

CURRENT SITUATION OF THE BAHÁ'ÍS IN IRAN
August 2001

Since the Islamic Revolutionary regime took power in Iran in 1979, Bahá'ís have been harassed and persecuted solely on account of their religious beliefs. They have repeatedly been offered relief from persecution if they were prepared to recant their Faith.

With approximately 300,000 members, the Bahá'í Faith is Iran's largest religious minority, but it is not recognized as a religion by the Iranian Constitution. The Islamic regime refers to it as a heresy and a conspiracy. As "unprotected infidels", Bahá'ís have no legal rights, although Iran is a signatory of the International Covenant on Civil and Political Rights which guarantees freedom of religious belief.

A secret Iranian Government document published by the United Nations Commission on Human Rights in 1993 confirms that Iran's anti-Bahá'í actions reflect deliberate government policy. Produced by Iran's Supreme Revolutionary Cultural Council on 25 February 1991 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". It is no less than a blueprint for the slow strangulation of the Bahá'í community, which is being followed meticulously even today.

THE BAHÁ'Í RELIGIOUS MINORITY IN IRAN

The Bahá'í community in Iran poses no threat to the authorities. The principles of the Bahá'í Faith require Bahá'ís to be obedient to their government and to avoid partisan political involvement, subversive activity and all forms of violence. The Bahá'í community in Iran is not aligned with any government, ideology or opposition movement.

The Bahá'ís seek no special privileges. They desire only their rights under the International Bill of Human Rights, of which Iran is a signatory, including the right to life, the right to profess and practice their religion, the right to liberty and security of person, and the right to education and work.

RECENT CHANGES IN THE SITUATION

Statements have recently been heard from representatives of the Iranian Government in international fora. As reflected in the summary records of the 88th Session of the International Labour Organization in June 2000, the representative of Iran stated that "Although the members of the Bahá'í faith did not belong to a recognized religious minority, under the terms of the legislation approved by the Expediency Council in 1999, all Iranians enjoyed the rights of citizenship irrespective of their belief." In the Summary Record of the 618th meeting of the Committee on the Rights of the Child, held in May 2000, Ambassador Khorram, representative of the Iranian Government, is reported as having said in reference to the citizenship law 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".

Measures were recently taken by the Government of Iran which 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.

During the last half of 2000 two Bahá'ís were released from prison: Mrs. Sonia Ahmadi and Mr. Manuchehr Khulusi, although it is not clear what gave rise to Mr. Khulusi's release nor do we know the status of the verdict against him.

In December 2000 the Bahá'í International Community learned that, after several trials and appeals, the death sentences of Mr. Sirius Dhabihí-Muqaddam, and Mr. Hidayat Kashifi Najafabadi had been commuted to seven and five years respectively and the prison sentence of Mr. Ata'u'llah Hamid Nasirizadih had been reduced from ten years to four. Finally, in January 2001 we received word that Mr. Mansur Haddadan, Mr. Manuchehr Ziyai and Mr. Ziaullah Mirzapanah had been released, and that Mr. Musa Talibi's death sentence had been revised to life imprisonment.

However, despite these developments, Bahá'ís are still subject to arbitrary arrest and are harassed and persecuted in a variety of ways. Recently the Iranian authorities, as hosts of the Regional Preparatory Conference for the World Conference against Racism held in Tehran on 19-21 February 2001, prevented the Bahá'í International Community delegation from attending by denying them visas. The delegation was composed of nationals from India, South Korea and Japan, and an American passport holder originally from Eritrea.

EXECUTIONS, DEATH SENTENCES AND IMPRISONMENT

Since 1979, more than 200 Bahá'ís have been killed, and 15 others have disappeared and are presumed dead.

Mr. Ruhullah Rawhani, executed by hanging on 21 July 1998 after having served nine months in solitary confinement, stood accused of converting a woman to the Bahá'í Faith. The woman concerned refuted the accusation, stating that her mother was a Bahá'í and she herself had been raised as a Bahá'í. There is no evidence that Mr. Rawhani was accorded any legal process or access to a lawyer, and no sentence was announced prior to his execution.

The seven Bahá'ís being held in prisons because of their religious beliefs, as of March 2001, are as follows:

Name	Date of Arrest	Charge	Sentence
Mr. Bihnam Mithaqi	29 April 1989	Zionist Bahá'í activities	Death
Mr. Kayvan Khalajabadi	29 April 1989	Zionist Bahá'í activities	Death
Mr. Musa Talibi	7 June 1994	Teaching the Faith, apostasy	Life
Mr. Dhabihu'llah Mahrami	6 September 1995	Apostasy	Life
Mr. Sirius Dhabihí-Muqaddam	Oct./Nov. 1997	Continuing "Family Life" Meetings	7 years

Mr. Hidayat Kashifi Najafabadi	Oct./Nov. 1997	Continuing "Family Life" Meetings	5 years
Mr. Ata'u'llah Hamid Nasirizadieh	Oct./Nov. 1997	Continuing "Family Life" Meetings	4 years

The following are details regarding these prisoners:

Mr. Bihnam Mithaqi and Mr. Kayvan Khalajabadi have been imprisoned since 1989 on charges arising solely from their membership in the Bahá'í Faith. Both were originally sentenced to eight years imprisonment. Upon appeal their sentences were commuted to three years imprisonment plus 50 lashes. Both prisoners again appealed. On 30 April 1991, they were sentenced to death by the Islamic Revolutionary Court. Despite further appeals the sentences were reconfirmed on 24 August 1992 and again on 23 November 1993. On 18 February 1996 the Supreme Court of Iran rejected the appeals, confirmed the death sentences and conveyed this information to the Islamic Revolutionary Court. The prisoners have written to the Office of the Attorney General, asking that the verdicts be rescinded.

Mr. Musa Talibi, arrested on 7 June 1994 and sentenced to death for apostasy on 18 August 1996 by the Islamic Revolutionary Court, branch number 31, was in the Evin Prison in Tehran. He was initially sentenced to ten years in prison for having shared the tenets of his Faith with others. An appellate court reduced that sentence to 18 months. The public prosecutors, protesting that the sentence was too light and that the court had failed to consider the charge of apostasy, appealed to the Supreme Court. The Supreme Court referred the case to the Islamic Revolutionary Court, branch 31, which set aside the earlier sentence and imposed the death sentence for apostasy. The death sentence was appealed, but on 28 January 1997 the Bahá'í International Community was informed that the Supreme Court of Iran had confirmed the sentence. This news was conveyed to relatives of Mr. Talibi during prison visits. It has been the practice of the Iranian authorities to convey verdicts orally to prisoners and not to give them a copy of the actual text of the court decision. The Bahá'í International Community was unofficially informed in December 1999 that his death sentence was in the process of being commuted to life imprisonment. The confirmation of the commutation has been received last February. It seems that he has been transferred to a prison in Ispahan.

Mr. Dhabihu'llah Mahrami, who was also under sentence of death, is being held in a general prison in Yazd. Mr. Mahrami was called before the Islamic Revolutionary Court in Yazd on 6 September 1995 and questioned about his adherence to the Bahá'í Faith. The Court held several meetings with Mr. Mahrami in an effort to persuade him to renounce his beliefs. He refused and was charged with apostasy. On 2 January 1996, he was sentenced to death. Since his heirs are not Muslims, but Bahá'ís, his properties and assets have been confiscated. Mr. Mahrami's lawyer appealed to the Supreme Court, and it was announced by Iranian officials that the Court rejected the verdict of the Revolutionary Court and referred the case to a civil court. However, on 28 January 1997 the Bahá'í International Community was informed that the Supreme Court of Iran had confirmed the death sentence. As in Mr. Talibi's case, this news was conveyed orally to his relatives. The Bahá'í International Community was unofficially informed in December 1999 that on the eve of the birth of Prophet Muhammad, due to an amnesty by the President, Mr. Mahrami's death sentence had been commuted to life imprisonment.

Before Mr. Sirus Dhabihī-Muqaddam, Mr. Hidayat Kashifi Najafabadi and Mr. Ata'u'llah Hamid Nasirizadih were arrested on 6 November 1997, they had been summoned to the Department of Information a number of times in connection with the case of Mr. Ruhu'llah Rawhani. Following their arrest they were, in accordance with the verdict issued by Branch 8 of the Islamic Revolutionary Court with Mr. Bakhshian presiding, immediately imprisoned in Vakil-Abad Prison. After three months, Mr. Dhabihī and Mr. Kashifi were transferred to the prison of the Information Ministry and have been held there since that time. It is not known if they were interrogated in this prison. The first verdict sentencing the two to death was issued by Branch 8 of the Islamic Revolutionary Court on 1 February 1998, reference number 8/59/1676.

The death sentences were not conveyed to Mr. Dhabihī and Mr. Kashifi until three or four days after the verdict. They then protested against the sentence and submitted their protest officially to the same branch of the court. In addition, the families of the condemned men wrote a letter on 15 February 1998 to the Head of the Islamic Revolutionary Court, Mr. Yasaqi, giving information about the case. They asked him to submit the appeal they had prepared for the defence of the prisoners and to send this appeal with their files to the Supreme Court.

On 8 March 1998 Branch 28 of the Supreme Court issued its verdict, reference number 28/516, in the case of the two prisoners, classified file number 28/76/552. In its findings the Supreme Court ruled that the prisoners' lawyer, even though he had been appointed by the court, had the right to lodge an appeal, and that he should have been notified as well of the sentence of the court. However, the Supreme Court ruled that since the verdict of the Islamic Revolutionary Court had been annulled, this failure to observe proper legal procedure was irrelevant. The Supreme Court also ruled that the court had not shown evidence to prove the accusations against the prisoners and that the laws cited in respect of the actions of the prisoners were not related to those actions. In addition, the religious edict (Fatva) did not justify the death penalty in order to prevent the accused from continuing their actions. The Supreme Court went on to state that, according to Article 23 of the Iranian Constitution, nobody may be punished merely because of his religious ideas. Therefore, in accordance with Article 37 of the Constitution, the verdict with reference number 8/59/1676, dated 1 February 1998, issued at Branch 8 of the Islamic Revolutionary Court, was quashed, and the retrial referred to another Branch of the Islamic Revolutionary Court in Mashhad.

After the verdict of the Supreme Court, the case was referred to Branch 3 of the Islamic Revolutionary Court in Mashhad, presided over by Mr. Nemati. This Court also did not allow the prisoners to have their own lawyers, but appointed the same attorney, Mr. Ehtesham Shahabi, who had represented them in their first trial. The second trial took place on 28 April 1998 and Mr. Nemati issued his verdict, reference number 8-897, dated 23 September 1998, sentencing Mr. Dhabihī and Mr. Kashifi to death once more and Mr. Nasirizadih to ten years' imprisonment. At the appeal after this verdict, the Court gave the accused permission to appoint an attorney. They appointed Mr. Mahmoud Kiani Bajestani, who has continued to represent them since that time.

On 24 January 1999 the latest verdict was overturned by Branch 28 of the Supreme Court, reference number 28-1307, and the case was referred to the General Assembly of the Penal Courts. The General Assembly cited some technical deficiencies in the

case and referred it to Branch 28 of the Supreme Court in Mashhad. This Branch again cited a number of defects in the cases, annulled the verdict due to insufficient evidence and inadequate investigation, and then proceeded to call for a retrial.

The third trial, which took place in Branch 3 of the Islamic Revolutionary Court on 14 November 1999, with the same judge, Mr. Nemati, presiding, and Mr. Bajestani representing the prisoners, confirmed the death sentences. This information was verbally conveyed to Mr. Dhabih and Mr. Kashifi on 3 February 2000. However, we were informed that the Supreme Court, having examined their cases, ruled that the verdicts against Mr. Sirius Dhabih Muqaddam and Mr. Hidayat Kashifi-Najafabadi were unsound, and referred them to another court.

We have recently been informed that the death sentences of Mr. Dhabih and Mr. Kashifi were commuted to seven and five years imprisonment respectively. The 10-year prison sentence of Mr. Ata'u'llah Hamid Nasirizadieh was, we understand, reduced to four years.

Mr. Ramadan-Ali Dhulfaqari, who had been imprisoned in Rafsanjan, was condemned to death for apostasy. On 6 January 1994, we learned that he had been released from prison. The apostasy charge, however, has not been resolved.

DENIAL OF THE RIGHT TO ORGANIZE AS A PEACEFUL RELIGIOUS COMMUNITY

Since 1983 the Bahá'í community has been denied the right to assemble officially and the right to maintain its administrative institutions, those democratically elected governing bodies which in other countries organize and administer the religious activities of the community. 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. These sacred institutions perform many of the functions reserved to clergy in other religions and are the foundational element of Bahá'í community life.

Gradually over the last few years the Iranian Bahá'ís have developed makeshift arrangements to worship in small groups, to conduct classes for children, and to take care of other community needs. However, authorities continue to harass the Bahá'í community by disrupting meetings and occasionally arresting teachers of children's or "family life" classes.

Events in Khurasan suggest an intensification of efforts to terrorize members of the Faith and to suffocate the spiritual life of the Bahá'í community in the region by further curtailing activities aimed at providing education to Bahá'í children and youth. An example of this abuse was the arrest, detention and summary sentence of two teachers in Mashhad, the capital of Khurasan, to three years' imprisonment. They have since been released. Their students were given suspended sentences, to be carried out should the young people again commit the "crime" of participating in such classes. In September 1998, three more Bahá'ís, Mrs. Nahid Sabeti, Mr. Manouchehr Sharifi and Mr. Hushmand Sanani, were arrested, this time in Bujnurd, northern Khurasan, for participating in Bahá'í "Family Life" gatherings. After spending six days in prison, they were released, having also been given suspended sentences of five years' imprisonment.

This use of suspended sentences is a tactic devised by the Ministry of Information (Intelligence) to prevent Bahá'ís from participating in monthly religious gatherings. It is a threatening device, and the Bahá'ís in Iran are fearful that it may be extended to other parts of the country if allowed to go unchallenged. As has been the recent practice of the Government of Iran, no written documentation relating to the arrest or punishment of the Bahá'ís has been provided to them.

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.

Last year, in the city of Abadeh, a piece of land officially used by the Bahá'ís as a cemetery, containing 22 graves, was bulldozed by a colonel of the Revolutionary Guard. The matter was pursued through legal means, and, although the colonel was found guilty in Abadeh, he was later acquitted on appeal in Shiraz.

CONFISCATION OF PROPERTIES BELONGING TO BAHÁ'ÍS

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

In 1998 over 500 Bahá'í homes throughout Iran were raided at the hands of intelligence officers. When queried about the seizure of personal household effects like television sets and pieces of furniture, these officers claimed that they had been authorized by the Attorney General to take anything they wished.

During the raids on the Bahá'í Institute for Higher Education personnel in the fall of 1998, six Bahá'ís, understood to be among those briefly detained, had to surrender the title deeds of their properties for possible confiscation. They are the only Bahá'ís known to have been treated in this way at the time. We have now been informed that the Iranian courts found no evidence to support the accusations that were brought against them - espionage and working against the Islamic Republic - and have offered their confiscated properties back to them, ordering that the deeds be returned to their owners, as the charges against them had not been substantiated.

During the last year Bahá'í properties in Kata, one of the areas of Buyr-Ahmad, were confiscated and a number of Bahá'í families were recently forced by the authorities to leave their homes and farmlands. Some were arrested and imprisoned; others were not allowed to harvest their own crops.

Properties have also been confiscated in Tehran, Isfahan and Shiraz. In one instance a woman in Isfahan legally travelled abroad to visit her children, and when she returned she found that her house had been confiscated.

DENIAL OF EMPLOYMENT, PENSIONS AND OTHER BENEFITS

The confiscation of property is only one of the ways in which the government is systematically weakening the economic base of the Bahá'í community. Many Bahá'ís in Iran have also been deprived 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 because of their religious beliefs. Many remain unemployed and receive no unemployment benefits. The pensions of Bahá'ís dismissed on religious grounds were terminated; some of the Bahá'ís have even been required to return salaries or pensions paid to them. Bahá'í farmers are denied admission to farmers' co-operatives, which are often the only sources of credit, seeds, pesticide and fertilizer.

Bahá'ís throughout the country have been bullied and intimidated into abandoning their professions. In Tehran, recently, the issuance of business licenses to Bahá'ís has been delayed, and some Bahá'í-owned stores and businesses have been closed.

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.

Having been denied access to higher education for years, in 1987 the Bahá'ís established their own higher education programme to meet the educational needs of as many of their young people as resources would allow. By 1996 several hundred students were enrolled, and eleven had graduated with the equivalent of a bachelor's degree.

In late September 1998, more than 36 faculty members of the Bahá'í Institute of Higher Education (BIHE) were arrested in cities across the country. They have since been released. The arrests were carried out by officers of the Iranian Government's intelligence agency and the Ministry of Information and involved the seizure of textbooks, scientific papers and documentary records, some 70 computers, and items of furniture useful to students, including tables and benches. Those arrested were asked to sign a document declaring that BIHE had ceased to exist as of 29 September 1998 and undertaking that they would no longer co-operate with it. The detainees refused to sign any such declaration.

Recently, three classrooms used by Bahá'ís have been seized, which is another strike against the right of members of the community to an education.

The Bahá'í Faith places a high value on education, and Bahá'ís have always been among the best-educated groups in Iran. Being denied access to higher education for years is demoralizing to Bahá'í youth. This erosion of the educational level of the community is, as authors of the policy envisioned, inevitably leading to the impoverishment of the community.

DENIAL OF CIVIL RIGHTS AND LIBERTIES

Unlike Christianity, Judaism and Zoroastrianism, the Bahá'í Faith is not recognized in the Iranian Constitution; therefore, Bahá'ís fall into the category of "unprotected infidels," whose rights can be ignored with impunity. In general, the pressures placed on Bahá'ís by the judicial system have increased.

While neither Bahá'í marriage nor divorce is legally recognized in Iran, measures have recently been taken by the Government of Iran which make it possible for Bahá'í couples to be registered as husband and wife, and to register their children. The right of Bahá'ís to inherit is denied. An article in the Iranian newspaper Khabar, dated 21 July 1999, dealt with the matter of inheritance by Bahá'ís under the laws of Iran in its section devoted to answering legal questions. The article describes different circumstances in which a Bahá'í claimant to an inheritance cannot enjoy the rights of an inheritor because a Bahá'í "is considered an infidel and is excluded from the inheritance."

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

Such treatment is not confined to Iran itself. Bahá'ís applying to Iranian embassies abroad to renew their passports or to obtain visas to return to Iran have often found officials similarly uncooperative. However, the Iranian embassies in some countries do not require the applicants to state their religious affiliation; in such countries, Bahá'ís are more likely to be able to obtain visas or to renew their Iranian passports. Passport application forms which require applicants to declare their affiliation with a "recognized religion" have been used to pressure Bahá'ís to recant their religious beliefs.

Furthermore, in a number of communities the practice of summoning Bahá'ís to the security offices on various specious pretexts and insulting and belittling them, so as to create fear in their families and weaken their spirits, still continues unabated.

In spite of relentless oppression over the last 22 years, the Iranian Bahá'í community survives and maintains its identity. Its strength and determination, as well as the pressure of world public opinion as expressed in resolutions passed by the United Nations and the parliaments of several countries, have made it possible for the Bahá'í community to continue to exist in a difficult and hostile environment. The Bahá'ís have devised ways of teaching the Faith to their children, of worshipping in small groups in private homes, of providing some education to their youth, and of preserving the spirit of the community even without their religious institutions, which were disbanded by order of the Islamic government.

SITUATION SINCE THE ELECTION OF PRESIDENT KHATAMI

The commutation of the death sentences of Mr. Dhabihu'llah Mahrami, Mr. Sirus Dhabihi-Muqaddam, Mr. Hidayat Kashifi Najafabadi and Mr. Musa Talibi; the reduction from 10 years to 4 of Mr. Ata'u'llah Hamid Nasirizadih's prison sentence;

the release of a number of prisoners (Mr. Manuchehr Khulusi, Mr. Farzad Khajeh, Dr. Sina Hakiman, Mr. Habibu'llah Ferdosian, Mrs. Sonia Ahmadi, Mr. Mansur Haddadan, Mr. Manuchehr Ziyai and Mr. Ziaullah Mirzapanah); measures taken by the Iranian Government which enable Bahá'í couples to register their marriages and their children; the greater ease with which Bahá'ís are now able to obtain passports; and statements by Iranian representatives in international fora that their government is concerned to provide for the rights of all citizens of Iran, including those who are members of religious minorities not recognized by the country's constitution—these are all hopeful signs. However, a serious level of persecution of the Bahá'ís remains—some continue to be detained in prison by reason of their religion, two of them under sentence of death; others are subject to arbitrary detention for short or longer periods; all Bahá'ís are subject to discrimination in social, economic, legal and educational matters; Bahá'í property continues to be confiscated and the Bahá'í community continues to be denied the right to elect its administrative institutions, around which the communal, spiritual and social activities of Bahá'ís revolve.

The current circumstances are best understood in the context of the unique nature of the persecution to which Iranian Bahá'ís have been subjected for over a century. The Iranian Bahá'í community has frequently served as a scapegoat, used by various factions struggling for political ascendancy. This has been the case regardless of the changes in the political or dynastic regime. Whenever political leaders have felt a need to divert public attention from some economic, social, or political issue, they have found the Bahá'í community an easy target because of the senseless hostility and prejudice inculcated in the public by generations of ecclesiastical propaganda.

It is not the actions of the Bahá'ís but the circumstances of Iranian history that have conspired to make the "Bahá'í case" a litmus test of sincerity for Iranian public figures who represent themselves as voices of reform and progress.