

November 1, 2000

The Honorable William J. Clinton President of the United States of America

The White House Washington, DC 20500

Re: Religious Freedom and U.S. Policy Toward Iran

Dear Mr. President,

On behalf of the U.S. Commission on International Religious Freedom, I am writing to express the Commission's deep concern over the conditions of religious freedom in the Islamic Republic of Iran, and to make recommendations with respect to U.S. policy toward Iran in light of those conditions. This evaluation and recommendation of United States policy is made pursuant to the Commission's mandate in the International Religious Freedom Act of 1998 ("IRFA"), Sec. 202, 22 U.S.C. § 6532.

The conditions of religious freedom are very poor in Iran, particularly with respect to minority religious groups that are not officially recognized by the state and those perceived to be attempting to convert Muslims. For the last two years, the Secretary of State has determined that the government of Iran has engaged in or tolerated particularly severe violations of religious freedom, including prolonged detentions and executions based primarily or entirely upon the religion of the victims, thereby designating Iran as a "country of particular concern" pursuant to IRFA, Sec. 402(b), 22 U.S.C. § 6442(b).

In her address to the American-Iranian Council in March of this year, Secretary of State Albright announced that the U.S. was open to taking steps toward improving relations with Iran, if Iran were to take steps to address the issues that the U.S. has identified as prerequisites to better relations, such as desisting from the development of nuclear weapons and support for international terrorism. The Commission believes that human rights, including religious freedom, must remain an essential element of U.S. policy toward Iran.

Background

The Constitution of the Islamic Republic of Iran provides that the official religion of Iran is Islam of the doctrine of the Twelver Ja'fari School and stipulates that all laws and regulations, including the Constitution itself, must be based on Islamic criteria.

The Constitution also provides that other Islamic schools of doctrine are to be accorded full respect (in matters of religious rites, religious education, and personal status). It recognizes Zoroastrians, Jews, and Christians as the only religious minorities who, as such, are free to engage in religious practices and act according to their own rules in matters of personal status and religious education "within the limits of the law."

Current, reliable statistics on the religious composition of Iranian society are not available. Shi'a Muslims are reported to comprise 89 percent of the population, 10 percent are Sunni Muslim, and one percent are non-Muslims, including Bahá'ís (300,000), Christians (250,000, including 150,000 Armenian Orthodox, 30,000 Assyrians-Chaldeans and small communities of Catholics and Protestants), Zoroastrians (30,000), and Jews (30,000).

Members of the Baha'i community suffer the worst forms of religious persecution at the hands of the state. More than 200 Baha'is were executed in the first six years following the 1979 revolution. Since 1983, the Baha'i community has been barred from assembling in public or operating administrative institutions. The Iranian government does not recognize Baha'is as a religious minority, but in its view Baha'is constitute a political organization which was associated with the Shah's regime, is opposed to the Iranian Revolution, and engages in espionage activities on behalf of foreign countries, including Israel. Baha'is are effectively prevented from (1) teaching or practicing their religion; (2) communicating with or sending funds to Baha'i world headquarters; (3) attending public or private universities; and (4) holding government jobs (all Baha'is were removed from government positions in the 1980s). Baha'i holy places, cemeteries, and administrative properties were seized after the 1979 revolution, and many places have been destroyed. Much of the personal and business property belonging to Baha'is has also been seized.

According to the State Department, as of June 30, 2000, 11 Baha'is were under arrest for the practice of their faith, including four persons who have been sentenced to death - two for alleged "Zionist Baha'i activities" and two for apostasy. In addition, a number of Baha'is - particularly those engaged in educational activities - were harassed and detained over the preceding year.

Members of the officially-recognized non-Muslim minorities - Christians, Jews and Zoroastrians - are subject to legal and other forms of official discrimination. They are reportedly (1) prohibited from being elected to a representative body (except for reserved seats in the National Parliament); (2) prohibited from serving in the army, the security services, and the judiciary, and from becoming school principals (even in private minority schools); (3) limited in their access to higher education; and (4) suffer discrimination in legal proceedings.

The recent trial and conviction of a group of Iranian Jews on charges of espionage and cooperating with Israel, under conditions that fell far short of international standards, illustrates the continued vulnerability of that group to harassment and imprisonment.

In addition to the problems faced by other Christians in Iran, Evangelical Christians are subjected to a number of further repressive measures. This harsher treatment is reportedly due, in part, to the Western origins of Iranian Protestant churches, their continued links with Evangelical churches outside Iran, and their willingness to seek out and accept converts from other religions. Iranian Evangelicals operating in Iran are subject to harassment and close surveillance and many are reported to have fled the country. Evangelical services are allowed only on Sundays and government officials require

notification when a new member joins a church. Some Protestant associations have been unable to officially register since 1979, while a number of Protestant places of worship remain closed by government order since the 1980s. There are also allegations that the government played a role in the murders or disappearances of a number of Evangelical Christian leaders in the past ten years.

Members of the Sunni Muslim minority face a number of difficulties. Sunni Iranians, for example, claim that the government has prevented them from building a Sunni mosque in Teheran. They also point to the 1994 murder of a Sunni imam who had been critical of the regime and to the destruction of the only Sunni mosque in the eastern town of Mashhad as evidence of official and popular hostility toward Sunnis. Iranian Sunni leaders have alleged widespread abuses and restrictions on their religious practice, including detentions and torture of Sunni clerics and bans on Sunni teachings in public schools and Sunni religious literature, even in predominantly Sunni areas.

A number of senior Shi'a religious leaders who have opposed various religious and/or political tenets and practices of the Islamic Republic have also reportedly been targets of state repression, including house arrest, detention without charge, unfair trials, torture and other forms of ill treatment. In addition, the government has closed and confiscated educational and charitable institutions associated with these leaders. In some cases, these clerics have been targeted for their opposition to reported restrictions on controversial religious practices and state control of religious institutions.

Commission Recommendations

In light of the preceding description of the situation in Iran, the Commission makes the following recommendations for United States Government policy:

1. The President or Secretary of State should reaffirm to the Government of Iran that improvement in religious freedom and other human rights in that country is a prerequisite for the complete relaxation of sanctions by and the normalization of relations with the United States.

In the past, the State Department has articulated four conditions for the improvement of relations with Iran: (1) Iran should not develop weapons of mass destruction, (2) Iran should not sponsor terrorism, (3) Iran should not impede the "peace process" in the Middle East, and (4) Iran should improve its human rights record. With regard to human rights, including religious freedom, for example, the State Department spokesman stated on July 23, 1998 that U.S. concerns about religious freedom in Iran "will play an important role in any future dialogue with the government of Iran." More recent statements appear to have dropped reference to the fourth condition. Secretary Albright in her March speech articulated only two conditions on the full normalization of diplomatic relations with Iran and the elimination of sanctions: halting nuclear weapons development and ending support of terrorism. The Commission recommends that the fourth condition - improvement in human rights - be prominently and publicly reinstated

as an essential part of United States relations with the Government of Iran, and that religious freedom be clearly included in such advocacy of human rights in Iran.

2. The U.S. Government should consistently, continuously and vigorously press the Government of Iran to improve conditions of religious freedom, and should urge its European and other allies to support advocacy for religious freedom in Iran. Voice of America Farsi-language broadcasting into Iran should include regular reporting on religious freedom in Iran and religious freedom issues in general.

Although the United States does not have diplomatic relations with Iran, the U.S. government should use every opportunity available to press the government of Iran to improve the protection of religious freedom, including public statements and diplomacy in multilateral fora. The Commission recognizes statements made in the past by the White House and the State Department concerning persecution against members of the Baha'i community and the recent arrest and trial of the members of the Iranian Jewish community, and believes that such statements made at the highest levels should continue as events dictate. The U.S. government should also urge other countries, in particular the European Union and those European allies that are engaged in trade and investment relations with Iran, to press for improvements in the conditions of religious freedom in their bilateral relations.

3. The U.S. Administration should continue to sponsor annual resolutions of the United Nations Commission On Human Rights condemning Iran's egregious and systematic violations of religious freedom and should recruit the support of other Commission member countries, until such violations cease.

The U.S. should continue its sponsorship of and support for annual resolutions by the UN General Assembly and UN Commission on Human Rights regarding the human rights situation in Iran, including Iran's egregious and systematic violations of religious freedom, and calling upon the Government of Iran to extend an invitation to the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran to visit the country.

4. The United States should facilitate (through issuance of visas) and remove barriers (such the Department of Justice policy of fingerprinting Iranians at ports of entry) to unofficial cultural exchange--e.g., academic, religious, athletic, and scientific--between the United States and Iran.

Secretary Albright in her March 2000 address stated that Americans should work to expand and broaden person-to-person exchanges of academics and civil society leaders between the U.S. and Iran. The Commission believes that such exchanges should be encouraged. Iranian religious leaders in particular may benefit from travel in the United States and exposure to American religious leaders who concern themselves with the process of the protection and promotion of religious freedom and with interreligious dialogue and action in the United States.

One impediment to cultural and religious exchanges appears to be an order of the Justice Department that all non-immigrants bearing Iranian travel documents that are seeking entry into the U.S. must be registered, photographed, and fingerprinted at the port of entry. This policy applies to essentially all Iranians seeking to enter the United States. Iranian scholars, athletes, and others have protested the application of this policy, and in some cases have declined invitations to the U.S. or have returned home after refusing to be fingerprinted upon arrival. The current, broad fingerprinting policy has frustrated efforts to engage in person-to-person exchanges with Iran, and appears to be more restrictive than is necessary to meet U.S. security objectives. In addition, the publicity in Iran surrounding the use of this policy is reportedly used by those in Iran who oppose the improvement of relations with the U.S. to criticize those who favor increased ties.

Thank you very much for your attention to this important matter. Please let the Commission know how it may be of further service in your evaluation and implementation of these and other policy recommendations, toward the common goal of promoting religious freedom in Iran.

Respectfully yours,

Elliott Abrams Chairman

cc: The Honorable Madeleine K. Albright, Secretary of State

The Honorable Samuel R. Berger, National Security Advisor

Office of the Ambassador at Large for International Religious Freedom

The Honorable Dennis Hastert, Speaker, United States House of Representatives

The Honorable Strom Thurmond, President Pro Tempore, United States Senate

The Honorable Thomas Daschle, Minority Leader, United States Senate The Honorable Jesse Helms, Chair, Senate Foreign Relations Committee

The Honorable Joseph Biden, Ranking Minority Member, Senate Foreign Relations Committee

The Honorable Richard Gephardt, Minority Leader, United States House of Representatives

The Honorable Benjamin Gilman, Chair, House International Relations Committee

The Honorable Sam Gejdenson, Ranking Minority Member, House International Relations Committee