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State of the World's Minorities and Indigenous Peoples 2010 - Iran

The year 2009 was a significant one for Iran and its people. It began with celebrations in February, as the country geared up to mark the 30th anniversary of the Islamic revolution. Drafted in the aftermath of the revolution, Iran's Constitution recognizes Islam as the state's official religion and the Twelver Ja'fari School of Shi'ism as the doctrine followed by its adherents. The majority of Iran's 66.5 million population is Muslim (Shia 89 per cent, Sunni 9 per cent). In addition to the Sunnis, Iran has several other religious minorities; 2 per cent of Iran's population are Zoroastrian, Jewish, Christian and Baha'i. According to Article 13 of the Constitution, Zoroastrian, Jewish and Christian Iranians are the only recognized religious minorities, who, within the limits of the law, are free to perform their religious rites and ceremonies, and to act according to their own canon in matters of personal affairs and religious education. Baha'is, on the other hand, are not recognized as a religious minority. However, as non-Muslims, they are protected under Article 14 of the Constitution, provided that they refrain from conspiracy or activity against Islam and the Islamic Republic of Iran.

Notwithstanding the formal guarantees of protection in the Constitution, members of the Baha'i faith have long been subjected to discrimination, harassment and arbitrary arrest. According to Amnesty International (AI), Baha'is continued to be denied access to higher education in 2009. At least 10 Baha'i students were expelled from their universities on the basis of their religion throughout this academic year. According to the US Commission on International Religious Freedom (USCIRF) report of 2009, Baha'is are also prohibited from teaching and practising their faith, and are barred from all leadership positions in the government and the military. The report also confirms that Baha'i communal property and sacred sites have repeatedly come under attack. AI further reports that government-controlled broadcast and print media, such as the *Kayhan* newspaper, intensified negative campaigns against Baha'is throughout 2009, accusing them of establishing ties with Israel. These accusations are in part due to the fact that the Baha'i world headquarters is located in Israel.

The plight of Baha'is in Iran was brought to the fore when Ministry of Intelligence officials arbitrarily arrested seven Baha'i community leaders in March and May 2008. Their trial has been postponed at least twice, and they are facing charges of 'espionage for Israel' and 'propaganda against the system', both of which carry a possible death penalty. They were expected to stand trial in February 2010, and the trial was continuing at the time of writing. As of July 2009, according to the International Campaign for Human Rights in Iran, a US-based non-governmental organization (NGO) working on human rights violations in Iran, there are an additional 30-40 Baha'is in detention because of their religious beliefs. The USCIRF 2009 report also stated that, 'Government officials reportedly offered Baha'is relief from mistreatment in exchange for recanting their religious affiliation, and if incarcerated, recanting their religious affiliation as a precondition for releasing them.'

On 18 December 2008, for the sixth consecutive year, the UN General Assembly passed another resolution (A/Res/63/191) condemning the human rights situation in Iran and denouncing the government's harsh treatment of religious, ethnic, linguistic or other minorities – whether they are recognized or not. On 20 November 2009, the UN General Assembly's Third Committee approved a further resolution (A/C.3/64/L.37) on human rights in Iran, which expressed particular concern, *inter alia*, over the situation of minorities. Both resolutions specifically mentioned the case of the seven Baha'i leaders.

The Baha'i community was not the only religious minority subjected to discrimination and harassment. According to USCIRF 2009, proselytizing continues to be prohibited by the Iranian government, which closely monitors the activities of evangelical Christians while discouraging Muslims from entering church premises. In September 2008, the Majlis (Iranian parliament) approved a revision to the Penal Code whereby apostasy, specifically conversion from Islam, would be punishable by death. This revision was reportedly implemented on a one-year trial basis. The Legal Judicial Committee of the Majlis, however, recommended removing it from the Penal Code in June 2009. USCIRF said there were no documented cases of the death penalty being applied for apostasy in 2009, although there were at least 10 reported arrests of Christian converts.

Although Jews are a recognized religious minority in Iran, they are increasingly concerned about their future security in the country. USCIRF 2009 reported increased hostility towards the Jewish community as a result of President Mahmoud Ahmadinejad's rhetorical attacks on Israel and Zionists, which have blurred the lines between Zionism, Judaism and Israel. Many Jews sought to limit their contact with Israel, or limit open support for the state of Israel, for fear of reprisal.

Non-Shia Muslims also faced substantial societal discrimination. According to AI, Iran's Kurds, most of whom are Sunni Muslims, face discrimination at least in part because of their religion, even though Sunni Islam is recognized and accorded formal legal standing in Iran. Many Sunni Muslims note the absence of a Sunni mosque in Tehran as a prominent example of the government's disregard for this minority. The USCIRF 2009 report also noted that several Sunni mosques have been demolished in other parts of the country. Sunnis are under-represented in government-appointed positions in the provinces where they form a majority, such as Kurdistan and Khuzestan. The report stated that residents of these provinces have also reported discrimination and lack of resources, though it is difficult to determine whether this discrimination is based on religion, ethnicity or both. USCIRF 2009 also revealed that smaller religious communities, such as Mandaean-Sabeans and Sufis, have faced repression and harassment by authorities similar to that faced by other religious minorities.

Iran is also home to several ethnic minorities. The majority of the population is ethnically Persian (51 per cent). There are also Azeris (24 per cent), Gilaki and Mazandarani (8 per cent), a sizeable Kurdish minority (7 per cent), Arabs (3 per cent), as well as Lur, Baloch and Turkmen (2 per cent of the population each). The Constitution recognizes Persian as the official state language, while allowing the use of other regional and tribal languages in the press and in schools (Article 15). In addition, Article 16 of the Constitution provides that Arabic, which is the language of the Qur'an, must be taught in all classes of secondary schools. Despite these constitutional guarantees, AI reported the arrest of several Azeri activists in 2009, in connection with activities held to protest the lack of teaching in Azerbaijani Turkic. Several Kurdish activists faced a similar fate. Moreover, according to AI, Kurdish prisoners went on hunger strike between August and October to protest against the use of the death penalty on Kurdish political prisoners. Their efforts were in vain. Human Rights Watch (HRW) confirmed the execution by Iranian authorities of a Kurdish political prisoner, Ehsan Fattahian, on 11 November 2009, after a court had sentenced him to death in closed proceedings on charges of committing violent acts against national security.

Members of ethnic minorities continued to campaign for greater political participation, economic, social and cultural rights, as well as access to employment in the public sector. Their demands figured prominently in the debates leading up to the most contested elections in the modern history of Iran. Mehdi Karroubi, one of the presidential candidates in the 12 June 2009 elections and an influential Iranian reformist

politician, promised to improve the situation of ethnic minorities and to protect the rights of religious minorities. According to the Lowy Institute, an independent international policy think-tank based in Sydney, Australia, Karroubi also pledged to remove all forms of discrimination against women, many of whom are doubly disadvantaged as members of a marginalized ethnic or religious minority and because of the subordinate status reserved to women in some communities, such as the Balochi and Kurdish communities.

The disputed re-election of Mahmoud Ahmadinejad on 12 June 2009 was followed by widespread protests across the country. The protests were initially largely peaceful. As tensions grew, however, government forces clamped down on demonstrators, using excessive and sometimes lethal force, which resulted in the deaths of dozens of demonstrators, hundreds of injuries and at least 4,000 arbitrary detentions. The 20 November 2009 UN resolution (A/C.3/64/L.37), mentioned previously, also strongly condemned the government's crackdown on demonstrators in the aftermath of the contested elections and expressed deep concern at the 'serious ongoing and recurring human rights violations in Iran'. Indeed, the human rights situation in Iran remains alarming. Opposition protesters took to the streets again on 27 December 2009 during a religious Shi'ite holiday (Ashura), to denounce the Iranian government. Clashes subsequently erupted with security forces allegedly firing directly into the crowds. International media reported the deaths of at least four protesters, including a nephew of the opposition leader Mir Hussein Moussavi. Hundreds more were injured and there were numerous arrests.

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