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COI QUERY

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All sources used are referenced and cited in the bibliography section. A quality review has been performed in line with the above mentioned COI methodology. This document does not claim to be exhaustive or conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

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COI QUERY RESPONSE – Iran

Situation of atheists and non-religious individuals, including legislation, treatment by state actors and society, availability of state protection

1. Overview

There is no official record on the proportion of the population¹ that is non-religious in Iran.² According to the World Religion Database, there were an estimated 9 000 atheists and 239 000 agnostics in Iran in 2020³ The Group for Analyzing and Measuring Attitudes in IRAN (GAMAAN), a Netherlands-based independent and non-for-profit organisation that conducts surveys on social and political topics in Iran,⁴ reported in its 2020 survey⁵ on religious attitudes in Iran that 9 % of Iranians identify as ‘atheists’ and 6 % as ‘agnostics.’⁶ The survey also indicated that about 22 % of respondents do not identify with any religious belief and faith, including Islam, Christianity, atheism, agnosticism, spirituality, humanism, and mysticism.⁷

Regarding other aspects of religious attitudes, the GAMAAN survey indicated that 78 % of Iranians believe in God, and about 20 % does not believe in either ‘life after death,’ ‘heaven and hell,’ *jinn*s,⁸ or the ‘coming of a saviour.’⁹ The same survey also indicated that about half of the population reported losing their religion, around 60 % of the population reported that they do not pray, around 6 % reported that they converted from one religion to another, 32 % reported growing up in a “believing but not religious” family,¹⁰ and 3 % reported being raised in an “unbelieving” or “anti-religious” family.¹¹ A country report on Iran by the Department of Foreign Affairs and Trade (DFAT) of Australia, based on ‘on-the-ground knowledge and discussions with a range of sources in Iran and elsewhere’ and open source information, indicated, without providing further detail, that, according to in-country sources, ‘many younger and wealthier Iranians, particularly in the major cities, are secular’ and that ‘a majority of the population does not attend mosque.’¹¹

2. Legislation

¹ Iran has an estimated population of 87 590 873 in 2023. US, CIA, The World Factbook: Iran, 6 November 2023, [url](#)

² Humanists International, Freedom of Thought Report: Iran, 24 October 2023, [url](#); APPG, Commentary on the Current State of International Freedom of Religion or Belief (2020), February 2021, [url](#), p. 30

³ USDOS, 2022 Report on International Religious Freedom: Iran, 15 May 2023, [url](#), p. 7

⁴ GAMAAN, The Group for Analyzing and Measuring Attitudes in Iran, n.d., [url](#)

⁵ The survey was conducted between 6 and 21 June 2020 with over 50 000 respondents, 90 % of whom live in Iran. GAMAAN, Iranian’s Attitudes Toward Religion: A 2020 Survey Report, August 2020, [url](#), p. 1

⁶ GAMAAN, Iranian’s Attitudes Toward Religion: A 2020 Survey Report, August 2020, [url](#), p. 1

⁷ GAMAAN, Iranian’s Attitudes Toward Religion: A 2020 Survey Report, August 2020, [url](#), p. 6

⁸ *Jinn* or *Jinni*, is defined as ‘a spirit inhabiting the earth but unseen by humans, capable of assuming various forms and exercising extraordinary powers.’ Britannica, Jinni, n.d., [url](#)

⁹ GAMAAN, Iranian’s Attitudes Toward Religion: A 2020 Survey Report, August 2020, [url](#), p. 1

¹⁰ GAMAAN, Iranian’s Attitudes Toward Religion: A 2020 Survey Report, August 2020, [url](#), p. 1

In Iran, it is illegal or unrecognised to self-identify as ‘non-religious’ or as ‘atheists.’¹² Conversion from, or renouncing, Islam, is proscribed by law.¹³ Amnesty International indicated, for example, that those who were born to Muslim parents, risked ‘arbitrary detention, torture or the death penalty for “apostasy” if they adopted other religions or atheism.’¹⁴ Humanists International indicated that religious minorities face discrimination in the law and its application.¹⁵

2.1. Constitution

The Constitution indicates that the official state religion is Shia Islam, and that all laws and regulations must be based on ‘Islamic criteria’¹⁶ and an ‘official interpretation of sharia.’¹⁷ Article 19 of the Constitution indicates that ‘[a]ll people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights; and color, race, language, and the like, do not bestow any privilege’; however, the Constitution also indicates in Article 20 that ‘[a]ll citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria.’¹⁸ Four religions are officially recognised in Iran: Islam, Christianity, Judaism, and Zoroastrianism.¹⁹

According to the International Federation for Human Rights (FIDH), ‘[t]here is no reference to apostasy in various laws, except the Press Code of 1985, which has specifically mentioned apostasy, without specifying its punishment: “Anyone who insults Islam and its sanctities by means of the press, amounting to apostasy, shall receive the sentence for apostasy”.’²⁰ According to the same source, article 167 of the Constitution allows judges to invoke *fatwas* for apostasy against those who renounce Islam either to convert to another religion or to become atheist, with the punishment usually being a death sentence.²¹

2.2. Blasphemy and the Penal Code

¹² Humanists International, Freedom of Thought Report: Iran, 24 October 2023, [url](#); APPG, Commentary on the Current State of International Freedom of Religion or Belief (2020), February 2021, [url](#), p. 31

¹³ USDOS, 2022 Report on International Religious Freedom: Iran, 15 May 2023, [url](#), p. 7; Humanists International, Freedom of Thought Report: Iran, 24 October 2023, [url](#)

¹⁴ AI, Amnesty International Report 2022/23, The State of the World’s Human Rights: Iran, 2023, [url](#)

¹⁵ Humanists International, Freedom of Thought Report: Iran, 24 October 2023, [url](#). See also: USDOS, 2022 Report on International Religious Freedom: Iran, 15 May 2023, [url](#), p. 4

¹⁶ USDOS, 2022 Report on International Religious Freedom: Iran, 15 May 2023, [url](#), p. 7; Humanists International, Freedom of Thought Report: Iran, 24 October 2023, [url](#)

¹⁷ USDOS, 2022 Report on International Religious Freedom: Iran, 15 May 2023, [url](#), p. 7

¹⁸ Iran, Constitution of the Islamic Republic of Iran, 1979, [url](#)

¹⁹ Iran, Constitution of the Islamic Republic of Iran, 1979, [url](#), Arts. 12, 13; Atlantic Council, Iranian children are being punished based on their parents’ religion and beliefs, 21 September 2021, [url](#); Humanists International, Freedom of Thought Report: Iran, 24 October 2023, [url](#)

²⁰ FIDH, Joint submission, Iran, UN Human Rights Committee, 139th Session (9 October - 3 November 2023), 12 September 2023, [url](#), p. 7

²¹ FIDH, Joint submission, Iran, UN Human Rights Committee, 139th Session (9 October - 3 November 2023), 12 September 2023, [url](#), p. 7

End Blasphemy Laws, an international campaign led by Humanists International to abolish blasphemy laws worldwide, indicated that ‘blasphemy’ is coded in the Iranian Penal Code.²² The USDOS report indicated that the Iranian Penal Code ‘provides for *hudud* punishments (those mandated by *sharia*), including amputation, flogging, and stoning. It specifies the death penalty for proselytizing and attempts by non-Muslims to convert Muslims as well as for *moharebeh* (“enmity against God”) and *sabb al-nabi* (“insulting the Prophet or Islam”).²³ According to Iran Human Rights, the charges of *moharebeh*, *efsad-fil-arz* (corruption on earth) and *baghy* (armed rebellion) are ‘used for a wide range of offences’ and the courts have ‘considerable subjectivity’ in their application.²⁴ The Berkley Center for Religion, Peace & Worldwide Affairs of Georgetown University explained that

‘Iran equally holds expressions of unsanctioned religious views and expressions of political dissent to be acts of blasphemy. Those arrested for blasphemy are generally charged with *mofsed-e-filarz* (“spreading corruption on earth”), a broadly defined crime capable of encompassing anything deemed undesirable by the state. There is no set penalty for such a wide-ranging crime, and punishments can run the gamut from a few months in jail to execution, with any prison sentence often supplemented by torture. In addition to suppressing political dissent and calls for reform within the established tradition of Shi’a Islam, blasphemy charges are also used to persecute religious minorities, including Bahá’ís, Sunnis, Sufis, and Christians.’²⁵

Humanist International indicated that the charge of *moharebeh* is also usually used as a punishment for political acts that challenge the government; however, it has also been used against atheists and religious dissenters.²⁶

The Iranian Penal Code also provides an exemption from the mandatory death sentence of *qisas* (retribution in kind for murder, which is based in *sharia* law) in several cases, including ‘Muslims, followers of recognized religions, and “protected persons” who kill followers of unrecognized religions or “non-protected persons”’ and the ‘killing of a person who has committed a *hudud* offense punishable by death.’²⁷

In 2021, the Iranian Parliament amended the Penal Code to criminalise insulting ‘divine religions or Islamic schools of thought,’²⁸ which, according to local NGOs, puts religious minorities at higher ‘risk of persecution.’²⁹ The Office of the High Commissioner for Human Rights (OHCHR) indicated that Iranian law, including the Penal Code, is used to prosecute

²² End Blasphemy Laws, Iran, 3 August 2021, [url](#)

²³ USDOS, 2022 Report on International Religious Freedom: Iran, 15 May 2023, [url](#), p. 1

²⁴ Iran Human Rights, Annual Report on the Death Penalty in Iran 2022, 2022, [url](#), p. 48

²⁵ Georgetown University, Berkley Center for Religion, Peace & Worldwide Affairs, National Laws on Blasphemy: Iran, n.d., [url](#)

²⁶ Humanists International, Freedom of Thought Report: Iran, 24 October 2023, [url](#)

²⁷ Advocates for Human Rights et al., Islamic Republic of Iran’s Compliance with International Covenant on Civil and Political Rights Treaty, 12 September 2023, [url](#), p. 16

²⁸ USDOS, 2022 Report on International Religious Freedom: Iran, 15 May 2023, [url](#), p. 1; Article 19, Iran: Parliament passes law to further choke freedoms and target minorities, 19 February 2021, [url](#)

²⁹ USDOS, 2022 Report on International Religious Freedom: Iran, 15 May 2023, [url](#); Humanists International, Freedom of Thought Report: Iran, 24 October 2023, [url](#)

persons based on their religious affiliation and views deemed critical or derogatory towards Islam.³⁰

3. Treatment by society

Australia's DFAT country report on Iran indicated that

'[a]ccording to local sources, atheists are discreet about their non-belief beyond their close family and friends. Unless they widely publicise their non-belief, atheists are unlikely to come to the attention of the authorities. Atheists from conservative families might face familial pressure and potential ostracism if their atheism were revealed, however would generally not be subjected to physical harm. Sources told DFAT that atheists from more liberal families and parts of the country, like north Tehran, would face no such pressure.'³¹

According to Humanist International, '[e]xpression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence. Additionally, state agencies 'openly marginalize, harass or incite hatred or violence' against non-religious individuals. NGOs with non-religious, atheist or humanist orientation are not allowed to register and are targeted by authorities.'³²

Additional information could not be found among the sources consulted by EUAA within the time constraints of this query.

4. Treatment by the State

OHCHR indicated that there is a 'broader policy to target any dissenting belief or religious practice,' including atheists.³³ Sources reported that in January 2020, the Iranian government eliminated the 'other religions' option from the national identity card, requiring people to identify as belonging to one of the four officially recognised religions.³⁴ Atlantic Council reported in September 2021 that atheists and other religious minorities 'must either lie to receive a national identification card or be denied access to services, such as insurance, education, banking, and, most recently, public transportation.'³⁵

Sources indicated that members of 'unrecognized religious minority groups' face barriers accessing education and employment in government jobs, and they have to declare as belonging to any of the officially recognised religions in their application forms.³⁶

³⁰ OHCHR, Iran: UN experts alarmed by escalating religious persecution, 22 August 2022, [url](#)

³¹ Australia, DFAT, Country Information Report: Iran, 24 July 2023, [url](#), para. 2.101

³² Humanists International, Freedom of Thought Report: Iran, 24 October 2023, [url](#)

³³ OHCHR, Iran: UN experts alarmed by escalating religious persecution, 22 August 2022, [url](#)

³⁴ USDOS, 2022 Report on International Religious Freedom: Iran, 15 May 2023, [url](#), p. 40; Radio Farda, Iran Eliminates 'Other Option' Of Religious Affiliation For Citizens' IDs, 24 January 2020, [url](#)

³⁵ Atlantic Council, Iranian children are being punished based on their parents' religion and beliefs, 21 September 2021, [url](#)

³⁶ USDOS, 2022 Report on International Religious Freedom: Iran, 15 May 2023, [url](#), p. 4; Humanists International, Freedom of Thought Report: Iran, 24 October 2023, [url](#)

Sources reported that on 8 May 2023, Iranian authorities executed by hanging two individuals accused of being involved in Telegram platform channel insulting Islam³⁷ and promoting atheism.³⁸ The individuals, who were detained in 2020 and subjected to solitary confinement, were also accused of reportedly burning the Quran,³⁹ although that accusation was not clearly established.⁴⁰ Al Jazeera reported that the two men were running between 15 and 20 anti-religion online groups, and that the “insults” [of the content] were so severe that none of them was cited explicitly in the Supreme Court confirmation of the [death sentence] ruling.⁴¹

The USDOS cited Amnesty International as indicating that ‘atheists and agnostics often do not publicly identify because those who profess atheism are at risk of arbitrary detention, torture, and the death penalty for apostasy.’⁴²

More generally, the UN Human Rights Committee noted that religious minorities face ‘state-sanctioned human rights violations, including discrimination, arbitrary detention, torture, harassment and confiscation of property.’⁴³ Freedom House indicated that authorities restricted access to websites administered by religious minority groups and ‘took draconian steps’ to penalise online users.⁴⁴

Additional information could not be found among the sources consulted by EUAA within the time constraints of this query.

5. Availability of state protection

Information on the availability of state protection for atheists and irreligious persons could not be found among the sources consulted within the time constraints of this query. However, the following might be relevant.

The judiciary lacks independence and trials do not adhere to international standards of fairness.⁴⁵ Verdicts are rendered in advance of judicial proceedings and when a legal statute does not address a situation, the government advises judges to follow *sharia* law.⁴⁶ Parallel to the criminal justice system are the ‘revolutionary courts,’ which are not prescribed by the

³⁷ AP, Iran hangs 2 in rare blasphemy case as executions surge, 9 May 2023, [url](#); CNN, Iran executes two people convicted of blasphemy, 8 May 2023, [url](#)

³⁸ AP, Iran hangs 2 in rare blasphemy case as executions surge, 9 May 2023, [url](#)

³⁹ AP, Iran hangs 2 in rare blasphemy case as executions surge, 9 May 2023, [url](#); CNN, Iran executes two people convicted of blasphemy, 8 May 2023, [url](#)

⁴⁰ AP, Iran hangs 2 in rare blasphemy case as executions surge, 9 May 2023, [url](#)

⁴¹ Al Jazeera, Iran executes two ‘Quran burners’ for blasphemy, 8 May 2023, [url](#)

⁴² USDOS, 2022 Report on International Religious Freedom: Iran, 15 May 2023, [url](#), p. 41

⁴³ UN Human Rights Committee, Concluding observations on the fourth periodic report of the Islamic Republic of Iran, CCPR/C/IRN/CO/4, 3 November 2023, [url](#), para. 47

⁴⁴ Freedom House, Freedom on the net 2023: Iran, 2023, [url](#)

⁴⁵ USDOS, 2022 Country Reports on Human Rights Practices: Iran, 20 March 2023, [url](#), p. 18; Freedom House, Freedom in the World 2023: Iran, 2023, [url](#)

⁴⁶ USDOS, 2022 Country Reports on Human Rights Practices: Iran, 20 March 2023, [url](#), p. 19



Constitution and there are allegations of unfair practices.⁴⁷ Confessions made under duress, including through torture, are accepted as evidence by the courts.⁴⁸

⁴⁷ USDOS, 2022 Country Reports on Human Rights Practices: Iran, 20 March 2023, [url](#), p. 19

⁴⁸ USDOS, 2022 Country Reports on Human Rights Practices: Iran, 20 March 2023, [url](#), p. 19

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