominantly Sunni areas. Sufi and Sunni Muslim leaders are regularly intimidated and harassed by intelligence and security services and report widespread official discrimination. The Sunni community still has not been able to build a mosque in Tehran. Also, there have been allegations that the Iranian government discriminates against the Sunni community in government employment, particularly in leadership positions in the executive and judicial branches.

During the past year, arrests and harassment of Sufi Muslims increased significantly. If the religious identity of a Sufi Muslim student was made known, the university generally expelled him or her. According to human rights groups, in July 2009 riot police and security forces arrested 20 Sufi practitioners in the northeastern city of Gonabad. They were among more than 200 Sufi dervishes who gathered to protest the arrest of Hossein Zareya, a local leader. The police reportedly injured several protesters with the use of force and tear gas. In February 2009, at least 40 Sufis in the central city of Isfahan were arrested after protesting the destruction of a Sufi place of worship; all were released within days.

In January 2009, Jamshid Lak, a Gonabadi Dervish from the Nematollahi Sufi order, one of the country's largest Sufi sects, was flogged 74 times after being convicted in 2006

of "slander" based on his public allegation of ill-treatment by a Ministry of Intelligence official. In late December 2008, after the closure of a Sufi Muslim place of worship, authorities arrested without charge at least six members of the Gonabadi Dervishes on Kish Island and confiscated their books and computer equipment; their status is unknown. In November 2008, Amir Ali Mohammad Labaf was sentenced to a five-year prison term, 74 lashes, and internal exile to the southeastern town of Babak for "spreading lies," based on his membership in the Nematollahi Gonabadi Sufi order. In October 2008, at least seven Sufi Muslims in Isfahan, and five others in Karaj, were arrested because of their affiliation with the Nematollahi Gonabadi Sufi order; they remain in detention.

Non-Muslim Religious Minorities

The constitution of Iran formally recognizes Christians, Jews, and Zoroastrians as protected religious minorities who may worship freely and have autonomy over their own matters of personal status (e.g. marriage, divorce, and inheritance). Nevertheless, the primacy of Islam and Islamic laws and institutions adversely affects the rights and status of non-Muslims and the recognized religious minorities live, in effect, as second class citizens. Members of these groups are subject to legal and other forms of discrimination, particularly in education, government jobs and services, and the armed services. In addition, their places of worship are frequently defaced with graffiti and photos of the religious leadership. Their private schools are administered by Iran's Ministry of Education, which imposes a state-approved religious curriculum.

Non-Muslims may not engage with Muslims in public religious expression or persuasion; some also face restrictions on publishing religious material in Persian. In 2004, the Expediency Council authorized collection of equal blood money for the death of Muslim and non-Muslim men. Baha'is, Sabean Mandaean men, and all women remain excluded from the revised ruling. According to Iranian law, Baha'i blood is *mobah*, which means members of the Baha'i faith can be killed with impunity.

Beginning in August 2005, and particularly since the June 2009 elections, the Iranian government has intensified its campaign against non-Muslim religious minorities. A consistent stream of virulent and inflammatory statements by political and religious leaders and an increase in harassment and imprisonment of, and physical attacks against, these groups has led to a renewal of the kind of oppression seen in the years immediately following the Iranian revolution in the early 1980s. Ayatollah Ahmad Jannati, head of the Guardian Council, has publicly attacked non-Muslims and referred to them as "sinful animals" and "corrupt." In early 2008, the Iranian parliament began considering a new law that would impose serious punishments, including the death penalty, on converts from Islam. In September 2008, a committee in the *Majlis* approved advancing the amended language on apostasy, which could be passed by the full *Majlis* in the near future. Although the Iranian government has in the past applied the death penalty for apostasy under Islamic law, it has not been explicitly codified. If the proposed law is passed, it would further endanger the lives of all converts from Islam, particularly members of the Baha'i faith, who are already considered apostates, even if they are fourth- or fifth-generation Baha'i adherents.

Baha'is

The Baha'i community has long been subject to particularly severe religious freedom violations in Iran. Baha'is, who number at least 300,000, are viewed as "heretics" by Iranian authorities and may face repression on the grounds of apostasy. Since 1979, Iranian government authorities have executed more than 200 Baha'i leaders in Iran, and more than 10,000 have been dismissed from government and university jobs. Baha'is may not establish places of worship, schools, or any independent religious associations in Iran. In addition, Baha'is are barred from the military and denied government jobs and pensions as well as the right to inherit property. Their marriages and divorces also are not recognized, and they have difficulty obtaining death certificates. Baha'i cemeteries, holy places, and community properties are often seized or desecrated and many important religious sites have been destroyed. In recent years, Baha'is in Iran have faced

increasingly harsh treatment, including increasing numbers of arrests and detentions and violent attacks on private homes and personal property. Baha'i property has been confiscated or destroyed and dozens of Baha'is have been harassed, interrogated, detained, imprisoned, or physically attacked.

Nearly 300 Baha'is have been arbitrarily arrested since early 2005 and, at present, at least 45 Baha'is remain in prison on account of their religious identity. In March and May 2008, seven Baha'i leaders – Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm – were arrested and taken to the notorious Evin prison in Tehran, where they remain today. After numerous postponements, the trial for the five men and two women started in January and is still ongoing. They were formally charged with espionage, propaganda activities against the Islamic order, the establishment of an illegal administration, cooperation with Israel, sending secret documents outside the country, acting against the security of the country, and "corruption on earth." Attorneys for the seven Baha'is, who have had extremely limited access to their clients and files, say that the charges against them have no merit and are baseless.

Since January 1, 2010, at least 50 Baha'is have been arbitrarily arrested. At least 14 Baha'is were arrested in March in several different cities throughout the country, including Marvdasht, Mashhad, Semnan, Isfahan, Shiraz, Kermanshah, and Sari. Approximately 13 Baha'is were detained in February, several of whom remain in jail. Another 13 Baha'is were arrested in early January and 10 remain in detention. Other arrests in 2010 occurred in several other cities, including Tehran, Babolsar, Karaj, Nazarabad, and Shahrekord. Most of the detentions followed the similar pattern of Ministry of Intelligence officials appearing at the homes of Baha'is, searching the premises and confiscating computers, books and other materials, and then making arrests. No charges have been filed. According to human rights groups, between October 2009 and mid-February 2010, there were 47 new cases of arbitrary detention of Baha'is. In addition, throughout 2009, Baha'is in several cities across the country were targets of arson attacks; in all cases, police said nothing could be done to find the perpetrators. Dozens of Baha'is are awaiting trial while others were sentenced to prison terms ranging from 90 days to several years in 2009 and 2010. All of those convicted are reportedly in the process of appealing the verdicts. In March 2010, at least 50 young Baha'is, some of whom received prison sentences ranging from one to four years for teaching underprivileged children in southeastern Iran in 2006, were banned from travel outside the country.

In the past year, Baha'i cemeteries in various parts of the country, including Tehran, Ghaemshahr, Marvdasht, Semnan, Sari, and Isfahan, have been desecrated, defaced, or in some way blocked to the Baha'i community. In February 2009, a Baha'i cemetery in Semnan in northern Iran was desecrated, and in January, another Baha'i cemetery was destroyed in Ghaemshahr. Baha'i cemeteries also have been destroyed in Yazd and outside of Najafabad in central Iran. In the past several years, several articles in the government-controlled newspaper *Kayhan*, whose managing editor is appointed by Supreme Leader Ayatollah Khamenei, have vilified and demonized the Baha'i faith and its community in Iran. Iranian authorities also have gone to great lengths in recent years to collect information on all members of the Baha'i community in Iran and to monitor their activities.

In the past, Baha'is in Iran have not been allowed to attend university. Although the Iranian government maintains publicly that Baha'is are free to attend university, reports over the past year indicate that the *de facto* policy of preventing Baha'is from obtaining higher education remains in effect. Of the very few Baha'is who are enrolled in universities, several were expelled during the past year once their religious beliefs became known. Furthermore, during the past few years, young Baha'i schoolchildren in primary and high schools increasingly have been vilified, pressured to convert to Islam, and in some cases expelled on account of their religion.

Christians

During the reporting period, there has been a significant increase in the number of incidents of Iranian authorities raiding church services, detaining worshippers and church leaders, and harassing and threatening church members. Christians, particularly Evangelical and other Protestants, continue to be subject to harassment, arrests, close surveillance, and imprisonment; many are reported to have fled the country. Indigenous Assyrian and Armenian Christian religious leaders also have been targeted. Since becoming president, Iranian President Mahmoud Ahmadinejad has called for an end to the development of Christianity in Iran. The government requires Evangelical Christian groups to submit congregation membership lists.

In February 2010, Hamid Shafiee, a Christian priest, and his wife, Reyhaneh Aghajari, were arrested in the central city of Isfahan. Security agents seized their personal belongings, including books, telephones, CDs, and a number of Bibles in Persian. Their whereabouts and the charges against them are unknown. The same month, nine Christians, including Assyrian pastor Wilson Issavi, were arrested in Isfahan. Issavi was released in late March, but the whereabouts of the others are unknown and no charges have been filed. Also in February, an Armenian Christian pastor, Vahik Abrahamian, was arrested in Tehran; reportedly, he is being held in Evin prison. In January, Reverend Issavi's Assyrian Evangelical Church in Kermanshah, western Iran, was shut down by authorities. Also in January, in the southwestern city of Shiraz, seven Christians were detained, and, according to the Farsi Christian News Network, most face charges of apostasy; their status is unknown. In late December 2009, at least 15 Christians were arrested in Tehran; 12 were released in January while three – Maryam Jalili, Mitra Zahmati, and Farzan Matin – were released in March after almost three months in prison.

Between June and August 2009, there were at least 30 cases of Christians arrested and detained across the country, mostly during church gatherings. All were released by September. In March 2009, two women, Marzieh Esmaeilabad and Maryam Rustampoor, were arrested for practicing Christianity after authorities raided and confiscated materials from their home. Iranian officials reportedly claimed the two women were engaging in "anti-government" activities, although the charges were never substantiated. In October, the women reportedly were brought before the court and charged with additional crimes: propagation of the Christian faith and apostasy. However, in November, both women were released without bail, although they could still face charges of proselytization and/or apostasy. It is a common practice, particularly in cases involving offenses based on religious belief, for Iranian authorities to release prisoners but to leave the charges against them or their convictions in place in order to be able to threaten them with re-imprisonment at any future time.

In January 2009, three Christian converts, Jamal Ghalishorani, Nadereh Jamali and Hamik Khachikian, were arrested in Tehran for engaging in underground house church activity. No formal charges were made and all were released within one to two weeks, although Ghalishorani and Jamali have an open case against them. In August 2008, five Christian converts were arrested, including Ramtin Soodmand, the son of Assemblies of God pastor Hossein Soodmand, who was executed in 1990. All were released by October, although Soodmand continues to await trial on charges of "promoting propaganda against the Islamic Republic."

Sabean Mandaean

During the past few years, the unrecognized Sabean Mandaean religious community, numbering between 5,000 and 10,000 people, has been facing intensifying harassment and repression by authorities. There were reports that members of the Sabean Mandaean community experienced societal discrimination and pressure to convert to Islam, and they were often denied access to higher education.

Jews and Anti-Semitism

In recent years, official policies promoting anti-Semitism have risen sharply in Iran, and members of the Jewish community have been targeted on the basis of "ties to Israel," whether real or perceived. President Ahmadinejad and other top political and clerical

leaders have made public remarks during the reporting period denying the Holocaust and calling for the elimination of the state of Israel. In 2009, there was an increase in this officially sanctioned, anti-Semitic propaganda, involving official statements, media outlets, publications, and books. In recent years, in line with a stepped-up state-sponsored campaign, numerous programs broadcast on state-run television advanced anti-Semitic messages, a prominent newspaper held a Holocaust denial editorial cartoon contest, and the Iranian government sponsored a Holocaust denial conference. Anti-Semitic editorial cartoons depicting demonic and stereotypical images of Jews, along with Jewish symbols, were also published in the past year.

Official government discrimination against Jews continues to be pervasive, fostering a threatening atmosphere for the approximately 25,000-30,000 member Jewish community. According to the State Department, despite minimal restrictions on Jewish religious practice education of Jewish children has become increasingly difficult in recent years, and distribution of Hebrew religious texts is strongly discouraged.

Women

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

Over the past few years, several women's rights activists have been arrested, and some remain in prison, for their involvement in collecting signatures for the Campaign for Equality aimed at ending discrimination against women in the application of Islamic law in Iran. Some of the activists' demands included: that women's testimony in court carry the same weight as men's; equal inheritance rights for men and women; eliminating polygamy; and equal compensation payments for women and men in the event of wrongful death. In March 2009, 10 members of the Campaign for Equality's One Million Signatures Campaign were detained, along with two other women's rights activists; all were released within days or weeks. However, in December 2009, authorities arrested three Campaign members – Atiey Youseffi, Somayeh Rashidi, and Mansourreh Shojaaiei. All three remain in prison, and some reports indicate that Rashidi is being held in solitary confinement.

Human Rights Defenders and Internet Freedom

During the past year, the Iranian government also cracked down on and arbitrarily arrested approximately 30 human rights defenders and activists in the country who reported on human rights violations, including violations of freedom of religion or belief. The crackdown included cyber attacks on Persian and English language Web sites of several human rights groups, which limited the ability of these groups to send reports on human rights and religious freedom abuses outside the country. In addition, the Iranian government took measures to prevent its citizens from freely communicating and receiving information through television, radio satellite broadcasting, and the Internet, including information related to violations of freedom of religion or belief.

Government Rejection of UN Recommendations

In February 2010, at the Universal Periodic Review (UPR) of Iran at the UN Human Rights Council (HRC) in Geneva, the government of Iran rejected a number of recommendations from countries urging it to comply with its international human rights responsibilities, including those related to freedom of religion or belief. The U.S. delegation, headed by Assistant Secretary for Democracy, Human Rights, and Labor Michael Posner, issued a strong written statement, which included several religious freedom concerns and recommendations. The United States was the first country to deliver an oral statement at the Iran UPR, although the statement as delivered did not

adequately address the plight of the Baha'i community. The Iranian government agreed to a few recommendations that, if fully implemented in practice, would advance religious freedom in the country. Such recommendations include upholding constitutional provisions guaranteeing freedom of worship, respecting freedom of religion, protecting religious minorities, and ensuring a fair and transparent trial for the seven Baha'i leaders as guaranteed under international human rights treaties to which Iran is a party.

During the UPR, Iran's head of delegation, Secretary General of the High Council for Human Rights of the Judiciary, Mohammad Javad Larijani, and other delegation members claimed that religious minorities in Iran are protected under Iran's constitution and allowed to engage in religious activity freely.

However, these claims are contrary to the facts on the ground. In addition, Larijani specifically responded to a question about the status of Baha'is in Iran by saying that no Baha'i had ever been prosecuted because of his or her faith, but only because of "cult-like activity." USCIRF is concerned that the U.S. government and the international community did not vigorously refute these fabricated assertions at the session.

In October 2009, UN Secretary General Ban Ki-Moon issued a report on the situation of human rights in Iran, which included details of abuses, including arbitrary detentions and false imprisonment, against religious minorities, particularly Baha'is. The report also documented arbitrary arrests and abuse of Sufi and Sunni Muslims. In December 2009, the UN General Assembly adopted a resolution condemning the Iranian government's poor human rights record, including its continued abuses targeting religious minorities and the escalation and increasing frequency of violations against Baha'is, Christians, Jews, and Sufi and Sunni Muslims.

U.S. Policy

The U.S. government has not had diplomatic relations with the government of Iran for 30 years, and U.S. law prohibits nearly all trade with Iran. Sanctions have been imposed on Iran because of its sponsorship of terrorism and its refusal to comply with International Atomic Energy Agency (IAEA) regulations regarding its nuclear program. According to the State Department, these sanctions target the Iranian government, not the people of Iran. As a result, there are a number of exemptions, including exports of U.S. agricultural and medical products to Iran, U.S. donations of humanitarian articles, and U.S. imports of Iranian carpets and certain food items.

During the past year, in multilateral fora and through public statements, the United States has urged the Iranian government to respect its citizens' human rights, including the right to religious freedom. It also has drawn attention to the country's human rights abuses and encouraged the government to uphold its international human rights obligations. In December 2009, for the seventh year in a row, the U.S. government co-sponsored and supported a successful UN General Assembly resolution – which passed 74-48, with 59 abstentions – condemning Iran's ongoing and severe human rights abuses.

The Obama administration shares the goals of previous U.S. administrations to contain Iran's strategic capabilities and regional influence and views Iran as a "profound threat to U.S. national security interests." Unlike previous administrations, however, the Obama administration has sought direct diplomatic engagement with the Iranian government. In October 2009, the U.S. government and other world powers (Britain, France, Russia, China, Germany, a group referred to with the United States as the P5+1), began talks in Geneva with the Iranian government over its nuclear program. Reportedly, the U.S. delegation privately raised some human rights issues on the sidelines of those negotiations. However, by late 2009 and early 2010 the lack of progress on a tentative agreement related to Iran's nuclear program resulted in a shift in policy, and the U.S. government began to express support for reformers in Iran and to issue more frequent public statements highlighting the Iranian government's human rights and religious freedom abuses.

In February 2010, the United States and the European Union condemned ongoing human rights violations in Iran and called on the Iranian government to fulfill its international human rights obligations. Also in February, the U.S. government sent its top human rights official, Assistant Secretary Michael Posner, as the head of delegation to the UPR of Iran. However, the U.S. government did not introduce a resolution on Iran at the UN HRC in March 2010. The Obama administration is currently pursuing a fourth round of UN Security Council sanctions targeting Iran's nuclear ambitions. Three previous Security Council resolutions have been passed since 2006, each imposing sanctions related to Iran's nuclear program.

In January 2010, the U.S. Senate passed a bill (S. 2799) that would impose targeted sanctions on Iran due to its nuclear program. The bill also includes sense of Congress provisions reflecting USCIRF's recommendations to urge the President to: press the Iranian government to respect its citizens' human rights and religious freedoms; identify Iranian officials responsible for violating these rights; and prohibit their entry into the U.S. and freeze their assets. Senator John McCain (R-AZ) is pressing to ensure that a provision that would impose sanctions on human rights violators is included in the bill that emerges from conference with the House-passed measure (H.R. 2194).

According to the State Department's 2009 *Advancing Freedom and Democracy Report*, the U.S. government seeks to increase Iranian citizens' access to information about international human rights standards and to publicize the Iranian government's human rights abuses through Voice of America radio and television broadcasts, the Persian-language version of the America.gov Web site, and the Persian-language radio station Radio Farda, which broadcasts to Iran. Additionally, since 2004, the U.S. government has funded a wide range of programs to support civil society, human rights, and rule of law in Iran, as well as to expand the free flow of information and the documentation of human rights abuses in Iran. However, in 2009, a number of civil society groups that previously received State Department funding were informed they will no longer receive such support. U.S. government officials have stated that this is due to the funding origination shifting from the State Department's Near East Bureau to the U.S. Agency for International Development (USAID). According to USAID, in 2010 funding will "continue to include support for civil society and advocacy, promoting the rule of law and human rights, and increasing access to alternative sources of information" in Iran.

In Fiscal Year (FY) 2009, \$65 million in Economic Support Funds was requested "to support the aspirations of the Iranian people for a democratic and open society by promoting civil society, civic participation, media freedom, and freedom of information." In FY 2010 and 2011, no request was made for specific democracy or human rights programming, although some portion of the \$40 million requested for Near East democracy programs likely will be used to support continued human rights and public diplomacy programming in Iran.

IRFA requires that the President take at least one of an array of specified punitive actions, including economic sanctions, against those countries that are designated as "countries of particular concern," or CPCs, for their particularly severe religious freedom violations. Iran has been designated as a CPC for 10 years, but no IRFA-related sanction has been ever been imposed. Instead, the U.S. government has relied merely on existing sanctions. USCIRF concludes that, in light of the rapidly deteriorating conditions for religious freedom in Iran over the past year, the time has come for the U.S. government to impose specific, additional sanctions under IRFA (see Recommendations, section II, below). The U.S. government should also work with its European allies so that they do the same.

USCIRF Activities

USCIRF spoke out on numerous occasions in 2009-10 about deteriorating religious freedom conditions in Iran. In February 2010, USCIRF chair Leonard Leo testified at a Tom Lantos Human Rights Commission hearing on *The Current Status of Human Rights and Religious Freedom in Iran*. Also in February, on the occasion of the 31st anniversary of the Islamic revolution in Iran, USCIRF released a statement condemning years of

religious abuse, with a particular focus on recent Iranian government efforts to convict and execute peaceful activists and reformers on the charge of waging war against God. In January 2010, USCIRF issued a public statement condemning the start of the trial against seven Baha'i leaders and called for their immediate release. In October 2009, USCIRF wrote to Secretary of State Hillary Clinton urging the U.S. government to include human rights and religious freedom issues as part of the P5+1 negotiations with Iran, as well as to impose religious freedom-specific sanctions on Iran. In July 2009, Roxana Saberi, the Iranian-American journalist held in Iran for nearly four months in early 2009, wrote to USCIRF urging increased U.S. attention to the situation of the seven imprisoned Baha'i leaders. She shared a prison cell with two of the Baha'i leaders in Evin prison in Tehran. In response, USCIRF called for the immediate release of the seven Baha'is.

In September 2008, Commissioners Felice D. Gaer and Michael Cromartie published an op-ed on the *Washington Post* website called "Don't Lend Despots the Veneer of Peace," which expressed concern about American religious groups inviting President Mahmoud Ahmadinejad to be the guest of honor at an event they were sponsoring during his visit to the United Nations that month. The article also detailed a number of religious freedom violations in Iran. In March 2008, Commissioner Nina Shea briefed members of Congress on religious freedom conditions in Iran at a congressional Iran Working Group briefing titled "Assessing the Human Rights Situation of Ethnic Religious Groups in Iran." In February 2008, the Commission held a hearing chaired by Commissioner Michael Cromartie on Capitol Hill entitled "Advancing Religious Freedom and Related Human Rights in Iran: Strategies for an Effective U.S. Policy," at which policy officials and Iran experts explored current U.S. policy toward Iran and highlighted the deteriorating religious freedom conditions and other human rights abuses taking place there.

In addition, during the past year Commission staff met with members of non-governmental organizations representing various religious communities in Iran, as well as Iran experts, human rights groups, and U.S. government officials and policymakers. USCIRF staff also made presentations at various events and venues related to human rights and religious freedom conditions in Iran.

Recommendations

I. Stopping Abuses of Freedom of Religion or Belief and Supporting Human Rights and Democracy

In addition to continuing to designate Iran as a CPC, the U.S. government should:

- at the highest levels, more frequently and vigorously speak out publicly about the severe religious freedom abuses in Iran, and draw attention to the need for the international community to hold Iranian authorities accountable in specific cases, including by calling on the Iranian government to:
 - release the seven Baha'i leaders – Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm – and other Baha'is in prison on account of their religion or belief, as well as drop all charges against those Baha'is who have cases pending against them;
 - permit the Baha'i community to practice their faith in Iran, rescind laws that permit members of the Baha'i faith to be killed with impunity, and allow full access for Baha'is to study in public universities without discrimination;
 - release all Christians, including Hamid Shafiee, Reyhaneh Aghajari, Maryam Jalili, Mitra Zahmati, Farzan Matin and Vahik Abrahamian, in prison on account of their religion or belief, and drop all pending charges against Christian converts, including Marzieh Esmaeilabad, Maryam Rustampoor Jamal Ghalishorani, Nadereh Jamali, and Ramtin Soodmand;

- release Shi'a cleric Ayatollah Mohammad Kazemeni Boroujerdi and other dissident Muslims, including Sufi Muslims, in prison on account of their religion or belief;
- halt state-sponsored acts of anti-Semitism and Holocaust denial promotion campaigns, and, while vigorously protecting freedom of expression, counteract anti-Semitic rhetoric and other organized anti-Semitic activities by the President and other high-level government officials;
- work within its current overall policy framework to ensure that violations of freedom of religion or belief and related human rights are part of all formal and informal multilateral or bilateral discussions, including the P5+1 talks, with representatives of the Iranian government, including by pressing the Iranian government to:
 - release all prisoners of conscience, including members of Muslim and non-Muslim religious minority communities identified above;
 - ensure that the Penal Code is not amended to codify the death penalty for apostasy;
 - release from prison women's rights activists, including Atiey Youseffi, Somayeh Rashidi, and Mansourreh Shojaaiei, who advocate for ending discrimination against women in the application of Islamic law in Iran;
 - release from prison human rights defenders and activists targeted for reporting human rights and religious freedom abuses in Iran on Persian and English language Web sites;
 - cease all messages of hatred and intolerance, particularly toward Jews and Baha'is, in the government-controlled media and remove the government-appointed editor of *Kayhan*;
 - cease the jamming of satellite broadcasting and Internet censorship and ensure the right to freedom of expression as set out in the International Covenant on Civil and Political Rights, to which Iran is a party;
- use appropriated Internet freedom funds to develop free, secure email access for use in Iran; facilitate the provision of high-speed internet access via satellite; and distribute immediately proven and field-tested counter-censorship programs in order to prevent the arrest and harassment of religious freedom and human rights activists and help them maintain their freedom of expression and legitimate expectations of privacy;
- award funds appropriated by Congress to counter censorship in Iran, including from the FY10 Consolidated Appropriations Act, through a competitive and merit-based process;
- ensure that funding budgeted to promote democracy and human rights in Iran includes support for effective initiatives advancing freedom of religion or belief, as well as ways to promote rule of law and human rights defenders programs that specifically seek to protect religious minorities in Iran; and
- adequately fund U.S. public diplomacy entities, such as Voice of America and Radio Farda, and expand and develop new programming focusing solely on the situation of human rights – including the freedom of thought, conscience, and religion or belief – in Iran.

II. Fulfilling IRFA's Requirements and Imposing Targeted Sanctions

The U.S. government should:

- invoke the statutory provisions of IRFA by identifying Iranian government agencies and officials responsible for particularly severe violations of religious freedom, including but not limited to:
 - General Mohammad Ali Jafari, Head of Iran's Revolutionary Guard Corps;
 - Mostafa Mohammad-Najjar, Minister of Interior;
 - Heydar Moslehi, Minister of Intelligence;
 - Sadeqh Ardeshtir Larijani, Head of the Judiciary;
 - Gholam-Hossein Mohseni-Ejei, Prosecutor General and former Minister of Intelligence;
 - Hossein Taeb, Head of the Intelligence Unit of the Revolutionary Guard Corps and former head of the Basij militia;
 - Mohammad Reza Naghdi, Head of the Basij militia;
 - Saeed Mortazavi, Deputy Prosecutor General and former Prosecutor General of the Islamic Revolutionary Court; and
 - Esmail Ahmadi-Moqaddam, Head of the National Police.
- bar from entry into the United States and freeze the assets of Iranian government officials identified as having engaged in particularly severe religious freedom violations, including but not limited to those listed above, and, where appropriate, immediate family members, and press our European allies to do the same.

III. Promoting Freedom of Religion and Belief and Related Human Rights in Multilateral Fora

The U.S. government should:

- oppose, and encourage other UN Member States to oppose, Iran's candidacy for membership to the UN HRC at the May 13, 2010 election;
- call on the UN HRC to follow up vigorously on Iran's compliance with the recommendations from the February 2010 UPR, including those related to freedom of religion or belief;
- continue to support an annual UN General Assembly resolution condemning severe violations of human rights, including freedom of religion or belief, in Iran, and calling for officials responsible for such violations to be held accountable;
- press for a resolution condemning severe violations of human rights in Iran, including freedom of religion or belief, at the UN General Assembly and at the UN Human Rights Council;
- call on the UN HRC to restore the position of UN Special Rapporteur on the situation of human rights in Iran with the task of investigating and reporting on human rights abuses in Iran;
- call on the UN HRC to monitor carefully and demand Iran's compliance with the

recommendations of the representatives of those UN special representatives that have already visited Iran, particularly the Special Rapporteur on Freedom of Religion or Belief (1995), the Working Group on Arbitrary Detention (2003), the Special Rapporteur on the Right to Freedom of Opinion and Expression (2003), and the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context (2005); and

- encourage the UN HRC to continue to use its existing procedures to maintain oversight of conditions for freedom of religion or belief in Iran, including continued visits and reporting by the Special Rapporteur on Freedom of Religion or Belief, the Special Rapporteur on Freedom of Opinion and Expression, and other relevant special rapporteurs and working groups, to which Iran has issued a standing invitation.
