

## 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, most notably Baha'is, as well as 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, arrests, and imprisonment. 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 2012 that Iran again be designated as a CPC.

Since the disputed 2009 elections, 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. During the reporting period, the government continued to use its religious laws to silence reformers and critics, including women's rights activists and journalists, for exercising their internationally-protected rights to freedom of expression and freedom of thought, conscience, and religion or belief. In January 2012, the Guardian Council approved a law which, despite efforts by the parliament since 2008, did not codify the death penalty for apostasy.

**PRIORITY RECOMMENDATIONS:** During the past year, U.S. policy on human rights in Iran included a combination of 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 specific Iranian officials – including Supreme Leader Ayatollah Ali Khamenei and President Mahmoud Ahmadinejad – 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 and other allies to do the same. USCIRF urges the U.S. government to remain vocal and vigorously speak out, including during 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. Additional recommendations for U.S. policy toward Iran can be found at the end of this chapter.

## Religious Freedom Conditions

### *Heightened 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 demonstrated and protested in the streets in the months after the elections, as well as after the uprisings started 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 dissidents have been executed, on a variety of charges, including alleged 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 trial procedures for national security cases against members of religious minority communities and individuals for alleged crimes such as “confronting the regime” and apostasy. In the run-up to the March 2, 2012 parliamentary elections, Iranian security services increasingly cracked down on any form of public dissent, particularly by journalists.

### *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 *Majles* (parliament) is reviewed for adherence to Islamic and constitutional principles by the Guardian Council, six of whose 12 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 parliament [membership will increase to 310 during the March 2012 elections], based on a vague and arbitrary set of requirements, including candidates’ ideological and religious beliefs. Disputes over legislation between the parliament and the Guardian Council are adjudicated by the Expediency Council, an advisory body appointed by the Supreme Leader. Five seats in the parliament 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 after they expressed public support for the uprisings in Egypt and Tunisia. At the end of the reporting period, they remain in detention.

In early 2010, the Iranian government began convicting and executing reformers and peaceful protestors on the charge of *moharebeh* (waging war against God). Reportedly, nearly 20 individuals have been charged, convicted, and sentenced to death for *moharebeh*. At least a dozen are known to have been executed.

Since the June 2009 elections, the government has stepped up its crackdown on Shi'a clerics, prohibiting them from publicly 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, in October 2006, Ayatollah Mohammad Kazemini Boroujerdi, who advocates the separation of religion and state and has spoken out on behalf of the rights of Iran's religious minorities as well as those of its Shi'a Muslim majority, was arrested and imprisoned without charge. He and 17 of his followers initially were tried by a special court with jurisdiction over Shi'a clerics, and sentenced to death on spurious charges, including "enmity against God" and spreading propaganda against the regime. After an appeal, the death sentence was withdrawn and Ayatollah Boroujerdi was sentenced to 11 years in prison. Ayatollah Boroujerdi currently is serving his prison term, and the government has banned him from practicing his clerical duties and confiscated his home and belongings. Ayatollah Boroujerdi's supporters claim that he has suffered physical and mental abuse while in prison.

### *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.

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. In December 2011, Sunni Muslim members of parliament wrote to the Supreme Leader asking for an end to discrimination against Sunni Muslims in Iran, an end to the imposition of religious limitations, and permission to build a mosque in Tehran. 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 recent years, dozens of Sunni clerics reportedly were arrested for spreading Sunni teachings in several parts of the country, including Kurdistan, Kermanshah, Baluchistan, West Azerbaijan, Ahvaz, Tavalesh, and Khorassan provinces.

### *Sufi Muslims*

During the past year, arrests and harassment of Sufi Muslims increased significantly. 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 the destruction of prayer centers and *hussainiyas* (places of worship). In 2011, 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 September and October 2011, a Sufi Muslim from the Gonabadi order was killed and several were injured during a government crackdown in southwestern Iran, Fars province, during which the Basij militia arrested at least 60 Sufis. At the end of the reporting period, at least 11 remain in detention. Four attorneys – Farshid Yadollahi, Amir Eslami, Afshin Karampour, and Omid Behruz – who defended the dervishes in court were also arrested in September. At the end of the reporting period, human rights groups report that the four attorneys continue to be held in Evin Prison and were charged in December with insulting the Supreme Leader, “spreading lies,” and membership in a “deviant group.”

In April 2011, eight Sufi dervishes from the Gonabadi order were re-arrested on charges of disrupting public order, previous charges for which they received floggings and had been imprisoned. The previous month, in March, over 200 Gonabadi Sufis were summoned to courts throughout the country based on allegations that they were insulting Iranian authorities. In January, 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.”

Furthermore, Iranian state television continued to air a series of programs designed to denigrate and demonize Sufism, particularly the Nematollahi Gonabadi order. Since 2006, several prayer centers of the Gonabadi order have been demolished or attacked by Iranian authorities. 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 worships 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, Sabeian Mandaean 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.

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 have 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 demonize non-Muslims publicly 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. Although the Iranian government has in the past applied the death penalty for apostasy under Islamic law, it had never explicitly codified it. Despite efforts in the parliament to advance this amendment, in January 2012, the Guardian Council approved a law which did not include a provision mandating the death penalty for apostasy.

### *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 dismissed more than 10,000 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. The Baha'i community faces severe economic pressure, including denials of jobs in both the public and private sectors and of business licenses.

Iranian authorities often pressure employers of Baha'is to dismiss them from employment in the private sector. 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.

More than 500 Baha'is have been arbitrarily arrested since 2005. For the first time since the regime's early years, nearly 100 Baha'is are being held in prison solely because of their religious beliefs. Throughout 2011 and early 2012, Baha'i-owned businesses and personal property were the target of arson attacks in several cities across the country; in all cases, police said nothing could be done to find the perpetrators.

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 400 Baha'is continue to have active cases pending against them, 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, and other media outlets 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 members of the Baha'i community and monitor their activities.

During the reporting period, dozens of Baha'is were arrested in several different cities throughout the country, including Tehran, Babolsar, Karaj, Nazarabad, Shahrekord, Semnan, Mashhad, Bandar Abbas, Shiraz, 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. In most cases, no formal charges were filed.

In February 2012, Iranian authorities raided several Baha'is homes in Shiraz, confiscated materials, and arrested at least 13 Baha'is. At the end of the reporting period, nine of those arrested remain in detention. In late December 2011, in Sanandaj, northwestern Iran, at least 12 Baha'i homes were raided and materials confiscated. Although no one was arrested, some Baha'is reported physical abuse by Iranian authorities.

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. In January 2010, 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. After a brief transfer to Qarchak prison in May 2011, Sabet and Kamalabadi were transferred again to Evin prison where they remain. In September 2010, authorities informed the seven Baha'is orally that their 20-year sentences were reduced to 10; however, prison authorities

told the seven in March 2011 that their 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.

In May 2011, in at least four different cities, Iranian authorities raided more than 30 homes of Baha'is involved with the Baha'i Institute for Higher Education (BIHE), the community's 24 year-old effort to educate its youth, whom the government bars from undergraduate or graduate studies. Approximately 18 Baha'is were arrested and a number of books, documents, computers, and other materials associated with the BIHE were seized. Several Baha'is were released after days or weeks in detention, but in October, seven were tried and found guilty of membership in a deviant sect with the goal of taking action against the security of the country. The seven were sentenced to either four- or five-year prison terms. In January 2012, Vahid Mahmoudi, one of the seven educators imprisoned, was released after his sentence was suspended. At the end of the reporting period, the other six educators – Mahmoud Badavam, Noushin Khadem, Farhad Sedghi, Riaz Sobhani, Ramin Zibaie, and Kamran Mortezaie – remain in prison. In September, prominent human rights defender Abdolfattah Soltani was arrested for preparing a defense for the Baha'i educators. He was arrested and detained for several months in 2005 and 2009 under similar circumstances. In February 2012, relatives of imprisoned members of the BIHE briefed USCIRF in Washington.

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.” In August 2011, a Revolutionary Court upheld his prison term. Although he remains out of prison and has yet to begin serving this sentence, the Iranian authorities continue to harass him through a barrage of intimidation, threats, and summonses.

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.

In recent years, 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, nearly two 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.

### *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 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 congregational membership lists.

Since June 2010, approximately 300 Christians have been arbitrarily arrested and detained throughout the country, including in Arak, Bandar Abbas, Bandar Mahshahr, Ardabil, Tabriz, Khoramabad, Mashhad, Hamadan, Rasht, Shiraz, Isfahan, and Elam. 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. On February 8, 2012, Iranian authorities raided a house church gathering in Shiraz, confiscated religious materials, and arrested 10 Christian converts. At the end of the reporting period, at least seven remain in detention without charge. In late December 2011, Iranian authorities raided an Assemblies of God church in Ahvaz, southwestern Iran, and arrested all attendees. While most were released within days, pastor Farhad Sabokroh and another member reportedly were released on bail after serving two months in prison. No charges have been filed.

In September 2011, several leaders of a Christian house church network in various parts of the country were arrested. Behnam Irani, a 41-year-old pastor from Karaj, Iran, was convicted of crimes against national security in January 2011 and sentenced to one year in prison. He started serving his sentence in May 2011 and learned in October that he would have to serve five years in connection with a previous conviction.

In April 2011 in the northern Iranian city of Bandar Anzali, 11 members of the Church of Iran were arrested and charged with “acting against national security” and consuming alcohol. The following month, all 11 were tried and acquitted by a Revolutionary court on grounds that the group was performing a legitimate private religious ceremony protected under Article 13 of the constitution.

In December 2010 and January 2011 alone, approximately 120 Christians were arrested. While most were released within days, at the end of the reporting period, a number of pastors remain jailed amid reports of physical and emotional abuse. For example, Farshid Fathi and Noorollah Qabitzade, two Christian converts arrested in December 2010, remain in prison without charge, and have spent a number of months in solitary confinement. Pastor Mehdi Furutan was arrested in January 2011 and charged with crimes against national security and blasphemy against Islam. Although acquitted on the blasphemy charge and released on bail a month later, Furutan was sentenced to one year in prison. He began serving his sentence in September 2011.



In September 2010, pastor Vahik Abrahamian, his wife Sonia Keshish-Avanesian, 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 were charged with propagating Christianity, opposing the Islamic Republic, and having contact with exiled opposition figures. Kermanjani, Teymouri, and Ketish-Avanesian were released in April 2011 and Abrahamian in August 2011.

In June 2010, Christian pastor Behrouz Sadegh-Khanjani, Mohammad Baliad, 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 four 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. In September 2011, a Shiraz appeals court upheld a one-year sentence on another charge of "propaganda against the regime" against the same four individuals, as well as against a fifth Christian, Amin Afshar Manesh.

Christian pastor Yousef Nadarkhani, jailed since October 2009, was sentenced to death for apostasy in November 2010 by a court in Gilan province. Prosecutors acknowledged he had never been a Muslim as an adult but said the apostasy law still applies because he has Islamic ancestry. Rejecting his appeal in June 2011, the court suspended the sentence contingent upon his recanting his faith, which he refused to do during hearings in September. At the end of the reporting period, he remains imprisoned, reportedly awaiting an opinion from Supreme Leader Khamenei, although unconfirmed reports surfaced in February 2012 that a provincial court had renewed Nadarkhani's execution order. According to human rights groups, Iran's judiciary has ordered the verdict to be delayed, possibly until late 2012, hoping that he will recant at some point before then.

Rhetoric from political and religious leaders demonizing and insulting the Christian community also has increased significantly. In August 2011, 6,500 Bibles were confiscated as they were being transported between the cities of Zanjan and Ahbar in the northwestern province. Commenting on the confiscation, a high-level government official said that Christian missionaries were attempting to deceive people, especially the youth, with an expensive propaganda campaign. 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."

#### *Zoroastrians and Sabean Mandaean*

In recent years, members of the indigenous Zoroastrian community have come under increasing repression and discrimination. In August 2011, a Zoroastrian man, Mohsen Sadeghipour, began serving a four-and-a-half year prison term, having been charged and convicted of propaganda of the Zoroastrian faith. Several of his relatives were convicted and imprisoned in 2010 on blasphemy and other charges.

Over the past few years, the unrecognized Sabeen Mandaean religious community, numbering between 5,000 and 10,000 people, has been facing intensifying official harassment. There continue to be reports that members of the Sabeen Mandaean community experienced societal discrimination and pressure to convert to Islam, and they were often denied access to higher education. In 2011, nearly 300 Sabeen Mandaean families reportedly fled the country.

### *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 2011, 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 affiliation or belief, must be covered from head to foot while in public. Social interaction between unrelated men

and women is banned. Iran's "morality police" increased their 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, many key 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, Sotoudeh was sentenced to 11 years in prison and barred from practicing law and from leaving the country for 20 years. In September, an appeals court reduced her sentence to six 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.

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. In December 2011, the Iranian government indicated it is considering carrying out the death sentence by hanging instead of stoning. She remains in prison.

#### *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. This entity has cracked down on allegedly destructive online networks and arrested hundreds of individuals. 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 January 2012, at least 10 Iranian journalists were arrested as part of a heightened crackdown on dissent ahead of the March 2 parliamentary elections. Several have been charged with being an “enemy of God,” “propaganda against the regime,” and “insulting the Supreme Leader.”

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 released in June 2011 while in the midst of a hunger strike. He spent much of his time in prison in solitary confinement.

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

In February 2010, at the Universal Periodic Review (UPR) of Iran conducted by the UN Human Right Council (UNHRC), 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. 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. 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 implement fully the UPR recommendations, including taking “all measures necessary to ensure the protection of religious minorities.”

In March 2011, the 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. On August 1, 2011, Ahmed Shaheed, the former Maldivian foreign minister, started in his new role as special rapporteur. At the end of the reporting period, the Iranian government had not responded to the Special Rapporteur’s request to visit Iran, although various Iranian officials have said publicly he would never be permitted in the country. In October 2011, the Special

Rapporteur released his first report which focused on a wide range of violations, including those faced by Baha'is, Christians, Sufi and Sunni Muslims, and dissident Shi'a Muslims.

In September 2011, UN Secretary General Ban Ki-Moon issued a report 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 and Christians. In December 2011, for the ninth year in a row, the U.S. government co-sponsored and supported a successful UN General Assembly resolution on human rights in Iran, which passed 89 to 30, with 64 abstentions, the highest vote margin yet. The resolution condemned the Iranian government's poor human rights record, including its continued abuses targeting religious minorities.

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

The U.S. government has not had diplomatic relations with the government of Iran for over 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.

Beginning in early 2010, and especially since the uprisings started in the Arab world in early 2011, the U.S. government more frequently has expressed support for reformers in Iran and highlighted 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 February 2012, both the White House and State Department released statements citing reports that pastor Youcef Nadarkhani's execution order had been renewed, and called for the lifting of the death sentence and for his immediate release. In September 2011, the White House released a statement condemning the Nadarkhani's conviction and calling for his release. Also in September, Secretary of State Hillary Clinton released a statement expressing concern about the treatment of other religious minorities in Iran. In March 2011, President Obama delivered his third annual Persian new year (*Nowruz*) message. The President directed this 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.

Since 2010, the United States and the European Union (EU) have worked closely together on a range of human rights issues in Iran. In April 2011, the EU imposed travel bans and asset freezes on 32 Iranian officials responsible for serious human rights abuses. In October, the EU added another 29 officials to the list. 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.

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. Since then, the President has added five more Iranian officials and three Iranian government entities 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 and an eighth named in June 2011. 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.

Several pieces of legislation were introduced in the 112th Congress to increase sanctions on Iranian human rights abusers. The Iran Human Rights and Democracy Promotion Act of 2011 (S. 879 / H.R. 1714), introduced in May 2011, would mandate investigations of Iranian human rights abusers, forbid the sale to Iran of equipment that could be used to suppress demonstrations, reauthorize the Iran Freedom Support Act, and create a "Special Representative" position at the Department of State to highlight Iran's human rights abuses. This legislation is intended, in part, to build on several human rights-related provisions of CISADA. Elements of these bills are also contained in broader Iran sanctions bills, H.R. 1905 and S. 1048, the former of which passed the full House in December 2011.

In July 2011, the United States and United Kingdom imposed visa restrictions on more than 50 Iranian government officials and other individuals who were responsible for or participated in human rights abuses, including government ministers, military and law enforcement officers, and judiciary and prison officials. This action was taken under the authority of the Immigration and Nationality Act (INA). Under INA, visa records are confidential, including the names of individuals subject to specific visa bans.

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 the rule of law in Iran, as well as expand the free flow of information and the documentation of human rights abuses in Iran. The State Department does not name grantees for security reasons.

According to USAID, funding in 2011-2012 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 was used to support continued human rights and public

diplomacy programming in Iran. In Fiscal year 2012, \$35 million was requested for similar programming as 2010 and 2011.

## **Recommendations**

In response to the systematic, ongoing, and egregious violations of religious freedom, and the repressive policies and practices repeatedly and routinely imposed by the Iranian government, the U.S. government should continue to work closely with its European and other 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:

- continue to speak out publicly and frequently at the highest levels 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 the six Baha'i educators, as well as other Baha'is in prison on account of their religion or belief, and drop all charges against those Baha'is who have cases pending against them;
  - rescind immediately laws that permit members of the Baha'i faith to be killed with impunity, permit the Baha'i community to practice their faith in Iran, and allow full access for Baha'is to study in public universities without discrimination;
  - release all Christians, including Youcef Nadarkhani, Farshid Fathi, Noorollah Qabitzade, and Mehdi Furutan, 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 Sufis, 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 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 communities identified above;

--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, 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; and

--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;
- 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
- fund U.S. public diplomacy entities adequately, 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:
  - Supreme Leader Ayatollah Ali Khamenei;
  - President Mahmoud Ahmadinejad;
  - Sadegh Ardeshir Larijani, Head of the Judiciary;



--Ayatollah Ahmad Jannati, Chair, Guardian Council;  
--Ayatollah Muhammad Taqi Mesbah Yazdi, Assembly of Experts  
--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;  
and

- continue to 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, their immediate family members.

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

The U.S. government should:

- call on the UN Human Rights Council (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 UNHRC;
- call on Iran to cooperate fully with the 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 who 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.