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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS IN ANY PART OF THE WORLD

Written statement* submitted by Baha'i International Community, a non-
governmental organization in special consultative status

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[3 February 2003]

* This written statement is issued, unedited, in the language(s) received from
the submitting non-governmental organization(s).

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Situation of the Bahá'ís in the Islamic Republic of Iran

Review of human rights violations

Since 1979, Bahá'ís in the Islamic Republic of Iran have been subjected to attack, harassment and discrimination solely on account of their religious beliefs. The extent and systematic nature of this persecution have been well documented over the years in reports issued by the United Nations Special Representatives.

Officials of the Iranian government have often claimed that resolutions adopted by the UN Commission on Human Rights were not helpful to the process of promoting human rights in their country. They have had the opportunity to demonstrate their willingness to progress on their own since the Commission suspended its monitoring in Iran last year. Unfortunately, however, we must report that the collective and individual rights of Bahá'ís – not just civil and political rights, but a wide range of social, economic and cultural rights, as well – are still being systematically violated.

Iran's anti-Bahá'í actions are not random acts, but deliberate government policy. A secret government document, obtained and published by the Commission in 1993, serves as a blueprint for the slow strangulation of the Bahá'í community. Produced by Iran's Supreme Revolutionary Cultural Council and approved by the Islamic Republic's Supreme Leader, this document sets forth specific guidelines for dealing with "the Bahá'í question" so that Bahá'í "progress and development shall be blocked." There can be no doubt that the policy is still in effect today.

The Bahá'í community poses no threat of any kind to the authorities in Iran. It is not aligned with any other government, ideology or opposition movement. The principles of the Faith require Bahá'ís to be obedient to their government and to avoid partisan political involvement, subversive activity and all forms of violence. Moreover, Bahá'ís seek no special privileges. They desire only respect for their rights under the International Bill of Human Rights, of which Iran is a signatory.

Recent government initiatives to promote the rights of religious minorities were never intended to include the Bahá'ís. The Constitution of the Islamic Republic of Iran stipulates (in Article 13) that "Zoroastrian, Jewish, and Christian Iranians are the only recognized religious minorities...". Thus some 300,000 Bahá'ís – who constitute the largest religious minority in the country – do not benefit from government initiatives such as the Iranian National Committee for the Promotion of the Rights of Religious Minorities, or the recent "blood money" legislation. Bahá'ís are not a *recognized* minority under the Constitution, and the Islamic regime still refers to the Bahá'í Faith as a heresy and a conspiracy. Classified as "unprotected infidels", Bahá'ís have no legal rights or protection at all, even though Iran is a signatory of the International Covenant on Civil and Political Rights, which guarantees freedom of religious belief.

Executions, death sentences and imprisonment

Since 1979, more than 200 Bahá'ís have been killed, and 15 others have disappeared and are presumed dead. The last Bahá'í executed was hanged on 21 July 1998. During the past few years, all of the Bahá'ís sentenced to death have either been released or had their sentences reduced. The government has stopped sending members of the community to prison for apostasy. Instead, the authorities now use arrest, interrogation and short-term imprisonment as a means of harassing and

intimidating Bahá'ís. This practice is more difficult to monitor and report to the international community.

As of February 2003, four Bahá'ís are still being detained in Iranian prisons because of their religious beliefs; Mr. Bihnam Mithaqi and Mr. Kayvan Khalajabadi are currently serving 15-year sentences and Mr. Musa Talibi and Mr. Dhabihu'llah Mahrami are sentenced to life imprisonment.

Denial of the right to organize as a peaceful religious community

Since 1983, the Bahá'í community in Iran has been denied both the right to assemble officially and the right to maintain its administrative institutions. It should be pointed out that:

- in other countries, these democratically elected bodies organize and administer the religious activities of the community;
- these sacred institutions perform many of the functions reserved to clergy in other religions and are the foundational element of Bahá'í community life; and
- since the Bahá'í Faith has no clergy, the denial of the right to elect these institutions threatens the very existence of a viable religious community.

The Iranian Bahá'ís gradually developed makeshift arrangements to worship in small groups, conduct classes for children, and take care of other community needs.

However, authorities continue to harass them by disrupting meetings, arresting teachers, and giving students and participants suspended sentences to be carried out should they again commit these "crimes". The use of suspended sentences is a threatening tactic devised by the Ministry of Information (Intelligence). Under recent government practice, the Bahá'ís receive no written documentation relating to their arrest or punishment.

Denial of access to education

An entire generation of Bahá'ís has been systematically barred from higher education in legally recognized public and private institutions of learning in Iran. After having been denied access to these institutions for many years, the Bahá'ís established their own higher education programme in 1987. In 1998, however, intelligence officers arrested (and subsequently released) some 36 faculty members of the Bahá'í Institute of Higher Education (BIHE) and also seized textbooks, papers, records, computers and furniture.

In 2001, three classrooms used by members of the community were seized, and mid-2002 an instructor of Bahá'í youth was summoned to the Intelligence agency. In July 2002, the authorities disrupted BIHE qualification examinations in eight different locations simultaneously, videotaping proceedings, interviewing students, confiscating examination papers and Bahá'í books – thus showing that the government is pursuing its established policy of intimidation.

The Bahá'í Faith places a high value on education. Bahá'ís have always been among the best-educated groups in Iran, and the erosion of their educational level is inevitably impoverishing the community.

Confiscation and destruction of community properties

Bahá'í cemeteries, holy places, historical sites, administrative centres and other assets were seized shortly after the 1979 revolution. No properties have been returned, and

many have been destroyed.

Seizure of cemeteries throughout Iran has created problems for Bahá'ís, who have difficulties burying their dead and identifying gravesites. They are permitted access only to areas of wasteland, designated by the government for their use, and are not permitted to mark the graves of their loved ones.

Confiscation of properties belonging to individual Bahá'ís

The property rights of Bahá'ís are generally disregarded. Since 1979, large numbers of private and business properties belonging to Bahá'ís have been arbitrarily confiscated, including homes and farms.

In recent months, there has been an increase in confiscations. Sometimes when property is confiscated, a court decree is issued, stating that the owner is an "active member of the misguided Bahá'í sect".

Denial of employment, pensions and other benefits

The government is also systematically weakening the economic base of the Bahá'í community by depriving many Bahá'ís of the means to earn a living.

In the early 1980s, more than 10,000 Bahá'ís were dismissed from positions in government and educational institutions. Many remain unemployed and receive no unemployment benefits; many others had their pensions terminated and some were even required to return salaries or pensions paid before their dismissal.

Employment opportunities are still limited. Even when Bahá'ís find employment in the private sector, in many cases government authorities somehow intervene and force the owners of the companies concerned to fire them. When Bahá'ís start a private business, the authorities attempt to block their activities. Moreover, there have been what we believe to be attempts to scare Bahá'ís engaged in agriculture away from their land.

Denial of civil rights and liberties

Under Iranian law, Bahá'ís have no legal protection and thus their rights can be ignored with impunity. Harassment continues unabated in a number of communities.

The application of some laws has been modified. During the year 2000, measures taken by the government made it possible for married Bahá'í couples to be registered as husband and wife and for the children of such couples to be registered. But the relevant law has not been changed; neither Bahá'í marriage nor Bahá'í divorce is legally recognized in Iran. The right of Bahá'ís to inherit is also denied.

The freedom of Bahá'ís to travel outside or inside Iran is often impeded by Iranian authorities and sometimes denied. Although recent years have witnessed an increase in the number of Iranian Bahá'ís given passports, it is not clear that there has been a change of government policy on this issue.

Recent official statements

Iranian representatives have made several encouraging statements in international fora during the past two years. In the June 2000 Session of the ILO, the representative of Iran reportedly stated: "Although the members of the Bahá'í faith do not belong to a

recognized religious minority, under the terms of the legislation approved by the Expediency Council in 1999, all Iranians enjoy the rights of citizenship irrespective of their belief." At the meeting of the Committee on the Rights of the Child held in May 2000, the Iranian representative reportedly said that the adoption of this new law had improved the situation of those who followed "non-recognized religions and beliefs such as the Bahá'í faith."

We welcome these statements, but we have yet to see any evidence that the "right to citizenship" legislation is being implemented. The patterns of persecution detailed above persist to this day.

Claims by the Islamic Human Rights Commission (IHRC) to have achieved some success in investigating a number of cases involving Bahá'ís also appear to be unfounded. Bahá'ís in Iran did submit some cases to the IHRC when it was first established, and representatives of the Bahá'í International Community spoke with the IHRC delegation to the Commission on Human Rights last year. But no steps have been taken by the IHRC to resolve any of the cases or to defend the rights of the Bahá'í religious minority in Iran. On the contrary, the situations of some Bahá'ís concerned in the cases submitted to the IHRC have actually worsened.

Summary conclusion

Overall, we must report that persecution of the Bahá'ís in the Islamic Republic of Iran has intensified since the Commission on Human Rights decided to suspend formal monitoring in this country. Arrest and short-term detention of Bahá'ís has increased; teachers and students continue to be harassed; more properties have been confiscated; and attempts have been made to scare Bahá'ís off their land.

The Iranian government is now declaring – especially to the European Union, with whom it has started a Human Rights Dialogue – that it is committed to improving the human rights situation within its borders. We would like to be hopeful, but we have yet to see the government take even one clear step toward ending the persecution and discrimination faced by the Bahá'ís, let alone make any move in the direction of establishing full legal protection for the Bahá'í community.
