

KEY FINDINGS

In the past year, religious freedom in Iran continued to deteriorate for both recognized and unrecognized religious groups, with the government targeting Baha'is and Christian converts in particular. While several high-profile Baha'i prisoners were released during the reporting period following completion of their sentences, others were arbitrarily detained based on their religion, and long-term trends of economic and educational persecution of the community continue. Christian converts and house church leaders faced increasingly harsh sentencing; many were sentenced to at least 10 years in prison for their religious activities. Religious reformers and dissenters faced prolonged detention and possible execution, while the government's growing ability to enforce official interpretations of

religion online posed new threats to the freedom and safety of internet users. In a new, troubling development, the suspension of a Zoroastrian elected to the local council of Yazd sparked national debate about limiting the political rights of religious minorities. While the Rouhani Administration signaled its intent to address some religious freedom violations, these promises have yet to be implemented and the number of individuals imprisoned for their beliefs continues to climb. Based on these particularly severe religious freedom violations, USCIRF again recommends in 2018 that Iran be designated as a "country of particular concern," or CPC. Since 1999, the U.S. Department of State has designated Iran as a CPC under the International Religious Freedom Act (IRFA), most recently in December 2017.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate Iran as a CPC under IRFA;
- Ensure that violations of freedom of religion or belief and related human rights are part of multilateral or bilateral discussions with the Iranian government whenever possible;
- Work closely with European and other allies to apply pressure through a combination of advocacy, diplomacy, and targeted sanctions for religious freedom abuses, especially leading up to Iran's 2019 Universal Periodic Review;
- Press for and work to secure the release of all prisoners of conscience;
- Speak out publicly and frequently at the highest levels about the severe religious freedom abuses in Iran, and highlight the need for the international community to hold authorities accountable in specific cases;
- Identify Iranian government agencies and officials responsible for severe violations of religious freedom, freeze those individuals' assets, and bar their entry into the United States, as delineated under the Comprehensive Iran Sanctions, Accountability, and Divestment Act (CISADA), the Global Magnitsky Human Rights Accountability Act, and related executive orders, citing specific religious freedom violations;
- Call on Iran to cooperate fully with the United Nations (UN) Special Rapporteur on the human rights situation in Iran, including allowing the Special Rapporteur—and other relevant UN entities, such as the UN Special Rapporteur on freedom of religion or belief and the Working Group on Arbitrary Detention—to visit;
- Maintain leadership in supporting an annual UN General Assembly resolution condemning severe violations of human rights—including freedom of religion or belief—in Iran and calling for officials responsible for such violations to be held accountable; and
- Use appropriated funds to advance internet freedom and protect Iranian activists by supporting the development and accessibility of new technologies and programs to counter censorship and to facilitate the free flow of information in and out of Iran.

The U.S. Congress should:

- Continue to pass resolutions condemning the Iranian government's repression of the religious minorities, such as the Baha'i community; and
- Reauthorize and ensure implementation of the Lautenberg Amendment, which aids persecuted Iranian religious minorities and other specified groups seeking refugee status in the United States, and work to provide the president with permanent authority to designate as refugees specifically defined groups based on shared characteristics identifying them as targets for persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

COUNTRY FACTS

FULL NAME

Islamic Republic of Iran

GOVERNMENT

Theocratic Republic

POPULATION

82,021,564

GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Shi'a Islam (Jaafari and Zaydi), Sunni Islam (Maliki, Hanafi, Shafi'i, Hanbali), Christianity, Judaism, Zoroastrianism

RELIGIOUS DEMOGRAPHY*

99% Muslim (89–94% Shi'a, 5–9% Sunni)
< 1% Other (includes Baha'is, Christians, Jews, Sabeen-Mandaeans, Zoroastrians, and Yarsanis)

*U.S. Department of State

BACKGROUND

The Islamic Republic of Iran is a constitutional, theocratic republic that proclaims the Twelver Jaafari school of Shi'a Islam to be the official religion of the country. The constitution stipulates that followers of five other schools of thought within Islam—Maliki, Hanafi, Shafi'i, Hanbali, and Zaydi—should be accorded respect and permitted to perform their religious rites. The constitution recognizes only Christians, Jews, and Zoroastrians as protected religious minorities, free to perform their rites “within the limits of the law.” Five

(out of a total of 290) seats in the parliament are reserved for these groups (two for Armenian Christians and one each for Assyrian/Chaldean Christians, Jews, and Zoroastrians).

The government of Iran discriminates against its citizens on the basis of religion or belief, as all laws and regulations are based on unique Jaafari Shi'a Islamic criteria. Under Iran's penal code, *moharebeh* (“enmity against God,” vaguely defined and often used for political purposes) and *sabb al-nabi* (“insulting the prophet”) are capital crimes. Apostasy is not codified as a crime in the penal code; however, individuals are still tried as apostates because the constitution specifies that Shari'ah be

applied to any cases not explicitly addressed by the law. The UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and the UN Secretary-General have noted that these crimes are vague and broadly defined, leading to arbitrary interpretation and application. Since the 1979 revolution, many mem-

bers of minority religious communities have been arrested or executed, or have fled in fear of persecution.

In December 2016, President Hassan Rouhani publicly released a nonbinding Charter on

Citizens' Rights that promised, among other rights, recognition of all religious identities and nondiscriminatory legal protection. Members of Iranian religious minorities had hoped President Rouhani's 2017 reelection would lead to greater respect for their rights; however, little real change ensued. In August 2017, President Rouhani appointed Shahindokht Molaverdi as his assistant for civil rights, charged with implementing the charter. Meanwhile, growing numbers of religious minorities, dissident Shi'a Muslims, and human rights defenders have been subject to harassment, arrest, and execution for exercising rights nominally protected by the charter.

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In late December 2017, widespread protests broke out across Iran's provinces, initially sparked by economic grievances but spreading to include political issues including corruption, regional involvement, and the unchecked power of religious authorities like Ayatollah Khamenei. President Rouhani publicly acknowledged some of the protestors' complaints but warned them to refrain from violence or property destruction, while state security responded with force and the government disrupted internet access and blocked social media tools like Instagram and Telegram. By the time the protests dwindled in January 2018, just after the end of the reporting period, over 20 civilians had been killed and several thousand arrested. The head of Tehran's Revolutionary Court stated that detained protestors may face *moharebeh* charges, which carry the death penalty.

RELIGIOUS FREEDOM CONDITIONS 2017

Muslims

Over the past few years, Iranian authorities have charged many reformers within the Shi'a community with "insulting Islam," criticizing the Islamic Republic, and publishing materials that allegedly deviate from Islamic standards. Dissident Shi'a cleric Ayatollah Mohammad Khomeini Boroujerdi, arrested in 2006, was released on medical leave in January 2017 after suffering physical and mental abuse while in prison. Following his release, Ayatollah Boroujerdi has lived under de facto house arrest, summoned repeatedly for questioning and banned from receiving visitors.

The Sunni Muslim population in Iran is concentrated in underdeveloped areas and experiences discrimination in employment and political leadership, and many Sunni activists report harsh treatment in prison due to their religious practices. At least 140 Sunni prisoners reportedly are detained on charges related to their beliefs and religious activities. Human rights groups also allege that communal punishment of the Sunni community through prolonged detention and harassment have intensified following the June 2017 attacks in Tehran by the Islamic State of Iraq and

Syria (ISIS). The repeated requests of Tehran's Sunni community to build an official mosque in the city have all been refused; they therefore hold prayers in smaller spaces they refer to as "prayer halls." In August and September 2017, prominent Sunni leader Molavi Abdul Hamid and Supreme Leader Ayatollah Ali Khamenei exchanged a series of public letters regarding anti-Sunni discrimination in employment and mosque construction. Khamenei wrote that "no kind of discrimination or inequality by the institutions of the Islamic Republic is allowed based on race, ethnicity or religion," an assertion in stark contrast to the lived reality of Sunni communities.

Adherents to Sufi orders, which emphasize the mystic elements of Islam, are targeted for "following a deviant sect" that does not conform to the state's official interpretation of Islam. Members of the Nematollahi Gonabadi Sufi order, Iran's largest, continued to face a range of abuses, including attacks on their prayer centers and homes; expulsion from educational and cultural institutions; and harassment, arrests, physical assaults, and travel bans on their leaders. Over the past year, authorities have detained dozens of Sufis,

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in prison on charges including "membership in a sect endangering national security." In late December 2017, as protests spread nationwide, security forces arrested five Gonabadi Sufis as they visited the hospitalized administrator of the Sufi website.

Baha'is

The Baha'i community, which at over 300,000 people is the largest non-Muslim religious minority in Iran, is deemed by the government a heretical, "deviant sect" whose members are de facto apostates. Baha'is are therefore the most severely persecuted religious minority in Iran, not recognized by the state, and denied their political, economic, cultural, and religious rights. While President Rouhani promised during his 2013

election campaign to end religious discrimination, the amount of anti-Baha'i propaganda aired on official channels has grown steadily. Since 2014, an estimated 26,000 pieces of anti-Baha'i media have run on official or semi-official channels.

Over the past 10 years, more than 1,000 Baha'is have been arbitrarily arrested. In April 2017, the UN Working Group on Arbitrary Detention stated that the 2016 sentencing of 24 Iranian Baha'is to lengthy prison terms was based solely on their religious beliefs and a "violation of their right as a religious minority." In October 2017, the 200th anniversary of the birth of the founder of the Baha'i faith, nearly 20 Baha'is were arrested and 25 homes raided. At the end of the reporting period, over 90 Baha'is were being held in prison solely because of their religious beliefs.

Those imprisoned include four of the seven high-profile Baha'i leaders known as the "Friends of Iran" or *Yaran*. Three of these leaders—Mahvash Sabet, Fariba Kamalabadi, and Behrouz Tavakkoli—were released in September, October, and December 2017, respectively, after completing 10-year sentences on false charges of espionage and spreading propaganda. Prior to the release of Sabet and Kamalabadi, USCIRF advocated on their behalf

as part of the Religious Prisoners of Conscience Project. The other four leaders—Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie, and Vahid Tizfahm—remained in prison at the end of the reporting period. Two Baha'i instructors imprisoned for their work with the outlawed Baha'i Institute for Higher Education were released from prison in 2017 following completion of five-year sentences. However, five other instructors remained in prison at year's end, and two more were summoned to begin prison terms in November and December 2017.

In April, July, and October 2017, Iranian authorities closed down dozens of Baha'i-owned shops for observing holy days. While some closures were temporary, many shops closed in 2016 remained shuttered at the end of the reporting period despite legal appeals, and over 600 shops have been closed since 2014. In November 2017, the President's Special Assistant for Citizens' Rights Affairs

Shahindokht Molaverdi stated that the Rouhani Administration would "follow legal procedures" to remedy the issue of closures.

Although the Iranian government maintains publicly that Baha'is are free to attend university, the de facto policy of preventing Baha'is from obtaining higher education remains in effect. Over 50 Baha'i students have reported being expelled during the academic year since 2013, despite high scores on standardized tests. In November 2017, three Baha'i students who wrote to the government to protest being denied enrollment in university were sentenced to five years in prison each on charges of "membership in the anti-state Baha'i cult."

In September 2016, Baha'i Farhang Amiri was stabbed to death by two brothers outside of his home in Yazd; the two men later reportedly confessed, saying they killed him because he was an apostate whose murder would guarantee them paradise. In July 2017, the

older brother convicted of the murder was sentenced to 11 years in prison and two years' exile, while the younger brother received five and a half years in prison. Under the Iranian penal code, murder of a Muslim carries the death penalty, while murder of

a Baha'i or other member of an unrecognized religion carries much lighter legal penalties.

Christians

Iran's Christian population, estimated at nearly 300,000, is divided between the traditional Armenian and Assyrian/Chaldean ethnic churches and the newer Protestant and evangelical churches. Members of the historical churches face extensive government surveillance and legal restrictions on construction and renovation of houses of worship. Evangelical Christians and Christian converts, however, are particularly targeted for repression because many conduct services in Persian and proselytize to those outside their community. Pastors of house churches are commonly charged with unfounded national security-related crimes, as well as apostasy and illegal house-church

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activities. During the year, government-controlled and progovernment media outlets continued to spread anti-Christian sentiment, while anti-Christian publications proliferated online and in print throughout Iran.

While Iranian authorities have for decades raided house church services and arrested hundreds of worshippers and church leaders, the severity of sentencing has increased in recent years. In May 2017, four evangelical Christians, three of them Azerbaijani citizens, were sentenced to 10 years in prison each for house church activities and evangelism. The following month, Pastor Youcef Nadarkhani, who previously served a prison sentence for apostasy and is among those highlighted by USCIRF's Religious Prisoners of Conscience Project, faced trial along with three codefendants because of their house church activities. Each of the four Christians was sentenced to 10 years in prison, with Nadarkhani receiving an additional two years in exile. In July, Pentecostal Assyrian Church Pastor Victor Bet Tamraz stood trial along with three other members of his community. Each of the four received 10- or 15-year sentences. In December, two members of the Church of Iran were convicted of false security-related crimes and sentenced to eight years in prison each, following their original arrest in 2012 during a raid on a prayer meeting.

In August 2017, Christian convert Maryam Naghash Zargaran, also one of the individuals highlighted in the Religious Prisoners of Conscience Project, was released after completing her four-year prison sentence. While leaving prison, however, Zargaran was issued a 50-million-to-man (over \$14,000) bail for allegedly insulting staff of the prison's hospital. She also reportedly received a six-month travel ban upon her release.

Other Religious Communities

Although the vitriolic sentiment was not as pronounced as in previous years, the government continued to propagate anti-Semitism and target members of the Jewish community on the basis of real or perceived "ties to Israel." Throughout the year, high-level clerics continued to make anti-Semitic remarks in mosques, while numerous programs broadcast on state-run television

advanced anti-Semitic messages. In December 2017, two synagogues in Shiraz were attacked and vandalized, leaving sacred texts destroyed. Discrimination against Iranian Jews, who number between 15,000 and 20,000, fosters a threatening atmosphere for the community.

In recent years, members of the Zoroastrian community, which numbers between 30,000 and 35,000 people, have come under increasing repression and discrimination. Following the May 2017 local elections, discrimination against the community rose to national prominence as a Zoroastrian elected in Yazd was suspended from his position due to his religion. The Guardian Council, a governmental body of jurists that assesses legislation for compliance with Islamic values, upheld his suspension based on a pre-election statement from its chairman, Ayatollah Ahmad Jannati, stating that non-Muslims cannot run for office in majority-Muslim areas, despite protections in the election law allowing members of recognized religions to do so. In December 2017, the Iranian parliament amended the national law on local councils, explicitly affirming the right of recognized religious minorities to hold office. However, this amendment was rejected by the Guardian Council, leaving the debate ongoing at the end of the year.

While the Iranian government considers followers of the Yarsan faith to be Shi'a Muslims who practice

Sufism, members identify as a distinct and separate religion (also known as *Ahl-e Haqq* or People of Truth, estimated to number over one million). Yarsanis whose religious identity is publicly known

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Mohammad Ali Taheri, a university professor and founder of a spiritual movement (*Erfan-e Halgheh* or Spiritual Circle), remains in prison after serving a

five-year sentence for “insulting religious sanctities.” In 2015, Taheri was sentenced to death before the Iranian Supreme Court overturned the death sentence. In August 2017, he was retried and once more sentenced to death for “spreading corruption on earth,” although the sentence reportedly was quashed in October and a retrial set for January 2018. Several dozen of Taheri’s followers were arrested in July and August 2017, and human rights organizations estimate that over 300 have been arrested since 2010. Many *Erfan* instructors and students were released shortly after being interrogated during the year.

Human Rights Defenders, Journalists, and Dissidents

Iranian authorities regularly detain and harass journalists, bloggers, and human rights defenders who criticize the Islamic revolution or the Iranian government. Over the past few years, a number of human rights lawyers who defended Baha’is and Christians in court were imprisoned or fled the country for fear of arrest. Author and human rights activist Golrokh Ebrahimi Iraee was convicted in 2016 of “insulting the sacred” based on her unpublished story in which a protagonist angered by stonings burns a Qur’an. In February 2017, Ebrahimi Iraee was released on a short leave but arrested soon afterward for failing to

return to prison on time. At the end of the reporting period, she remained imprisoned in Evin Prison. In October, poet and human rights activist Reza Akvanian was sentenced to three years in prison and 40 lashes for allegedly insulting the Twelfth Imam in his poetry.

The Iranian government exercises strict control over expression of religious ideas and dissent online as part of its broader censorship and targeted use of technology. Throughout 2017, several young people were convicted of “apostasy” or “insulting the sacred” online. In February 2017, Iranian courts sentenced Sina Dehghan and Mohammad Nouri to death for posting “anti-Islamic materials” on social media. In April, three young men were each sentenced to 12 years in prison based on their political and religious commentary on the popular messaging application

Telegram. In June, Iranian officials announced that they had reached an agreement with Telegram to block “anti-religious” content, shortly after a prominent cleric stated that unrestricted internet would be “a tool for the toppling of Islam.” According to various reports, Iranian government online attacks reveal that religious minority leaders, especially Baha’is, have been particularly targeted by pro-regime hackers exploiting vulnerabilities in the use of technology for advocacy and communication.

Women and Religious Freedom

The government’s enforcement of its official interpretation of Jaafari Shi’a Islam on all citizens regardless of their religion negatively affects the religious and human rights of women in Iran, including their freedoms of movement, association, thought, conscience, and religion or belief. The Iranian justice system does not grant women the same legal status as men; testimony by a man is equivalent to the testimony of two women. In addition, some provisions of the penal code create conditions supportive of violence

against women, including “honor” violence.

The “blood money” for the murder of a Muslim woman is one-half that of the blood money for a Muslim man’s murder.

According to the penal

code, murder committed by a female victim’s father or paternal grandfather is subject to light penalty, if any.

For most of the reporting period, Iranian authorities continued their enforcement of the strict dress code for women. By law, Iranian women, regardless of their religious affiliation or belief, must be covered from head to foot while in public or face imprisonment and fines. However, human rights organizations reported declining rigor in enforcement in Tehran, and in December 2017 Tehran police announced that they would no longer detain women in violation of the code. According to state-affiliated media, violators in Tehran will instead be required to attend Islamic education classes at state counselling centers. Media reports claimed that the dress code will remain enforced outside the capital and repeat violators in the city may still face charges.

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U.S. POLICY

In July 2010, then President Barack Obama signed into law the Comprehensive Iran Sanctions, Accountability, and Divestment Act (CISADA), which requires the president to submit to Congress a list of Iranian government officials or persons acting on their behalf responsible for human rights and religious freedom abuses, bars their entry into the United States, and freezes their assets. In August 2012, then President Obama signed the Iran Threat Reduction and Syria Human Rights Act (ITRSHRA), which enhances the scope of human rights-related sanctions contained in CISADA. Over the past seven years, the United States has imposed visa restrictions and asset freezes on 20 Iranian officials and 19 Iranian entities pursuant to CISADA, ITRSHRA, and various executive orders. The Obama Administration also worked with the European Union, Iran, and the P5+1 countries to implement the July 2015 Joint Comprehensive Plan of Action (JCPOA), designed to ensure that Iran's nuclear program would be exclusively peaceful.

Since President Donald Trump assumed office, the U.S. government has signaled a strict approach to relations with Iran, emphasizing accountability for Iran's destabilizing activities in the region. In April 2017, the U.S. Department of the Treasury sanctioned Tehran Prisons Organization and Sohrab Soleimani, a leader of the State Prisons Organization, under Executive Order 13553, marking the first new human rights sanctions designations relating to Iran since 2014. In April and July 2017, the Trump Administration certified to Congress that Iran had complied with the terms of the JCPOA. However, in October, President Trump refused to certify Iran's compliance with the plan. According to the terms of the JCPOA, Congress therefore had the opportunity to revisit the 2015 Iran Nuclear Agreement Review Act. The president also delivered public remarks in October outlining a new Iran strategy, which focuses on countering Iran's destabilizing activities, terrorist financing, missile proliferation, and possible development of nuclear weapons.

In 2017, the State Department repeatedly condemned Iran's human rights and religious freedom violations. In his August remarks at the launch of the State Department International Religious Freedom Report, then Secretary of State Rex Tillerson highlighted Iran's religious freedom violations, specifically denouncing the persecution of Christians and Baha'is,

as well as sentencings and executions for apostasy and *moharebeh*. The department also issued public statements throughout the year calling for the release of the Baha'i leaders and Mohammad Ali Taheri.

Throughout the year, high-level U.S. officials in multilateral fora and through public statements urged the Iranian government to respect its citizens' human rights, including the right to religious freedom. In November 2017, for the 15th year in a row, the U.S. government cosponsored and supported a successful UN General Assembly resolution on human rights in Iran, which passed 83 to 30, with 68 abstentions. The resolution expressed serious concern about ongoing violations of human rights, including freedom of thought, conscience, religion, or belief.