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**The compliance of the Islamic Republic of Iran with the
International Covenant on Economic, Social and Cultural Rights**

#### concerning Iranian citizens who are members of the Bahá'í community

#### (March 2013)

The following document provides information with regard to the second periodic report of the government of the Islamic Republic of Iran on implementation of the International Covenant on Economic, Social and Cultural Rights.

Members of the Bahá’í community in Iran continue to be deprived of many rights and freedoms guaranteed by the ICESCR. In this submission, we will examine their situation under various provisions of the Covenant and detail the human rights violations that specifically target them.

Footnote references throughout the text contain links to supporting documents available in electronic form. The print copies transmitted to the Committee include all of this supporting documentation.

Additional information can also be found at:

<http://bic.org/areas-of-work/persecution_bahai_community> and

<http://news.bahai.org/human-rights/iran/iran-update/>.

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# Article 2 – legal framework

The framework adopted in the Constitution of the Islamic Republic of Iran regarding religion generates a discriminatory interpretation. In Article 12, the Constitution establishes an official religion, Islam, and Article 13 states: “Zoroastrians, Jewish and Christian Iranians are the only recognized religious minorities, who within the limits of the law, are free to perform their religious rites and ceremonies, and act according to their own canon in matters of personal affairs and religious education”. Restricting freedom of religious practice to only the religions that it recognizes, the Constitution countenances persecution and discrimination against those who practice other faiths.

It should always be recalled that when Iranian officials use the term “religious minorities”, they mean only the three that arerecognized as such in the Islamic Republic. In its second periodic report, the government defines the term in this restricted manner.[[1]](#footnote-1) Moreover, Iran’s report details at great length the government’s extensive efforts “to protect the Islamic-Iranian identity”, to promote a specific kind of Islamic “religious knowledge” and “to expand the culture of the Quran”.

Iran’s regime refers to the Bahá’í Faith not as a religion but as a “misguided sect”, a cult, or an “illegal association”. The emergence of an independent religion that postdates the Qur’an is theologically abhorrent for Iran’s Shi’i establishment, and some conservative members of the Islamic leadership view the Bahá'ís as a threat to Islam. In addition, matters of concern for many fundamentalist Muslim clerics include the absence of clergy and the progressive ideas of the Bahá'í Faith on matters such as women's rights, the independent investigation of reality – whether religious or scientific – and the responsibility placed on individuals to strive to free themselves from prejudices, preconceptions, and reliance on tradition or traditional authorities.

The Bahá'ís have been persecuted throughout the history of their Faith in Iran, but after the Islamic Revolution there was a sharp increase in human rights violations against them. Since the early 1980s, over 200 have been executed or murdered, thousands arrested, detained, interrogated, and tens of thousands deprived of jobs, pensions and educational opportunities.[[2]](#footnote-2)

Article 14 of Iran’s Constitution ostensibly guarantees justice and respect for the human rights of non-Muslims, but it includes the proviso: “This principle applies to all who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran.” To avoid applying its provisions to members of the Bahá'í community, Iranian officials accuse them of engaging in activities “against Islam and the Islamic Republic”. A similar proviso limits the application of Article 20, as follows: “All persons… shall be equal under the protection of the law and shall enjoy all human, political, economic, social and cultural rights with due observance of the Islamic precepts”. In practice, the government frequently uses this “due observance of the Islamic precepts” clause to exclude the Bahá’ís from equality and protection under the law.

The non-discrimination requirement of the ICESCR is only partially reflected in Article 19 of Iran’s Constitution, which states: “The people of Iran belonging to whatever ethnic or tribal group shall enjoy equal rights and the complexion, race, language and the like shall not be considered as a privilege”. No reference is made to gender or religion, usually mentioned in this context together with language, race and colour – as in the Covenant. So Bahá’ís (as well as women) are excluded from protection under this article.

Article 26 of the Iranian Constitution stipulates that:

Parties, associations, political groups and trade unions and Islamic or recognized religious minorities shall be free, provided they do not violate the principles of independence, liberty, national unity and Islamic standards and the foundation of the Islamic Republic.

In other words, the rights of peaceful assembly and association are granted only to the recognized religious minorities and other groups deemed to be in conformity with “Islamic standards”. As a result, Bahá'ís are denied both the right to express and practice their own values and beliefs in community with others, and the right to meet for collective social, educational and cultural activities.

Clearly, then, the Iranian Constitution does not explicitly recognize the principle of religious non-discrimination. Its provisions are interpreted by officials in ways that deny Bahá’ís equal rights – depriving them of freedom of association and peaceful assembly, and subjecting them to unfair and discriminatory treatment as regards access to higher education and vocational training, business and employment, as well as in other domains such as public services, pensions, cemeteries and burial rights, places of worship, etc. Details and examples are given in the relevant sections of this report, below.

The official nature of the persecution against the Bahá'í community was confirmed in 1993 with the publication, by the former UN Special Representative on Iran, of a government memorandum that had established a policy on “the Bahá'í question". Drafted by the Supreme Revolutionary Cultural Council and approved by the Supreme Leader, Ayatollah Ali Khamenei (as well as by Ayatollah Ali Akbar Hashemi Rafsanjani, then President of Iran), the memorandum gave explicit instructions to ensure that the "progress and development" of the Bahá'í community "shall be blocked." Still in effect today, it includes directives denying access to higher education and many kinds of employment for anyone known to be a Bahá’í.[[3]](#footnote-3) The provisions of this memorandum are enforced above Iran’s own laws.

Since 2005, officials have intensified pressure to stop Bahá’ís from organizing and attending all the religious, social and educational gatherings, events and other activities of their community – in other words, everything but the individual observance of religious obligations. For Bahá'ís, getting together to conduct such activities is not only a basic social and cultural right but also an integral part of their religious practice. But when adherents of the Bahá'í Faith peacefully gather in small groups, in the privacy of their own homes, officials interrupt their meetings and accuse them of engaging in activity “against Islam and the Islamic Republic”. Explicitly listed among the charges in several 2011 verdicts was the mere fact of “membership” in the Bahá’í community (referred to as a “sect”). However, the authorities go to great lengths to identify, arrest and imprison, in particular, those who organize and administer the community’s religious, social and educational activities.

In the Bahá’í Faith, democratically elected institutions perform many of the functions reserved to clergy in other religions and are the foundational element of community life. Throughout the world, over 180 Bahá’í councils (called “spiritual assemblies”) exist at national level. Iran’s Bahá’í community annually elected an assembly until 1983, when the government called for the institutions to be dismantled.

Members of the community subsequently made ad hoc arrangements to worship in small groups, hold classes for children, study and discuss their Faith, and deal with issues and needs expressed by individual Bahá'ís, in their homes. Early in 2009, however, the government declared that all of these informal arrangements were illegal. That announcement came nearly a year after the arrest of the seven Bahá'ís who had been administering the affairs of the community at national level.[[4]](#footnote-4) Subjected to intensive interrogation and ill-treatment while in custody, they were denied both due process and a fair trial. There was no basis in fact to any of the accusations against them, but they were convicted in 2010 and are serving the maximum penalty, 20 years in prison.

The figures regarding arrest and arbitrary detention illustrate the dramatic increase in the persecution during the past seven years. It should be recalled that five members of the community were in Iranian prisons in 2001, four in 2002/2003, and only two were arrested from January to August 2004. Since late 2004, however, **over** **650** Bahá'ís have been arrested, and officials have summoned many, many hundreds more for interrogation. In 2011-2012, the number of Bahá'ís in prison rose steadily, from 57 in January 2011 to 116 in September/October 2012. Throughout last year, over 100 people were incarcerated whose only “crimes” are believing in and practicing the Bahá'í Faith.

# Article 6 – denial of the right to work

A national effort to identify and monitor members of the community began towards the end of 2005,[[5]](#footnote-5) as officials throughout Iran were instructed to gather information about local Bahá’ís and “to cautiously and sensitively monitor and supervise” all of their social and educational activities.[[6]](#footnote-6) Once they had been identified, Bahá'ís and some of their non-Bahá'í friends of all ages (including children, adolescents and military trainees) were subjected to harassment and intimidation. Some received death threats, were physically assaulted or evicted from their homes. In parallel, Bahá'í cemeteries, homes and vehicles, farms, orchards, shops and workplaces were attacked, damaged, defaced with graffiti.[[7]](#footnote-7)

During the same period, the Iranian government stepped up its efforts to deny Bahá'ís the right to work.Official documents prove that discrimination against them is government policy, in particular a letter dated 9 April 2007 from the Public Places Supervision Office (Province of Tehran) to the commanders of police and heads of public intelligence and security throughout its region. The letter specified restrictions to prevent members of the “perverse Bahaist sect” (as well as members of anti-revolutionary political organizations and other illegal groups) from engaging in 25 trades and occupations, specifically listed, and also to bar them from all “high-earning businesses”.[[8]](#footnote-8)

Moreover, the instructions stated that a form had to be filled out and signed by all who apply for business licences, requiring them to declare their religion and undertake to:

…adhere to and uphold the moral principle of the law and regulations of the Public Places Supervision Office and the laws and authority of the Islamic Revolution… [and accede that] …in the case of the slightest wrongdoing, the [same] Office has the authority to impede my activity without adhering to any legal or administrative proceedings, and I, consequently, do not have grounds for any objections.

Thus the authorities are also attempting to deny legal recourse to those targeted by the discriminatory regulations.

The 25 trades include many independent businesses and shops that Bahá’ís throughout Iran had opened because this was the only way they could earn a living. Adherents of the Bahá'í Faith have long been banned from employment in the public sector and have often been refused or fired from private sector jobs, once their religious affiliation became known. Pensions have been terminated, as well. Some Bahá'ís deprived of their rightfully earned pensions pursued legal remedies, but the courts have systematically ruled against them. Copies of court decisions in such cases explicitly state: “payment of pension to those individuals connected with the baha’i sect is illegal” [or an “unlawful act”].

In 2006, it became clear that the Iranian Association of Chambers of Commerce was compiling a list of Bahá’ís in every trade and employment, and that other trade associations and unions had been instructed to do so, as well.[[9]](#footnote-9) Identification was followed by action, involving an untold number of officials who:

* closed many Bahá’í-owned businesses, refused to issue or renew business licenses, work permits and/or trade membership cards for Bahá'ís in a wide range of sectors
* warned a number of private-sector employers against hiring Bahá’ís and/or harassed them to dismiss Bahá’í employees, threatening them with closure of their business if they did not do so – some were shut down; others banned from advertising, etc.
* issued instructions to chain stores, government offices and other organizations to avoid purchasing from (or stop all business dealings with) companies and independents because the owners or managers were Bahá’ís
* incited the population to shun Bahá’í-owned businesses
* asked landlords of stores to refuse lease renewals to Bahá’í tenant shopkeepers
* banned Bahá'ís who were working independently from continuing their activities
* conducted unexpected inspection visits to workplaces, summoning and interrogating Bahá'ís, raiding and even vandalizing Bahá'í-owned stores
* confiscated agricultural land owned by members of the community, forced Bahá'ís farmers to stop production, ordered the destruction of crops and slaughter of livestock

During 2007, abuses occurred in **41** different localities. One official informed the Bahá'í owner of a shop in Hamadan (operated by his family for 48 years) that licenses for grocery stores would no longer be issued to Bahá’ís, and the owner requested confirmation in writing. The official replied, “Wherever you go, even to the United Nations, you will end up here, where you will get the same clear answer.” If the Bahá'í wanted the license, the official added, he could change his religion.

A concerted effort took place in 2011 in Kerman, where the Public Places Supervision Office denied renewal and/or revoked existing licenses for Bahá’í-owned businesses in many of the 25 trades referred to above: computer sales and repair shops, real estate brokers, opticians, those involved in the sale of iron alloys, steel, or gold, food products, health and cosmetic services, etc. Licenses were also revoked for business partners of Bahá’ís, who are not members of the community. As in other cities, officials acted to severely restrict the number of Bahá’ís allowed to work in any one profession or trade and the number of Bahá’í-owned shops on any one street, as well as to prevent Muslims from working with members of the Bahá'í community.

Other recent incidents include the following:

* In July 2012, Bahá'í business owners in Aligoudarz, Isfahan, Mashhad and Semnan were summoned to the Public Places Supervision Office. Officials objected to the closure of their business on a Bahá'í holy day, asserting that this constituted “propagation” of the Bahá'í Faith. Several businesses were shut down as a result of this new interpretation. In November 2012, government authorities sealed **all** the Bahá’í shops in and around Hamadan – a total of 32 shops and at least one warehouse – for the same reason.
* In and around the city of Semnan, officials have shut down at least 30 Bahá'í enterprises during the past few years (factories, shops, workshops, offices, etc.), putting over 110 people out of work. In May 2012, the Intelligence Ministry raided and sealed two factories that had employed 59 employees, most of whom were not in fact Bahá'ís.
* From 2 to 12 January 2012, officials searched and confiscated property from over 70% of the Bahá’í-owned businesses in Sari and Ghaemshahr, as well as some in Gorgan and Gonbad, including the residences of Bahá’ís who work from home.
* In June 2011, an optical shop in Nazarabad was sealed, and the Public Places Supervision Office said that the order had been issued by higher authorities. Bahá'í opticians throughout Iran have been systematically targeted by the Public Places Supervision Office since 2007.
* Following arson attacks on a dozen Bahá’í-owned businesses in Rafsanjan in late 2010, unknown individuals sent a letter to some 20 homes and businesses, demanding that Bahá’ís sign an undertaking to "refrain from forming contacts or friendships with Muslims" and from "using or hiring Muslim trainees."

Finally, plainclothes agents and unknown individuals have used various means of intimidation against Bahá'ís in dozens of localities where they had been able to earn a living. Slogans spray-painted in and around Bahá'í shops and workplaces, farms and orchards (as well as homes, vehicles and cemeteries) have included threats and calumnies such as: “Death to Bahá’ís, the mercenaries of America and England” or “Bahá’ís are *Najes* [unclean, meaning that Muslims must not associate with them]”.[[10]](#footnote-10) Vilification and warnings also appear in widely distributed anti-Bahá'í letters and pamphlets, and for many years members of the community throughout Iran have received threatening and defamatory phone calls and text messages.

# Article 13 – denial of the right to education

## Primary and secondary schools

School administrators in some towns, and teachers (particularly those who teach religious studies) often insult, ridicule, harass and intimidate Bahá’í children and adolescents in schools in Iran. Authorized textbooks denigrate and falsify Bahá'í religious heritage; children are singled out as their beliefs are vilified, and all those who dare to respond are severely reprimanded. Many have been threatened with expulsion or forced to change schools. In only two months in 2007, over 150 incidents were reported from ten different cities, and from October 2008 to February 2009, there were over 100 incidents in a dozen different localities. In parallel, schoolteachers were being “educated” about the Bahá’í Faith, using materials that contain lies remarkably similar to those in State-sponsored media, constituting incitement to hatred and intolerance (described in section 6, below).

In addition and for at least five years, anti-Bahá’í leaflets have been distributed in schools, and efforts have been made through the school system to identify Bahá’í students of all ages. A Ministry of Education directive in November 2011 not only called for all Bahá’í pupils to be identified, but explicitly included pre-schoolers: children in kindergarten. A form circulated by the Education Department Security Office in Shiraz had to be completed for all students “who belong to religious minorities and the perverse Bahaist sect”. The form required information not only about the student and his/her parents, but also about all of the student’s siblings. The entry for *Religion* listed only four options: “Christian”, “Jew”, “Zoroastrian”, and “Perverse Bahaist sect”.[[11]](#footnote-11)

## Higher education

For decades, we have been denouncing the fact that members of the Bahá'í Faith are denied access to higher education in Iran. It is an official policy of the government to expel Bahá'ís from universities and vocational training institutions, as soon as they are identified as adherents of this religion. In the 1991 government memorandum stipulating Iran’s policy on “the Bahá'í question" already mentioned above,[[12]](#footnote-12) the section that defines the “educational and cultural status” of adherents to the Bahá'í Faith includes the instruction:

(…) 2. They must be expelled from universities, either in the admission process or during the course of their studies, once it becomes known that they are Bahá’ís. (…)

Recent court rulings and official letters have referred to this provision, still in effect today.

Every year, hundreds of qualified young Bahá’ís are prevented from entering public and private universities and vocational training institutes. In recent years, all those who registered for and passed the entrance exams were blocked during the enrolment phase or expelled later, when it became known that they are members of the Bahá’í community – some during their final semester, just before graduation. One physics student was expelled on 30 May 2011 after completing eight semesters on the honour roll and gaining admission to study for a Master’s degree. All the expelled students who appealed to relevant authorities, and/or through the courts, had their cases rejected. Not a single university expulsion case has been decided in favour of a Bahá'í.

Several official documents indicate that the expulsions constitute government policy. Chief among these is a communication from the Central Security Office of the Ministry of Science, Research and Technology, sent in 2006 (the month and day are illegible on the available copy). Addressed to 81 Iranian universities, the names of which were listed, the letter explicitly instructed them to expel any student discovered to be a Bahá’í, at the time of enrolment or during his/her studies.[[13]](#footnote-13) To enrol, students are required to fill out forms that include a declaration of religion, and during the academic year university authorities sometimes also ask students to identify their religion. Whenever it has been discovered that a student is a Bahá’í, he or she has been expelled.

The 2006 letter stated that the instructions were being promulgated under the provisions of “decree number 1327/M/S, dated 6/12/69 [25 February 1991]”. This refers to the government memorandum on “the Bahá'í question”, mentioned above. Another official letter, from the Central Security Office of Payame Noor University[[14]](#footnote-14) to its regional branches (dated 2 November 2006), stipulated that:

“…according to the ruling of the Cultural Revolutionary Council and the instructions of the Ministry of Information and the Head Protection Office of the Central Organization of Payame Noor University, Bahá’ís cannot enrol in universities and higher education centres. Therefore, such cases if encountered should be reported, their enrolment should be strictly avoided, and if they are already enrolled they should be expelled.”[[15]](#footnote-15)

A related document (dated 17 March 2007) indicated that the security office of one branch had implemented the instructions. The office directed the President of that branch to “give the necessary instructions to prevent the enrolment of the Bahá’í applicants” and to “have the names of such applicants submitted to this office for its use”.[[16]](#footnote-16)

The government has since done nothing to reverse or counter these instructions, which were implemented throughout the country. The token number admitted has decreased for each academic year, as well:

* *2006-2007*: over 800 Bahá'ís took the exam; 480 passed; 289 were admitted. Almost all of them have since been identified as Bahá'ís and expelled.
* *2007-2008*: >1,000 Bahá’ís took the exam, ± 800 were informed that their papers would not be graded, reason given: “incomplete file”; none who followed up on this false classification obtained recourse; 121 admitted, over 50 since expelled.
* *2008-2009*: entrance exam results were available on only one website, where all those previously identified as Bahá’ís (at school or elsewhere) were transferred to – note the final letters: <http://82.99.202.139/karsarasari/87/index.php?msg=error_bah> – a page with the message: *“Error: ‘Incomplete File....’”* None of them were able to enrol.
* The same thing happened the following year, and only a few, not yet identified as Bahá'ís, have been admitted since (exact number not known).

It should be recalled that, shortly after the Islamic Revolution, all Bahá’í students enrolled at the time were expelled from university, and Bahá’í professors and lecturers were summarily dismissed. In the late 1980s, the community made informal arrangements to offer university-level courses to Bahá’í students, through distance learning and in the privacy of their homes, taught by the Bahá’í professors who had been fired. The initiative was known as the Bahá’í Institute for Higher Education (BIHE). The Iranian authorities repeatedly attempted to stop these quiet, peaceful, purely educational activities, most notably in 1998, 2001 and 2003.

During the week beginning 22 May 2011, intelligence officers acted simultaneously against Bahá'ís engaged in BIHE courses throughout the country. Forty households were subjected to extensive searches, with confiscation of personal belongings and computers. Nineteen Bahá'ís had been arrested by the end of June; 12 were later released, but seven were tried and sentenced to four or five years in prison.[[17]](#footnote-17) More than 80 members of the community were interrogated, and while warning students, potential students, their parents and other Bahá'ís against being involved with the BIHE, Iran’s intelligence services expressed the government’s determination to bring the educational initiative to a complete stop. Their concerted action is clear evidence of the underlying policy denying higher education – in any form, from any source – to members of the Bahá'í community.

In 2012, we noted a publication by *Sanjesh*, the national academic evaluation and measurement organization of Iran’s Ministry of Science, Research and Technology. Entitled *A guide to enrolling and participating in the National Entrance Examination for academic year 1391 [2012–2013]*,[[18]](#footnote-18) the document presents detailed guidelines for students wishing to enter university in Iran, including criteria for admission. On page 5, it stipulates four eligibility requirements for the national university entrance exam, and the first two are:

a. "Belief in Islam or in one of the religions specified in the Constitution of the Islamic Republic of Iran (Judaism, Christianity, Zoroastrianism).

b. Not having enmity towards the regime of the Islamic Republic of Iran.

Examples of enmity include:

1) taking up arms against the regime of the Islamic Republic of Iran;

2) involvement in organized small groups [*guruhak*] [[19]](#footnote-19) that are *Muharib*[[20]](#footnote-20);

3) providing financial support to these *Muharib* groups, supporting their organizations and or membership in them; and

4) propagating materialism and man-made religions.

Clearly, the first requirement states what we have been repeating for years: access to higher education in Iran is restricted to those who believe in Islam or in one of the three other recognized religions – excluding those who believe in the Bahá'í Faith.

Moreover, during the past few years the Bahá'í community has been categorized by certain officials as an “organized small group” of the kind referred to in the second requirement quoted above. When government representatives define the Bahá'í community as an “illegal association” and/or falsely identify its aims as political, they are in fact stating that Iran’s Bahá'ís belong to the kind of “organized small group” whose members are denied access to university. Not to mention that the Bahá'í Faith has been called a “man-made religion” in the government-controlled and State-sanctioned media, so this false categorization can also be used to exclude Bahá'ís from higher education.

Nonetheless, there is no declaration of religion on the registration form for the national university entrance exam: question number 15 only asks applicants to select among four “religious studies” subjects for a required segment of the exam. This allows the authorities to claim (in official correspondence and at meetings with international organizations) that religion is not a factor. Outside the country, government representatives insist that no one in Iran is deprived of higher education because of their religious beliefs, and some officials have specified that this includes Bahá'ís. How can the eligibility requirement of belief in Islam or one of the other recognized religions, in the official guidelines cited above, be understood alongside the repeated claims by Iranian officials that Bahá’ís, like all citizens, are free to take the exam and enter university?

Some recent Bahá'í cases were documented by the International Campaign for Human Rights in Iran in December 2010. Its publication explains the discriminatory policies applied not only to Bahá'ís but also to many other students who hold opinions or beliefs different from those of the regime (see <http://www.iranhumanrights.org/2010/12/punishing-stars-dec2010/>).[[21]](#footnote-21)

# Article 11 – denial of the right to housing and other property

The property rights of Bahá’ís are generally disregarded in Iran. In documented cases since 1979, officials have abusively confiscated more than 2,000 properties belonging to Bahá'ís throughout the country: houses, apartments, buildings, offices, shops, factories, other businesses, farms, agricultural land and orchards, as well as Bahá’í holy places and cemeteries, which had previously been the private property of individual Bahá'ís or of the community as a whole.[[22]](#footnote-22)

Confiscations were often accompanied by threats and physical violence, before and during forced evictions. Some cases were taken to court, but the judgements demonstrated that the authorities consider the Bahá'í Faith as an illegal movement and legitimise human rights violations against Iranian citizens who are members of the community. Some verdicts have declared that the confiscation of property from “the evil sect of the Baha’i” is legally and religiously justifiable.[[23]](#footnote-23)

In addition, since 2005 there has been a marked increase in the number of summary searches of Bahá’í homes and workplaces during which personal belongings have been seized. Computers, mobile phones, books, photos, documents (including deeds and business licenses), printed material and possessions related in any way to Bahá'í activities are routinely confiscated during these searches.

Confiscation and destruction of property belonging to Bahá'ís has continued in recent years, and their right to inherit is systematically denied. In April 2010, for example, the Islamic Revolutionary Guards confiscated 5,000 square meters of land in Ghaemshahr (Mazandaran province) that belonged to a Bahá'í and should have been inherited by his family; the confiscation was applied while his heirs were farming the land. In the village of Ivel in the same province, members of a previously large community still tended farmland and harvested crops even though for many years Bahá'ís had not been able to return to their homes without being attacked. In June 2010, homes belonging to some 50 Bahá’í families in this village were destroyed. All the Bahá’í homes in Ivel were later razed, and the land was cleared to erase evidence.[[24]](#footnote-24)

The most recent confiscations involved farmland in several different provinces. A group of Bahá’í farmers were imprisoned in 2012 because they had continued to cultivate their land after repeated official attempts to seize the property. All of them come from the village of Kata (in south-western Iran), and their ownership of the land is undeniable: their families have been farming it for generations. But a court convicted five of them of “forcible possession” of their own property and sentenced them to six months on that charge. A total of 17 Bahá’í families in Kata were officially informed that they must hand over their land, but they have all refused and continue to appeal.

# Article 15 – denial of the right to take part in cultural life

Members of the Bahá'í community in Iran are denied both the right to take part in cultural life and the freedom indispensable for research and creative activity. It is forbidden for them to associate with Muslims, and some have been arrested for accessing the means required to receive and impart information and ideas. The government seems determined to prevent them from participating in and contributing to the culture and development of the larger society in Iran.

Adherents of the Bahá'í Faith have long been denied access to all means of communication with the public. The government blocks Bahá’í websites, whether originating from within or outside Iran, and officials have repeatedly acted to deny Bahá'ís access to printing or photocopying. As mentioned above, Bahá'í books, leaflets and other publications are systematically confiscated during house searches, along with photocopiers, computers and printers belonging to members of the community.

This not only deprives Bahá'ís of the means to produce materials for their own use, but also makes it difficult for them to provide accurate information in response to the lies propagated about them and their religion. Iranian officials and members of the clergy openly advocate religious hatred and intolerance constituting incitement to hostility and discrimination against the Bahá'í Faith and its adherents, and they do so with total impunity. National and provincial budgets include allocations for “educational” programmes to “confront” the Bahá’í Faith, and there are official organs dedicated to that purpose.[[25]](#footnote-25) Articles, TV and radio programmes on State-run and government-affiliated media, and official or State-condoned pamphlets, posters and exhibitions regularly vilify the Bahá'ís and their religious beliefs. Some of these contain false allegations that distort history and grossly malign Bahá'í moral principles, using malicious or vile language and innuendo. In others, Bahá'ís are falsely accused of espionage, conspiracy, instigating sedition and other illegal, anti-regime activities that threaten national security.[[26]](#footnote-26)

We are particularly concerned about this aspect of the persecution because it both encourages and condones the attacks on Bahá'ís that have been reported in several sections of this report.[[27]](#footnote-27) In localities where arson and other violence has been directed at Bahá’í homes and businesses, in incidents where children and adolescents were subjected to abuse, and in threatening telephone calls, text messages, graffiti and anonymous letters, the perpetrators nearly always refer to one of more of the malicious false allegations appearing in media linked to the government.

When Bahá'ís contacted newspapers and other media requesting rights of reply regarding calumny that had been published or broadcast, they were ignored or even mocked for imagining that they would be granted the means to deny allegations or present their point of view – a refusal that contravenes Article 5 of Iran’s Press Law. Other media interlocutors have said, in confidence, that they are not permitted to write about the Bahá’ís.

Of course, adherents of the Bahá'í Faith are not the only ones affected by the government’s repression of views, opinions and beliefs that differ from those of the regime. As reported by other international NGOs, since January 2010 the Iranian authorities have declared as illegal any contact with more than 60 organizations located abroad, including media such as the BBC and some human rights organizations. Human rights defenders have been targeted for arrest and arbitrary detention in recent years (including Bahá'ís who tried to advocate and report on human rights abuses in Iran), as well as women’s and trade union activists, participants in peaceful demonstrations, journalists, bloggers, and many others.

# Conclusion

In 1993, the CESCR’s Concluding Observations on Iran included a reference to:

…the broad consensus that there has been practically no progress in ensuring greater respect and protection for rights of the non-Muslim religious communities in the Islamic Republic of Iran in general, and of the economic, social and cultural rights of persons belonging to those minority groups in particular.

It listed as examples: “Violation of the rights of the Baha'i community;” “Violation of economic, social and cultural rights in addition to violation of political and civil rights;” “Discrimination on religious grounds in the educational system;” and “Prohibition of the admission to university of Baha'is”.

Twenty years later, **nothing** has changed. As evidenced in this report, exactly the same observations can be made today.

The Bahá'í community poses no threat 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 obey the laws of their country and to avoid partisan political involvement, subversive activity and all forms of violence. Officials tend to say that the Iranian people consider Bahá’ís as infidels and wish to attack them. On the contrary, it has been the experience of the Iranian Bahá’í community that an increasing number of their fellow countrymen, including many civil servants, respect and admire Bahá’ís for their ideals, good character and steadfastness. Negative attitudes are most often expressed and fostered by Islamic leaders and government officials.

In recent years, the persecution against Iran’s Bahá'ís has been noted and deplored not only by UN human rights mechanisms, governments and NGOs, but also by prominent people throughout the world: Nobel Peace Prize winners, parliamentarians, religious leaders, theologians, academics, business and trade union representatives, lawyers, judges, writers, artists, filmmakers…..[[28]](#footnote-28) In a feature-length film entitled *Iranian Taboo* in February 2012, renowned Dutch-Iranian filmmaker Reza Allamehzadeh independently examined violations of economic, social and cultural rights that target Bahá'ís in the Islamic Republic.[[29]](#footnote-29)

It is clear from the facts presented above that international monitoring continues to be essential for the protection of this community. Any lessening of international support for Iran’s Bahá’ís will be perceived by the authorities as a license to continue violating their rights with impunity. Only when legal and public steps are taken to completely emancipate the Bahá’ís will Iran be able to claim full compliance with its repeated declarations of commitment to human rights.

The Iranian Bahá'ís deeply love their homeland, despite all the suffering they have endured under successive regimes. They are particularly heartened by growing support among Iranians in defence of their rights. The members of this community seek the freedom to serve their country and humankind, at the prompting of the principles and teachings of their Faith. Regardless of the restrictions imposed on them, they do not refrain from discharging their spiritual and social responsibilities. They continue to strive, through their participation in constructive discourse with their neighbours, co-workers, friends and acquaintances, to play an important role in the progress of their nation.

1. E/C.12/IRN/2, §381-382 and §474-495, also Iran’s core document, §26 and §60. [↑](#footnote-ref-1)
2. Details and documentation can be found in a publication entitled *The Bahá'í Question – Cultural Cleansing in Iran,* which can be downloaded at: <http://news.bahai.org/human-rights/iran/the-bahai-question.html> or obtained in a bound edition from Bahá'í International Community representatives. The publication is provided together with the print copy of this report. [↑](#footnote-ref-2)
3. The text of the 1991 government memorandum can be accessed through the following links, and copies are attached to the print copy of this submission as Annexes 1 and 2:
Persian original: <http://news.bahai.org/documentlibrary/575/5_TheISRCCdocument.pdf>
English translation: <http://news.bahai.org/documentlibrary/575/5_TheISRCCdocument_en.pdf> [↑](#footnote-ref-3)
4. The names of the seven Bahá'í leaders are: Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mrs. Mahvash Sabet, Mr. Behrouz Tavakkoli, and Mr. Vahid Tizfahm. Their cases are the object of the UN Working Group on Arbitrary Detention’s Opinion No. 34/2008. [↑](#footnote-ref-4)
5. For more information and supporting documentation, see: <http://news.bahai.org/story/473> [↑](#footnote-ref-5)
6. See also <http://news.bahai.org/story/488> [↑](#footnote-ref-6)
7. Photos documenting some of these attacks are provided as Annex 3 to the printed copy of this report and can be found through the following links. Rafsanjan: <http://news.bahai.org/story/805> ;
Semnan: <http://www.flickr.com/photos/iranpresswatch/sets/72157619434356485/detail/> ;
Kerman:  <http://news.bahai.org/multimedia/slideshow.php?storyid=645> [↑](#footnote-ref-7)
8. Copies of this letter (in Persian original and English translation) are attached to the print copy of this report, see Annexes 4 and 5. They are on pages 86-87 of *The Bahá'í Question – Cultural Cleansing in Iran,* which can be downloaded at <http://news.bahai.org/human-rights/iran/the-bahai-question.html> and is also included with the print copy transmitted to the Committee. [↑](#footnote-ref-8)
9. For example, a letter from the Trades, Production, and Technical Services Society of Kermanshah to the Union of Battery Manufacturers, dated 2 May 2006, instructed the union to transmit “a list of the names of those who belong to the Bahá’í sect and are under the jurisdiction of your union”. A copy of that letter (in Persian original and English translation) can be found on pages 81-82 of *The Bahá'í Question – Cultural Cleansing in Iran,* which can be downloaded at: <http://news.bahai.org/human-rights/iran/the-bahai-question.html>. Both language versions are attached to the printed copy of this report, see Annexes 6 and 7. [↑](#footnote-ref-9)
10. Photos with translations are provided as Annex 8 to the print copy of this submission and can be found through the following links:
Semnan: <http://www.flickr.com/photos/iranpresswatch/sets/72157619434321969/> ; see also some of the photos in the following compilation: <http://www.bahairights.org/2009/07/08/image-compilation-of-attacks-on-bahai-property-in-iran-in-the-last-year/> ;
Ardestan: <http://www.bahairights.org/2009/09/19/anti-bahai-messages-sprayed-on-walls-in-ardestan-iran/> ; Commonly used graffiti, photographed in this case in a Bahá'í cemetery: <http://www.iranpresswatch.org/post/1515> [↑](#footnote-ref-10)
11. This document is provided in attachment to the printed copy of this submission, in the original Persian and in English translation: see Annexes 9 and 10. [↑](#footnote-ref-11)
12. As mentioned in section 3, footnote # 4, above, the government memorandum can be accessed through the following links (and copies are provided with the print copy of this report as Annexes 1 and 2):
Persian original: <http://news.bahai.org/documentlibrary/575/5_TheISRCCdocument.pdf>
English translation: <http://news.bahai.org/documentlibrary/575/5_TheISRCCdocument_en.pdf> [↑](#footnote-ref-12)
13. For the letter to 81 universities, see Annexes 11 and 12, attached to the print copy of this submission, or click on the following links:
Persian: <http://news.bahai.org/documentlibrary/575/1_LetterFromMinistriesToUniversities.pdf>
English: <http://news.bahai.org/documentlibrary/575/1_LetterFromMinistriesToUniversities_en.pdf> [↑](#footnote-ref-13)
14. According to its website, Payame Noor is “a state distance-education university with Headquarters based in Tehran, 10 Regional Centers, 130 Study Centers, 126 Study Units throughout the country and 1 Overseas Center.” Dozens of Bahá’í students have been expelled from Payame Noor. [↑](#footnote-ref-14)
15. The November 2006 letter is attached to the print copy of this submission (see Annexes 13 and 14) and can also be accessed at:
Persian original: <http://info.bahai.org/pdf/payame_noor_univ_memo_farsi.pdf>
English translation: <http://info.bahai.org/pdf/payame_noor_univ_memo_english.pdf> [↑](#footnote-ref-15)
16. Copies of the March 2007 letter accompany the print copy of this report (Annexes 15 and 16) and can be found at: Persian: <http://news.bahai.org/documentlibrary/575/2_LetterToPayam-i-NurUniversity.pdf>
English: <http://news.bahai.org/documentlibrary/575/2_LetterToPayam-i-NurUniversity_en.pdf> [↑](#footnote-ref-16)
17. On appeal, one of them had his sentence suspended and was then released, but the sentences were confirmed for the other six Bahá'í educators. [↑](#footnote-ref-17)
18. Available on the organization’s website at [www.sanjesh.org](http://www.sanjesh.org) ; pages 1-10 are attached to the print copy of this submission (in the original Persian) as Annex 17; and a translation of the relevant segment from page 5 is provided in print as Annex 18. [↑](#footnote-ref-18)
19. anti-revolutionary political organizations and other illegal groups [↑](#footnote-ref-19)
20. In Islamic law, an individual who commits the crime of *Muharaba*: taking up arms against the Islamic government or Islamic laws. [↑](#footnote-ref-20)
21. More information about this issue can also be found at: <http://news.bahai.org/human-rights/iran/education/>. [↑](#footnote-ref-21)
22. A list of 2,010 properties confiscated up to 2005 is provided as Annex 19 to the print copy of this document. [↑](#footnote-ref-22)
23. See the report by the UN Special Rapporteur on adequate housing in 2006, after his country visit to Iran (E/CN.4/2006/41/Add.2)*.* [↑](#footnote-ref-23)
24. Photos are provided as Annex 20 to the print copy of this document and can also be found at: <http://news.bahai.org/story/780> ; <http://news.bahai.org/story/782> ; and <http://www.iranpresswatch.org/post/6219/screen-shot-2010-07-17-at-12-10-50-pm> [↑](#footnote-ref-24)
25. In the government memorandum on “the Bahá'í question” mentioned in the sections on Articles 2 and 13 and referenced in footnote 3, above, the segment that defines the “educational and cultural status” of adherents to the Bahá'í Faith includes the following instructions:

(…) 4. Propaganda institutions (such as the Islamic Propaganda Organization) must establish an independent section to counter the propaganda and religious activities of the Bahá’ís.

5. A plan must be devised to confront and destroy their cultural roots outside the country. (…) [↑](#footnote-ref-25)
26. Details and supporting documentation can be found in our publication entitled *Inciting Hatred: Iran's Media Campaign to Demonize Baha'is* (October 2011, available online, see: <http://news.bahai.org/story/861> ), which is provided with the print copy of this report. [↑](#footnote-ref-26)
27. Our latest publication, *Violence with Impunity: Acts of aggression against Iran’s Bahá’í community*, documents hundreds of incidents of torture, physical assault, arson, vandalism, cemetery desecration, etc., directed against Iran’s Bahá’í community since 2005. For details, see [www.bic.org/violence-with-impunity](http://www.bic.org/violence-with-impunity) ; this publication is also provided with the print copies transmitted to the Committee. [↑](#footnote-ref-27)
28. Many of these have been documented at: <http://news.bahai.org/human-rights/iran/iran-update/international-reaction.html>. [↑](#footnote-ref-28)
29. The film has so far been shown in cinemas in the United States, Canada and the Netherlands; for more information about its content, see <http://www.iraniantaboo.com/>. [↑](#footnote-ref-29)