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Query response on Iran: The condition and treatment of Baha'is [a-9861-2 (9862)]

30 September

This response was prepared after researching publicly accessible information currently available to ACCORD as well as information provided by experts within time constraints and in accordance with ACCORD's methodological standards and the *Common EU Guidelines for processing Country of Origin Information (COI)*.

This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status, asylum or other form of international protection.

Please read in full all documents referred to.

Non-English language information is summarised in English. Original language quotations are provided for reference.

The US Department of State (USDOS) in its report on International Religious Freedom of October 2015 (reporting period: 2014) gives the following estimate regarding the number of Baha'is in Iran:

“The three largest non-Muslim minorities are Bahais, Christians, and Yarsanis. Bahais number approximately 300,000 and are heavily concentrated in Tehran and Semnan.” (USDOS, 14 October 2015, Section 1)

The USDOS in its more recent report on International Religious Freedom of August 2016 (reporting period: 2015) contains the following detailed information on the legal framework and certain government practices affecting Baha'is in Iran:

“The law also requires Bahais to register with the police. [...]”

The law bars Bahais from founding their own educational institutions. A Ministry of Science, Research, and Technology order requires universities to exclude Bahais from access to higher education or expel them if their religious affiliation becomes known. The government instruction states Bahais are permitted to enroll in schools only if they do not identify themselves as such. To register for the university entrance examination, Bahai students must identify themselves as followers of a religion other than Bahai. To pass the entrance examination, university applicants must pass an exam on Islamic, Christian, or Jewish theology. [...]

Bahais are banned from government employment and from all leadership positions in the military. They are not allowed to participate in the governmental social pension system. Bahais cannot receive compensation for injury or crimes committed against them and cannot inherit property. The government does not recognize Bahai marriages and divorces, but allows a civil attestation of marriage to serve as a marriage certificate.

The law authorizes collection of 'blood money' as restitution to families for the death of Muslims and protected minorities. According to law, Bahai blood may be spilled with impunity, and Bahai families are not entitled to restitution. [...]

According to the Iran Human Rights Documentation Center database of prisoners, at least 380 religious practitioners remained imprisoned at the end of the year for their membership in or activities on behalf of a minority religious group, including approximately 250 Sunnis, 82 Bahais, 26 Christian converts, 16 Sufis, 10 Yarsanis, three Sunni converts, and two Zoroastrians. The government often charged Bahais with violating the Islamic penal code prohibiting activities against the state and with spreading falsehoods, including disseminating 'propaganda against the system' or crimes related to threatening national security. Seven Bahai leaders – Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Behrouz Tavakkoli, Saeid Rezaie, Vahid Tizfahm, and Mahvash Sabet – remained in detention at year's end, serving sentences of up to 20 years from convictions in 2011 for 'espionage for Israel', 'insulting religious sanctities,' 'corruption on earth,' and 'propaganda against the Islamic Republic.' On April 22 [2015], authorities demolished the home of Jamaloddin Khanjani in Semnan, despite a Supreme Court order to stay the demolition, according to IHR.

Abdolfattah Soltani, an attorney involved in defending individuals charged with teaching at the Bahai Institute for Higher Education (BIHE) and cofounder of the Center for Defenders of Human Rights, remained in prison following a 2012 sentence of up to 18 years in prison, later reduced to 13 years by an appeals court, for founding the center, providing the media with information about his clients' cases, as well as 'spreading propaganda against the system,' 'setting up an illegal opposition group,' and gathering and 'colluding with intent to harm national security.' The government continued to imprison and detain members of the BIHE. In October the media reported Azita Rafizadeh, a Bahai instructor at BIHE, began serving a four-year sentence following her 2014 conviction for 'membership in the illegal and misguided Bahai group with the aim of acting against national security through illegal activities at the BIHE educational institute.' According to IHR [Iran Human Rights], the Tehran Revolutionary Court sentenced her husband, Peyman Koushk-Baghi, to five years in prison

for the same offense in May [2015], although he had not yet begun to serve his sentence as of the end of the year.

According to the Office of Public Affairs of the Bahais of the United States, a number of other Bahais remained in prison as of the end of the year for teaching at BIHE, including Kamran Mortezaie, Kayvan Rahimian, Foad Moghaddam, Amanollah Mostaghim, and Azizullah Samandari, who were all previously sentenced to five-years imprisonment, and Shahin Negari and Masim Bagheri Tari, who previously were sentenced to four years imprisonment. Of other Bahais serving prison sentences for teaching at BIHE, the media reported the authorities released Mahmoud Badavam, Noushin Khadem, Farhad Sedhi, Riaz Sobhani, and Ramin Zibaie in May [2015] following completion of their four year prison sentences. The authorities reportedly released Kamran Rahimian in August [2015] following completion of his four-year sentence, and granted a clemency furlough to his wife, Faran Hessami, in November to attend to a family medical problem. According to the Bahai International Community, police arrested 13 Bahais in Hamadan in April [2015] over the course of two weeks on charges of ‘engaging in propaganda against the regime.’ The authorities released most of those arrested on bail ranging from 30,000,000 to 600,000,000 rials (\$8000 – \$20,000), and detained one woman for nine days in solitary confinement. According to local media reports, intelligence ministry agents arrested 16 Bahais at their homes in Tehran, Isfahan, and Mashhad on November 16 [2015]. As of the end of the year, the authorities had not yet charged any of the 16 with a crime. [...]

According to representatives of the Bahai community, the government continued to prohibit Bahais from officially assembling or maintaining administrative institutions, actively closed such institutions, harassed Bahais, and disregarded their property rights.

Members of the Bahai community reported Bahai children in public schools continued to face attempts by their teachers and administrators to convert them to Islam. Many Bahais reportedly turned to online education at the BIHE despite government censorship and the arrests of teachers associated with the program. The government did not to recognize any education obtained this way, creating barriers to work for those who wanted to use their BIHE degrees in seeking employment. [...]

According to the Bahai international community, government regulations continued to ban Bahais from participating in 25 types of work, many related to food industries, because the government deemed Bahais to be ‘unclean.’ Although the government continued to maintain publicly Bahais were free to attend university if they did not identify themselves as Bahais, public and private universities continued to deny Bahais admittance and to expel Bahai students once their religion became known. Many Bahais reportedly did not try to enroll in state-run universities because of the Bahai Faith’s tenet not to deny one’s faith. During the year many Bahai students reported they were unable to register for university because of error messages in the online registration system saying ‘defects in the file.’ A court ruling upheld the universities’ position based on a 1979 decree barring Bahais from higher education in government-run institutions. One Bahai applicant told Iran Press Watch in September a university had denied him entry because of his faith, even though he had higher than the requisite exam scores to enter the university.

According to the U.S. Bahai Office of Public Affairs, government-sponsored public denunciations of Bahais increased again in comparison to previous years. Government statements accused Bahais of sexual deviance and illegitimate relations, calling them members of a 'cult' which was a threat to national security. According to the London Bahai Office of Public Affairs, the number of anti-Bahai stories appearing in state-sponsored media outlets grew from approximately 20 per month in 2010 to more than 400 per month by 2014 (the last full year for which data was available). [...]

The government continued to raid Bahai homes and businesses and confiscated private and commercial property, as well as religious materials. There were reports of authorities placing restrictions on Bahai businesses or forcing them to shut down because the businesses had temporarily closed in observance of Bahai holidays. Authorities also reportedly asked managers of private companies to dismiss Bahai employees, and denied applications from Bahais for new or renewed business and trade licenses. In April and May [2015] authorities permanently closed at least 35 shops in the cities of Rafsanjan, Kerman, Sari, and Hamadan. According to Bahai International Community reporting, shop owners temporarily had closed businesses to observe Bahai holy days and authorities put up banners announcing the shops could not reopen and often bolted them shut or placed guards in front to prevent shopkeepers from attempting to reopen them. For example, on November 1 [2015], authorities raided a Bahai-owned glass warehouse and confiscated its entire merchandise stock, according to HRANA [Human Rights Activists News Agency].“ (USDOS, 10 August 2016, section 2)

The UN Office of the High Commissioner for Human Rights (OHCHR) in an article of June 2016 comments on a recent backlash against the Baha'i religious group and Baha'is imprisoned on account of their religious belief:

“Since mid-May [2016], 169 religious, judiciary and political leaders have allegedly openly spoken or written against the Baha'i community in Iran. Between 18 May and 4 June [2016], Friday prayer sermons by clerics appointed by the Office of the Supreme Leader 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. After the Friday sermons, a number of newspapers published articles and opeds linking members of the Baha'i community with Iran's enemies and branding them 'Zionists', encouraging violence. On 4 June [2016], for example, Tasnim News Agency reminded its readers that the Bahá'í faith was created by Britain and Israel, that considering 'Bahaism' a legitimate religion amounted attacking the Hidden Imam, and that individuals who are in contact with this sect should face criminal prosecution. [...]

There are currently at least 72 Baha'is in prison solely because of their religious beliefs and practices. The UN Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, noted that 'the Baha'is have always been a marginalized and vulnerable group devoid of proper legal protections because Iran's constitution does not officially recognize them as religious minorities.' The increasingly hostile rhetoric against the Baha'i community goes beyond stripping its members of rights and treating them like second-class citizens,' Mr. Bielefeldt said. 'It places the community before a very dangerous precipice where its very existence may be threatened.'” (OHCHR, 8 June 2016)

The UN Human Rights Council (HRC), an inter-governmental body within the United Nations system responsible for strengthening the promotion and protection of human rights around the globe, addresses the state of members of the Baha'i faith in the section on ethnic and religious minority rights of its human rights report on Iran of March 2016:

“99. During the first UPR of the Islamic Republic of Iran in 2010, Iran accepted a number of recommendations regarding Baha'is, while specifying that the other recommendations were either implemented or in the process of being implemented. In the second UPR cycle in 2014, 10 recommendations specifically mentioned the situation of the Baha'is in the country. Of these recommendations, two were partially accepted by the Iranian government. An analysis of the implementation of the recommendations related to the situation of the Baha'is accepted by Iran in 2010 and 2014 revealed that none of the recommendations had been implemented. By failing to implementing these recommendations, Iran has undermined the UPR process and the assurances it has made to the international community.” (HRC, 10 March 2016, pp. 36-37)

For further information on individual occurrences, please also read the subsequent points 100-105 and 107-114 for a chronology of incidents involving members of the Baha'i faith ranging from March to November 2015. The document also features a list of Baha'is imprisoned, detailing their names, sentences and charges, provided by the Bahai International Community. (HRC, 10 March 2016, pp. 37-74)

The Bahá'í International Community (BIC), an international NGO which represents persons of Baha'i faith, addresses in its overview of the situation of Baha'is in Iran (last updated on 6 September 2016) the targeting of Baha'is by the Iranian government which is said to have worsened since the current President Rouhani took office in August 2013:

“Government-led attacks on the country's largest non-Muslim religious minority have re-intensified over the last decade. Since 2005, more than 860 Baha'is have been arrested, and the number of Baha'is in prison has risen from fewer than five to more than 100 at one point. It is currently 81. The list of prisoners includes all seven members of a former leadership group serving the Baha'i community of Iran. In 2010, the seven were wrongly sentenced to 20 years in prison, the longest term then facing any prisoner of conscience in Iran. In late 2015, reports indicate that their sentences have been belatedly reduced from 20 years to 10 years, in line with changes to the Iranian Penal Code introduced in May 2013. The constant threat of raids, arrests, and detention or imprisonment is among the main features of Iran's persecution of Baha'is today.

Other types of persecution include economic and educational discrimination, strict limits on the right to assemble and worship, and the dissemination of anti-Baha'i propaganda in the government-led news media. Attacks on Baha'is or Baha'i-owned properties go unprosecuted and unpunished, creating a sense of impunity for attackers. Since 2005, for example, there have been at least 52 incidents of arson against Baha'i properties, crimes for which no one has been arrested. During the same period, at least 50 incidents of vandalism at Baha'i cemeteries have been recorded. As noted by a top UN human rights official, the government-led persecution spans ‘all areas of state activity, from family law provisions to schooling, education, and security.’ Put another way: the oppression of Iranian Baha'is extends from cradle to grave.

The situation facing Baha'is has not changed since the coming to power of President Hassan Rouhani in August 2013, despite his promises to end religious discrimination. Since his inauguration, at least 137 Baha'is have been arrested, 28 Baha'is have been expelled from university, and there have been nearly 400 incidents of economic oppression, ranging from intimidation and threats against Baha'i-owned businesses to their closure by authorities. More than 19,000 pieces of anti-Baha'i propaganda have been disseminated in the Iranian media during his administration." (BIC, 6 September 2016)

For further details on the different types of persecution and discrimination, please consult the subsequent headlines in the same document, namely imprisonments, economic pressure, attacks and assaults, raid and arrests, persecution in education and incitement to hatred. (BIC, 6 September 2016)

On the website of the above-mentioned Bahá'í International Community (BIC), you can also find further reports on the state of Baha'is in Iran. These reports were published between October 2012 and September 2016 and deal with acts of violence committed against Baha'is, the incitement of hatred against Baha'is in Iranian media, wrongful prison sentences and more:

- BIC - Bahá'í International Community: BIC Reports, undated
<https://www.bic.org/focus-areas/situation-iranian-bahais/persecution-bahais-in-iran-updates-reports#Q54sr9IUfrgdO1L0.97>

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http://www.ecoi.net/file_upload/1930_1458220035_a-hrc-31-crp-5-av.doc
- OHCHR - UN Office of the High Commissioner for Human Rights: Iran: Most recent backlash against Baha'is exposes authorities' extreme intolerance for religious minority group, 8 June 2016 (available at ecoi.net)
http://www.ecoi.net/local_link/325157/451396_en.html
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http://www.ecoi.net/local_link/313313/437662_en.html

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