

**Flygtningenævnets baggrundsmateriale**

|                                    |                                          |
|------------------------------------|------------------------------------------|
| <b>Bilagsnr.:</b>                  | <b>1000</b>                              |
| Land:                              | Iran                                     |
| Kilde:                             | EUAA                                     |
| Titel:                             | People convicted with religious offences |
| Udgivet:                           | 8. februar 2023                          |
| Optaget på<br>baggrundsmaterialet: | 1. maj 2023                              |
|                                    |                                          |

## COI QUERY

|                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Country of Origin</b>                          | <b>Iran</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Title</b>                                      | <b>People convicted with religious offences</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Reference period</b>                           | December 2021 to 8 February 2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Topic(s)</b>                                   | <ol style="list-style-type: none"> <li>1. Reported cases of suspension of prison sentence and probation orders for religious crimes (including conversion)</li> <li>2. Entry – exit procedures for people convicted with religious offences <ol style="list-style-type: none"> <li>2.1 Overview on entry – exit procedures and practices</li> <li>2.2 Entry – exit procedures and practices for persons convicted with religious offences and on suspended prison sentence</li> </ol> </li> <li>3. Possibility for persons convicted with religious offences to work in governmental institutions</li> </ol> |
| <b>Date of completion</b>                         | 8 February 2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Query Code</b>                                 | Q2-2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Contributing EU+ COI units (if applicable)</b> | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

### Disclaimer

This response to a COI query has been elaborated according to the [EASO COI Report Methodology](#) and [EASO Writing and Referencing Guide](#).

Query responses are produced in response to COI information requests received from asylum authorities within EU+ countries or initiated by EUAA based on COI information needs. Query responses are produced within a limited time period, typically within 5 to 10 days. Within these time constraints, the information provided in this response has been researched, evaluated and processed with utmost care.

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.

The information in the response does not necessarily reflect the opinion of EUAA and makes no political statement whatsoever. The target audience is caseworkers, COI researchers, policy makers, and decision-making authorities. Any event taking place after the reference period is not included in this query response.

## COI QUERY RESPONSE – IRAN

### Title – People convicted with religious offences

#### 1. Reported cases of suspension of prison sentence and probation orders for religious crimes (including conversion)

For information about legal framework on religious freedom, conversion and the treatment of converts in Iran between 2019 and 2021, see [EASO COI Query Response on Religious freedom and conversion in Iran](#), published on 20 December 2021.

During 2022, a crackdown by Iranian authorities on members of the Baha'i religious minority was reported to have intensified, with increasing cases of arbitrary arrests<sup>1</sup> and 'enforced disappearances'.<sup>2</sup> Sources also reported on cases of Christian converts arrested and sentenced to prison time in 2022.<sup>3</sup>

Information on suspension of prison sentence and probation orders for religious crimes, including for conversion, was scarce among all sources consulted within the timeframe for drafting this COI query response. Some sources reported the following cases.

According to Amnesty International (AI), 9 out of 30 Baha'i individuals who were arrested in July 2022, were released on 'heavy bail amounts', while another 9 were imposed electronic ankle bracelets.<sup>4</sup> There were also some reports of Christian converts being released on bail between 2021-2022.<sup>5</sup> Among these reports, there is the case of Ebrahim Firouz, who was released on bail in February 2021, however the charges against him remained in place.<sup>6</sup> Another case concerns nine Christian converts who were sentenced to five-year prison for involvement in house churches and conditionally released in December 2021, pending review of their sentence.<sup>7</sup>

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<sup>1</sup> RFE/RL, Iranian Authorities Arrest 12 Baha'i Members In Continuing Crackdown On Faith, 4 September 2022, [url](#); AI, Iran: Intensified Assault on Iran's Baha'i Minority, 23 August 2022, [url](#)

<sup>2</sup> UN OHCHR, Iran: UN experts alarmed by escalating religious persecution, 22 August 2022, [url](#)

<sup>3</sup> RFE/RL, No Place For Converts: Iran's Persecuted Christians Struggle To Keep The Faith, 5 May 2022, [url](#) Article 18, Christian woman convert begins two-year prison sentence, 16 April 2022, [url](#)

<sup>4</sup> RFE/RL, Iranian Authorities Arrest 12 Baha'i Members In Continuing Crackdown On Faith, 4 September 2022, [url](#)

<sup>5</sup> USCIRF, 2022 Annual Report – Iran, April 2022, [url](#) p. 23; Article 18, Christian woman convert begins two-year prison sentence, 16 April 2022, [url](#)

<sup>6</sup> USCIRF, 2022 Annual Report – Iran, April 2022, [url](#) p. 23

<sup>7</sup> HRWF, Iran: Conditional release of 9 Christian converts after Supreme Court ruling, 11 January 2022, [url](#); Jerusalem Post (The), Nine Iranian Christians released from jail, 5 January 2022, [url](#)

## **2. Entry- exit procedures for people convicted with religious offences**

### ***2.1 Overview on entry and exit procedures and practices***

Iranian citizens must hold an exit permit to travel abroad as required by the Iranian government,<sup>8</sup> including those who are ‘employed in fields considered sensitive’.<sup>9</sup> For specific exits, authorities issue one journey passport and holders of ordinary passports ‘have the right to travel abroad as long as the passport is valid’.<sup>10</sup> A ‘wife requires the husband’s consent to obtain a passport and travel abroad’.<sup>11</sup> Iranian citizens holding ‘ordinary and official passport are exempted from visa’ to Türkiye for a period of up to three months.<sup>12</sup>

Exit and entry is done at land borders and airports.<sup>13</sup> According to IOM Displacement Tracking Matrix (DTM), as of 31 January 2022, there were 93 external points of entry into Iran including 47 through airports, 30 through land and 16 through sea.<sup>14</sup> Yearly, millions of Iranians exit and enter the country ‘without difficulty’, and they must pay a tax, at the airport, when traveling abroad.<sup>15</sup> Security organisations were reportedly present at the airports, in particular in Imam Khomeini airport to check multiple times travel documents. There has been reportedly less control at land borders due to the high number of people commuting.<sup>16</sup>

For information on exit procedures for citizens released on temporary bail, see [EASO COI Query Response on temporary bail, court documents, exit from Iran](#), published on 21 April 2020,

### ***2.2 Entry-exit procedures and practices for persons convicted with religious offences and on suspended prison sentence***

According to Article 34 of the Islamic Penal Code of Iran, ‘a ban from leaving the country for Iranian citizens shall require revocation of the passport and ban from a new application’ and based on certain offenses as referred to in Article 23 of the aforementioned code, courts can ban Iranian citizens ‘from leaving the country’.<sup>17</sup> Additionally, according to Article 188 of the Code of Criminal Procedure of Iran, ‘as long as the authorities have not accessed the

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<sup>8</sup> USDOS, 2021 Country report on human rights practices, 12 April 2022, [url](#), p. 44

<sup>9</sup> Australia, DFAT, Country information report, Iran, 14 April 2020, [url](#), p. 69

<sup>10</sup> Norway, Landinfo, report, Iran, passports, ID and civil status documents, 5 January 2021, [url](#), p. 28

<sup>11</sup> UN General Assembly, Situation of human rights in the Islamic Republic of Iran, A/HRC/46/50, 11 January 2021, [url](#), p. 15

<sup>12</sup> Türkiye, Ministry of foreign affairs, visa information for foreigners, n.d., [url](#)

<sup>13</sup> Canada, IRB, Responses to information requests, 10 March 2020, [url](#)

<sup>14</sup> IOM, DTM, Islamic Republic of Iran – Point Of Entry (POE) COVID-19 dashboard (March 2020 to October 2021), 31 January 2022, [url](#)

<sup>15</sup> Australia, DFAT, Country information report, Iran, 14 April 2020, [url](#), p. 69

<sup>16</sup> Australia, DFAT, Country information report, Iran, 14 April 2020, [url](#), pp. 69 and 73

<sup>17</sup> ILO, قانون مجازات اسلامی، ۱۳۹۲/۰۲/۰۱ [EUAA informal translation ‘Islamic Penal Code’, 21 April 2013], [url](#); Iranhrdc, English translation of books I & II of the new Islamic Penal Code, 4 April 2014, [url](#)

convicted person, the investigator is able to issue an order to ban the convicted person from leaving the country'.<sup>18</sup>

Judicial and governmental authorities can issue travel ban in a criminal case against: (1) 'a defendant during the investigation or trial procedure, (2) 'a convicted person who has not presented himself for the implementation of the sentence or has serviced his sentence entirely'.<sup>19</sup> The Iranian Ministry of Security and Intelligence (MOIS) and the Islamic Revolutionary Guards Corps (IRGC) can 'impose' travel bans without making the use of the judiciary.<sup>20</sup>

The government reportedly imposed 'travel bans on some Iranian citizens'<sup>21</sup> including religious leaders and members of religious minorities.<sup>22</sup> Iranian authorities closely monitor 'known converts to Christianity'<sup>23</sup> and they impose travel ban on certain Iranian citizens including those with 'ongoing charges or outstanding court matters and those released on bail or parole'.<sup>24</sup>

Some illustrative examples of reported cases of Christian converts banned from exiting the country are listed below.

In August 2017, an Iranian Christian convert was banned from leaving the country following her release from Evin Prison.<sup>25</sup> In June 2019, an Iranian Christian couple (with a convert husband), who belonged to a house-church, was reportedly arrested by the intelligence agents in Iran, inter alia, banned from traveling abroad for two years.<sup>26</sup> In July 2020, two Christian converts were reportedly banned from traveling abroad following charges against them on 'acting against national security through organisation and membership of house-churches'.<sup>27</sup> In August 2020, three Iranian Christians, who were sentenced to five years of imprisonment for apostasy, had to report to the police after being released on bail.<sup>28</sup> In January 2021, an Iranian Christian convert was sentenced to one year and half in prison and two years ban from leaving the country.<sup>29</sup> In February 2021, a Christian convert was ordered 'to report to the local prosecutor's office' following new allegations.<sup>30</sup> As of 13 August 2022, the couple was still in prison.<sup>31</sup> As of May 2021, Iranian Christian converts were reportedly asked 'during interrogations to sign commitments' to avoid 'house-churches' gathering and

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<sup>18</sup> Iran, قانون آیین دادرسی کیفری، پایگاه ملی اطلاع رسانی قوانین و مقررات کشور [EUAA informal translation 'Code of Criminal Procedure, National information center for laws and regulations of the country'], n.d., [url](#)

<sup>19</sup> Norway, Landinfo, Iran, criminal procedures and documents, December 2021, 1 December 2021, [url](#), p. 71

<sup>20</sup> Australia, DFAT, Country information report, Iran, 14 April 2020, [url](#), p. 69

<sup>21</sup> Australia, DFAT, Country information report, Iran, 14 April 2020, [url](#), p. 69

<sup>22</sup> USDOS, 2021 Country report on human rights practices, 12 April 2022, [url](#), p. 44

<sup>23</sup> Iranwire, The Islamic Republic's intolerance to Christian converts, explained, 25 August 2021, [url](#)

<sup>24</sup> Australia, DFAT, Country information report, Iran, 14 April 2020, [url](#), p. 69

<sup>25</sup> CHRI, Christian convert released from prison in Iran slapped with travel ban, 22 August 2017, [url](#)

<sup>26</sup> Iranwire, Christian convert with Parkinson's disease and wife face prison for attending church, 17 March 2021, [url](#)

<sup>27</sup> Article 18 et al., Annual Report 2020, Right Violations Against Christians in Iran, January 2021, [url](#), p. 25

<sup>28</sup> Asianews, Iranian Christians sentenced to five years in prison for apostasy, 9 March 2021, [url](#)

<sup>29</sup> HRANA, Christian Convert Reza Zaeemi's prison sentence reduced to nine months by appeal court, 11 May 2021, [url](#)

<sup>30</sup> Article 18 et al., Annual Report 2020, Right Violations Against Christians in Iran, January 2022, [url](#), p. 9

<sup>31</sup> USCIRF, Sara Ahmadi, 13 August 2022, [url](#)

furthermore, intelligence agents demanded them to ‘sign a commitment to have no further social engagements’.<sup>32</sup>

According to the United States Department of States (USDOS), at times internal traveling for some individuals released from prison was limited based on the ‘judicial sentences’ including restriction to travel to some provinces. In the case of a female person, she had to be often accompanied by a ‘male guardian or chaperone’.<sup>33</sup>

### **3. Possibility for persons convicted with religious offences to work in governmental institutions**

Employment of individuals in Iran is regulated under sub-section 3 of the Iran Civil Code.<sup>34</sup> Section 17 of the Iranian Labour Code of 20 November 1990 stipulates that ‘where a worker is arrested and held in detention but not convicted, his employment contract shall be suspended for the duration of his detention. The worker shall resume his duties upon release.’<sup>35</sup>

Iranian authorities ‘systematically’ deprive Iranian Christian converts from various basic rights,<sup>36</sup> including employment within the government as the authorities require them to indicate their religion in the recruitment documents.<sup>37</sup>

According to Iran Human Rights Documentation Center (IHRDC), an Iranian convert’s work permit has been cancelled following his release from prison. The source further indicated that the Iranian Ministry of Intelligence warned him that any attempt to resume his work would cause him trouble.<sup>38</sup>

Regarding the possibility for people convicted with religious offences to work with governmental institutions as external contractors, no information could be found within the consulted sources and within the limited timeframe for drafting this query response.

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<sup>32</sup> Article 18, Christian converts charged under Iran’s newly amended ‘propaganda’ law, 12 May 2021, [url](#)

<sup>33</sup> USDOS, 2021 Country report on human rights practices, 12 April 2022, [url](#), p. 43-44

<sup>34</sup> Iran, The Civil Code of the Islamic Republic of Iran, accessed on Refworld, 21 November 2018, [url](#), p. 50

<sup>35</sup> ILO, NATLEX, Labour Code, 20 November 1990, [url](#)

<sup>36</sup> Iranwire, The Islamic republic’s intolerance to Christian converts, explained, 25 August 2021, [url](#)

<sup>37</sup> IHRDC, Living in the shadows of oppression: The situation of Christian converts in Iran, 12 August 2021, [url](#)

<sup>38</sup> IHRDC, وضعیت نوکیشان مسیحی در ایران, زندگی در زیر سایه سرکوب: [EUAA informal translation ‘living in the shadows of oppression: the situation of Christian converts in Iran’], 12 August 2021, [url](#)

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