

Update on the Situation of the Bahá'ís in Iran and Egypt

Heresy. Conspiracy. Unprotected infidels. These are the terms used by the government of Iran to describe the Bahá'í Faith and its adherents in the land of the Faith's birth. Although, with 300,000 members, the Bahá'ís constitute the largest religious minority in the country they are not a *recognized* minority under the Iranian Constitution and thus have no civil, political, social, economic, or cultural rights.

A series of brief examples will illustrate this point:

- When the Iranian government instituted a law granting equal compensation in “blood money” to members of recognized minorities, the Bahá'ís were excluded.
- While the Islamic Human Rights Commission claims to have succeeded in resolving cases submitted to it by Bahá'ís, no action has actually been taken to defend Bahá'ís' rights; rather, the situations of some Bahá'ís who submitted cases have worsened.
- When a Bahá'í appealed to the Islamic Revolutionary Court for the return of property confiscated from his home, the court rejected his case because the owner had held Bahá'í classes

there and because he owned a large number of Bahá'í books. In fact, the courts in Iran routinely uphold confiscations of Bahá'í property.

- While a public statement has been released urging tolerance towards non-Muslim minorities—even those not recognized in the constitution—it is possible that the Bahá'ís may be excluded. A leading ayatollah has stated that rights such as life, shelter, employment, education, and marriage will not pertain to minority groups that conspire against or weaken the foundation of the Islamic government, or that alter people's opinion of it or spy on it for foreigners. Since the government has repeatedly accused the Bahá'í community of these crimes and has labeled it as “illegal,” it is possible that one could interpret the Bahá'ís as being excluded.
- In the spring of 2002, as students at the Bahá'í Institute of Higher Education—established by the Bahá'í community to provide post-secondary education for students who are denied access to universities in Iran—were preparing to sit for their exams, officials took away their exam papers, computers, and other materials in what appeared to be a coordinated series of raids.

As a non-Bahá'í Iranian scholar has noted:

while the Islamic Republic's policies towards the spiritual leaders of Bahá'ís have endangered their identity and existence as a religious community, government officials' treatment of ordinary Bahá'í individuals has, in a day-by-day increasing fashion, made continuation of their loyalty to this religion and their religious unity and solidarity difficult. Furthermore, cases of deprivation, violation of rights, and discrimination are blatantly reflected in the mass media as if they should be counted as normal and acceptable events of life in Iran.¹

¹ Dr. Reza Afshari, “Violation of the Human Rights of the Bahá'ís in the Islamic Republic” (provisional translation), *Iran Nameh* 19.1–2 [Winter 1379–Spring 1380 (2001)].

In April 2002, the 58th session of the United Nations Commission on Human Rights rejected the resolution on the Islamic Republic of Iran, marking the first time in 18 years that the United Nations had not passed a resolution condemning the human rights situation in that country, with particular mention of the continuing plight of the Bahá'ís. The Universal House of Justice termed this failure "regrettable" and noted, "Given the continuing discrimination and oppression of the beleaguered Bahá'í community in Iran, as certified in the Commission's reports to it from its own Rapporteur and Special Representative, it is unfortunate that the Commission has chosen to ignore these facts and its own findings."²

As a consequence, during the past year the United Nations Commission on Human Rights suspended international monitoring of human rights in Iran, and the Bahá'ís have seen increases in the numbers of arbitrary arrests and short-term detentions of members of their community; teachers and students have been subjected to harassment for attempting to pursue education that has been systematically denied to them by the state; property confiscations continue; and individuals who have attempted to obtain redress have invariably met with denial.

In an oral statement to the Commission on Human Rights in Geneva on 3 April 2003, the Bahá'í International Community noted that UN monitoring has been "of great use," and without it "the Bahá'í community in Iran would have been subjected to even more widespread and grievous forms of persecution." While the Iranian government's dialogue on human rights with the European Union and its invitations to human rights monitors are "positive," they "should not be considered as achievements in and of themselves." Rather, the process should be analyzed and progress should be assessed on a regular basis.

The Bahá'í International Community has proposed as benchmarks a series of recommendations set out in 1996 by Professor Abdelfattah Amor, the United Nations Special Rapporteur on religious intolerance. These call for the reinstatement of the following rights for the Bahá'í community:

² Universal House of Justice, letter to selected National Spiritual Assemblies, 23 April 2002.

- to bury their dead
- to enjoy freedom of movement
- to have unimpeded access to education and employment
- to have security of the person and physical integrity
- to have the freedom to manifest their belief
- to receive equal treatment by the judiciary
- to have equal rights with other citizens
- the review and setting aside of all death sentences pronounced against Bahá'ís on the basis of their belief
- the return of community properties and compensation for the destruction of places of worship
- the reestablishment of Bahá'í institutions

Taking up the theme of assessment of progress, the NGO Human Rights Watch (HRW) in December 2002 called on the European Union to set “clear and measurable benchmarks” for monitoring the progress of its human rights dialogue with Iran. Among the 10 specific points mentioned by HRW as “critical tests of good faith by the government of Iran and substantive progress in any human rights dialogue” is one that calls for the initiation of “a program of action to identify and address discrimination against minority groups, for instance by providing education and employment entitlements to people of the Bahá'í faith.” Human Rights Watch proposed that the benchmarks “be made public and used to evaluate progress after an initial period of 12 months.”

Other international agencies have also been vocal in their assertion of the Bahá'í community's rights. For example, in June 2002 the 90th Session of the International Labour Organization (ILO) referred to the ongoing discrimination against the Bahá'ís in Iran, and its Committee of Experts on the Application of Conventions and Recommendations (CEACR) also mentioned the subject. The CEACR made two significant observations and recommendations. First, in connection to the newly established National Committee for the Promotion of the Rights of Religious Minorities, “which is to review the problems that religious minorities face and recommend corrective policies,” the CEACR expressed its hope that the

committee “will review the problems of the nonrecognized religious minorities and will include members of the nonrecognized minorities in its work.” This would include the Bahá'ís. Second, the report discusses “the treatment in education and employment of members of unrecognized religions, in particular the members of the Bahá'í faith,” noting that “the situation of the Bahá'ís goes beyond formal restrictions and exclusions, which may exist, and extends to the societal attitude towards the members of this group.” The CEACR also mentions the Special Representative's interim report, which states that the “Bahá'í community continues to experience discrimination in education and employment and other areas.”

In Egypt, too, the Bahá'ís are not free to profess their Faith. As the Bahá'í International Community mentioned on 9 April 2003 in an oral statement to the UN's Commission on Human Rights in Geneva, “All members of the community are under strict surveillance. They have no access to any form of legal marriage, cannot obtain custody of children, child allowances or alimony, and are often denied access to pensions and inheritance. Not being legally married, they cannot even obtain a family record—a document required by law in Egypt for many official purposes.”

The roots of this injustice lie in Presidential Decree No. 263, issued by President Nasser in 1960, which dissolved Bahá'í institutions, banned the Faith's activities, and suppressed its community life. For example, Bahá'ís have been arrested for speaking about their beliefs to friends in their own homes, and for participating in small, private gatherings to say prayers and to read their sacred writings. As the Bahá'ís stated to the Human Rights Commission, “The Decree is still used today to instigate police investigations, arrests, domicile searches, and the destruction of Bahá'í religious literature, and it is restrictively interpreted by the courts in ways that reduce the status of the Bahá'ís to that of second-class citizens.”

The media and the courts regularly denounce the Bahá'ís as apostates, and government appointees have given “an air of official approval” to incitement to hatred and violence against the Bahá'í community, refusing to take action against calls for its members to be killed.

The Bahá'í International Community brought these violations of freedom of religion or belief to the attention of a subcommission of

the UN's Human Rights Committee during its 2002 session. While the Committee deplored the ban on worship imposed on the community, official "obstructions and restrictions" that specifically target them have not been removed.

In summary, the conditions under which the Bahá'ís in countries such as Iran and Egypt suffer can best be described as sustained harassment and slow strangulation, which are harder to monitor than executions and imprisonments. Nevertheless, such systematic action is extremely damaging, and the attention of the international community is one of the few means by which Bahá'ís in those countries may dare to hope for redress.