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2 March 2021

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Iran: Situation and treatment of Gonabadi dervishes and their family members by society and authorities, including whether dervishes can practice their faith in Iran (2018–February 2021)
Research Directorate, Immigration and Refugee Board of Canada

1. Overview

Sources indicate that the Gonabadi dervishes [Nematollahi Gonabadi [1]; Gonabadi Sufi] are the largest Sufi order in Iran (Australia 14 Apr. 2020, para. 3.64; Al Jazeera 27 Feb. 2018; RFE/RL 20 Feb. 2018). Sources estimate that there are two to five million followers (Australia 14 Apr. 2020, para. 3.64; Al Jazeera 27 Feb. 2018).

Radio Free Europe/Radio Liberty (RFE/RL) [2] states that members of the Gonabadi order are located throughout Iran (RFE/RL 20 Feb. 2018). An article in Zamaneh Media, an Amsterdam-based non-profit media organization focusing on Iran and other Persian-speaking countries (Zamaneh Media n.d.), states that Gonabadi dervishes reside "mostly" in major cities in Tehran, Isfahan and Lorestan provinces (Zamaneh Media 14 May 2019).

According to the *Annual Report 2020* of the US Commission on International Religious Freedom (USCIRF), Noor [Nour] Ali Tabandeh [also known as Majzoub Ali Shah] was the spiritual leader [*qotb*; *qutb*] of the Gonabadi dervishes until his death in December 2019 (US 28 Apr. 2020, 24). The same source reports that Tabandeh had appointed Alireza Jazbi to succeed him, but that, as of the end of 2019, Jazbi's leadership was being contested by Tabandeh's nephew with the support of an "anti-Sufi cleric linked closely to senior Iranian government officials" (US 28 Apr. 2020, 25). Further and corroborating information on the current spiritual leader of the Gonabadi dervishes could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

1.1 Beliefs and Practices

Sources indicate that Gonabadi dervishes "consider themselves" Twelver Shia [Shi'a, Shiite] Muslims (IHRDC 5 Nov. 2020, Sec. 2; HRW 15 Mar. 2018). Sources state that members pray five times a day and fast during Ramadan (RFE/RL 20 Feb. 2018) or "pray, fast, and perform religious rituals in accordance with the treatises of senior Shi'a clerics" (IHRDC 5 Nov. 2020, Sec. 2). A country information report on Iran by the Australian Department of Foreign Affairs and Trade (DFAT) indicates that Sufi rituals include playing music, dancing, and singing (Australia 14 Apr. 2020, para. 3.64). RFE/RL notes that the Gonabadi dervishes also read "spiritual poetry" as part of their rituals (RFE/RL 20 Feb. 2018).

Sources state that Sufis reject the concept of *velayat-e faqih* ["rule of the clergy" (BBC 20 Feb. 2018) or "[g]uardianship of the [j]urist" (IHRDC 5 Nov. 2020, Sec. 3.5)] (BBC 20 Feb. 2018; IHRDC 5 Nov. 2020, Sec. 3.5), which is the "main pillar of the Islamic Republic's ideology" (BBC 20 Feb. 2018). According to the *Oxford Dictionary of Islam*, a *faqih* is an "expert in Islamic jurisprudence" (*The Oxford Dictionary of Islam* n.d.). USCIRF's *Annual Report 2020* explains that Iran's system of governance has been based on the doctrine of *velayate faqih* since the 1979 Islamic Revolution; the country's "supreme leader" is also a religious scholar (US 28 Apr. 2020, 24). A November 2020 report on Gonabadi dervishes by the Iran Human Rights Documentation Center (IHRDC), a non-profit organization formed by human rights scholars and lawyers to create a historical record of the human rights situation in Iran (IHRDC n.d.), notes that Noor Ali Tabandeh published an article in the 1980s arguing against *velayat-e faqih* (IHRDC 5 Nov. 2020, Sec. 3.5).

2. Situation and Treatment of Gonabadi Dervishes

2.1 Legislation

Article 12 of the Constitution of the Islamic Republic of Iran 1979 provides that the "official religion of Iran shall be Islam and faith Jafari Athna Ashari, and this article shall be eternal and immutable. Other Islamic faiths such as the Hanafi, Shafei, Maleki, Hanbali and Zaidi, shall enjoy full respect" (Iran 1979). Article 13 provides that "Zoroastrians, Jews and Christians shall be the only recognized religious minorities who, within the limits of law, shall be free to carry out their religious rites and practice their religion in personal status and religious education" (Iran 1979).

Sources indicate that Iranian authorities view Sufism as a "deviant sect" (US 29 Apr. 2019, 3; UN 18 July 2019, para. 65). The UN Special Rapporteur on the situation of human rights in Iran indicates that non-recognized religious minority groups, including the Gonabadi dervishes, are "targets of discriminatory legislation and practices," since they are excluded from the national legal framework (UN 18 July 2019, para. 34).

2.2 Treatment by Society

RFE/RL reports that there is tension between Orthodox Muslims and Sufis in Iran (RFE/RL 20 Feb. 2018). The Australian DFAT's country information report notes that Shia clerics have "denounced" the Gonabadi dervishes in sermons and public statements (Australia 14 Apr. 2020, para. 3.66). The November 2020 IHRDC report indicates that "one of the most senior Shi'a clerics" at Qom Seminary directed his followers to avoid socializing with, befriending, or marrying dervishes (IHRDC 5 Nov. 2020, Sec. 3.7.4).

Sources report that Gonabadi dervish places of worship have been attacked (Ceasefire, et al. Mar. 2018, 26) or destroyed (UN 18 July 2019, para. 65; Journalist 19 Jan. 2021). Sources note that a Sufi worship centre in Qom was destroyed in 2006 (RFE/RL 20 Feb. 2018; IHRDC 5 Nov. 2020, Sec. 5.2; Al Jazeera 27 Feb. 2018). The November 2020 IHRDC report states that a house used as a dervish prayer centre in the Shahr-e Kurd municipality in Chaharmahal and Bakhtiari province was ordered to be destroyed in 2013 (IHRDC 5 Nov. 2020, Sec. 5.6.2, 5.8.1).

Sources state that minorities, [especially non-recognized religious minorities (UN 18 July 2019, para. 41)], face "serious hurdles" in accessing employment in the public sector and "reportedly" from some private employers as well (UN 18 July 2019, para. 41, 42) or "generally lack equal access to public sector jobs" and are also "excluded from many other social and economic sectors" (Bertelsmann Stiftung 2020, 26).

Sources report that some Gonabadi dervishes have been dismissed from their work due to their religion (Al Jazeera 27 Feb. 2018; Australia 14 Apr. 2020, para. 3.66). In correspondence with the Research Directorate, a journalist, who is also an administrator of the Majzooban Noor [Majzooban-e Noor] website [3] and a Gonabadi dervish rights activist, stated

that dervishes are banned from employment with the government, university faculties and other higher education institutions (Journalist 19 Jan. 2021). In correspondence with the Research Directorate, the Executive Director of Minority Rights Group International (MRG) [4] indicated that the "state-sanctioned" intimidation of Gonabadi dervishes has resulted in a "climate of distrust which has downstream negative impacts and consequences" including in employment and housing, especially for members of the order who "display their religious affiliation in any manner" (MRG 29 Jan. 2021). The November 2020 IHRDC report notes that a Gonabadi dervish and Iran-Iraq war veteran lost his disability benefits due to his faith (IHRDC 5 Nov. 2020, Sec. 5.1.3, 9.6).

Sources indicate that some Gonabadi dervishes have been prevented from accessing university education due to their religion (Al Jazeera 27 Feb. 2018; Australia 14 Apr. 2020, para. 3.66; Bertelsmann Stiftung 2020, 26). The November 2020 IHRDC report notes that in 2018 a Gonabadi dervish student at the Islamic Azad University in the city of Bandar Abbas [Bandar-e 'Abbās] in Hormozgan province was "verbally informed" of her dismissal due to her faith (IHRDC 5 Nov. 2020, Sec. 9.5). The Center for Human Rights in Iran (CHRI), a New York-based non-profit organization researching and documenting rights violation in Iran (CHRI n.d.), reports that a Gonabadi dervish graduate student was expelled from Tarbiat Modares University in Tehran in February 2018 after refusing to sign a pledge to "comply with all ethical, ideological and political principles" of the university's laws and regulations (CHRI 10 Feb. 2018). A spokesperson for Majzooban Noor interviewed in the same article indicated that the expelled student was not "engaged in any activities" and added that "only the dervishes" were being asked to sign the pledge (CHRI 10 Feb. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.3 Treatment by Authorities

Sources indicate that Sufis are "targeted by the government" (US 29 Apr. 2019, 3; *The Economist* 23 Jan. 2021). The BBC states that the Gonabadi dervishes face "sporadic harassment" by "state-backed hardline groups" (BBC 20 Feb. 2018).

Sources indicate that Gonabadi dervishes are seen as a "threat" (Al Jazeera 27 Feb. 2018) or "direct challenge to the religious establishment" (MRG 29 Jan. 2021). In an interview with Zamaneh Media, the Executive Director of the CHRI stated that the dervishes are targeted because they do not follow the "official state version of religion and their popularity and growth have alarmed authorities" (Zamaneh Media 14 May 2019). A January 2021 article by the *Economist* on Iranians leaving the Shia faith and experimenting with other religions

similarly reports that a "growing number of Iranians" are attending Gonabadi retreats and adds that when compared to other alternative faiths, the clerics view Sufism as "a bigger threat" (*The Economist* 23 Jan. 2021). According to the MRG Executive Director,

the nature of the threat perceived by the regime [from the Gonabadi dervishes] results in regular attempts to intimidate and prevent its believers from practising their faith in Iran. The general climate is one where attacks may take place against places of worship, with arrests ensuing of members of the community who protest against such action. (MRG 29 Jan. 2021)

According to sources, in February 2018 Gonabadi dervishes were protesting the arrest of one of their members at a police station in the Pasdaran neighbourhood in Tehran when clashes broke out between the protesters and the police (HRW 15 Mar. 2018; Al Jazeera 27 Feb. 2018). Human Rights Watch (HRW) reports that "at least" three police officers and a Basij member died (HRW 15 Mar. 2018), while Al Jazeera cites Iranian authorities as stating that three police officers and two Basij members were killed (Al Jazeera 27 Feb. 2018). Sources note that 300 (IHRDC 5 Nov. 2020, Sec. 5.10.2) or "over" 300 (HRW 15 Mar. 2018) protesters were arrested (HRW 15 Mar. 2018; IHRDC 5 Nov. 2020, Sec. 5.10.2). Sources indicate that ["at least" (IHRDC 5 Nov. 2020, Sec. 5.10.2)] 208 dervishes arrested during the February protests were sentenced to jail terms [varying between four months and 26 years (HRW 29 Aug. 2018)], floggings, internal exile, travel bans and bans from joining social and political groups (IHRDC 5 Nov. 2020, Sec. 5.10.2; HRW 29 Aug. 2018).

Sources state that journalists covering the February 2018 dervish protests were arrested (RSF 22 Aug. 2018; CPJ 31 Aug. 2018). Sources indicate that in August 2018, six staff members of the Majzooban Noor website were sentenced in absentia to prison terms between 7 and 26 years, as well as floggings, internal exile and two-year bans on "journalistic activity" (RSF 22 Aug. 2018; US 29 Apr. 2019, 3-4), [for charges including "'disturbing public order'," "'propaganda against the state'," and "'reporting information about the dervish minority to opposition media'" (Freedom House 2020, Sec. C3)].

Sources note that jailed Gonabadi dervishes experienced ["ill-treatment" (UN 18 July 2019, para. 66)], including beatings, and were prevented from accessing legal counsel and medical care (UN 18 July 2019, para. 66; CHRI 8 Apr. 2019). Sources indicate that some female dervish protesters were placed in the same ward as other prisoners, contrary to prison regulations (IHRDC 5 Nov. 2020, Sec. 5.10.2; UN 18 July 2019, para. 66) which stipulate that "political prisoners" have to be separated from other offenders (IHRDC 5 Nov. 2020, Sec. 5.10.2).

Sources report that ["at least" (IHRDC 5 Nov. 2020, Sec. 5.10.2)] 39 Gonabadi dervishes have been released from prison due to COVID-19 but ordered to complete their exile sentences (IHRDC 5 Nov. 2020, Sec. 5.10.2; VOA 28 May 2020). The November 2020 IHRDC report states that forcing "pardoned or paroled" prisoners to complete their exile

sentence is contrary to article 98 of Iran's Criminal Code, which provides that "[p]ardon shall remove all the effects of the conviction,' except payment of *diya* [compensation] and damages" (IHRDC 5 Nov. 2020, Sec. 5.10.2), while a May 2020 article by Voice of America (VOA) [5] states that Iranian law is "unclear" on whether the commutation of a jail sentence by means of a pardon releases the individual from other parts of the sentence (VOA 28 May 2020).

Sources indicate that following the 2018 protests, "state" (BBC 20 Feb. 2018) or "pro-government" (IHRDC 5 Nov. 2020, Sec. 5.1.1) media compared the Gonabadi dervishes to the Islamic State of Iraq and Syria (ISIS) [Islamic State of Iraq and al-Sham, Islamic State (IS), Islamic State of Iraq and the Levant (ISIL), Daesh] (IHRDC 5 Nov. 2020, Sec. 5.1.1; BBC 20 Feb. 2018).

Sources report that as of 2019, [Noor Ali Tabandeh] had been on house arrest since the February 2018 protests (US 29 Apr. 2019, 3; UN 18 July 2019, para. 67). A November 2019 CHRI article indicates that Tabandeh was hospitalized for "undisclosed medical issues" on 15 October 2019 and subsequently started a hunger strike (CHRI 6 Nov. 2019), while USCIRF's *Annual Report 2020* notes that Tabandeh began a hunger strike in November 2019, was hospitalized and "denied access to his doctors and advisors," and then passed away in December (US 28 Apr. 2020, 25). The Associated Press (AP) cites the "semi-official" Iranian Students' News Agency (ISNA) as indicating that Tabandeh died after "suffering from several illnesses" (AP 24 Dec. 2019). Radio Farda, the Persian language broadcaster of RFE/RL (Radio Farda n.d.), reports that Tabandeh died after being "hospitalized for complications arising from old age and his hunger strike" (Radio Farda 24 Dec. 2019). According to the November 2019 CHRI article, "more than 70" jailed Gonabadi dervishes participated in a hunger strike in solidarity with Noor Ali Tabandeh and to protest the fact that Gonabadi religious centres had been closed since February 2018 (CHRI 6 Nov. 2019). Further and corroborating information on the closure of Gonabadi religious centres could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

A May 2019 CHRI article reports that the Majzooban Noor website was targeted by a state-sponsored Distributed Denial of Service (DDoS) attack [6] from 5 to 7 May 2019, which blocked access to the site "for many hours" (CHRI 20 May 2019). Sources report a malware-based cyberattack in February 2018 targeting the administrator (Article18 23 Sept. 2020) or administrators (CHRI 20 May 2019) of Majzooban Noor, which was ["very probably" (Article18 23 Sept. 2020)] state-sponsored (CHRI 20 May 2019; Article18 23 Sept. 2020).

2.4 Treatment of Family Members by Authorities

Information on treatment of family members of Gonabadi dervishes by authorities was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

A March 2018 joint statement by Amnesty International, CHRI, HRW and Justice for Iran reports that the family members of a Gonabadi dervish who was arrested on 20 February 2018 and died in "unclear" circumstances were "threatened" with arrest for speaking to the media (Amnesty International, et al. 13 Mar. 2018). The November 2020 IHRDC report indicates that the security forces only returned the body to the family when they agreed to bury him at night without a ceremony (IHRDC 5 Nov. 2020, Sec. 5.10.4), while the joint statement by Amnesty International, et al. notes that the family was "coerced" into conducting the burial at 2 a.m. with police in attendance (Amnesty International, et al. 13 Mar. 2018).

The May 2020 VOA article indicates that the Tehran-based family members of a Gonabadi dervish who was transferred to a prison in the city of Shiraz, contrary to Iran's criminal code requiring prisoners to be jailed "as near as possible to their place of residence," believe that his transfer is intended as punishment for the family since some of the relatives are also dervish activists (VOA 28 May 2020). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.5 Whether Gonabadi Dervishes Can Practise Their Faith

Information on whether Gonabadi dervishes can practise their faith was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

The Australian DFAT's country report indicates that members of non-recognized religions are "prohibited from expressing their faiths publicly" and adds that dervishes are banned from gathering publicly (Australia 14 Apr. 2020, para. 3.27, 3.64). According to the November 2020 IHRDC report, the Supreme Leader Ali Khamenei stated in response to an *istifta* [7] that it is "not permissible" to attend dervish gatherings (IHRDC 5 Nov. 2020, Sec. 3.7.1). The MRG Executive Director further observed that the Supreme Leader's *fatwa* against the dervish community is "effectively a licence to restrict practice and spread of the faith" (MRG 29 Jan. 2021).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

- [1] The Iran Human Rights Documentation Center (IHRDC) explains that Nematollah Wali was the founder of the Gonabadi order (IHRDC 5 Nov. 2020, Sec. 2).
- [2] Radio Free Europe/Radio Liberty (RFE/RL) is an American news broadcaster funded by US Congress through the US Agency for Global Media (USAGM), a US federal government agency that "oversees all [US] civilian international media" (RFE/RL n.d.).
- [3] According to its website, Majzooban Noor is an online news publication, created and maintained by a group of lawyers and dervish rights activists, focusing on news related to the Sufi community (Majzooban Noor 10 Oct. 2010).
- [4] The Executive Director of Minority Rights Group International (MRG) indicated that the information provided to the Research Directorate was based MRG's work with minorities in Iran and the Iranian diaspora, as well as information from other organizations, including the November 2020 report by the IHRDC and "[r]ecent reports" from the UN Special Rapporteur on the situation of human rights in Iran (MRG 29 Jan. 2021).
- [5] Voice of America (VOA) is a part of the USAGM and is funded by the US Congress (VOA n.d.).
- [6] The BBC indicates that a Distributed Denial of Service (DDoS) attack is an "attempt to take a website offline by overwhelming it with internet traffic" (BBC 7 Mar. 2016).
- [7] The November 2020 IHRDC report explains that an *istifta* is a "formal inquiry for a ruling on a point of Islamic law given by a *faqih*" [an "expert in Islamic jurisprudence" (*The Oxford Dictionary of Islam* n.d.)], and the response to an *istifta* is a *fatwa*, which is "binding to the followers of the *faqih* who issued it" (IHRDC 5 Nov. 2020, Sec. 3.7.1).

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Oral sources: Assistant professor at a US university who has conducted research on contemporary Sufi thought and practice in Iran; Center for Human Rights in Iran; International Organisation to Preserve Human Rights; journalist based in the US who covers Iran; lecturer at a UK university who has conducted research on the development of Sufi orders in Iran; senior lecturer at an Australian university who specializes in Sufism.

Internet sites, including: ecoi.net; Factiva; France – Office français de protection des réfugiés et apatrides; IranWire; *The New York Times*; *Tehran Times*; UN – Refworld; US – Department of State.

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