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### JUBILEE CAMPAIGN USA ECOSOC Special Consultative Status (2003)

# With: SET MY PEOPLE FREE

### United Nations Human Rights Council Universal Periodic Review - FOURTH CYCLE

Submission to the 48th session of the Human Rights Council's Universal Periodic Review Working Group January - February 2025

### The Islamic Republic of Iran

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P.O. Box 700 • Addlestone • Surrey, KT15 9BW • United Kingdom JUBILEE CAMPAIGN IS A NON-PROFIT, TAX EXEMPT, CHARITABLE ORGANIZATION IN THE UNITED STATES

# United Nations Human Rights Council Universal Periodic Review of the Islamic Republic of Iran

#### Background.

- Jubilee Campaign is a non-governmental organization which holds consultative status with the Economic and Social Council since 2003 and whose work focuses on promoting the rights of religious and ethnic minorities and raising the status of vulnerable women and children to protect them from bodily harm and exploitation. Jubilee Campaign submits this analysis of religious freedom and human rights in the Islamic Republic of Iran as a contribution to the Universal Periodic Review.
- 2. **Set My People Free** is a network of individuals, churches and organizations working for the freedom of converts from Islam to live and practice their new faith, and to experience equality and justice in their home countries.

## II. Scope of international obligations and cooperation with international human rights mechanisms and bodies.

We urge the Islamic Republic of Iran to:

- 3. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention for the Protection of All Persons from Enforced Disappearance; the Convention on the Elimination of All Forms of Discrimination against Women; an the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
- 4. Accede to the procedures of the Optional Protocol to the Convention against Torture and other Cruel, Inhumane or Degrading Treatment or Punishment; the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Optional Protocol to the Convention on the Rights of the Child on a communications procedure; and the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

#### III. Violations of human rights obligations, considering applicable international human rights legislation.

#### A. Freedom of thought, conscience, and religion.

5. Book Five, Chapter Two of the 1991 Islamic Penal Code of Iran addresses a multitude of religious offenses. Article 513, for example, prescribes the death penalty or a term of imprisonment between one to five years for "insulting the sacred values of Islam or any of the Great Prophets or [twelve] Imams or the Holy Fatima". Article 514 stipulates that any individual who insults the founder of the Islamic Republic of Iran, Ruhollah Khomeini, shall face imprisonment for between six months and two years. In early 2021, the Iranian Parliament passed two additional provisions to the Islamic Penal Code. The first, Article 499 bis 1, states that "anyone who insults Iranian ethnicities or divine religions or Islamic schools of thought recognized under the Constitution with the intent to cause violence or tensions in the society" will be sentenced to between two and five years in prison if such insult directly foments violence, or between six months and two years' imprisonment if no violence occurs. The second provision added to the Penal Code, Article 500, prescribes two to five years'

<sup>1</sup> Iran Human Rights Documentation Center, <u>Islamic Penal Code of the Islamic Republic of Iran – Book Five</u>, 15 July 2013.; [Iran] <u>Islamic Penal Code of Iran</u>.

imprisonment upon any individual who engages in proselytism or evangelism.<sup>2</sup>

- Human Rights Activists News Agency (HRANA) reported that no fewer than 767 executions took place throughout in the one year period between March 2023 and March 2024<sup>3</sup>, a small portion of which were carried out against individuals involved in anti-government protests following the death of 22-year-old Mahsa Amini in police custody in September 2022.4 Overwhelming evidence including witness testimonies and medical records - incriminated Iranian authorities for severely beating Mahsa after arresting her for 'improperly wearing a headscarf' in violation of the nation's mandatory hijab law. Those who have been executed for their participation in these protests condemning the Iranian government for its killing of Mahsa - and denial thereof - were typically convicted of the overly broad charge of "enmity against God" or "corruption on earth".<sup>5</sup> It is also noteworthy and regrettable that many of the executed protesters were ethnic minorities predominantly Kurds and Balochs - as the longest and most incendiary protests took place in the provinces of Kurdistan and Balochistan where the presence of armed resistance groups could be used as a justification for carrying out executions in the purported interest of combating terrorism.<sup>6</sup> One month following Mahsa's death, in a nearly identical incident, 17-year-old Armita Geravand was declared brain dead and subsequently passed away weeks after she was accosted and physically assaulted by police on the Tehran Metro for not wearing a hijab.<sup>7</sup> Armita's family, presumably being coerced by Iranian government officials, has echoed the state media's denials that the deceased girl suffered fatal injuries in her encounter with the police, instead claiming that she incurred an unrelated injury resulting from low blood pressure. Armita is just one out of the list of Iranian teenage girls and young women who died under suspicious circumstances following confrontations with police over their attire or their participation in protests against Mahsa's killing: Sarina Esmailzadeh, age 16; Aylar Haghi, age 22; Asra Panahi, age 15; Hadis Najafi, age 22; Nika Shakarami, age 16.
- 7. In November 2023, thousands of female students across schools in Iran presented to hospitals exhibiting symptoms of toxic gas poisoning, including nausea, dizziness, fatigue, and limb numbness. While the government has dismissed the reports and characterized the incident as a case of mass hysteria and "mischief" caused by stress and anxiety, human rights organizations have suggested that the timing of the outbreak indicates that it might be "a coordinated campaign to punish schoolgirls" for their participation in the Mahsa Amini protests which started two months prior.<sup>8</sup>
- 8. In September 2023, the Iranian parliament passed the Bill to Support the Family by Promoting the Culture of Chastity and Hijab" which will be "on a trial basis" for three years pursuant to its full implementation in 2026. The legislation equates the act of declining to wear the hijab with public nudity and prescribes a maximum ten-year prison term to violators. Other penalties imposed on women with improper headdress who will be identified by the use of cameras in public including fines, flogging, travel restrictions, and online activity restrictions. The new law similarly targets businesses, services, and employers for "promoting or allowing nudity or bad clothing" among its customers, clients, or employees. State and local authorities are obligated by the new bill to collect the information of individuals they apprehend for wearing 'improper' clothing and submit these

<sup>&</sup>lt;sup>2</sup> End Blasphemy Laws, <u>"Iran: Parliament passes law to further choke freedoms and target minorities"</u>, 19 February 2021.; Dr. Ewelina Ochab, <u>"Are New Iranian Criminal Laws Curtailing Freedom Of Religion Or Belief?"</u>, *Forbes*, 5 July 2021.

<sup>&</sup>lt;sup>3</sup> Iran International Newsroom, "Executions in Iran Reached Highest Level after Protests", 28 March 2024.

<sup>&</sup>lt;sup>4</sup> Somayeh Malekian, "Iranian activists go on hunger strike over execution of protester Mohammad Ghobadlou", ABC News, 25 January 2024.; Farnaz Fassihi & Cora Engelbrecht, "Three More Executed in Iran Over Protests", The New York Times, 22 May 2023.

<sup>&</sup>lt;sup>5</sup> Human Rights Watch, "Iran: 2 Detainees Executed, 11 Awaiting Execution", 23 January 2024.

<sup>&</sup>lt;sup>6</sup> Iran Human Rights, <u>"Execution and ethnic minorities"</u>, April 2023.

<sup>&</sup>lt;sup>7</sup> Adam Pourahmadi, <u>"Iranian teen Armita Geravand dies following alleged assault by morality police"</u>, CNN, 28 October 2023.

<sup>8</sup> Amnesty International, "<u>Urgent Action: Millions of Schoolgirls at Risk of Poisoning"</u>, MDE 13/6696/2023, 18 April 2023. ; Maryam Afshang & Feranak Amidi, "Iran: Dozens of schoolgirls taken to hospital after new gas poisonings", BBC, 1 March 2023.

details and photographic evidence to judicial officials.<sup>9</sup> In July 2023, Iranian Police Spokesperson General Saeed Montazerolmahdi confirmed that morality police will be continuing its work "notifying and then detaining women not wearing a hijab in public".<sup>10</sup> UN experts comprising the Special Rapporteur on human rights in the Islamic Republic of Iran; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur in the field of cultural rights; and the Working Group on discrimination against women and girls have described the new bill as possibly amounting to "gender apartheid".<sup>11</sup>

- In September 2023, Armenian-Iranian house church leader Joseph Shahbazian was released from prison after receiving a pardon. Shahbazian was originally arrested in June 2020 when Islamic Revolutionary Guard Corps authorities ambushed a house church gathering and apprehended all participants. Six Christians including Shahbazian were blindfolded and transported to their homes so police could confiscate bibles and other religious literature and materials. Witnesses recalled that some of the detained Christians and their family members were physically assaulted by officers during the house raids. Having identified these Christian 'offenders', the police launched a two-day inspection of Christian homes in Tehran, Karaj, and Malayer, arresting and interrogating nearly 40 residents. Shahbazian was charged with "acting against national security" by promoting Christianity and his bail was set at the astronomically high rate of 3 billion toman, a bail which was unprecedented for a prisoner of conscience. The only other Christian individual presented with such a bail was the leader of the One-Hearted Women Church, Malihe Nazari, who was arrested the day following Shahbazian's detention. Shahbazian and the five Christians arrested during his church raid - Mina Khajavi, Salar Eshraghi Moghadam, Farhad Khazaee, Somayeh Sadegh, and Masoumeh Ghasemi - were convicted of the following charges: "weakening faith in Muslim clerics", "attracting Muslims to house churches", and promoting Evangelical Christianity. Shahbazian was sentenced to ten years' imprisonment for leading a house church - deemed by the judiciary to be "opposition" or "enemy" groups. Shahbazian officially began serving his sentence at Evin Prison in August 2022 and in May 2023 his sentence was reduced to two years during a retrial. Shahbazian received a presidential pardon while serving his commuted two year prison term in September 2023.<sup>12</sup>
- 10. In May 2023, the Iranian government executed two men Yousef Mehrdad and Seyyed Sadrollah Fazeli-Zare - for their establishment of and participation in a Telegram (social media application) channel called "Critique of Superstition and Religion" in which they allegedly shared opinions about religion which were considered blasphemous and derogatory towards the Prophet.<sup>13</sup> During the first two months of their pre-trial detention, Mehrdad and Fazeli-Zare were interned in solitary confinement units in Arak Prison in Markazi province, where they were routinely denied family visits and access to legal representation for an additional six months. In April 2021, Branch 1 of the Arak Criminal Court convicted Mehrdad and Fazeli-Zare of blasphemy and sentenced them to death in accordance with articles 513 and 262 of the Islamic Penal Code of Iran. Months later in May/June 2021, the Arak Revolutionary Court sentenced each man to eight years' imprisonment on additional separate charges of "propaganda against the state", "founding or leading an organization that aims to disrupt national security", and "insulting the Supreme Leader" Ruhollah Khomeini, outlined in Penal Code Articles 500, 498, and 514, respectively. The Iranian Supreme Court reprehensibly rejected Mehrdad's and Fazeli-Zare's appeals and upheld their unjust sentences in July/August of 2021, citing that the two individuals had allegedly confessed to their crimes. The validity of this claim is dubious, as the Iranian government has a nefarious record of exercising physical torture against detainees in order to extract coerced confessions, with the most recent revelation being the

<sup>&</sup>lt;sup>9</sup> The Iran Primer, "Parliament Passes New 'Hijab and Chastity' Bill", 25 September 2023.; Holly Johnston & Niloufar Goudarzi, "Iran's parliament passes 'hijab and chastity' bill", *The National News*, 20 September 2023.

<sup>&</sup>lt;sup>10</sup> Middle East Policy Council, <u>"Iran's Chastity and Hijab Bill"</u>, 26 September 2023.

<sup>11</sup> United Nations, "Iran's proposed hijab law could amount to 'gender apartheid': UN experts", 1 September 2023.

<sup>&</sup>lt;sup>12</sup> Church in Chains, *Joseph Shahbazian*, 15 September 2023.

<sup>13</sup> Reuters, "Iran hangs two men for blasphemy", 8 May 2023.; Maziar Motamedi, "Iran executes two 'Quran burners' for blasphemy", Al Jazeera, 8 May 2023.; Joe Middleton, "Iran hangs two men for blasphemy amid 'alarming' surge in executions", The Independent, 8 May 2023.

discovery of a network of no fewer than 40 facilities where prisoners are brutalized into making forced admissions of guilt. In May 2023, the Mizan media agency of the Iranian judicial system reported that Mehrdad and Fazeli-Zare had been remanded to solitary confinement prior to their impending execution for operating the Telegram channel in question which appeared "dedicated to atheism and desecration of the sanctities". The Human Rights Activists News Agency (HRANA) in Iran reported more comprehensively that the two defendants' convictions also included apostasy and "accusing the Prophet of Islam's mother of adultery". The sudden news of Mehrdad's and Fazeli-Zare's upcoming execution and their transfer once again to solitary confinement caused great anger and confusion; international human rights and religious freedom activists criticized the sentencing, and in response to the condemnation the Iranian government sent the two men back to the general prison population. Within days, however, Mehrdad and Fazeli-Zare removed from prison and executed.

- 11. In May 2023, Iran executed three men Saleh Mirhashemi, Majid Kazemi, and Saeed Yaghoubi on conviction of *moharebeh* ("enmity against god") for their alleged armed attack killing three Iranian authorities in November 2022. No evidence has been released confirming the defendants' purported culpability in the officers' deaths, and the UN criticized Iran for carrying out the execution of Mirhashemi, Kazemi, and Yaghoubi despite reports that the mens' alleged involvement was "highly uncertain and questionable". The death penalty, as emphasized by the UN, should never be applied in cases wherein judicial proceedings fail "to meet acceptable international standards for fair trial or due process". Director of Iran Human Rights, Amiry-Moghaddam, expressed concern that "unless the Iranian authorities are met with serious consequences by the international community [for these extrajudicial executions], hundreds of protester lives will be taken by their killing machine". In July 2023, two men Mohammed Ghaedi (35 years old) and Sadegh Mahmoudi Baram (25 years old) were hanged in public on conviction for "enmity against god" for reportedly ambushing and killing two Iranian police in November 2021, though similar to the previous case, no details have been released regarding the defendants' alleged involvement if any in the officers' deaths. Is
- 12. In July 2023, Pastor Abdolreza Ali-Haghnejad was transferred to a prison in the isolated city of Minab to continue serving his six-year sentence for "propagating Christianity". Pastor Haghnejad was originally arrested on a different unrelated charge operating a house church in 2019 alongside eight other Christian converts but was acquitted in November 2021 when the Supreme Court ruled that managing an underground church does not constitute a "crime against national security". However, two weeks after he was released from prison for this charge, Pastor Haghnejad was rearrested in January 2022 in connection to a sentence which he had been handed but which was overturned in 2014. Per this case, Haghnejad was convicted of "acting against the security of the country by forming and propagating Christianity outside the church and in the house church and giving information to the enemies of Islam". Although this conviction was overturned in 2014, the Karaj Revolutionary Court in January 2022 overturned the acquittal. As such, Pastor Haghnejad has been acquitted of his 2019 charge but is instead serving prison time for his 2014 charge. Meanwhile, the eight Christians with whom he was arrested in 2019 Khalil Daeghanpour, Hossein Kadivar, Kamal Naamanian, Mohammad Vafadar, Mohammad Eslamdoust, Babak Hosseinzadeh, Mehdi Khatibi, and Behnam Akhlaghi were acquitted in March 2022. Alai of the service of the

<sup>14</sup> Iran International Newsroom, "Iran Uses Secret Prisons To Get Forced Confession From Protesters: CNN", 22 February 2023.; Allyson Horn, "Iranian protesters recount daily beatings, forced confessions and torture tactics while in detention", ABC News Australia, 15 March 2023.

<sup>&</sup>lt;sup>15</sup> David Gritten, "Iran executes two men convicted of blasphemy", BBC, 8 May 2023.

<sup>16</sup> United Nations, "UN experts urge Iran to stop 'horrific wave' of executions", 19 May 2023.

<sup>&</sup>lt;sup>17</sup> Lauren Ban, "Iran executes 3 men on charges of 'enmity against god'", *Jurist News*, 19 May 2023.

<sup>&</sup>lt;sup>18</sup> Iran International Newsroom, "Iran Hangs Two More Prisoners in Public", 14 July 2023.

<sup>&</sup>lt;sup>19</sup> Jubilee Campaign, Abdolreza Haghnejad.; Article 18, "Pastor transferred to prison 1,000 miles from home and family", 10 July 2023.

<sup>&</sup>lt;sup>20</sup> Open Doors, "Good news from Iran: Nine converts acquitted", 3 March 2022.

- 13. In August 2023 prisoner Javad Rouhi, who had been arrested one year prior on the charge of apostasy for allegedly burning a Quran during the September 2022 Mahsa Amini protests, passed away in hospital after supposedly suffering a seizure in detention. Human rights activists, however, have argued that Rouhi's death resulted from injuries sustained by police-inflicted violence, refuting the government's claims that his death was a tragic accident. This parallels the government's widely rejected initial claims in 2022 that Mahsa Amini had similarly died of an anomalous seizure. The government maintains that Rouhi admitted to committing apostasy and property destruction, but Amnesty International reports that he was subjected to torture including physical assault with batons and electric shocks, and exposure to extreme temperatures to force him to make a false confession even though video footage released of Rouhi during the protests showed no signs of such criminal conduct. The nation's Supreme Court in May 2023 overturned Rouhi's death sentence and ordered a retrial on grounds that his actions did not warrant execution; however, he passed away before he could be released.<sup>21</sup>
- 14. In late 2020, a Christian couple Sara Ahmadi and Homayoun Zhaveh was sentenced to eleven years' imprisonment for establishing a house church and two years for membership in such a congregation, respectively. In April 2023, the couple was informed that their third appeal for a retrial of their case had finally been approved after their prior two requests were rejected in midand late-2021; Sara and Homayoun were finally acquitted and released on 9 May 2023.<sup>22</sup>
- 15. In December 2018, Iranian intelligence authorities ambushed the home of then-65-year-old Christian woman Mahrokh Rokhsareh Ghanbari, confiscating her Bible and other religious materials. The following month, Ghanbari was summoned before a prosecutor under charges of "acting against national security"; by July, she was formally sentenced for "propaganda against the system". In October 2019, Ghanbari presented herself at Shahid Kachooei Prison to start her one year prison term and expressed in a video message that she was being targeted "for the crime of believing in Jesus Christ." In March 2020, in a positive turn of events, Ghanbari was temporarily released from prison in a move to reduce the population of Iranian detention centers and stymie the spread of COVID-19; in April, authorities informed Ghanbari that she was not required to return to prison.<sup>23</sup> However, in January 2022, she was summoned to Karaj Revolutionary Court and is now facing the same set of charges of propaganda against the nation.<sup>24</sup>
- 16. Iranian Christian convert and prominent member of the Evangelical Church of Iran, Youcef Nadarkhani, was originally arrested in 2006 on charges of apostasy and was sentenced to death in 2010; following his acquittal and release in 2012, Nadarkhani was re-arrested in 2016 for his leadership of a house church. Under revised charges of "acting against national security" and "propagating house churches", Nadarkhani was sentenced to ten years' imprisonment, though this was commuted to six years in June 2020. In April 2022, Nadarkhani was granted a temporary furlough from Evin Prison during which he spent time with his family; he returned to prison on 29 April after his furlough was extended an extra week.<sup>25</sup> Pastor Nadarkhani was released from prison in February 2023<sup>26</sup> and, while in July 2023 he was summoned to the prosecutor's office for undisclosed charges, he was allowed to return home as there was no followup on this case.<sup>27</sup>
- 17. In November 2020, Iranian intelligence authorities raided the homes of Christian converts Milad Gourdarzi, Amin Khaki, and Alireza Nourmohammadi; though the men were not arrested they were

<sup>&</sup>lt;sup>21</sup> Human Rights Watch, "Iran: Suspicious Death of Imprisoned Protester", 1 September 2023.; Nadeem Shad, "Javad Rouhi: Iranian protester dies in 11 jail after avoiding death sentence", BBC, 31 August 2023.

<sup>22</sup> Church in Chains, <u>Sara & Homayoun</u>, updated 10 May 2023.

<sup>&</sup>lt;sup>23</sup> Article 18, "Christian convert, 62, released from prison, leave extended for two others", 3 April 2020.

<sup>&</sup>lt;sup>24</sup> Article 18, "Christian woman imprisoned 'for believing in Jesus' faces fresh accusation", 4 January 2022.

<sup>&</sup>lt;sup>25</sup> Church in Chains, *Youcef Nadarkhani*, 20 July 2023.

<sup>&</sup>lt;sup>26</sup> Freedom Now, "Iran: Pastor Youcef Nadarkhani Released from Prison", 6 March 2023.

<sup>&</sup>lt;sup>27</sup> Church in Chains, *Youcef Nadarkhani*, 20 July 2023.

warned to cease their Christian evangelist activities. In late July 2021, the three men were charged with disseminating "propaganda that educates in a deviant way contrary to the holy religion of Islam" and were sentenced to five years' imprisonment each. The following month, their sentences were reduced to three years, and in November 2021 the men were summoned to begin serving their prison terms. In January 2022, Gourdarzi, Khaki, and Nourmohammadi were granted a brief furlough from prison to celebrate Christmas belatedly<sup>28</sup> and in March 2023 they were officially released. However, they continue to face monitoring and arbitrary interrogation by authorities and, as of February 2024, face renewed charges of participation in "deviant educational or propaganda activities contrary to the holy Islamic law by making false claims in religious fields".<sup>29</sup>

18. The Islamic Republic of Iran supported the recommendation to: "Take all measures necessary to ensure the protection of religious minorities, including implementing the recommendations on adequate housing put forward by the Special Rapporteur after his visit in 2006," yet in spite of this, Iranian authorities have executed two atheists during the reporting period and have pursued criminal and administrative charges against Farsi-speaking Christians for meeting for religious worship online and in-person.

#### Recommendations.

We urge the Islamic Republic of Iran to:

- 19. Review and revise the Islamic Penal Code to ensure full compliance with international human rights obligations, particularly those related to freedom of expression, religion, and belief; repeal the death penalty for apostasy and blasphemy in the interim of these amendments.
- 20. Immediately impose a moratorium on all executions, particularly for individuals involved in protests and those exercising their right to freedom of expression and opinion, and freedom of thought, conscience, and religion;
- 21. Recognise the right of Farsi-speaking Christians to meet for worship in churches, homes and online and cease from pursuing criminal and administrative charges against individuals for exercising their freedom of religion and belief.
- 22. Reassess the Bill to Support the Family by Promoting the Culture of Chastity and Hijab, considering the potential human rights violations it entails; repeal or otherwise amend the law to remove excessive penalties and ensure it aligns with international human rights standards including those regarding freedom of religion and freedom of expression;
- 23. Acquit and release all religious prisoners of conscience;
- 24. Cease executions of political prisoners of conscience who have not been found by a court of law to be culpable for crimes for which they are punished;
- 25. Provide detainees with adequate medical care and ensure that detention conditions meet international human rights standards;
- 26. Ensure that all detainees receive a fair trial, free from torture and coercion. All evidence obtained through torture should be inadmissible in court. Enforce a strict prohibition on torture and ill-treatment of detainees. Ratify the UN Convention Against Torture and ensure its full implementation;

<sup>29</sup> Open Doors, "Update: Three Christians in Iran face continued harassment, despite release from prison", 1 February 2024.

<sup>&</sup>lt;sup>28</sup> Article 18, "Christian converts granted belated Christmas break from prison", 4 January 2022.

