

# BAHÁ'Í INTERNATIONAL COMMUNITY

*United Nations Office*

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## **Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief**

Contribution to the report of the Secretary-General to the General Assembly on “Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief”

13 June 2012

Geneva

The Baha'i International Community is pleased to provide the following information for the report of the Secretary-General to the General Assembly regarding GA resolution 66/167.

We must state that, unfortunately, **no** steps have been taken by the **Islamic Republic of Iran** to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence, and violence against persons, based on religion or belief, as concerns members of non-recognized religious communities. Religious freedom and pluralism continue to be restricted to the four religions recognized in Iran's Constitution, i.e. Islam and the three recognized religious minorities: Judaism, Christianity and Zoroastrianism. Members of those four recognized religious communities are the only Iranian citizens permitted to manifest their religion and to contribute openly and on an equal footing to society.

Members of other religious communities, in particular the Baha'is, are excluded from many sectors of society such as higher education, vocational training, all employment in the public sector, 25 trades from which they have been specifically banned, and all occupations that could allow them to earn more than a minimum wage. Iran's government has taken no measures to change long-standing policies that explicitly instruct public functionaries, in the conduct of their public duties, to discriminate against individuals who are members of the Baha'i community. Not only does the government of Iran make no effort to counter religious profiling, its intelligence services systematically use religion as a criterion in conducting interrogations, searches, arrests and arbitrary detentions.

The Baha'i religious community in Iran is not permitted to have places of worship. Its religious and historical sites of importance have been confiscated by the State, and many have been destroyed. A large number of its cemeteries and gravesites have also been confiscated and desecrated, and individuals or groups who vandalize or damage Baha'i cemeteries act with total impunity in this country.

Attacks on the Baha'i Faith and its adherents regularly appear in Iranian State-controlled and State-sanctioned media (press, radio, TV, websites, etc.), as well as in pamphlets and tracts distributed in officially approved public exhibitions and events, and in government-sponsored seminars, conferences, workshops and symposia. The vilification disseminated by these sources has been used by Iranian teachers, school management, other public officials, groups and individuals in thousands of incidents involving verbal (and sometimes also physical) abuse directed against Baha'i school children and students, military trainees, shop keepers and other identified members of the community. Moreover, stigmatization and incitement to hatred promulgated by officials and members of the clergy underlie the on-going oppression against Baha'i citizens of Iran, creating a climate where human rights violations against them are condoned, tolerated or ignored.

Further information on all these issues is provided below.

### **1. Legal structures “based on principles of Islam”**

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In Iran, State policies and practices single out adherents of the Baha'i Faith for repression and discriminatory treatment. For decades, the Iranian government has been violating its obligations under international human rights law, as concerns members of the Baha'i community. The official nature of this religious profiling and related discrimination and oppression has been clear since

1993, when the former UN Special Representative on Iran published a copy of a 1991 government memorandum defining Iran's policy on "the Baha'i question". Drafted by the Supreme Revolutionary Cultural Council and approved by the Supreme Leader (Ayatollah Ali Khamenei), the memorandum gave instructions to ensure that the "progress and development" of the Baha'i community "shall be blocked."<sup>[2]</sup>

As mentioned above, Iran's Constitution recognizes only four religions and grants some rights and freedoms only to adherents of those faiths – not only all rights related to religious practice, but also, for example, freedom of association and peaceful assembly. Officials inside Iran call the Baha'i Faith a "misguided [or perverse] sect", but at the UN the government has used the term "illegal association" to define the status of this religious community. Article 26 of Iran's 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 right to organize and attend group meetings for religious, social, cultural or educational purposes is restricted to the three recognized religious minorities and to associations considered by the government to be in conformity with "Islamic standards".

In recent years, hundreds of Baha'is have been subjected to arrest and detention, searches of their homes and confiscation of personal belongings. Officials have summoned many hundreds more for interrogation without detaining them, and thousands have been repeatedly intimidated, harassed and threatened. Arbitrary detention is only one aspect of increased persecution over the past 10 years, but the figures are illustrative: five Baha'is were in Iranian prisons in 2001, four in 2002-2003, and only two in early 2004. Over **570** have been arrested since late 2004, however, and as of 7 June 2012, **105** members of this community were incarcerated in prisons and detention centres in Iran.

One emblematic case concerns the seven former leaders of the community, who were arrested in 2008.<sup>[3]</sup> Subjected to intensive interrogation and ill-treatment while in custody, these seven Baha'is faced trial in 2010, and the UN High Commissioner for Human Rights has clearly stated that the judicial procedure in their cases did not meet due process and fair trial requirements. There was no basis in fact to any of the accusations against them, but the court laid down sentences of 20 years in prison. When an appeals court reduced their terms to 10 years, the original 20-year sentences were later reinstated.

## **2. Official discriminatory policies**

### **2.1 Denial of access to employment**

Discrimination against Baha'is in the area of employment is official policy in Iran. Members of this community are banned from all work in the public sector and can be dismissed from private sector jobs solely on religious grounds, if their beliefs become known. In 2007, a government bureau disseminated instructions to bar members of the "perverse Bahaist sect" from 25 trades (including many independent shops and businesses that Baha'is had opened because this was the only way they could earn a living) and more generally from any occupation that could allow them to earn more than a minimum wage.<sup>[4]</sup> Following the government's orders, public officials in over 40 cities and towns have taken measures to shut down Baha'i-owned shops, businesses and factories. In rural areas, they have forced Baha'i farmers to stop production, destroyed their crops and slaughtered livestock.

Members of this community are also deprived of their rightfully earned pensions. Court verdicts (copies of which have been submitted to UN Special Procedures) have stated that: "payment of pension to those individuals connected with the baha'i sect is illegal".

### **2.2 Denial of the right to education**

In over 250 reported incidents since 2007, teachers or school administrators insulted, derided or intimidated Baha'i children and adolescents in primary, middle and high schools throughout Iran. Many were threatened with expulsion or forced to change schools. In November 2011, when the Ministry of Education called for all Baha'i pupils to be identified, its directive even included pre-schoolers: children in kindergarten.

Identified Baha'is are then denied access to higher education. The official guide to participating in the 2012 national university entrance exam stipulates as a requirement: "Belief in Islam or in one of the religions specified in the Constitution... (Judaism, Christianity, Zoroastrianism)." In 2006, a letter from the Central Security Office of Iran's Ministry of Science, Research and Technology instructed 81 universities to expel any student discovered to be a Baha'i, either at enrolment or during his/her studies.<sup>[5]</sup> The official nature of the policy has been clear since 1993, as the government's memorandum on "the Baha'i question" mentioned in section 1, above, included 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 Baha'is. (...)

Recent court rulings have referred to this prescript, still in effect today. Every year, hundreds of qualified young Baha'is are prevented from entering public and private universities and vocational training institutes in Iran. Nearly all those who pass the entrance exams and obtain admission are blocked during enrolment or expelled later, when their religious affiliation becomes known. All the students who lodged appeals had their cases rejected: not a single university expulsion case has been decided in favour of a Baha'i.

In fact, this systematic exclusion dates from shortly after the 1979 Islamic Revolution: all Baha'i students enrolled at the time were expelled from university; and Baha'i professors and lecturers were summarily dismissed. To offset the effects, the community made informal arrangements to offer university-level courses to Baha'i students in Iran, through distance learning and in private homes or premises, taught by Baha'i professors who had been fired. This peaceful, purely educational initiative is known as the Baha'i Institute for Higher Education (BIHE). The authorities repeatedly attempted to shut it down, most notably in 1998, 2001, 2003, and again last year.

In May/June 2011, intelligence officers acted simultaneously against Baha'is engaged in BIHE courses throughout the country. Forty households were subjected to extensive searches, with confiscations of personal belongings and computers, and 19 Baha'is were arrested. Six of the educators are now serving four to five-year prison sentences, simply because they were providing standard university-level courses to students who had been denied all other access to higher education. During interrogations, Iran's intelligence services expressed the government's determination to bring the courses to a complete stop. Its concerted action evidences once again the policy denying access to university and vocational training – in any form, from any source – to members of the non-recognized Baha'i religious minority.

### **2.3 Denial of rights related to housing, gravesites and buildings of sacred significance**

In documented cases since 1979, officials have abusively confiscated over 2,000 properties owned by Baha'is: houses and apartments, offices and shops, factories, farms and land. Some cases were taken to court, but the judgements confirmed that the authorities consider the Baha'i Faith as an illegal movement and legitimise human rights violations against its adherents. Some verdicts declared that the confiscation of property from members of "the evil sect of the Baha'i" is legally and religiously justifiable.

Baha'i cemeteries, holy places, historical sites, administrative centres and other assets were seized shortly after the Islamic Revolution. No community properties were returned, and many were destroyed. Seizure of cemeteries had very painful consequences, as in return many Baha'is were allotted areas of wasteland and not allowed to mark the graves of their loved ones. In some cities, members of this community no longer receive permission for burials at all. And there have been severe attacks, often repeated, against Baha'i cemeteries in over 25 different localities since 2005. The individuals responsible for these and other attacks against Baha'is act with total impunity in the Islamic Republic of Iran.

## **3. Incitement to hatred, intolerance and discrimination**

Some Iranian officials and members of the clergy openly advocate religious hatred against the Baha'i Faith and its adherents, constituting incitement to violence and hostility, and they do so with impunity. National and provincial budgets include allocations for "educational" programmes to "confront" the Baha'i Faith, and there are official organs dedicated to that purpose. Articles, TV and radio programmes on State-run and government-affiliated media, and official or State-condoned pamphlets, posters and exhibitions regularly vilify the Baha'is and their beliefs. Some contain false allegations that distort history and grossly malign Baha'i moral principles, using malicious or vile language and innuendo. In others, Baha'is are falsely accused of espionage, conspiracy, instigating sedition and other illegal, anti-regime activities that threaten national security. A publication documenting these facts can be accessed online at:

<http://www.bic.org/inciting-hatred-irans-media-campaign-demonize-bah%C3%A1%C3%ADs>

Stigmatization and negative stereotyping have incited violence against Baha'is, as well as increased harassment and intimidation. The worst cases in recent years included death threats, physical assault or eviction. Baha'i homes, vehicles, farms, orchards, shops and workplaces have been badly damaged and defaced with graffiti; some were destroyed. Series of incidents involving arson have targeted Baha'is in the same towns. And Baha'is throughout Iran receive threatening telephone calls, text messages and anonymous letters, containing the malicious words and phrases published by media linked to the government.

In addition, the authorities seem determined to prevent Baha'is from contributing to the culture and development of society in Iran.

Members of this religious community have long been denied access to all means of communication with the public. The government blocks Baha'i websites, whether originating from within or outside Iran; officials deny Baha'is access to printing or photocopying; and Baha'i books, leaflets and materials are systematically confiscated during house searches, along with photocopiers, computers and printers. This makes it difficult for the community's members to produce materials for their own use and also to provide accurate information in response to the lies propagated about them. Even worse: as it is forbidden for Baha'is to associate with Muslims, they cannot offer assistance to their friends and neighbours or even express good will without the risk of being accused of acting "against the regime".

Iranian Baha'is deeply love their homeland, despite all the suffering they have endured. Regardless of the restrictions imposed on them, they fulfil their spiritual and social responsibilities. Through participation in constructive discourse with neighbours, co-workers, friends and acquaintances, they nonetheless continue to contribute to the advancement of their nation and its people.

[1] In its national report for the UPR in 2010, the Islamic Republic of Iran declared:

130. Iran, like other Islamic countries, has faced certain problems in practicing some international standards of human rights. This matter needs to be duly understood by the international community that due to its legal structures which are based on principles of Islam, commitment of its authorities to these principles, and true demands by the people, Islamic Republic of Iran considers itself obliged to adhere to laws of Islamic Sharia. (...)

[2] The text of the government memorandum can be accessed through the following links:

Persian original: [http://news.bahai.org/documentlibrary/575/5\\_TheISRCCdocument.pdf](http://news.bahai.org/documentlibrary/575/5_TheISRCCdocument.pdf)

English translation: [http://news.bahai.org/documentlibrary/575/5\\_TheISRCCdocument\\_en.pdf](http://news.bahai.org/documentlibrary/575/5_TheISRCCdocument_en.pdf)

[3] The names of the seven Baha'i 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.

[4] Copies of this letter (in Persian original and English translation) are on pages 86-87 of *The Baha'i 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 Baha'i International Community representatives.

[5] The 2006 letter to universities can be accessed at:

Persian: [http://news.bahai.org/documentlibrary/575/1\\_LetterFromMinistriesToUniversities.pdf](http://news.bahai.org/documentlibrary/575/1_LetterFromMinistriesToUniversities.pdf)

English: [http://news.bahai.org/documentlibrary/575/1\\_LetterFromMinistriesToUniversities\\_en.pdf](http://news.bahai.org/documentlibrary/575/1_LetterFromMinistriesToUniversities_en.pdf)

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