



Home Office

# Country Policy and Information Note

## Iran: Baha'i

Version 2.0

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# Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

## Country Information

The COI within this note has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), dated July 2012.

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

Independent Chief Inspector of Borders and Immigration,

5th Floor, Globe House, 89 Eccleston Square, London, SW1V 1PN.

Email: [chiefinspector@icinspector.gsi.gov.uk](mailto:chiefinspector@icinspector.gsi.gov.uk)

Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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## 1. Introduction

### 1.1 Basis of claim

- 1.1.1 Fear of persecution or serious harm by the Iranian authorities because the person follows the Baha'i faith.

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## 2. Consideration of issues

### 2.1 Credibility

- 2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#))

- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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### 2.2 Assessment of risk

- 2.2.1 The Baha'i are a small religious group within Iran; they number approximately 300,000 out of a population of over 80 million. Their religious freedoms have not been officially respected since the 1979 Revolution. Unlike some other religious minority groups, the Baha'i are not legally recognised and protected. Since President Rouhani came to power in August 2013, promised improvements in their religious freedoms have not materialised (see [Baha'i in Iran](#)).

- 2.2.2 There are many reports of state discrimination against the Baha'i at many levels. There are reports of the Government openly denouncing the faith (see [Anti-Baha'i rhetoric](#)). There is official discrimination in education; the Baha'i cannot found educational institutions, are excluded from universities and meet with attempted forced conversions in schools (see [Discrimination in education](#)). They are barred from government employment and some other jobs; and the Government pressures private employers to dismiss Baha'i employees (see [Discrimination in employment](#)). The Government seizes and destroys Baha'i properties, including holy sites and cemeteries (see [Seizure of properties](#)). The Government is particularly targeting the Baha'i's ability to economically support themselves, including through raids, forcibly closing businesses and the denial of trade licenses. The Government denies that it carries out many of these abuses (see [Closing down of businesses](#)). There are also reports of other forms of discrimination, including the prohibition of community activity, the non-recognition of Baha'i marriage, restrictions on freedom of movement, and the denial of access to

services (see [Prohibition of community activity](#); [Status of marriage](#); [Freedom of movement](#); and [Other forms of discrimination](#)).

- 2.2.3 There are reports of Baha'i arrests on the basis of religion. There are slight variations in the figures from different sources, although all indicate that around 80 Baha'i are currently imprisoned, and around 700-900 have been arrested in the last 10-12 years. The Government denies that arrests were made on the basis of religion and claim that those arrested posed a security risk (see [Arrests, prosecutions and sentences](#) and [Reasons for arrests and prosecutions](#)). Around 200 Baha'i have been executed by the state since 1979; the Baha'i International Community (BIC) say these took place in the first decade after 1979 (see [Sentences](#)). There are reports that Baha'i face prolonged detention, degrading treatment, and a lack of due process (see [Conditions in detention](#)). The Principal Representative of the Baha'i International Community to the United Nations observed that arrests and executions has decreased since the 1980s and 90s, but that the Government has shifted its strategy to target the Baha'is economic foundation (see [Reasons for arrests and prosecutions](#)).
- 2.2.4 Decision makers should no longer continue to follow the guidance contained in the Country Guidance (CG) case of [SH \(Baha'is\) Iran CG \[2006\] UKAIT 00041](#) (27 April 2006), which found that Baha'is are not at general risk of persecution in Iran, but that a Baha'i will be able to demonstrate a well-founded fear of persecution if, on the facts of the case, he or she is reasonably likely to be targeted by the Iranian authorities (or their agents) for religious reasons (para 81). Since [SH](#) was promulgated 10 years ago, however, the situation in Iran has deteriorated for religious minorities in general and for the Baha'i in particular.
- 2.2.5 In general, a person is likely to face a real risk of persecution or serious harm from the state on the basis of their Baha'i faith and a grant of asylum will usually be appropriate.
- 2.2.6 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.3 Protection

- 2.3.1 As the person's fear is of persecution or serious harm at the hands of the state, they will not be able to avail themselves of the protection of the authorities.
- 2.3.2 For further guidance on assessing the availability or not of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.4 Internal relocation

- 2.4.1 As the person's fear is of persecution or serious harm at the hands of the state, they will not be able to relocate to escape that risk.
- 2.4.2 For further guidance on internal relocation, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.5 Certification

- 2.5.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.5.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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## 3. Policy summary

- 3.1.1 The Baha'i face a real risk of serious harm or persecution from the state and a grant of asylum will therefore usually be appropriate for a person who can credibly demonstrate membership of the Baha'i faith.
- 3.1.2 As the risk is from the state, a person will be unable to avail themselves of the protection of the authorities, or internally relocate to escape the risk.
- 3.1.3 A claim is unlikely to be certifiable as 'clearly unfounded'.

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## 4. Baha'i in Iran

### 4.1 Iran's religious demography

4.1.1 The US government estimated the population of Iran as 81.8 million in July 2015, of which:

- 99% are Muslims (90-95% Shia; 5-10% Sunni);
- 1% are religious minorities, including: Baha'is, Christians, Jews, Sabaeen-Mandeans and Zoroastrians.<sup>1</sup>

4.1.2 The Baha'i community is the largest (non-Muslim) religious minority in Iran. The Iranian government does not release official statistics on the numbers of Baha'is in Iran, but Baha'i groups estimate that there are currently 230,000-300,000 Baha'is in Iran<sup>2</sup>; the US Commission on International Religious Freedom (USCIRF) put it as 'at least' 300,000.<sup>3</sup> Baha'is are concentrated in Tehran and Semnan.<sup>4</sup>

For more information on other religious minorities, see Country Policy and Information (CPIN): [Iran: Christians and Christian converts](#)

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### 4.2 Legal and constitutional rights

4.2.1 The US State Department (USSD)'s International Religious Freedom Report for 2015 for Iran ('USSD 2015') stated:

'The constitution declares the country to be an Islamic Republic, and Ja'afari Shia Islam to be the official state religion. It states all laws and regulations must be based on "Islamic criteria" and official interpretation of sharia. The constitution states citizens shall enjoy human, political, economic, and other rights, "in conformity with Islamic criteria"... "Within the limits of the law", the constitution states Zoroastrians, Jews, and Christians are the only recognized religious minorities permitted to worship freely and to form religious societies, although proselytizing is prohibited.'<sup>5</sup>

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<sup>1</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section I: Religious Demography, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>, accessed 20 September 2016

<sup>2</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

<sup>3</sup> United States Commission on International Religious Freedom (USCIRF), Annual Report for 2016, <http://www.uscifr.gov/sites/default/files/Iran%202014.pdf>, accessed 3 October 2016

<sup>4</sup> United States Department of State (USSD), International Religious Freedom Report for 2013: Iran – Section I: Religious Demography, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 20 September 2016

<sup>5</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Executive Summary,

4.2.2 The Australian Department of Foreign Affairs and Trade (DFAT), in a report on Iran dated April 2016 ('the DFAT report 2016'), noted: 'Non-recognised religions are not provided any legal or practical protections. Under the Constitution, Iranians cannot be discriminated against on the basis of their beliefs. In practice, however, adherents of non-recognised religions (such as Baha'is) can face official and societal discrimination.'<sup>6</sup>

See also: [State discrimination against the Baha'i](#)

4.2.3 The 2014 report of the UN Special Rapporteur on the situation of human rights in Iran noted that a Government's draft charter of citizens' rights 'currently fails to address laws and policies that discriminate against religious minorities, including the Baha'i'.<sup>7</sup> Its report of March 2016 did not refer to this draft charter, although noted: 'Discrimination against the Baha'i community in Iran is legally sanctioned by a lack of constitutional recognition of the faith and the absence of legal protections for its adherents.'<sup>8</sup> USSD 2015 noted: 'The government's draft Citizens' Rights Charter, released in November 2013, includes protections for the recognized minorities but excludes Baha'is from any legal protections.'<sup>9</sup>

4.2.4 USSD 2015 noted that the Ministry of Culture and Islamic Guidance, and the Ministry of Intelligence and Security, monitor religious activity. The law also requires Baha'is to register with the police<sup>10</sup> (this is also mentioned by Freedom House).<sup>11</sup> No source can be found which explains whether such monitoring or registration is enforced.

See also: [Arrests, prosecutions and sentences](#)

4.2.5 The DFAT report 2016 noted: 'Under Iranian law, a Muslim who leaves his or her faith or converts to another religion or atheism can be charged with

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<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>6</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.11. Available on request.

<sup>7</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 13 March 2014, para 16, <http://www.iranhrdc.org/english/human-rights-documents/united-nations-reports/un-reports/1000000443-special-rapporteurs-march-2014-report-on-the-situation-of-human-rights-in-the-islamic-republic-of-iran.html>, accessed 3 October 2016

<sup>8</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 10 March 2016, para 59, [http://www.iranhrdc.org/files/pdf\\_en/SR\\_Report\\_HRC2016FF\\_255352891.pdf](http://www.iranhrdc.org/files/pdf_en/SR_Report_HRC2016FF_255352891.pdf), accessed 3 October 2106

<sup>9</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Executive Summary, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 17 November 2016

<sup>10</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>11</sup> Freedom House, 'For Iran's Hard-Liners, Contact with Baha'is Means Guilt by Association', 26 May 2016, <https://freedomhouse.org/blog/iran-s-hard-liners-contact-baha-means-guilt-association>, accessed 15 November 2016

apostasy.<sup>12</sup> The source noted that Baha'is have been charged with this offense. See: [Reasons for arrests and prosecutions](#)

- 4.2.6 The Special Rapporteur reported that, on 15 November 2015, 'the Government assert[ed] that "followers of the Bahai cult enjoy citizen rights" pursuant to the country's laws and that allegations presented to the contrary in the report were "baseless."<sup>13</sup> The UN Special Rapporteur's report of March 2016 noted: '...the Government alleges that Bahais in Iran live under "normal" conditions despite "the history of their formation cooperation [sic] with the Shah[']s regime and their involvement in the suppression of people and their role in the management of the dreaded intelligence service SAVAK.<sup>14,15</sup>

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### 4.3 Baha'i faith

- 4.3.1 For information on the Baha'i faith and its teachings, see the [website of the Baha'i community of the UK](#).

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## 5. State discrimination against the Baha'i

### 5.1 Anti-Baha'i rhetoric: prevalence

- 5.1.1 USSD 2015 noted: 'According to the U.S. Bahai Office of Public Affairs, government-sponsored public denunciations of Bahais increased again in comparison to previous years.'<sup>16</sup>
- 5.1.2 The DFAT report 2016 noted: 'Baha'is are regularly singled out by officials, academics and community leaders using inflammatory language...'<sup>17</sup>
- 5.1.3 The Special Rapporteur's report of March 2016 stated: '[Official discrimination] is further perpetuated by open attacks on the community by state officials or individuals close to the state.' The source also noted: 'In its response, the Government notes that "[g]iven the history of century-old cooperation between the Bahai sect and the Shah[']s regime and SAVAK,

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<sup>12</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.14. Available on request.

<sup>13</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 10 March 2016, para 57, [http://www.iranhrdc.org/files/pdf\\_en/SR\\_Report\\_HRC2016FF\\_255352891.pdf](http://www.iranhrdc.org/files/pdf_en/SR_Report_HRC2016FF_255352891.pdf), accessed 3 October 2106

<sup>14</sup> The Organisation of Intelligence and National Security under the Shah of Iran

<sup>15</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 10 March 2016, para 58, [http://www.iranhrdc.org/files/pdf\\_en/SR\\_Report\\_HRC2016FF\\_255352891.pdf](http://www.iranhrdc.org/files/pdf_en/SR_Report_HRC2016FF_255352891.pdf), accessed 3 October 2106

<sup>16</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>17</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

historical facts could not be overlooked as nobody can stop criticizing Nazism in Germany.”<sup>18</sup>

- 5.1.4 The Special Rapporteur also reported specific examples of anti-Baha’i propaganda: ‘In March 2015, a number of posters protesting against the Baha’i faith were displayed in Tehran’s metro stations...Reportedly, on 10 July 2015, at the Friday prayer marking the end of Ramadan, anti- Baha’i banners were placed on the walls of Tehran University.’<sup>19</sup>
- 5.1.5 The Baha’i International Community (BIC), in an update of September 2016, noted that, since President Rouhani came to power in August 2013, more than 20,000 pieces of anti-Baha’i propaganda were disseminated in the media.<sup>20</sup>
- 5.1.6 USSD 2015 noted: ‘According to the London Bahai Office of Public Affairs, the number of anti-Bahai stories appearing in state-sponsored media outlets grew from approximately 20 per month in 2010 to more than 400 per month by 2014 (the last full year for which data was available).’<sup>21</sup>
- 5.1.7 In an interview with Iran Wire, dated 8 September 2016, Bani Dugal, Principal Representative of the Baha’i International Community (BIC) to the United Nations, said: ‘...the attempts on behalf of the government to demonize the Baha’is and spread lies about them is very much on the rise. There is something like tens of thousands of articles and other mentions in state-owned media that are deliberate attempts to defame and discredit the Baha’i community. Some segments of the population have been influenced by all the lies.’<sup>22</sup>
- 5.1.8 The Office of the United Nations High Commissioner for Human Rights (OHCHR), in a statement dated June 2016, noted that the UN Special Rapporteur on the situation of human rights in Iran, and the UN Special Rapporteur on freedom of religion or belief, ‘said that the current wave of incitement of hatred of the Baha’i community reflected in speeches made by religious, judiciary and political officials in the Islamic Republic of Iran “has exposed the Iranian authorities’ extreme intolerance for adherents of the

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<sup>18</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 10 March 2016, para 59, [http://www.iranhrdc.org/files/pdf\\_en/SR\\_Report\\_HRC2016FF\\_255352891.pdf](http://www.iranhrdc.org/files/pdf_en/SR_Report_HRC2016FF_255352891.pdf), accessed 3 October 2106

<sup>19</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), Human Rights Council, Thirty-first session, Supplementary information on Ethnic and religious minority rights, 10 March 2016, paras 113 and 114, [www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session31/.../A\\_HRC\\_31\\_2\\_en.doc](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session31/.../A_HRC_31_2_en.doc), accessed 17 November 2016

<sup>20</sup> Baha’i International Community (BIC), Current Situation of Baha’is in Iran, 15 November 2016, <https://www.bic.org/focus-areas/situation-iranian-bahais/current-situation#J62GWjDsLhD10WwO.97>, accessed 24 November 2016

<sup>21</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>22</sup> Iran Wire, ‘Baha’is to Rouhani: “Stop Economic Apartheid in Iran Now”’, 8 September 2016, <https://iranwire.com/en/features/3967>, accessed 4 October 2016

religious minority group.” The statement explained that the ‘latest public backlash against the Baha’i community’ began after Faezeh Hashemi, the daughter of former President Akbar Hashemi Rafsanjani, visited Fariba Kamalabadi, an imprisoned Baha’i leader who had been temporarily released, in what the Iranian Judiciary described as a ‘very ugly and obscene act’.<sup>23</sup>

- 5.1.9 The statement continued that, since mid-May, 169 religious, judicial and political leaders have allegedly openly spoken or written against the Baha’i community.<sup>24</sup>

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## 5.2 Anti-Baha’i rhetoric: messages

- 5.2.1 The USSD and DFAT noted that the Government accused Baha’is of belonging to a ‘cult’.<sup>25</sup> <sup>26</sup> The OHCHR noted accusations that Baha’ism was a ‘fabricated political party masquerading as a religion’, that considering Baha’ism a legitimate religion amounted to attack on the Hidden Imam<sup>(27)</sup>, and that those in contact with Baha’is should face criminal prosecution.<sup>28</sup>

- 5.2.2 The sources also noted that the Government had accused the Baha’is of being a threat to national security.<sup>29</sup> DFAT noted that Bahai’s are ‘often referred to as agents of foreign intelligence agencies.’<sup>30</sup> The Deputy of the Parliament’s National Security Commission, on 16 October 2015, called the Baha’i faith a ‘wayward sect created by Britain’, and compared Baha’is to

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<sup>23</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), ‘Iran: Most recent backlash against Baha’is exposes authorities’ extreme intolerance for religious minority group’, 8 June 2016 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20073&LangID=E>, accessed 17 November 2016

<sup>24</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), ‘Iran: Most recent backlash against Baha’is exposes authorities’ extreme intolerance for religious minority group’, 8 June 2016 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20073&LangID=E>, accessed 17 November 2016

<sup>25</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>26</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

<sup>27</sup> Muhammad al-Muntazar al-Mahdi, the ‘Hidden’ or ‘Twelfth’ Imam, who disappeared in the 9<sup>th</sup> century and whom Shia Muslims believe will return one day to revive the true message of Islam.

<sup>28</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), ‘Iran: Most recent backlash against Baha’is exposes authorities’ extreme intolerance for religious minority group’, 8 June 2016 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20073&LangID=E>, accessed 17 November 2016

<sup>29</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>30</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

Wahabbis who sought to increase tensions between Sunnis and Shias in the region.<sup>31</sup>

- 5.2.3 USSD 2015 noted that the Government accused religious minorities, including Baha'is, of collusion with Israel.<sup>32</sup> Bani Dugal, Principal Representative of the Baha'i International Community to the United Nations, observed that the charge that Baha'is are spies is a 'longstanding accusation', partly because the Baha'i world centre is in Israel.<sup>33</sup> The OHCHR noted that accusations against Baha'is included charges of 'Zionism' and that the faith was created by Britain and Israel.<sup>34</sup>
- 5.2.4 USSD noted that the Government accused the Baha'is of 'sexual deviance and illegitimate relations'.<sup>35</sup>

See also: [Reasons for arrests and prosecutions](#)

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### 5.3 Discrimination in education

5.3.1 The DFAT report 2016 noted: 'Baha'is face considerable official and societal discrimination, resulting in an inability to openly practice their faith and leading many to hide their religious identity. Those that do not hide their religious identity, or whose identity is discovered, will likely face adverse attention including...access to education.'<sup>36</sup>

5.3.2 USSD 2015 noted:

'The law bars Bahais from founding their own educational institutions. A Ministry of Science, Research, and Technology order requires universities to exclude Bahais from access to higher education or expel them if their religious affiliation becomes known. The government instruction states Bahais are permitted to enroll in schools only if they do not identify themselves as such. To register for the university entrance examination, Bahai students must identify themselves as followers of a religion other than

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<sup>31</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 10 March 2016, para 59, [http://www.iranhrdc.org/files/pdf\\_en/SR\\_Report\\_HRC2016FF\\_255352891.pdf](http://www.iranhrdc.org/files/pdf_en/SR_Report_HRC2016FF_255352891.pdf), accessed 3 October 2106

<sup>32</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Executive Summary, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>, accessed 20 September 2016

<sup>33</sup> Iran Wire, 'Baha'is to Rouhani: "Stop Economic Apartheid in Iran Now"', 8 September 2016, <https://iranwire.com/en/features/3967>, accessed 4 October 2016

<sup>34</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), 'Iran: Most recent backlash against Baha'is exposes authorities' extreme intolerance for religious minority group', 8 June 2016 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20073&LangID=E>, accessed 17 November 2016

<sup>35</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>36</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

Bahai. To pass the entrance examination, university applicants must pass an exam on Islamic, Christian, or Jewish theology.<sup>37</sup>

### 5.3.3 The source also noted:

‘Members of the Bahai community reported Bahai children in public schools continued to face attempts by their teachers and administrators to convert them to Islam.

‘Many Bahais reportedly turned to online education at the BIHE [Baha’i Institute for Higher Education] despite government censorship and the arrests of teachers associated with the program. The government did not to recognize any education obtained this way, creating barriers to work for those who wanted to use their BIHE degrees in seeking employment.’<sup>38</sup>

### 5.3.4 The source continued:

‘Although the government continued to maintain publicly Bahais were free to attend university if they did not identify themselves as Bahais, public and private universities continued to deny Bahais admittance and to expel Bahai students once their religion became known. Many Bahais reportedly did not try to enroll in state-run universities because of the Bahai Faith’s tenet not to deny one’s faith.

‘During the year many Bahai students reported they were unable to register for university because of error messages in the online registration system saying “defects in the file.” A court ruling upheld the universities’ position based on a 1979 decree barring Bahais from higher education in government-run institutions. One Bahai applicant told Iran Press Watch in September a university had denied him entry because of his faith, even though he had higher than the requisite exam scores to enter the university.’<sup>39</sup>

### 5.3.5 The BIC, in an update of September 2016, noted that, since President Rouhani came to power in August 2013, 28 Baha’i were expelled from university, despite a promise to end religious discrimination.<sup>40</sup> In an update

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<sup>37</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>38</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>39</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>40</sup> Baha’i International Community (BIC), Current Situation of Baha’is in Iran, 6 September 2016, <https://www.bic.org/focus-areas/situation-iranian-bahais/current-situation#J62GWjDsLhD10WwO.97>, accessed 3 October 2016

of 11 October 2016, the BIC observed that ‘thousands have been blocked from access to higher education.’<sup>41</sup>

- 5.3.6 The DFAT report 2016 reported: ‘In terms of university admissions, Baha’is would sometimes be accepted on a ‘don’t ask don’t tell basis’, but it was often the case they would be expelled by the time of their last exam. DFAT understands that the Baha’is’ informal underground university continues to operate, but its teachers are often harassed.’<sup>42</sup>
- 5.3.7 In March 2016, the Special Rapporteur on the situation of human rights in Iran noted an example of a Baha’i expulsion from a primary school, in Karaj in October 2015.<sup>43</sup>

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## 5.4 Discrimination in employment

- 5.4.1 The DFAT report 2016 noted: ‘Baha’is face considerable official and societal discrimination, resulting in an inability to openly practice their faith and leading many to hide their religious identity. Those that do not hide their religious identity, or whose identity is discovered, will likely face adverse attention including lack of job security...’<sup>44</sup>
- 5.4.2 USSD 2015 noted:

‘By law, non-Muslims may not serve in the judiciary, the security services (separate from regular armed forces), or as public school principals. Officials screen candidates for elected offices and applicants for public sector employment based on their adherence to and knowledge of Islam, although members of recognized religious minorities, with the exception of Bahais, may serve in the lower ranks of government. Government workers who do not observe Islamic principles and rules are subject to penalties and may be barred from work.

‘Bahais are banned from government employment and from all leadership positions in the military. They are not allowed to participate in the governmental social pension system.’<sup>45</sup>

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<sup>41</sup> Baha’i International Community (BIC), Current Situation of Baha’is in Iran, 11 October 2016, <https://www.bic.org/focus-areas/situation-iranian-bahais/current-situation#Q3kGylvrORMpqu47.97>, accessed 24 November 2016

<sup>42</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

<sup>43</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), Human Rights Council, Supplementary information on the situation of human rights in the Islamic Republic of Iran, 10 March 2016, para 104, [www.ohchr.org/EN/.../HRC/RegularSessions/Session31/.../A.HRC.31.CRP.5\\_AV.doc](http://www.ohchr.org/EN/.../HRC/RegularSessions/Session31/.../A.HRC.31.CRP.5_AV.doc), accessed 25 November 2016

<sup>44</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

<sup>45</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

- 5.4.3 The DFAT report 2016 noted: ‘Credible sources have told DFAT that Baha’is are required to do national service, but cannot serve in a rank above private.’<sup>46</sup>
- 5.4.4 USSD 2015 reported that, according to the Baha’i international community, Baha’is have been banned from working in 25 types of work, many related to food industries, because the government deemed Baha’is to be ‘unclean’. Authorities also reportedly asked managers of private companies to dismiss Baha’i employees.<sup>47</sup>
- 5.4.5 In January 2016, Iran Press Watch, ‘an independent research entity documenting the struggle of the Iranian Baha’i Community to gain legitimate civil rights’ but who are not affiliated with any Baha’i institutions, reported the existence of a Baha’i ‘blacklist’. This is a list created by the Ministry of Intelligence and distributed to companies to prevent them from employing or doing business with Baha’is. The source reported that types of banned work include building dams, constructing factories, building roads and oil and gas projects. The Baha’i director of Siemens in Shiraz lost his job; he later opened a business making canes and walkers. Eighty per cent of companies are wholly or partially state-owned, which restricts options open to the Baha’i.<sup>48</sup>
- 5.4.6 The source reported:  
 ‘Occasionally, Baha’is are able to escape the attention of the government and secure work in small private companies in big cities. But in smaller towns, they face threats, and are often eventually fired or forced to resign...  
 ‘Currently most Baha’is in small towns work as mechanics, shopkeepers and jobs that ensure they are kept out of the public eye. These job [sic] are often badly paid, but despite often being qualified to work in more senior jobs, many Baha’is have found that it is easier to take on a job that will simply allow them to get by.’<sup>49</sup>
- 5.4.7 The source continued:  
 “‘The authorities do whatever they can think up to deny prosperity to Baha’is,” a Baha’i businessman who often travels to Iran told IranWire. “They tell them: ‘make enough money so you will not die.’ They put enormous pressure on Baha’is so that they will leave Iran one by one. They want to remove the problem, not solve it.”

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<sup>46</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

<sup>47</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>48</sup> Iran Press Watch, ‘The Baha’i Blacklist: Iran’s Crackdown Continues’, 29 January 2016, <http://iranpresswatch.org/post/13979/>, accessed 25 November 2016

<sup>49</sup> Iran Press Watch, ‘The Baha’i Blacklist: Iran’s Crackdown Continues’, 29 January 2016, <http://iranpresswatch.org/post/13979/>, accessed 25 November 2016

'The businessman said with the new economic environment just taking shape, there is a chance for the Bahai's to prosper. "The less control the Ministry of Intelligence has over the economy, the easier it will be to conduct business. This would be better for us." But if the ministry continues to oversee the work of Iran's state-owned contractors, doors will remain closed to Bahai's, and the discrimination against them will continue.'<sup>50</sup>

- 5.4.8 In March 2016, the UN Special Rapporteur on the situation of human rights in Iran reported that state agents forced a pharmacy to dismiss a 24-year serving Baha'i employee in Babol in September 2015. The source also reported that, in August 2015, three Baha'i teachers were dismissed from their jobs after the intervention of state officials.<sup>51</sup>

See also: [Closing down of businesses](#)

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## 5.5 Closing down of businesses

### 5.5.1 USSD 2015 noted:

'...There were reports of authorities placing restrictions on Bahai businesses or forcing them to shut down because the businesses had temporarily closed in observance of Bahai holidays. Authorities also reportedly...denied applications from Bahais for new or renewed business and trade licenses. In April and May authorities permanently closed at least 35 shops in the cities of Rafsanjan, Kerman, Sari, and Hamadan. According to Bahai International Community reporting, shop owners temporarily had closed businesses to observe Bahai holy days and authorities put up banners announcing the shops could not reopen and often bolted them shut or placed guards in front to prevent shopkeepers from attempting to reopen them. For example, on November 1, authorities raided a Bahai-owned glass warehouse and confiscated its entire merchandise stock, according to HRANA [Human Rights Activists' News Agency].'<sup>52</sup>

### 5.5.2 The UN Special Rapporteur's report of March 2016 noted:

'...the Special Rapporteur continues to receive troubling reports that Iranian authorities continue to pursue activities that economically deprive Baha'i's of their right to work, reportedly in line with a 1991 directive issued by the Supreme Council of the Cultural Revolution. These policies include restrictions on types of businesses and jobs Baha'i citizens can have, closing down Baha'i-owned businesses, pressure on business owners to dismiss

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<sup>50</sup> Iran Press Watch, 'The Baha'i Blacklist: Iran's Crackdown Continues', 29 January 2016, <http://iranpresswatch.org/post/13979/>, accessed 25 November 2016

<sup>51</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), Human Rights Council, Supplementary information on the situation of human rights in the Islamic Republic of Iran, 10 March 2016, para 105, [www.ohchr.org/EN/.../HRC/RegularSessions/Session31/.../A.HRC.31.CRP.5\\_AV.doc](http://www.ohchr.org/EN/.../HRC/RegularSessions/Session31/.../A.HRC.31.CRP.5_AV.doc), accessed 25 November 2016

<sup>52</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

Baha'i employees, and seizures of businesses and property. On 15 November 2015, the Bureau of Public Places in the province of Mazandaran shut down 23 businesses belonging to Baha'is, including in the cities of Sari, Ghaem Shahr, Tonekabon and Babolsar. Actions to close Bahai-owned businesses appeared to follow their voluntary closure by owners in observance of their religious holiday the day before."<sup>53</sup>

- 5.5.3 The BIC, in an update of October 2016, documented 'more than 950 incidents of economic persecution' against Baha'is since 2005, including 'shop closings, dismissals, the revocation of business licences and other efforts to block Baha'is from earning a livelihood.' The BIC also noted that, since President Rouhani came to power in August 2013, there were 'at least 388 incidents of economic oppression, ranging from intimidation and threats against Baha'i-owned business to their closure by authorities', despite promises to end religious discrimination.<sup>54</sup>
- 5.5.4 In an interview, with Iran Wire, dated 8 September 2016, Bani Dugal said: 'Economic and social rights of the Baha'is have been severely curtailed since 1979's Iranian revolution. But in recent years we have noticed a shift. They're really trying to curtail the capacity of the Baha'is to exist as a viable community by going after their very foundation, their very existence, cutting off their potential to earn a living...Their licenses are being taken away, their shops are being closed; their homes have been confiscated because they set bail amounts so high that they end up losing their homes as collateral.'<sup>55</sup>
- 5.5.5 The UN Special Rapporteur's report of March 2016 noted: 'The Government...asserts that the shutdown of several Bahai-owned businesses in Mazandaran province was related to "administrative issues."<sup>56</sup>
- 5.5.6 In a statement of 14 November 2016, the International Federation for Human Rights (FIDH) stated: 'On 2 and 3 November 2016, police agents sealed off more than 100 small businesses belonging to followers of the Baha'i faith in several cities across Iran, including in the northern cities of Qaemshahr, Saari and Noshahr, and the southern city of Bandar Abbas. Apparently the businesses were shut down because they had observed Baha'i religious

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<sup>53</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 10 March 2016, para 58, [http://www.iranhrdc.org/files/pdf\\_en/SR\\_Report\\_HRC2016FF\\_255352891.pdf](http://www.iranhrdc.org/files/pdf_en/SR_Report_HRC2016FF_255352891.pdf), accessed 3 October 2106

<sup>54</sup> Baha'i International Community (BIC), Current Situation of Baha'is in Iran, 11 October 2016, <https://www.bic.org/focus-areas/situation-iranian-bahais/current-situation#J62GWjDsLhD10WwO.97>, accessed 24 November 2016

<sup>55</sup> Iran Wire, 'Baha'is to Rouhani: "Stop Economic Apartheid in Iran Now"', 8 September 2016, <https://iranwire.com/en/features/3967>, accessed 4 October 2016

<sup>56</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 10 March 2016, para 58, [http://www.iranhrdc.org/files/pdf\\_en/SR\\_Report\\_HRC2016FF\\_255352891.pdf](http://www.iranhrdc.org/files/pdf_en/SR_Report_HRC2016FF_255352891.pdf), accessed 3 October 2106

holidays on 1 and 2 November, however no judicial orders or warrants justifying the closures have been produced.<sup>57</sup>

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## 5.6 Seizure of properties

5.6.1 USSD 2015 noted: ‘The government continued to hold many Bahai properties it had seized following the 1979 revolution, including cemeteries, holy places, historical sites, and administrative centers and that, according to representatives of the Bahai community, the government continued to disregard their property rights.’<sup>58</sup>

5.6.2 The source further reported:

‘The government continued to raid Bahai homes and businesses and confiscated private and commercial property, as well as religious materials...

‘According to human rights organizations, the government’s continuing seizure of Bahai personal property and its denial of access to education and employment eroded the Bahai community’s economic base and threatened its survival.’<sup>59</sup>

5.6.3 The International Campaign for Human Rights in Iran (ICHRI) reported that, in April 2015, authorities demolished the home of Jamaloddin Khanjani, an imprisoned Baha’i leader, in Semnan, despite a Supreme Court order to stay the demolition.<sup>60</sup>

5.6.4 BIC, in an update of September 2016, referred to the destruction of a cemetery in Semnan between October 2012 and January 2013, and the partial destruction of a Baha’i cemetery in Sanandaj in December 2013.<sup>61</sup> USSD 2015 referred to the ‘continued demolition of the Bahai cemetery in Shiraz, where authorities had already destroyed over 400 of the 950 graves’.<sup>62</sup> The DFAT report 2016 noted: ‘Discriminatory restrictions

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<sup>57</sup> International Federation for Human Rights, ‘Iran: Abuse and repression of Baha’i religious minority again on the rise’, 14 November 2016, <https://www.fidh.org/en/region/asia/iran/Rising-Discrimination-against-the>, accessed 15 November 2016

<sup>58</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>59</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>60</sup> International Campaign for Human Rights in Iran (ICHRI), ‘Police Demolish Imprisoned Baha’i Leader’s Ancestral Home’, 29 April 2015, <https://www.iranhumanrights.org/2015/04/police-demolish-imprisoned-bahai-home/>, accessed 11 November 2016

<sup>61</sup> Baha’i International Community (BIC) –Current Situation of Baha’is in Iran, 6 September 2016, <https://www.bic.org/focus-areas/situation-iranian-bahais/current-situation#J62GWjDsLhD10WwO.97>, accessed 3 October 2016

<sup>62</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

increased with regard to the burial of Baha'is in cemeteries across the country (including in the city of Semnan, Tabriz and Ahvaz).<sup>63</sup>

- 5.6.5 The DFAT report 2016 stated: 'Iranian authorities stated that burial in the cemetery in Shiraz had been banned since 1981 and that a substitute cemetery had been designated for Baha'is in Shiraz. They added that the destruction of the cemetery was for reasons of public health, not to denigrate the Baha'i faith.'<sup>64</sup>

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## 5.7 Prohibition of community activity

- 5.7.1 USSD 2015 noted that Baha'i representatives claimed that official assembly or the maintenance of administrative institutions is prohibited.<sup>65</sup>
- 5.7.2 The DFAT report 2016 observed: 'Baha'i community centres are not permitted in Iran and in 2009 the government declared all Baha'i administrative arrangements illegal. Seven Baha'i leaders are currently serving 20-year prison terms because of their involvement in administering the affairs of the community at national level.'<sup>66</sup>

See also: [Reasons for arrests and prosecutions](#)

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## 5.8 Status of marriage

- 5.8.1 USSD 2015 pointed to the non-recognition of Baha'i marriages and divorce, although noted that the Government allows a civil attestation of marriage to serve as a marriage certificate.<sup>67</sup>
- 5.8.2 The DFAT report noted 2016: 'Marriage registration remains difficult. DFAT has been told that when Baha'is try and present a notarial document without indicating their religion, only some government officials would be willing to register a marriage on this basis.'<sup>68</sup>

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<sup>63</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

<sup>64</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

<sup>65</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>66</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

<sup>67</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>68</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

## 5.9 Freedom of movement

5.9.1 USSD 2015 reported that Baha'is are subject to the monitoring of their movement and activities.<sup>69</sup>

5.9.2 However, the DFAT report 2016 noted: 'DFAT is aware that some members of the Iranian Baha'i community are active in international Baha'i conferences and are free to travel internationally without consequences. However, DFAT has also been informed that Baha'is are often pressured to leave the country. For example, when Baha'is return from travel overseas they can often be questioned as to why they had come back instead of applying for asylum in another country.'<sup>70</sup>

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## 5.10 Other forms of discrimination

5.10.1 There are reports of other forms of discrimination against the Baha'is, including:

- the inability to receive compensation for injury or crimes committed against them ('The law authorizes collection of "blood money" as restitution to families for the death of Muslims and protected minorities. According to law, Bahai blood may be spilled with impunity, and Bahai families are not entitled to restitution');
- the inability to inherit property (See also: [Seizure of properties](#));
- the prevention of Baha'is burying their dead according to their religious tradition;<sup>71</sup>
- the monitoring of bank accounts;
- the denial of access to publishing or copying facilities<sup>72</sup>
- prohibition of participation in sporting events<sup>73</sup>

See also: [Lack of due process](#)

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<sup>69</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>70</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

<sup>71</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>72</sup> Baha'i International Community (BIC), Current Situation of Baha'is in Iran, 6 September 2016, <https://www.bic.org/focus-areas/situation-iranian-bahais/current-situation#J62GWjDsLhD10WwO.97>, accessed 3 October 2016

<sup>73</sup> Iran Wire, 'Baha'is to Rouhani: "Stop Economic Apartheid in Iran Now"', 8 September 2016, <https://iranwire.com/en/features/3967>, accessed 4 October 2016

## 6. Arrests, prosecutions and sentences

### 6.1 Statistics

6.1.1 The table below shows statistics of arrests, detention and executions as reported by different sources:

**Baha'i arrests, detainees and executions**

Source	Date	Arrests	Current detainees	Executions
<b>Special Rapporteur on to the UN on the situation of human rights in Iran</b>	Mar 2014 <sup>74</sup>	At least 734 since 2004 A further 289 arrested, released on bail and awaiting trial	136 150 sentenced but are awaiting appeals or summons to serve	
	Mar 2016 <sup>75</sup>		80 as of 31 Dec 2015	
	Sep 2016 <sup>76</sup>		72 as of 8 June 2016	
<b>US Commission on International Religious Freedom (USCIRF)<sup>77</sup></b>	Apr 2016	Approx. 850 since 2006	At least 80 (as at February 2016)	More than 200 since 1979
<b>US State Department<sup>78</sup></b>	Aug 2016		82 at year end (2015) (quoting Iran Human Rights Documentation	

<sup>74</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 13 March 2014, para 37, <http://www.iranhrdc.org/english/human-rights-documents/united-nations-reports/un-reports/1000000443-special-rapporteurs-march-2014-report-on-the-situation-of-human-rights-in-the-islamic-republic-of-iran.html>, accessed 24 November 2016

<sup>75</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 10 March 2016, para 57, [http://www.iranhrdc.org/files/pdf\\_en/SR\\_Report\\_HRC2016FF\\_255352891.pdf](http://www.iranhrdc.org/files/pdf_en/SR_Report_HRC2016FF_255352891.pdf), accessed 24 November 2016

<sup>76</sup> UN General Assembly, Situation of human rights in the Islamic Republic of Iran, 30 September 2016, para 72, <http://shaheedoniran.org/wp-content/uploads/2016/10/SR-REPORT-71.pdf>, accessed 24 November 2016

<sup>77</sup> United States Commission on International Religious Freedom (USCIRF) Annual Report for 2016: Iran, p.46, <http://www.uscifr.gov/reports-briefs/annual-report/2016-annual-report>, accessed 24 November 2016

<sup>78</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section 2, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>, accessed 20 September 2016

			Center (IHRDC))	
<b>Baha’i International Community (BIC)<sup>79</sup></b>	Oct 2016	More than 890 since 2005 (‘at least’ 170 since Aug 2013)	85	More than 200 since 1979 (1979-89)

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## 6.2 Reasons for arrests and prosecutions

### 6.2.1 The 2014 report of the Special Rapporteur observed:

‘It appears that Baha’is are almost exclusively prosecuted for participation in their community affairs, including by facilitating educational services and publicly engaging in religious practices, such as attending devotional gatherings. The violations appear to be rooted in the unrecognised status of the faith, as well as a pervasive view held within the Government that Baha’is represent a heretical sect with ties to foreign enemies. They are typically charged with political and security crimes, such as espionage or ‘propaganda against the ruling system’. According to an unpublished submission from the Baha’i International Community, multiple revolutionary courts recently held that membership of ‘the misguided Baha’i sect’ constituted a criminal offence. The same publication noted that, in a 1993 case involving the murder of two Baha’is, the Constitutional exclusion of Baha’is made them ‘unprotected infidels’ within the justice system. Other sources report that judges are often openly hostile towards Baha’i defendants.’<sup>80</sup>

### 6.2.2 USSD 2015 noted:

‘The government often charged Bahais with violating the Islamic penal code prohibiting activities against the state and with spreading falsehoods, including disseminating “propaganda against the system” or crimes related to threatening national security. Seven Bahai leaders – Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Behrouz Tavakkoli, Saeid Rezaie, Vahid Tizfahm, and Mahvash Sabet – remained in detention at year’s end, serving sentences of up to 20 years from convictions in 2011 for “espionage for Israel”, “insulting religious sanctities,” “corruption on earth,” and “propaganda against the Islamic Republic.”’<sup>81</sup>

### 6.2.3 The source added:

<sup>79</sup> Baha’i International Community (BIC), Current Situation of Baha’is in Iran, 11 October 2016, <https://www.bic.org/focus-areas/situation-iranian-bahais/current-situation#J62GWjDsLhD10WwO.97>, accessed 24 November 2016

<sup>80</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 13 March 2014, para 38, <http://www.iranhrdc.org/english/human-rights-documents/united-nations-reports/un-reports/1000000443-special-rapporteurs-march-2014-report-on-the-situation-of-human-rights-in-the-islamic-republic-of-iran.html>, accessed 24 November 2016

<sup>81</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>, accessed 20 September 2016

'Abdolfattah Soltani, an attorney involved in defending individuals charged with teaching at the Bahai Institute for Higher Education (BIHE) and cofounder of the Center for Defenders of Human Rights, remained in prison following a 2012 sentence of up to 18 years in prison, later reduced to 13 years by an appeals court, for founding the center, providing the media with information about his clients' cases, as well as "spreading propaganda against the system," "setting up an illegal opposition group," and gathering and "colluding with intent to harm national security."

'The government continued to imprison and detain members of the BIHE. In October the media reported Azita Rafizadeh, a Bahai instructor at BIHE, began serving a four-year sentence following her 2014 conviction for "membership in the illegal and misguided Bahai group with the aim of acting against national security through illegal activities at the BIHE educational institute." According to IHR, the Tehran Revolutionary Court sentenced her husband, Peyman Koushk-Baghi, to five years in prison for the same offense in May, although he had not yet begun to serve his sentence as of the end of the year.

'According to the Office of Public Affairs of the Bahais of the United States, a number of other Bahais remained in prison as of the end of the year for teaching at BIHE, including Kamran Mortezaie, Kayvan Rahimian, Foad Moghaddam, Amanollah Mostaghim, and Azizullah Samandari, who were all previously sentenced to five-years imprisonment, and Shahin Negari and Masim Bagheri Tari, who previously were sentenced to four years imprisonment...

'According to the Bahai International Community, police arrested 13 Bahais in Hamadan in April over the course of two weeks on charges of "engaging in propaganda against the regime. The authorities released most of those arrested on bail ranging from 30,000,000 to 600,000,000 rials (\$8000 – \$20,000), and detained one woman for nine days in solitary confinement."<sup>82</sup>

- 6.2.4 In an interview in September 2016 with Iran Wire, Bani Dugal said: 'The strategy [of targeting Baha'is] is becoming more insidious. We don't have the great numbers of arrests or the executions that we saw in the 1980s and early 1990s, although the revolving-door arrests continue'. Dugal noted that the Iranian Government's strategy is to target the Baha'is' economic foundation.<sup>83</sup>

See also: [Closing down of businesses](#)

- 6.2.5 The International Federation of Human Rights noted that, in November 2016, the authorities detained 'at least' five Baha'is in Saari, Mazandaran, who had called on the Governor-General's office to ask for their shut-down

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<sup>82</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

<sup>83</sup> Iran Wire, 'Baha'is to Rouhani: "Stop Economic Apartheid in Iran Now"', 8 September 2016, <https://iranwire.com/en/features/3967>, accessed 4 October 2016

businesses to be reopened. At the time of writing they had not been charged with any crime.<sup>84</sup>

6.2.6 The DFAT report 2016 noted: 'Baha'is with actual or perceived links to religious or cultural organisations may face additional harassment by the state, including through the application of national security laws.'<sup>85</sup>

6.2.7 The source also noted: 'While cases of apostasy are rare, Muslim-born converts to Christianity, Baha'is, Muslims who challenge the prevailing interpretation of Islam, and others who espouse unconventional religious beliefs have been charged with apostasy in the past.'<sup>86</sup>

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### 6.3 Sentences

6.3.1 Different sources report that around 200 Baha'i have been executed by the state since 1979. See: [Statistics](#)

6.3.2 The BIC noted that the seven Baha'i leaders imprisoned in 2011 for 20 years faced 'the longest term...[of] any prisoner of conscience in Iran.' In late 2015, their sentences were commuted to 10 years, in line with changes to the Iranian Penal Code.<sup>87</sup>

6.3.3 USSD 2015 reported:

'Of...Bahais serving prison sentences for teaching at BIHE, the media reported the authorities released Mahmoud Badavam, Noushin Khadem, Farhad Sedhi, Riaz Sobhani, and Ramin Zibaie in May following completion of their four year prison sentences. The authorities reportedly released Kamran Rahimian in August following completion of his four-year sentence, and granted a clemency furlough to his wife, Faran Hessami, in November to attend to a family medical problem.'<sup>88</sup>

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## 7. Conditions in detention

### 7.1 Torture

7.1.1 The Special Rapporteur, in 2014, reported (about religious minorities generally rather than the Baha'i specifically) that '[f]ormer detainees

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<sup>84</sup> International Federation for Human Rights, 'Iran: Abuse and repression of Baha'i religious minority again on the rise', 14 November 2016 <https://www.fidh.org/en/region/asia/iran/Rising-Discrimination-against-the>, accessed 15 November 2016

<sup>85</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

<sup>86</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.14. Available on request.

<sup>87</sup> Baha'i International Community (BIC), Current Situation of Baha'is in Iran, 6 September 2016, <https://www.bic.org/focus-areas/situation-iranian-bahais/current-situation#J62GWjDsLhD10WwO.97>, accessed 3 October 2016

<sup>88</sup> United States Department of State (USSD), International Religious Freedom Report for 2015: Iran – Section II: Status of Government Respect for Religious Freedom, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 3 October 2016

[religious minorities] often report being subjected to torture or cruel, inhumane or degrading treatment and prolonged solitary confinement to coerce confessions to accusations or admissions about other people.<sup>89</sup>

- 7.1.2 The FCO annual report of 2013 noted that there were reports of torture of the Baha’i<sup>90</sup>, although this is not mentioned in the 2015 report.<sup>91</sup>
- 7.1.3 In May 2014, several defendants told Human Rights Watch (HRW) that the convictions of those Baha’is imprisoned for national security crimes ‘followed prolonged periods of solitary confinement and interrogation by Intelligence Ministry agents, who subjected detainees to physical and psychological ill-treatment.’<sup>92</sup>
- 7.1.4 The BIC, in an update dated September 2016, reported that ‘hundreds more’ than the 200 killed or executed since 1979 were ‘tortured’.<sup>93</sup>
- 7.1.5 The DFAT report 2016 noted: ‘DFAT is not aware of recent examples indicating officially-sanctioned violence against Baha’is.’<sup>94</sup> It is not clear how ‘officially-sanctioned violence’ is defined.
- 7.1.6 In July 2016, Amnesty International reported that an imprisoned Baha’i, Afif Naimi, has spent over 700 days in hospital since June 2011 because of a lack of appropriate care in prison. Despite the Legal Medicine Organization of Iran stating that Naimi is not fit for imprisonment, the Office of the Prosecutor has refused to grant him medical leave or refer his case to court to issue an alternative sentence.<sup>95</sup>

See also: [Country Information and Guidance \(CIG\) – Iran: Prison Conditions](#)

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<sup>89</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 13 March 2014, para 36, <http://www.iranhrdc.org/english/human-rights-documents/united-nations-reports/un-reports/1000000443-special-rapporteurs-march-2014-report-on-the-situation-of-human-rights-in-the-islamic-republic-of-iran.html>, accessed 3 October 2016

<sup>90</sup> UK Foreign and Commonwealth Office (FCO), Human Rights and Democracy Report 2013 - Section XI: Human Rights in Countries of Concern – Iran, 30 April 2014, <https://www.gov.uk/government/publications/iran-country-of-concern/iran-country-of-concern>, accessed 3 October 2016

<sup>91</sup> UK Foreign and Commonwealth Office (FCO), Human Rights and Democracy Report 2016 – Chapter 4: Human Rights Priority Countries – Iran, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/518658/FCO755\\_Human\\_Rights\\_Report\\_2015\\_-\\_WEB.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/518658/FCO755_Human_Rights_Report_2015_-_WEB.pdf), accessed 3 October 2016

<sup>92</sup> Human Rights Watch (HRW), ‘Iran: Mounting Pressure on Baha’is’, 20 May 2014 <http://www.hrw.org/news/2014/05/19/iran-mounting-pressure-bahais>, accessed 3 October 2016

<sup>93</sup> Baha’i International Community (BIC), Current Situation of Baha’is in Iran, 6 September 2016, <https://www.bic.org/focus-areas/situation-iranian-bahais/current-situation#J62GWjDsLhD10WwO.97>, accessed 3 October 2016

<sup>94</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT) Country Report – Iran, 21 April 2016, p.12. Available on request.

<sup>95</sup> Amnesty International, ‘Health Care Hostage: cruel denial of medical care in Iran’s prisons’, July 2016, <https://www.amnesty.org/en/latest/news/2016/07/iran-is-putting-political-prisoners-lives-at-risk-by-denying-them-medical-care/>, accessed 17 November 2016

## 7.2 Lack of due process

- 7.2.1 USSD 2013 noted that Baha'i reported prolonged detention.<sup>96</sup>
- 7.2.2 The Special Rapporteur, in 2014, reported (about religious minorities generally rather than the Baha'i specifically) that '[m]any detainees...reported being held largely incommunicado, without access to a lawyer'.<sup>97</sup>
- 7.2.3 The Special Rapporteur, in 2014, reported that '[s]ome prosecutions [of religious minorities generally, not the Baha'i specifically] reportedly failed to meet international standards, marked by limited access to case files and the right to present a defence. Under the law, religious minorities, including recognized Jews, Christians and Zoroastrians, also face discrimination in the judicial system, such as harsher punishments than Muslims for certain crimes.'<sup>98</sup>
- 7.2.4 In May 2014, HRW quoted Mehran Amirabadi, a Baha'i who was arrested, along with 19 others, in July 2012:
- 'They never provided evidence for the charge of "propaganda against the regime". They just said that all 20 of us were part of an organized network. I asked the judge what evidence substantiated the charges against us. The judge looked at the prosecutor's representative, who nodded his head. Then the judge answered that the representative of the prosecutor will inform you later...How can I defend myself if the prosecutor's representative is *going* to inform me of the evidence for my charges later? Then, the judge related us to Israel, and [said that] we are in touch with Israel without any proof, evidence, and witness.'<sup>99</sup>
- 7.2.5 The Special Rapporteur, in an August 2014 report, noted that:
- 'Reports referred to insufficient fair trial safeguards, including inadequate access to legal counsel. Several interviewees also maintained that lawyers often declined to take their cases owing to fear of reprisals. The Baha'i International Community and Iranian Evangelical Christian leaders added that many of the lawyers who had accepted sensitive Baha'i or Christian cases had been imprisoned or had to flee the country.'<sup>100</sup>

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<sup>96</sup> United States Department of State (USSD), International Religious Freedom Report for 2013: Iran – Executive Summary, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222289>, accessed 20 September 2016

<sup>97</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 13 March 2014, para 36, <http://www.iranhrdc.org/english/human-rights-documents/united-nations-reports/un-reports/1000000443-special-rapporteurs-march-2014-report-on-the-situation-of-human-rights-in-the-islamic-republic-of-iran.html>, accessed 24 November 2016

<sup>98</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 13 March 2014, para 36, [http://www.iranhrdc.org/files/pdf\\_en/SR\\_Report\\_HRC2016FF\\_255352891.pdf](http://www.iranhrdc.org/files/pdf_en/SR_Report_HRC2016FF_255352891.pdf), accessed 3 October 2106

<sup>99</sup> Human Rights Watch (HRW), 'Iran: Mounting Pressure on Baha'is', 20 May 2014 <http://www.hrw.org/news/2014/05/19/iran-mounting-pressure-bahais>, accessed 15 November 2016

<sup>100</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the

7.2.6 The Special Rapporteur reported that, on 15 November 2015, ‘Intelligence Ministry agents reportedly arrested 20 Baha’is in Tehran, Isfahan and Mashhad. Authorities failed to provide information about the charges against these individuals, and their families were not informed of their whereabouts for several days.’<sup>101</sup>

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Islamic Republic of Iran, 27 August 2014, para 43, <http://shaheedoniran.org/wp-content/uploads/2014/09/A-69-356-SR-Report-Iran.pdf>, accessed 3 October 2016

<sup>101</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 10 March 2016, para 57, [http://www.iranhrdc.org/files/pdf\\_en/SR\\_Report\\_HRC2016FF\\_255352891.pdf](http://www.iranhrdc.org/files/pdf_en/SR_Report_HRC2016FF_255352891.pdf), accessed 3 October 2106

# Version Control and Contacts

## Contacts

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## Clearance

Below is information on when this note was cleared:

- version **2.0**
- valid from **November 2016**

## Changes from last version of this guidance

Updated COI

No substantive changes to the guidance

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