

Update:
The Situation of the
BAHÁ'ÍS
IN IRAN

During 2000–01, the “relentless persecution” of the Bahá’í community of Iran remained, in the words of the Bahá’í International Community’s principal representative at the United Nations, “a fact of life.”¹ Some international media coverage has touted the Iranian government’s “liberalization,” but whatever changes have occurred have had little effect on the Bahá’ís who live under the current regime. The few recent positive developments are both superficial and reversible, and the Bahá’í community still faces injustice and hardship, as the following examples illustrate:

As of April 2001, seven Bahá’ís were still imprisoned in Iran for their Faith, two under sentence of death. While Bahá’ís

¹ For a detailed summary of the situation of the Bahá’ís in Iran during the period under question, see the full oral statement of the Bahá’í International Community’s principal representative to the United Nations Commission on Human Rights, pp. 253–56.

welcomed news of the release of Manúchihr Khulúsí, who had been arbitrarily sentenced to death in Mashhad, the factors that gave rise to his release and the status of the verdict against him remain unclear.²

Couples in Iran no longer need to identify their religious affiliation when registering their marriages. This administrative procedure, while welcomed by Bahá'ís, nevertheless allows the government to avoid recognizing Bahá'í marriages.

The community still awaits the return of its sacred sites and other confiscated properties, and cruel and unjustified confiscations continue. Several classrooms used by Bahá'ís have been seized in an effort to deny Bahá'í students any kind of education. In the city of Abadih, in which two Bahá'í cemeteries had been successively confiscated and destroyed, the third was bulldozed—and the colonel of the Revolutionary Guard who was responsible for the action was acquitted in the courts. A woman who had legally traveled abroad to visit her children returned to Iran to find that her house had been confiscated.

Bahá'í applicants for business licenses face long delays, and some Bahá'í-owned stores and businesses have been closed.

In one region of the country, authorities forced Bahá'í families to leave their homes and farms, preventing some from harvesting their own crops and arresting and imprisoning others.

² At the time of his arrest on 9 June 1999, Mr. Khulúsí was visiting Birjand for a meeting with Bahá'ís of that town. About six days later he was moved to a prison in Mashhad, where he was held in solitary confinement for some time, and his interrogation involved beating. The charges brought against Mr. Khulúsí are not known, but it is clear that they related to his being a Bahá'í. His trial took place in Branch 3 of the Islamic Revolutionary Court in Mashhad on 7 and 8 September 1999, and the death sentence was announced on 3 February 2000. Mr. Khulúsí was not permitted to meet with his lawyer, and his attempts to submit an appeal against the verdict within the required 20-day period were denied.

The Iranian government's refusal to consider the visa application of duly appointed Bahá'í delegates to the Asian Preparatory Committee meeting of the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Tehran in February 2001, was perhaps the most eloquent expression of its true attitude towards its Bahá'í citizens. The refusal effectively denied the delegation its right to attend this international human rights consultation—even though the Bahá'ís met all administrative and procedural requirements and included a letter of accreditation from the Office of the High Commissioner for Human Rights in their applications. The high commissioner, Mary Robinson, felt obliged to publicly express her dismay at this exclusion.

Bahá'ís in Iran are not seeking special privileges; they only desire respect for their rights under the International Bill of Human Rights—the right to life, the right to profess and practice their religion, the right to liberty and security of person, and the right to education and work. It is clear that the full implementation of the resolutions of the United Nations and the recommendations made by the UN special rapporteur on religious intolerance, Professor Abdelfattah Amor, is imperative before these rights can be assured.³

Governmental Action

Throughout the world, Bahá'í delegations continued to meet with their governmental representatives to acquaint them with or update them on the situation of the Bahá'í community in Iran. Governments in many countries took action.

In Australia, in December 2000, the House of Representatives of the Parliament of Australia put forth a motion on the situation of the human rights of the Bahá'ís in Iran, which was addressed by four members of Parliament. In a meeting with NGOs in October, the minister for foreign affairs outlined a number of initiatives taken by the government in the human rights field, referring to his recent visit to Iran and mentioning that he had

³ See p. 254 for details regarding the special rapporteur's recommendations.

raised the issue of the Bahá'í community with ministers there.

The situation of the Bahá'ís in Iran was twice mentioned in the German government's Fifth Report on the Human Rights Situation, which was adopted and publicly released during a meeting of the cabinet of the German government in June. The report notes that the Bahá'í community continues to be persecuted and mentions that Iranian Bahá'ís are one of the groups to be granted asylum status in Germany on the grounds of religious persecution—a reference that strengthens the legal position of Bahá'í refugees in Germany. In July 2000, Chancellor Gerhard Schroeder raised concerns about human rights in Iran with Iran's President Khatami during his visit to Germany. Catholic theologian Hans Küng also took the opportunity to raise the issue of the Iranian government's treatment of the Bahá'í community. President Khatami responded that while the Bahá'í Faith was not recognized as a religion in Iran, Bahá'ís are citizens like others and he, as president, was obliged to endorse the enforcement of their rights. He did not, however, say what such rights would be or what actions he would take.

In Norway, mention of the situation of the Bahá'ís in Iran was included in an extensive report prepared in March 2001 for the Norwegian Foreign Department by the Forum for Human Rights, which consists of about 20 different Norwegian organizations working in that field. The report is used by the Foreign Department to prepare for the United Nations Commission on Human Rights and the General Assembly.

In the United Kingdom, a parliamentary question tabled in the House of Commons in March regarding the treatment of the Bahá'í community in Iran elicited from the minister of state at the Foreign and Commonwealth Office the response that the UK and its partners in the European Union “have regularly raised our concerns over Iranian treatment of Bahá'ís” and promised that the government would again raise the human rights issue during an upcoming ministerial visit to Iran. And in June, two members of Parliament, Lembit Opik and Peter Luff, who are members of the All Party Parliamentary Friends of the Bahá'ís, met at their own initiative with the Iranian ambassador to the UK to raise a

number of issues concerning the situation of Iran's Bahá'í community.

A statement by United States President Bill Clinton on 1 July 2000, on the occasion of the sentencing of 13 Jewish Iranians on charges of espionage, noted that "the Iranian government has treated intellectuals, journalists, Muslim clerics and members of the Bahá'í community with the same fundamental unfairness," and continued, "We are deeply disappointed that the Iranian government has again failed to act as a society based on the rule of law..." Later that same month, on 19 July, the Senate passed the eighth congressional resolution condemning the situation of the Iranian Bahá'ís. It urged the government of Iran to permit Bahá'í students to attend Iranian universities and Bahá'í faculty to teach at Iranian universities; it urged the government of Iran to implement fully the conclusions and recommendations on the emancipation of the Iranian Bahá'í community made by the United Nations special rapporteur on religious intolerance; and it emphasized that the US regards the human rights practices of the government of Iran, particularly its treatment of the Bahá'í community and other religious minorities, as a significant factor in the development of relations between the two governments. The resolution also passed in the House of Representatives on 19 September.

In November the US Commission on International Religious Freedom issued a report on Iran to President Clinton, Secretary of State Madeleine Albright, and leaders of Congress, which stated specifically, "Members of the Bahá'í community suffer the worst forms of religious persecution at the hands of the state." The report also mentions executions of Bahá'ís and current death sentences; the prohibition against Bahá'ís teaching or practicing their Faith, attending university, or holding government jobs; and the seizure and destruction of religious sites.

International and United Nations Action

During the 88th session of the International Labour Organization (ILO) held in Geneva, Switzerland, in June 2000, reference was made to the discrimination against the Bahá'ís in Iran in the report

of the Committee of Experts on the Application of Conventions and Recommendations. An expert mission that had gone from the ILO to Iran to examine and discuss the issues raised by the Committee of Experts was assured by a representative of the Iranian government that “[a]lthough the members of the Bahá’í faith did not belong to a recognized religious minority, under the terms of the legislation on the rights of citizenship which were approved by the Expediency Council in 1999, all Iranians enjoyed the rights of citizenship irrespective of their belief.” While the representative also stated that “[t]he government was making all efforts to remove difficulties within the framework of the Constitution,” the Committee of Experts did not feel that the question of the Bahá’ís had been resolved and it will remain under its consideration next year. In its report, the Committee of Experts wrote:

The Committee notes from the mission report that the sensitivity of the subject of the Baha’i in the country goes beyond any formal restrictions and exclusions which may exist, and extends to the societal attitude towards members of this group. In the public sector, the Committee notes that formal restrictions on the hiring of the members of the Baha’i do exist (and such restrictions do not appear to exist for the recognized religious minorities). ...there remains an apparently widespread conviction among the people of the country that all members of the Baha’i work against the interest of the Islamic Republic of Iran, and thus may not be trusted at any level of government. ...In the private sector, the Committee notes that no formal restrictions on the hiring of members of unrecognized religions, including the Baha’i, appear to exist, but in practice these persons may experience difficulty in access to education, jobs and occupations. The Committee notes with interest the reported elimination of discrimination against Baha’i youth in enrolment in the pre-university year at the high school level, while remaining concerned that their entry to universities continues to be refused and that the Open Baha’i University, a correspondence school, was closed down. The Committee requests the Government to make every effort to work towards the elimination of both formal and de facto discrimination against the members of the non-recognized religious groups in education and employment in

accordance with the requirements of the Convention.

On 9 November 2000, the Third Committee of the 55th session of the General Assembly passed a resolution on the human rights situation in Iran, with strong mention of the Bahá'ís in three operative paragraphs. In the resolution, the Committee expresses its concern “at the discrimination against persons belonging to religious minorities, in particular the unabated pattern of persecution against the Baha'is, including the continuing detention and the sentencing to death of some of them.” It calls upon the government of Iran “to implement fully the conclusions and recommendations of the special rapporteur with regard to religious intolerance relating to the Baha'is and other minority religious groups until they are completely emancipated.” And finally, the Committee decides to continue to examine the human rights situation in Iran, “including the situation of minority groups such as the Baha'is,” at its 56th session.

On 5 December the UN General Assembly also passed a resolution expressing “deep concern” over Iran's violations of human rights and mentioning in particular the ongoing persecution faced by the country's Bahá'í community. The vote passed with 67 in favor, 54 against, and 46 abstentions.

In their statements to the Third Committee on the situation in Iran, Australia and Canada specifically mentioned the Bahá'ís. The Australian ambassador to the United Nations said, “We urge the Iranian authorities to ensure that minorities, most notably the Jews and Baha'is, are accorded the full protection of the law under the Iranian Constitution.” The Canadian representative stated, “Despite some recent positive changes connected with the right to legally register their marriages, we remain concerned by the ongoing discrimination against Baha'is including the imposition of death sentences for practicing their faith.” The Irish ambassador also mentioned the Bahá'í situation in Iran in his statement to the General Assembly, saying, “We are also concerned at violations suffered by many particularly vulnerable groups such as persons belonging to religious minorities, including the continued persecution of the Baha'i community in Iran and the restrictions on the

freedom of religion or belief of many others...”

During the 55th session of the General Assembly, Professor Abdelfattah Amor, special rapporteur on religious intolerance and discrimination, submitted his interim report, which briefly covers the situation of the Bahá'ís in Egypt and the Islamic Republic of Iran. The report outlines the history of the suppression of the Bahá'í community in Egypt, from the Supreme Religious Court's 1925 decision that the Bahá'í Faith is “a dangerous heresy,” to the dissolution in 1960 of all Bahá'í Assemblies, confiscation of all properties and assets, and prohibition of religious activities, to the current situation, in which, while they supposedly remain free as individuals to practice their faith, “Baha'is are reportedly not allowed to meet in groups, especially for religious observances, and their literature is destroyed. It is alleged that they cannot legally celebrate their marriages which are deemed to constitute concubinage, while the children born of these unions are regarded as illegitimate.”

Moving on to the situation of the Bahá'ís in Iran, Professor Amor noted the “urgent appeal” made by the United Nations' special rapporteur to the Iranian government regarding the death sentences against Sírus Dhabíhí-Muqaddam, Hidáyat Káshifi-Najafábádí and 'Aṭa'u'lláh Ḥamíd Naṣírízádih. In response, Professor Amor noted, the government denied verification of three death sentences, against Mr. Dhabíhí-Muqaddam, Mr. Najafábádí, and Manúchihir Khulúsí, and stated that these cases were still under consideration by the Supreme Court.

Professor Maurice Copithorne, special representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran, submitted a report mentioning the Bahí'ís to the General Assembly, and then in April 2001 to the 57th session of the UN Commission on Human Rights, where it was released as an official document. The Bahá'ís are mentioned in twelve paragraphs of the report and its annexes. It states, in part, “The Baha'i community continues to experience discrimination in areas of *inter alia*, education, employment, travel, housing, and the enjoyment of cultural activities.” It also notes the continuing imprisonment of Bahá'ís, with several under

sentence of death, and an increase in the number of short-term arrests and “suspended sentences” applied to individuals participating in religious gatherings or educational activities. Positive changes such as the possibility of registering Bahá’í marriages are noted, but the report urges the government to implement fully the recommendations made to it by the special representative and by the special rapporteur on religious intolerance.

Observations made by the 24th session of the UN Committee on the Rights of the Child addressed a report submitted by the Islamic Republic of Iran and outlined the Committee’s concern at the restrictions on freedom of expression, assembly, thought, conscience, and religion imposed by the Iranian government. The Committee made specific mention of discrimination against minorities, including the Bahá’ís, recommending “that the State party take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.” The Committee endorsed the recommendations of the special rapporteur on religious intolerance and recommended their full implementation.

The 57th session of the UN Commission on Human Rights considered the situation of Iran’s Bahá’ís. In April 2001, the Commission adopted a strong resolution on Iran that called for the full emancipation of the Bahá’í community and, making specific reference to the Bahá’ís in two operative paragraphs. The resolution was adopted by 21 votes in favor and 17 against, with 15 abstentions. In the ninth paragraph, the resolution states:

While taking note of recent positive steps regarding the situation of the Baha’is, including the report that they will be allowed to re-establish their cemetery in Tehran,⁴

⁴ The large Bahá’í cemetery owned by the Bahá’í community in Tehran was seized and desecrated following the Islamic Revolution in 1979. Since that time, small pieces of unsatisfactory land have been provided as cemeteries in that city, none matching the one previously held, and the Bahá’ís in Iran have no knowledge of any new developments to “re-establish” the cemetery in Tehran.

[the Commission] expresses its concern at the still existing discrimination against persons belonging to minorities, in particular against Baha'is, and calls upon the Government of the Islamic Republic of Iran to eliminate all forms of discrimination based on religious grounds or against persons belonging to minorities and to address the matter in an open manner with the full participation of the minorities themselves, as well as to implement fully the conclusions and recommendations of the Special Rapporteur on religious intolerance relating to the Baha'is and other minority groups until they are completely emancipated.

Further, the Commission expresses in the resolution its decision "to continue its examination of the situation of human rights in the Islamic Republic of Iran, paying particular attention to further developments, including the situation of the Baha'is and other minority groups," at its 58th session.

A number of governmental delegations mentioned the Bahá'ís in their oral statements to the Commission. The US noted that "the treatment of those who are Bahá'ís or belong to other religious and ethnic minorities fails to meet international standards" and asserted that "both Bahá'ís and members of the country's small Jewish community are imprisoned on trumped-up charges." Australia urged the Iranian government "to ensure that minorities, most notably Jews and Bahá'ís, are accorded the full protection of the law under the Iranian Constitution." Norway stated, "Respect for human rights for all and freedom of expression are cornerstones in a democratic society. This must of course also apply to religious minorities, including the Bahá'ís." The Canadian delegation cautioned, "Despite some recent positive changes, we remain concerned by the ongoing discrimination against Bahá'ís for practicing their faith," and the delegation from Ireland referred to "the continued persecution of the Bahá'í community in various parts of the world," mentioning specifically that "in Iran, despite certain improvements, concerns remain as set out in the reports by Prof. Amor and Mr. Copithorne." The Brazilian delegation also expressed its concern about the treatment of the Bahá'ís. A number of NGOs mentioned the Bahá'ís in their oral statements, including the World Federation of United

Nations Associations, the Simon Wiesenthal Center, the American Jewish Committee, the Association for World Education, and the International Association for Religious Freedom.

Conclusion

The Bahá'í community of Iran has survived and maintained its identity through decades of relentless oppression. Its own strength and determination, as well as the pressure of world opinion, which has been voiced in United Nations resolutions, by the governments of many countries, and in major media worldwide, have contributed to that survival. Iran's Bahá'ís look forward to the day when their community will be fully emancipated and able to contribute to the well-being and advancement of their society. While a few small positive changes have taken place, it appears that the day of that full emancipation is still far in the future, despite the rhetoric of the current regime.

