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**United States Commission on International Religious Freedom**  
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Front Cover: KHUSHPUR, Pakistan, March 4, 2011 – Pakistanis carry the coffin of Shahbaz Bhatti, Pakistan's slain minister of minorities, who was assassinated March 2 by the Pakistani Taliban for campaigning against the country's blasphemy laws. Bhatti, 42, a close friend of USCIRF, warned in a Washington visit just one month before his death that he had received numerous death threats. More than 15,000 persons attended his funeral. (Photo by Aamir Qureshi/AFP/Getty Images)

Back Cover: JUBA, Sudan, January 9, 2011 – Southern Sudanese line up at dawn in the first hours of the week-long independence referendum to create the world's newest state. The referendum vote was the final milestone in the implementation of the 2005 Comprehensive Peace Agreement, which ended more than 20 years of north-south civil war in Sudan. (Photo by Roberto Schmidt/AFP/Getty Images)

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The 2011 Annual Report is dedicated to the memory of Shahbaz Bhatti, the Pakistani Federal Minister for Minorities Affairs. Shahbaz was a courageous advocate for the religious freedoms of all Pakistanis, and he was assassinated on March 2 by the Pakistani Taliban for those efforts.

## Iran

**FINDINGS:** The government of Iran continues to engage in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused. Iran is a constitutional, theocratic republic that discriminates against its citizens on the basis of religion or belief. During the past year, religious freedom conditions continued to deteriorate, especially for religious minorities such as Baha'is, Christians, and Sufi Muslims, and physical attacks, harassment, detention, arrests, and imprisonment intensified. Even the recognized non-Muslim religious minorities protected under Iran's constitution – Jews, Armenian and Assyrian Christians, and Zoroastrians – faced increasing discrimination and repression. Majority Shi'a and minority Sunni Muslims, including clerics, who dissent were intimidated, harassed, and detained. Dissidents and human rights defenders were increasingly subject to abuse and several were sentenced to death and even executed for the capital crime of "waging war against God." Heightened anti-Semitism and repeated Holocaust denials by senior government officials have increased fear among Iran's Jewish community. Since the 1979 Iranian revolution, members of minority religious communities have fled Iran in significant numbers for fear of persecution.

Since 1999, the State Department has designated Iran as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). USCIRF recommends in 2011 that Iran again be designated as a CPC.

Since the disputed June 12, 2009 elections, human rights and religious freedom conditions in Iran have regressed to a point not seen since the early days of the Islamic revolution. Killings, arrests, and physical abuse of detainees have increased, including for religious minorities and Muslims who dissent or express views perceived as threatening the legitimacy of the government. The Iranian government has repressed its citizens on the basis of religious identity for years. During the reporting period, the government continued to use its religious laws to silence reformers and critics, including women's rights activists, for exercising their internationally-protected rights to freedom of expression and freedom of thought, conscience, and religion or belief.

**PRIORITY RECOMMENDATIONS:** During the past year, U.S. policy on human rights in Iran included a combination of increased public statements, heightened activity in multilateral fora, and the imposition of unilateral sanctions on Iranian government officials for human rights violations. The U.S. government should continue to identify those Iranian officials and entities responsible for severe human rights and religious freedom violations and impose travel bans and asset freezes on those individuals, while continuing to work with its European allies to do the same. USCIRF urges the U.S. government to remain vocal and vigorously speak out, including during P5+1 talks and in other formal or informal bilateral or multilateral fora, about deteriorating human rights and religious freedom conditions, and to demand the release of all prisoners of conscience. In addition, the U.S. government should use appropriated funds to advance Internet freedom and protect Iranian activists from harassment and arrest by supporting the development of new technologies and immediately distributing proven and field-tested programs to counter censorship. Additional recommendations for U.S. policy toward Iran can be found at the end of this chapter.

## Religious Freedom Conditions

### *Continued Concerns since the June 2009 Disputed Elections*

Since the June 12, 2009 disputed elections, human rights and religious freedom conditions have regressed to a point not seen since the early days of the Islamic revolution more than 30 years ago. Security and paramilitary forces have used brutal force against the hundreds of thousands of Iranians who have demonstrated and protested in the streets in the months after the elections, as well as during the ongoing uprisings in the Arab world in early 2011. Dozens of Iranians have been killed and thousands have been arrested, convicted, and given lengthy prison terms. Hundreds remain in detention. More than a dozen have been sentenced to death, and at least nine executed, on a variety of charges, including baseless religious crimes such as “waging war against God,” “spreading corruption on earth,” and “moral corruption.”

During the reporting period, the Iranian government leveled unsubstantiated charges and used the trial procedures for national security cases against members of religious minority communities and others for alleged crimes such as “confronting the regime” and apostasy. During a USCIRF May 2010 public event on “Religious Freedom and Human Rights Violations in Iran: Opportunity for Accountability,” experts disclosed that three revolutionary court judges – Pir-Abbassi, Mohammad Moghiseh, and Abolghassem Salavati – were responsible for the vast majority of unfair and harsh sentences handed down to political prisoners and other “security” detainees, including innocent ethnic and religious minorities, journalists, human rights activists, and peaceful protesters.

### *Government Structure*

The Constitution of the Islamic Republic of Iran proclaims Islam, specifically the doctrine of the Twelver (Shi’a) Jaafari School, to be the official religion of the country. It stipulates that all laws and regulations, including the Constitution itself, must be based on Islamic criteria. The head of state, Ayatollah Ali Khamenei, is the Supreme Leader of the Islamic Revolution and has direct control over the armed forces, the internal security forces, and the judiciary. The Supreme Leader is chosen by the Assembly of Experts, a group of 86 Islamic scholars elected by popular vote from a government-screened list of candidates. All legislation passed by the *Majlis* (parliament) is reviewed for adherence to Islamic and constitutional principles by the Guardian Council, half of whose members are appointed by the Supreme Leader. The Guardian Council also has the power under the Constitution to screen and disqualify candidates for all elective offices, including the Assembly of Experts and the 290-member *Majlis*, based on a vague and arbitrary set of requirements, including candidates’ ideological and religious beliefs. Disputes over legislation between the *Majlis* and the Guardian Council are adjudicated by the Expediency Council, an advisory body appointed by the Supreme Leader. Five seats in the *Majlis* are reserved for recognized religious minorities, two for Armenian Christians, one for Assyrian Christians, and one each for Jews and Zoroastrians.

### *Majority and Minority Muslims*

Over the past few years, and especially after the contested June 2009 presidential election, the Iranian government has imposed harsh prison sentences on prominent reformers from the Shi’a majority community, many of whom have been tried on criminal charges of “insulting Islam,” criticizing the Islamic Republic, and publishing materials that allegedly deviate from Islamic standards. The Iranian government has been repressing its citizens on the basis of religious identity for years, but since June 2009 it has increasingly manipulated the reach of its religious laws to silence, and in some cases put to death, dissidents simply for exercising their internationally protected rights of freedom of expression and freedom of thought, conscience, and religion or belief. In February 2011, the Iranian government placed

prominent reformers and former presidential candidates Mir Hossein Mousavi and Mehdi Karroubi under house arrest.

In early 2010, the Iranian government began convicting and executing reformers and peaceful protestors on the charge of *moharebeh* (waging war against God). Reportedly, more than a dozen individuals have been charged, convicted, and sentenced to death for *moharebeh*. At least nine are known to have been executed.

Since the June 2009 elections, the government has cracked down on Shi'a clerics, prohibiting them from questioning the election results and from criticizing the government's response to protests and demonstrations. Over the years, a number of senior Shi'a religious leaders who have opposed various religious and political tenets and practices of the Iranian government also have been targets of state repression, including house arrest, detention without charge, trial without due process, torture, and other forms of ill treatment. For example, Ayatollah Hossein Kazemini Boroujerdi, a senior Shi'a cleric who advocates the separation of religion and state, has been in prison since 2006. He and 17 of his followers were initially sentenced to death, but the death sentences later were withdrawn. He is serving an 11-year prison term and is reportedly in poor health. Ayatollah Boroujerdi has suffered physical abuse while in prison. In November and December 2010, seven of his followers – Tayebeh Hosseini, Narges Ghaffarzadeh, Forough Hematyar, Maryam Azimi, Roya Eraqi, Mohammad Reza Sadeghi, and Mohammad Mehmannaavaz – were arrested by authorities at their homes in Tehran. Human rights groups report that the seven were arrested solely for their religious beliefs after their homes were ransacked and personal belongings confiscated. Their whereabouts are unknown.

#### *Sunni Muslims*

Muslim minorities continue to face repression. Several of the country's ethnic minorities – Arabs, Baluchis, Kurds, and Turkmen – practice Sunni Islam. This means these groups are doubly affected, and subject to discriminatory policies based on both their ethnic identity and their faith. Sunni Muslim leaders regularly are intimidated and harassed by intelligence and security services and report widespread official discrimination. In addition, the Iranian government discriminates against the Sunni community in government employment, particularly in leadership positions in the executive and judicial branches.

Some Iranian Sunni leaders have reported widespread abuses and restrictions on their religious practice, including detentions and abuse of Sunni clerics, as well as bans on Sunni teachings in public schools and Sunni religious literature, even in predominantly Sunni areas. The Sunni community still has not been able to build a mosque in Tehran and, in recent years, Sunni mosques were destroyed in eastern Iran near Zabol, Sistan-Baluchistan, and Mashhad. In January 2010, there were reports that 19 Sunni clerics had been arrested for spreading Sunni teachings in several parts of the country, including Kurdistan, Kermanshah, Baluchistan, West Azerbaijan, Ahvaz, Tavalesh, and Khorassan provinces. Their whereabouts are unknown.

#### *Sufi Muslims*

During the past year, arrests and harassment of Sufi Muslims increased significantly. If the religious identity of a Sufi Muslim student was made known, the university generally expelled him or her. Sufi Muslims have faced growing government repression of their communities and religious practices, including increased harassment and imprisonment of prominent Sufi leaders by the intelligence and security services and destruction of prayer centers and *hussainiyas* (places of worship). In 2010, some Shi'a clerics and prayer leaders denounced Sufism and Sufi activities in both sermons and public statements. Government restrictions on Sufi groups and places of worship have become more pronounced.

Over the past few years, authorities have detained hundreds of Sufi Muslims, particularly from the Nematollahi Gonabadi order, sentencing many to imprisonment, fines, and floggings. In January 2011, three Iranian lawyers who defended Sufi dervishes were sentenced to prison terms. Farshid Yadollahi and Amir Eslami were sentenced to six months by a penal court on Kish Island in southern Iran and Mostafa Daneshjoo was sentenced to seven months by a court in the northern province of Mazandaran. According to human rights groups, the three lawyers were found guilty of “propagating lies and creating public anxiety,” while their clients were acquitted of “acting against national security.” Also in January, Iranian authorities broke into the home of Morteza Mahjoubi, a Gonabadi Sufi leader, in Isfahan. Reportedly, authorities physically attacked Mahjoubi and others at his home and arrested Mahjoubi, his son, and several others. They remain in detention. In October 2009, Gholam Abbas Zare-Haqiqi was sentenced to four years in prison for allowing a burial at a Sufi cemetery, a practice banned in Iran.

Since 2006, several prayer centers of the Gonabadi order have been demolished or attacked by Iranian authorities, including the demolition of a center in Isfahan in February 2009 and an attack on another center in June 2010. In July 2009, riot police and security forces arrested 20 Sufi practitioners in the northeastern city of Gonabad. They were among more than 200 Sufi dervishes who gathered to protest the arrest of Hossein Zareya, a local leader. The police reportedly injured several protesters with the use of force and tear gas. In May 2010, most received sentences of flogging or imprisonment.

Furthermore, since December 2010, Iranian state television has been airing a series of programs designed to denigrate and demonize Sufism, particularly the Nematollahi Gonabadi order. There also have been reports over the past few years that the government is considering a ban on Sufism.

### *Non-Muslim Religious Minorities*

The constitution of Iran formally recognizes Christians, Jews, and Zoroastrians as protected religious minorities who may worship freely and have autonomy over their own matters of personal status (e.g., marriage, divorce, and inheritance). Nevertheless, the primacy of Islam and Islamic laws and institutions adversely affects the rights and status of non-Muslims and the recognized religious minorities live, in effect, as second class citizens. Members of these groups are subject to legal and other forms of discrimination, particularly in education, government jobs and services, and the armed services. In addition, their places of worship frequently are defaced with graffiti and photos of the religious leadership. Their private schools are administered by Iran’s Ministry of Education, which imposes a state-approved religious curriculum.

Non-Muslims may not engage with Muslims in public religious expression or persuasion; some also face restrictions on publishing religious material in Persian. In 2004, the Expediency Council authorized the collection of equal blood money for the death of Muslim and non-Muslim men. Baha’is, Sabean Mandaeen men, and all women remain excluded from the revised ruling. According to Iranian law, Baha’i blood is *mobah*, which means members of the Baha’i faith can be killed with impunity.

Beginning in August 2005, and particularly since the June 2009 elections, the Iranian government has intensified its campaign against non-Muslim religious minorities. A consistent stream of virulent and inflammatory statements by political and religious leaders and an increase in harassment and imprisonment of, and physical attacks against, these groups has led to a renewal of the kind of oppression seen in the years immediately following the Iranian revolution in the early 1980s. In October 2010 in Qom in central Iran, Iranian Supreme Leader Ayatollah Ali Khamenei publicly stated that “enemies of Islam” are using the spread of Sufism, the Baha’i faith, and Christian house churches to weaken the faith of young people in society. Ayatollah Ahmad Jannati, head of the Guardian Council, continued to

publicly demonize non-Muslims and refer to them as “sinful animals” and “corrupt.” In early 2008, the Iranian parliament began considering a new law that would impose serious punishments, including the death penalty, on converts from Islam. In September 2008, a committee in the *Majlis* approved advancing the amended language on apostasy, which could be passed by the full *Majlis* in the near future. Although the Iranian government has in the past applied the death penalty for apostasy under Islamic law, it has not been explicitly codified. If the proposed law is passed, it would further endanger the lives of all converts from Islam, particularly members of the Baha’i faith, who are already considered apostates, even if they are fourth- or fifth-generation Baha’i adherents.

### *Baha’is*

The Baha’i community has long been subject to particularly severe religious freedom violations in Iran. Baha’is, who number at least 300,000, are viewed as “heretics” by Iranian authorities and may face repression on the grounds of apostasy. Since 1979, Iranian government authorities have killed more than 200 Baha’i leaders in Iran, and more than 10,000 have been dismissed from government and university jobs. Baha’is may not establish places of worship, schools, or any independent religious associations in Iran. In addition, Baha’is are barred from the military and denied government jobs and pensions as well as the right to inherit property. Their marriages and divorces also are not recognized, and they have difficulty obtaining death certificates. Baha’i cemeteries, holy places, and community properties are often seized or desecrated, and many important religious sites have been destroyed. In recent years, Baha’is in Iran have faced increasingly harsh treatment, including increasing numbers of arrests and detentions and violent attacks on private homes and personal property.

Nearly 400 Baha’is have been arbitrarily arrested since 2005 and, at end of the reporting period, at least 75 Baha’is remain in prison on account of their religious beliefs. Dozens of Baha’is are awaiting trial while others were sentenced to prison terms ranging from 90 days to several years. All of those convicted are reportedly in the process of appealing the verdicts. According to human rights groups, more than 300 Baha’is have cases that are still active with authorities, despite having been released from detention. Also in recent years, Baha’i cemeteries in various parts of the country, including Tehran, Ghaemshahr, Marvdasht, Semnan, Sari, Yazd, Najafabad, and Isfahan, have been desecrated, defaced, or in some way blocked to the Baha’i community. Over the past several years, several articles in the government-controlled newspaper *Kayhan*, whose managing editor is appointed by Supreme Leader Ayatollah Khamenei, have vilified and demonized the Baha’i faith and its community in Iran. Iranian authorities also have gone to great lengths in recent years to collect information on all members of the Baha’i community in Iran and to monitor their activities.

In March and May 2008, seven Baha’i leaders – Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm – were arrested and taken to the notorious Evin prison in Tehran. After numerous postponements, the trial for the five men and two women started in January 2010 and concluded in June. They were formally charged with espionage, propaganda activities against the Islamic order, the establishment of an illegal administration, cooperation with Israel, acting against the security of the country, and corruption on earth. In August 2010, the seven Baha’is were sentenced to 20 years in prison and moved to Gohardasht prison in Karaj, a facility known for violence between inmates and unsanitary conditions. In September, authorities informed the seven Baha’is orally that the 20-year sentences were reduced to 10; however, prison authorities told the seven in March 2011 that the original 20-year sentences had been reinstated. Attorneys for the seven Baha’is, including Nobel Laureate Shirin Ebadi, have had extremely limited access to their clients and court proceedings and have said categorically that the charges against them are baseless. USCIRF met with family members of the imprisoned Baha’i leaders when they visited Washington in February 2011.

During the reporting period, dozens of Baha'is have been arrested in several different cities throughout the country, including Tehran, Babolsar, Karaj, Nazarabad, Shahrekord, *Semnan*, Mashhad, Bandar Abbas, and Ghaemshahr. In most of these cases, Ministry of Intelligence officials appeared at the homes of Baha'is, searched the premises and confiscated computers, books and other materials, and then made arrests. No formal charges have been filed.

In March 2011, six Baha'is were arrested in Kerman, four for allegedly providing education for young children and the other two for unknown reasons. All six remain in detention. Three Baha'is from Isfahan, including two teenagers, were arrested in early 2011 for teaching children classes. They were subsequently released. In January 2011, Navid Khanjani, a twenty-four year old Baha'i who began advocating for human rights after he was denied access to higher education, was sentenced to 12 years in prison after being convicted of "engaging in human rights activities," "illegal assembly," and "disturbance of the general public's opinion." His lawyers are preparing an appeal. In March 2010, at least 50 young Baha'is were banned from travel outside the country, and some received prison sentences ranging from one to four years for teaching underprivileged children in southeastern Iran. During the past year, emboldened by Iranian law and policy, militant societal actors have physically attacked Baha'is and committed violent acts, including arson on Baha'i homes and businesses, with impunity. A recent wave of arson attacks on Baha'i-owned businesses in Rafsanjan appears to be part of a campaign to fracture relationships between Baha'is and Muslims in the city. Since October 2010, at least a dozen shops have been attacked and at least 20 Baha'i homes and businesses have received letters warning that Baha'is will suffer severe consequences for forming friendships with Muslims.

In June 2010, in the village of Ivel in Mazandran province, Iranian authorities demolished approximately 50 Baha'i homes as part of a long-running, officially-sanctioned campaign to expel the Baha'is from the region. The vast majority of homes were unoccupied since the Baha'i residents had fled after previous incidents of violence or as a result of official displacement.

In the past, Baha'is have not been allowed to attend university in Iran. Although the Iranian government maintains publicly that Baha'is are free to attend university, reports over the past year indicate that the *de facto* policy of preventing Baha'is from obtaining higher education remains in effect. Of the very few Baha'is who were enrolled in universities in recent years, most were expelled once their religious beliefs became known. Furthermore, during the past few years, young Baha'i schoolchildren in primary and high schools increasingly have been vilified, pressured to convert to Islam, and in some cases expelled on account of their religion.

### *Christians*

During the reporting period, the number of incidents of Iranian authorities raiding church services, harassing and threatening church members, and arresting, convicting, and imprisoning worshippers and church leaders has increased significantly. Christians, particularly Evangelical and other Protestants, are subject to harassment, arrests, close surveillance, and imprisonment; many are reported to have fled the country. Indigenous Assyrian and Armenian Christian religious leaders also have been targeted. Since becoming president, Iranian President Mahmoud Ahmadinejad has called for an end to the development of Christianity in Iran. The government requires Evangelical Christian groups to submit congregation membership lists.

Rhetoric from political and religious leaders demonizing and insulting the Christian community also has increased significantly. For example, in January 2011, the governor of Tehran, Morteza Tamaddon, publicly referred to detained Christians as "deviant" and "corrupt" and vowed to identify and detain more. He likened Evangelical Christians to the Taliban and accused them of placing "themselves within the religion of Islam like a pest and under the cover of Christianity and with the support of England they have

designed a movement.” In August 2010, Ayatollah Hosseini Booshehri, a religious leader and member of the Assembly of Experts, gave speeches throughout the country, particularly in Qom, against the spread of house churches in Iran and referred to Christians as “our enemy.”

Since June 2010, more than 250 Christians have been arbitrarily arrested throughout the country, including in Arak, Bandar Abbas, Bandar Mahshahr, Ardabil, Tabriz, Khoramabad, Mashhad, Hamadan, Rasht, Shiraz, Isfahan, and Elam. In December 2010 and January 2011 alone, approximately 120 Christians were arrested. At the end of the reporting period, at least 15 Christians remained in prison because of their religious activities. In cases involving offenses based on religious belief, Iranian authorities typically release prisoners, but leave the charges against them or their convictions in place in order to be able to threaten them with re-imprisonment at any future time.

In September 2010, pastor Vahik Abrahamian, his wife Sonia Keshish-Avanessian, Arash Kermanjani, and Arezo Teymouri were arrested at Abrahamian’s home in Hamadan. All four were held in solitary confinement for 40 days and reportedly suffered physical abuse and psychological pressure. The four have been charged with propagating Christianity, opposing the Islamic Republic, and having contact with exiled opposition figures. At the end of the reporting period, the four remain in prison and no trial has been scheduled.

In June 2010, Christian pastor Behrouz Sadegh-Khandjani, Mehdi Furutan, Mohammad Beliad, Parviz Khalaj, and Nazly Beliad were arrested on charges of apostasy, holding political meetings, blasphemy, and “crimes against the Islamic order.” The Revolutionary Court in Shiraz found the five men guilty of crimes against the Islamic order and sentenced each to one year in prison. After serving eight months, they were released on bail in February 2011. Their lawyer has appealed the one-year prison sentence. Reportedly, the five have been informed by authorities that they will stand trial on the blasphemy charges in the near future.

In April 2010, Iranian authorities arrested Ali Golchin, a Christian convert, in Varamin, and confiscated several bibles, his computer, identification cards, and other personal belongings. After nearly three months in prison, much of the time in solitary confinement, Golchin was released in July and was never charged. Also in April, authorities raided the home of Christian pastor Behnam Irani in Karaj and confiscated personal belongings, including religious materials; he was released on bail in June. In February 2010, Hamid Shafiee, a Christian priest, and his wife, Reyhaneh Aghajari, were arrested in the central city of Isfahan. Security agents seized their personal belongings, including books, telephones, CDs, and a number of Bibles in Persian. Their whereabouts and the charges against them are unknown.

In October 2009, Youcef Nadarkhani, a pastor from northern Iran, was arrested after he questioned the Muslim monopoly on the religious instruction his children were receiving in school, arguing that the Iranian constitution permits parents to raise children in their own faith. Nadarkhani, and later his wife, Fatemeh Passandideh, were charged with apostasy. While his wife was released in October 2010 after four months in prison, Nadarkhani was convicted and sentenced to death by a court in Gilan province. In December, Nadarkhani’s lawyer appealed the ruling. At the end of the reporting period, Nadarkhani remains in prison while he awaits a decision from the Iranian Supreme Court.

### *Sabean Mandaean*

During the past few years, the unrecognized Sabean Mandaean religious community, numbering between 5,000 and 10,000 people, has been facing intensifying harassment and repression by authorities. There were reports that members of the Sabean Mandaean community experienced societal discrimination and pressure to convert to Islam, and they were often denied access to higher education.

### *Jews and Anti-Semitism*

In recent years, official policies promoting anti-Semitism have risen sharply in Iran, and members of the Jewish community have been targeted on the basis of real or perceived “ties to Israel.” President Ahmadinejad and other top political and clerical leaders have made public remarks during the reporting period actively denying the Holocaust and calling for the elimination of the state of Israel. In 2010, there continued to be officially-sanctioned anti-Semitic propaganda, involving official statements, media outlets, publications, and books. In recent years, in line with a stepped-up state-sponsored campaign, numerous programs broadcast on state-run television advanced anti-Semitic messages, a prominent newspaper held a Holocaust denial editorial cartoon contest, and the Iranian government sponsored a Holocaust denial conference. Anti-Semitic editorial cartoons depicting demonic and stereotypical images of Jews, along with Jewish symbols, also were published in the past year.

Official government discrimination against Jews continues to be pervasive, fostering a threatening atmosphere for the approximately 25,000-30,000 member Jewish community. According to the State Department, despite minimal restrictions on Jewish religious practice education of Jewish children has become increasingly difficult in recent years, and distribution of Hebrew religious texts is strongly discouraged.

### *Women’s Rights*

The government’s enforcement of its official interpretation of Islam negatively affects the human rights of women in Iran, including their freedoms of movement, association, and thought, conscience, and religion or belief, as well as freedom from coercion in matters of religion or belief. The Iranian justice system does not grant women the same legal status as men. For example, testimony by a man is equivalent to the testimony of two women. Civil and penal code provisions, in particular those dealing with family and property law, discriminate against women.

For example, men can marry up to four permanent wives and an infinite number of “temporary wives” at any one time. Men also have the absolute right to divorce while women may initiate divorce only under certain conditions, some of which must have been agreed to in the marriage contract. Mothers have custody rights over children only until they reach the age of seven, after which fathers have automatic custody. The age of adult criminal responsibility for girls is nine years old, but for boys is 15. Men have complete immunity from punishment for murdering adulterous wives and their lovers. Women convicted of adultery may be stoned to death.

During the reporting period, Iranian authorities heightened their enforcement of the strict Islamic dress code for women. By law, Iranian women, regardless of their religious belief, must be covered from head to foot while in public. Social interaction is banned between unrelated men and women. Iran’s “morality police” had an increased presence in the streets throughout the country and more frequently stopped cars with young men and women inside to question their relationship.

Over the past few years, several women’s rights activists have been arrested, and some remain in prison, for their involvement in the Campaign for Equality movement aimed at ending discrimination against women in the application of Islamic law in Iran. For example, Nasrin Sotoudeh, a member of the Equality movement and human rights defender, was arrested in September 2010 and charged with “propaganda against the regime,” “acting against national security,” and failing to adhere to the Islamic dress code. In January 2011, Iranian authorities sentenced Sotoudeh to 11 years in prison and barred her from practicing law and from leaving the country for 20 years. She remains in Evin prison, where she has spent much of her time in solitary confinement. Bahareh Hedayat, a student leader and a member of the Equality movement, was arrested in December 2009 and sentenced in May 2010 to nine-and-a-half years

in prison on trumped-up charges of “assembly and collusion against the regime,” “insulting the Supreme Leader,” and “insulting the President.” She remains in Evin prison. Shiva Nazar Ahari, a women’s rights activist, has been arrested and imprisoned numerous times over the years. Most recently, she was arrested in December 2009 and charged with several baseless national security crimes, including “waging war against God.” She was sentenced to six years and 76 lashes in September 2010 and was released on \$500,000 bail after serving nine months in prison under harsh conditions. In January 2011, an appeals court reduced her sentence to four years and 74 lashes. She could be returned to prison at any time.

Women also have been sentenced to death under Islamic law. For example, Sakineh Ashtiani, an Azeri woman, was convicted of adultery in 2006 and sentenced to death by stoning. In October 2010, when rumors surfaced that Ashtiani’s impending death sentence would be carried out within days, an international outcry helped delay it. The Iranian government is reviewing the case while she remains in prison. In July 2010, authorities attempted to arrest Mohammad Mostafae, Ashtiani’s lawyer. Mostafae was forced to flee the country to avoid arrest.

### *Crackdown on Internet Freedom, the Media, and Human Rights Defenders*

In January 2011, Iranian authorities formed a “cyber police force” to strengthen the government’s control of the Internet. In May 2010, Ebrahim Jabari, an Islamic Revolutionary Guard Corps (IRGC) commander, officially confirmed the creation of an Iranian “cyber army” which already has cracked down on allegedly destructive online networks and arrested hundreds of individuals. In January 2010, authorities issued a “list of Internet offences” which includes content “contrary to the morals of society” and contrary to religious values. In addition, it is prohibited to sell filter circumvention software in the country.

Since the June 2009 disputed election, the Iranian government has cracked down on and arbitrarily arrested dozens of human rights defenders and activists who have reported on human rights violations, including violations of freedom of religion or belief. The crackdown has included cyber attacks on Persian and English language Web sites of several human rights groups, which limited these groups’ ability to send reports outside the country on human rights and religious freedom abuses. In addition, the Iranian government took steps to prevent its citizens from freely communicating and receiving information through television, radio satellite broadcasting, and the Internet, including information related to violations of freedom of religion or belief.

Iranian authorities regularly detain and harass journalists and bloggers who write anything critical of the Islamic revolution or the Iranian government. The government requires bloggers to register their Web sites with the Ministry of Art and Culture. Government officials reportedly claim to have blocked millions of Web sites, particularly since the June 2009 elections. Pending legislation would make the creation of blogs promoting “corruption, prostitution, and apostasy” punishable by death.

In September 2010, intelligence agents arrested Navid Mohebbi, an 18-year-old blogger in northern Iran. Mohebbi wrote about social issues, including women’s rights and Islamic law. In November, Mohebbi was formally charged with acting against national security, insulting the Supreme Leader, and propaganda against the regime. He was sentenced to three years in prison, but was freed on parole in December 2010. In November 2008, well-known Iranian-Canadian blogger Hossein Derakhshan was arrested in Tehran while visiting the country and remains in the notorious Evin prison. According to human rights groups, Derakhshan was physically and psychologically abused while in prison. In September 2010, Branch 15 of the revolutionary court sentenced Derakhshan to 19-and-a-half years in prison on a number of charges, including propaganda against the regime and “insulting sanctities.” In September 2010, the revolutionary court sentenced Emadeddin Baghi, a journalist and activist, to a six-year prison term and five years of “civil deprivation” on charges of “engaging in propaganda against the system” and “colluding against the

security of the regime.” The basis for his conviction was his interview of dissident cleric Grand Ayatollah Montazeri, which was aired on BBC’s Persian language service in December 2009. He was detained within days of the broadcast and remains in prison, much of the time in solitary confinement.

### *Government Rejection of UN Reports and Actions*

In March 2011, the UN Human Rights Council (UNHRC) created a new Special Rapporteur position to investigate and report on human rights abuses in Iran, a longstanding USCIRF recommendation. This is the first new rapporteur position focusing on a specific country since the UNHRC’s creation in 2006. A UN special investigator position focusing on human rights in Iran has not existed since 2002. The Iranian government dismissed the creation of the position as “politically motivated.” In March 2011 and October 2010, UN Secretary General Ban Ki-Moon issued reports on the situation of human rights in Iran, which included details of abuses, including arbitrary detentions and false imprisonment, against religious minorities, particularly Baha’is, as well as Sufi and Sunni Muslims. In November 2010, for the eighth year in a row, the U.S. government co-sponsored and supported the most successful UN General Assembly resolution – which passed 80 to 44, with 57 abstentions – condemning the Iranian government’s poor human rights record, including its continued abuses targeting religious minorities and the escalation and increasing frequency of violations against members of the Baha’i faith.

In February 2010, at the UNHRC’s Universal Periodic Review (UPR) of Iran, the government of Iran rejected a number of recommendations from countries urging it to comply with its international human rights responsibilities, including those related to freedom of religion or belief. The Iranian government agreed to a few recommendations that, if fully implemented in practice, would advance religious freedom in the country. Such recommendations include upholding constitutional provisions guaranteeing freedom of worship, respecting freedom of religion, protecting religious minorities, and ensuring a fair and transparent trial for the seven Baha’i leaders as guaranteed under international human rights treaties to which Iran is a party. During the UPR, Iran’s head of delegation – Secretary General of the High Council for Human Rights of the Judiciary Mohammad Javad Larijani – and other delegation members claimed that religious minorities in Iran are protected under Iran’s constitution and allowed to engage in religious activity freely. However, these claims are contrary to the facts on the ground.

In June 2010, the UNHRC concluded the UPR of Iran. Despite accepting a few recommendations, Iran largely defied calls by the international community to address its most serious violations. For example, Iran refused to invite the UN Special Rapporteur to investigate evidence of systematic torture, or to implement international standards that would end discrimination, claiming such reforms would contradict its own laws. Iran also denied that it had violated basic civil and political rights, including the rights to freedom of speech and assembly. At the June 2010 UNHRC session, 54 countries, including the United States, issued a joint statement condemning Iran’s human rights and religious freedom record and calling on Iran to fully implement the UPR recommendations, including taking “all measures necessary to ensure the protection of religious minorities.”

### **U.S. Policy**

The U.S. government has not had diplomatic relations with the government of Iran for 30 years, and U.S. law prohibits nearly all trade with Iran. The United States has imposed sanctions on Iran because of its sponsorship of terrorism, refusal to comply with International Atomic Energy Agency regulations regarding its nuclear program, and, in 2010 for the first time, severe human rights and religious freedom violations. According to the State Department, these sanctions target the Iranian government, not the people of Iran. As a result, there are a number of exemptions, including exports of U.S. agricultural and medical products, U.S. donations of humanitarian articles, and U.S. imports of Iranian carpets and certain food items.

On July 1, 2010, President Obama signed into law CISADA, the Comprehensive Iran Sanctions, Accountability, and Divestment Act (P.L. 111-195), which highlights Iran's serious human rights violations, including suppression of religious freedom. CISADA requires the President to submit to Congress a list of Iranian government officials, or persons acting on their behalf, who are responsible for human rights and religious freedom abuses, bars their entry into the United States, and freezes their assets. President Obama issued an Executive Order in September 2010 sanctioning eight Iranian officials for having committed serious human rights abuses after the June 2009 elections. In February 2011, the President added two more Iranian officials to the list. USCIRF long had called for the U.S. government to identify Iranian officials and entities responsible for severe religious freedom violations and impose travel bans and asset freezes on those individuals, and had specifically identified seven of the officials named in the Executive Order. No existing or previous Iran sanction measures had provisions dealing with human rights violations. USCIRF worked with Congressional offices on the need to develop such sanctions.

Starting in early 2010, the U.S. government began more frequently to express support for reformers in Iran and highlight publicly the Iranian government's human rights and religious freedom abuses. During the reporting period, in multilateral fora and through public statements, high-level U.S. officials urged the Iranian government to respect its citizens' human rights, including the right to religious freedom. For example, in March 2011, President Obama delivered his third annual Persian new year (Nowruz) message. For the first time, the President directed his message to the people of Iran, particularly the youth, and stated that the Baha'i community and Sufi Muslims are "punished for their faith" and that "hundreds of prisoners of conscience" remain in prison. In August 2010, Secretary of State Clinton released a strong statement expressing concern about the continued persecution of religious minorities in Iran.

In 2010, the United States and the European Union (EU) worked closely together on a range of human rights issues in Iran. Reportedly, the U.S. government has been urging the EU to impose human rights sanctions on Iranian officials similar to actions by the United States. In addition, the United States and EU issued a number of statements in tandem conveying similar messages condemning human rights and religious freedom abuses in Iran. For example, in February 2010, the United States and the EU condemned ongoing human rights violations in Iran and called on the Iranian government to fulfill its international human rights obligations.

According to the State Department's 2010 *Advancing Freedom and Democracy Report*, the U.S. government seeks to increase Iranian citizens' access to information about international human rights standards and to publicize the Iranian government's human rights abuses through Voice of America radio and television broadcasts, the Persian-language version of the America.gov Web site, and the Persian-language radio station Radio Farda, which broadcasts to Iran. Additionally, since 2004, the U.S. government has funded a wide range of programs to support civil society, human rights, and rule of law in Iran, as well as expand the free flow of information and the documentation of human rights abuses in Iran. However, in 2009, a number of civil society groups that previously received State Department funding were informed they will no longer receive such support. U.S. government officials have stated that this is due to the funding source shifting from the State Department's Near East Bureau to the U.S. Agency for International Development (USAID). The State Department refuses to name grantees for security reason.

According to USAID, funding in 2010-2011 will "continue to include support for civil society and advocacy, promoting the rule of law and human rights, and increasing access to alternative sources of information" in Iran. In Fiscal Years 2010 and 2011, no request was made for specific democracy or human rights programming, although some portion of the \$40 million requested for Near East democracy

programs likely will be used to support continued human rights and public diplomacy programming in Iran.

## **Recommendations**

In response to the ongoing repressive policies and practices of the Iranian government, the U.S. government should continue to work closely with its European allies, in bilateral and multilateral fora, to apply pressure on the Iranian government through a combination of advocacy, diplomacy, and targeted sanctions with the aim of halting the government's human rights and religious freedom violations.

### **I. Stopping Abuses of Freedom of Religion or Belief and Supporting Human Rights and Democracy**

In addition to continuing to designate Iran as a CPC, the U.S. government should:

- at the highest levels, continue to speak out publicly and frequently about the severe religious freedom abuses in Iran, and draw attention to the need for the international community to hold Iranian authorities accountable in specific cases, including by calling on the Iranian government to:
  - release the seven Baha'i leaders – Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm – and other Baha'is in prison on account of their religion or belief, as well as drop all charges against those Baha'is who have cases pending against them;
  - permit the Baha'i community to practice their faith in Iran, rescind laws that permit members of the Baha'i faith to be killed with impunity, and allow full access for Baha'is to study in public universities without discrimination;
  - release all Christians, including Youcef Nadarkhani, Vahik Abrahamian, Sonia Keshish-Avahesian, Arash Kermanjani, and Arezo Teymouri, in prison on account of their religion or belief, and drop all pending charges against Christian converts;
  - release Shi'a cleric Ayatollah Mohammad Kazemini Boroujerdi and his followers and other dissident Muslims, including Sufi Muslim leader Morteza Mahjoubi and his son, in prison on account of their religion or belief; and
  - halt state-sponsored acts of anti-Semitism and Holocaust denial promotion campaigns, and, while vigorously protecting freedom of expression, counteract anti-Semitic rhetoric and other organized anti-Semitic activities by the President and other high-level government officials;
- work within its current overall policy framework to ensure that violations of freedom of religion or belief and related human rights are part of all formal and informal multilateral or bilateral discussions, including the P5+1 talks, with representatives of the Iranian government, including by pressing the Iranian government to:
  - release all prisoners of conscience, including members of Muslim and non-Muslim religious minority communities identified above;
  - ensure that the Penal Code is not amended to codify the death penalty for apostasy;

--release from prison women's rights activists, including Nasrin Sotoudeh and Bahareh Hedayat, who advocate for ending discrimination against women in the application of Islamic law in Iran, and Sakineh Ashtiani, who remains on death row for allegedly committing adultery;

--release from prison human rights defenders, activists, and journalists, including Hossein Derakhshan and Emadeddin Baghi, who have been targeted for reporting on human rights and religious freedom abuses in Iran;

--cease all messages of hatred and intolerance, particularly toward Jews and Baha'is, in the government-controlled media and remove the government-appointed editor of *Kayhan*, Hossein Shariatmadari;

--cease the jamming of satellite broadcasting and Internet censorship and ensure the right to freedom of expression as set out in the International Covenant on Civil and Political Rights, to which Iran is a party;

- use appropriated Internet freedom funds to develop free, secure email access for use in Iran; facilitate the provision of high-speed internet access via satellite; and distribute immediately proven and field-tested counter-censorship programs in order to prevent the arrest and harassment of religious freedom and human rights activists and help them maintain their freedom of expression and legitimate expectations of privacy;
- award funds appropriated by Congress to counter censorship in Iran, including from the FY10 Consolidated Appropriations Act, through a competitive and merit-based process;
- ensure that funding budgeted to promote democracy and human rights in Iran includes support for effective initiatives advancing freedom of religion or belief, as well as ways to promote rule of law and human rights defenders programs that specifically seek to protect religious minorities in Iran; and
- adequately fund U.S. public diplomacy entities, such as Voice of America and Radio Farda, and expand and develop new programming focusing solely on the situation of human rights, including the freedom of thought, conscience, and religion or belief, in Iran.

## **II. Imposing Targeted Sanctions for Human Rights and Religious Freedom Violations**

The U.S. government should:

- continue to identify Iranian government agencies and officials responsible for particularly severe violations of religious freedom, including but not limited to:

--Sadegh Ardeshir Larijani, Head of the Judiciary;

--Esmail Ahmadi-Moqaddam, Head of the National Police;

--Ayatollah Ahmad Jannati, Chair, Guardian Council;

--Hossein Shariatmadari, Managing Editor, *Kayhan*

--Mohammad Moghiseh, Presiding Judge of Branch 28 of the Islamic Revolutionary Courts;

--Abbas Pir-Abbassi, Presiding Judge of Branch 26 of the Islamic Revolutionary Courts; and

--Abolghassem Salavati, Presiding Judge of Branch 15 of the Islamic Revolutionary Courts;

- bar from entry into the United States and freeze the assets of Iranian government officials identified as having engaged in particularly severe religious freedom violations, including but not limited to

those listed above, and, where appropriate, immediate family members, and press our European allies to do the same.

### **III. Promoting Freedom of Religion and Belief and Related Human Rights in Multilateral Fora**

The U.S. government should:

- call on the UNHRC to follow up vigorously on Iran's compliance with the recommendations from the February 2010 UPR, including those related to freedom of religion or belief;
- continue to support an annual UN General Assembly resolution condemning severe violations of human rights, including freedom of religion or belief, in Iran, and calling for officials responsible for such violations to be held accountable;
- press for a resolution condemning severe violations of human rights in Iran, including freedom of religion or belief, at the UN Human Rights Council;
- call on Iran to cooperate fully with the new UN Special Rapporteur on the Human Rights Situation in Iran, including allowing the Special Rapporteur to visit;
- call on the UNHRC to monitor carefully and demand Iran's compliance with the recommendations of those UN special representatives that have already visited Iran, particularly the Special Rapporteur on Freedom of Religion or Belief (1995), the Working Group on Arbitrary Detention (2003), the Special Rapporteur on the Right to Freedom of Opinion and Expression (2003), and the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context (2005); and
- encourage the UNHRC to continue to use its existing procedures to maintain oversight of conditions for freedom of religion or belief in Iran, including continued visits and reporting by the Special Rapporteur on Freedom of Religion or Belief, the Special Rapporteur on Freedom of Opinion and Expression, and other relevant special rapporteurs and working groups, to which Iran has issued a standing invitation.