



General Assembly

Distr.: General
XX August 2023

English only

Human Rights Council

Fifty-fourth session

11 September–13 October 2023

Agenda item 4

Human rights situations that require the Council's attention

Written statement* submitted by Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 August 2023]

* Issued as received, in the language of submission only.

Human Rights Situation in Iran: Persecution of members of the Baha'i religious minority

With several million followers worldwide, the Baha'i religion is an independent, monotheistic world religion. In their country of origin, Iran, the Baha'is form the largest non-Islamic religious minority. The history of persecution of Baha'is in Iran dates back to the beginnings of their religion in 1844, and Baha'is have been systematically persecuted since the 1979 Islamic Revolution. The Iranian state even formulated its own state doctrine in 1991 with the goal of eliminating Baha'is as a viable community in Iran and abroad.

Baha'is have been continuously persecuted for their faith over the past 44 years. But the intensification over the past 12 months, with a recent wave of arrests is beyond disturbing. In the past weeks alone, there have been over 180 incidents of persecution against the Baha'i community. This brutal crackdown is reminiscent of August 2022, where over 300 incidents of persecution against the Baha'is occurred in one month alone.

Among others, three members of the former unofficial governing body of the Iranian Baha'i community were arrested on July 31, 2022, and have since been sentenced to arbitrary prison terms of ten and seven years, respectively. This comes after they had already spent ten years in arbitrary detention from 2008 to 2018 solely because of their religious affiliation. Their state of health is extremely worrying and - according to medical certificates - does not allow them to be imprisoned. Ms. Mahvash Sabet, for example, suffers from osteoporosis, severe asthma and joint pain due to her previous imprisonment. These three prisoners of faith are denied urgently needed medical treatment, as well as access to their lawyer or family. Ms. Fariba Kamalabadi, who is serving her prison sentence with Ms. Sabet in Evin Prison, is also denied her urgently needed medical care.

The third member of this committee, Mr. Afif Naimi, was sentenced in Karaj in February 2023 along with twelve other Baha'is to long prison terms, which were upheld by the Court of Appeals in June 2023. They were all convicted under the new paragraphe 500 bis of the Penal Code, which specifically targets membership and activity in non-recognized religious communities. They were charged with conducting children's and youth groups. On similar charges, 14 Baha'is were sentenced to a total of 31 years by the Revolutionary Court in Khaemshahr in June 2023.

Another 90-year-old member of this committee, Mr. Jamaloddin Khanjani, who has also previously served 10 years in prison for his belief, was arrested on August 13 2023, alongside nine other Baha'is. These new arrests have taken the number of Baha'is arrested or imprisoned in recent weeks to almost 60 incidents. During the same period, over 26 Baha'is also received sentences for jail terms that could begin at any time. Further, 18 Baha'is have faced interrogations. Fifty-nine Baha'i-owned businesses were reported to have been sealed by the authorities and the homes of nine others were raided and searched.

On June 28, 2023, it was announced that the couple Mr. Vesal Momtazi and Mrs. Anisa Samieyan, were sentenced by the Revolutionary Court in Rasht to a total of nine years, six months and four days in prison. The young couple are parents of two boys aged five years and three months respectively. The court hearing was held in absentia on March 25, 2023, so the couple was unable to defend themselves.

In June 2023, four Baha'is were arrested for taking legal action against the authorities burying their relatives in Khavaran Cemetery in Tehran against the wishes of their relatives and in violation of Baha'i burial laws. The cemetery itself is a political issue because thousands of political prisoners who were executed for their beliefs in the 1980s are buried there. The Baha'is refuse to be buried in these graves so as not to add to the burden of their grieving relatives, who to this day have not received justice.

Background:

Since April 2021, Baha'is in Tehran have faced increasing challenges in managing and operating the Tehran Baha'i Cemetery. The Baha'i community in Tehran originally owned an approximately 80,000 square meter cemetery dating back to before the Islamic Revolution. This property was confiscated in 1980, and after its destruction in 1992, the Baha'i community purchased 27,000 square meters of barren land without any facilities on the site that is now the Khavaran Cemetery Complex. The Baha'i community of Tehran has since made great sacrifices to create a green space with the necessary buildings and facilities for the Baha'i cemetery, despite having minimal civil rights and being subjected to constant harassment by security and administrative authorities.

In a systematic and coordinated effort between the Ministry of Intelligence and the Tehran Cemetery Organization (Behesht-e Zahra), the latter have taken over the administration and control of the Baha'i cemetery and are making increasingly difficult and unreasonable demands on Baha'is as they seek to bury their deceased.

The Baha'is complaints and grievances against this unjust situation have been ignored by the authorities and the courts and have so far led to no result. Since taking control of the cemetery, the intelligence officer Mr. Momeni has taken the following actions:

- Seizure of the Baha'i cemetery office.
- Termination of Baha'i personnel.
- Illegal and arbitrary change of the name of the Baha'i cemetery to Khavaran Cemetery.
- Illegal change in burial policy to double-person graves, even though the Baha'i cemetery is spacious and would have room for single graves for many years to come.
- Obstructing burials in some cases.
- Preventing the erection of gravestones, as has always been practiced.
- Charging additional burial fees beyond those paid by other minorities.
- Officials have presumptuously suggested to the families of the deceased that if they wish to waive the fee and conduct their own ceremonies for their dead, they must bury the bodies of their loved ones on the adjacent Khavaran property where those executed in the 1980s were buried.
- Interfering with obtaining burial permits and receiving the bodies by forcing the families to obtain a letter of authorization from himself (Mr. Momeni) for burial in the Baha'i cemetery.
- Refusal to complete over 140 graves since October 2021.
- Insisting on burying the dead within 48 hours of death, even though Behesht-e Zahra allows the dead to be kept in a cold room at the morgue for up to six days.
- The unacceptable and undignified presence of Mr. Momeni as an observer at Baha'i funeral ceremonies, disrupting the necessary spiritual atmosphere.

Mr. Momeni's arbitrary actions, including denying Baha'is a dignified burial in accordance with Baha'i law, culminated on March 30, 2023, in a case in which he ordered and supervised the unceremonious burial of a deceased Baha'i, Mr. Behzad Majidi, in the absence of his family. This burial took place in the portion of Khavaran Cemetery that served as a mass grave for political prisoners and prisoners of conscience executed by the government in the early 1980s. On April 1, 2023, it became known that Mr. Momeni had transferred the body of another recently deceased Baha'i, Ms. Akhtar-Khavari, to the cemetery without the family's consent. Mr. Momeni then issued an ultimatum to the family:

if by April 3 the family had not made suitable arrangements to bury her in the Baha'i cemetery (on his terms), he would arrange for her to be buried in the part of the cemetery where the former mass grave was located (where Mr. Majidi is now buried). On April 1, 2023, it also became known that Mr. Momeni had instructed a worker at the cemetery to remove the edging that marks the boundary between the Baha'i cemetery and the adjacent mass grave portion of the cemetery complex. By removing the boundary stones, he apparently intends to eliminate the identity of the Baha'i cemetery and merge it with the adjacent mass grave area.

Society for Threatened Peoples calls on the Human Rights Council to urge the Iranian government to:

- End its systematic persecution of members of the Baha'i religious minority, especially

1. Baha'is must not be arrested or convicted because of their religious affiliation or educational activities. All arbitrary sentences against them must be immediately revoked and the detainees released. In any case, the detainees must be given the necessary medical treatment without delay. Baha'is must be granted the right to be present in criminal proceedings and to have a lawyer with access to files.

2. All Baha'is must have the same right to equal education and employment as their fellow citizens: therefore, they must henceforth be granted access to universities and the civil service even if they identify themselves as Baha'is. Arbitrary store closures and the revocation of business licenses against Baha'is must be lifted immediately.

3. Baha'is must be allowed to bury their loved ones according to their burial laws and free from harassment.

4. State hate propaganda and state media disinformation against Baha'is must cease immediately.

Society for Threatened Peoples, NGO(s) without consultative status, also share the views expressed in this statement.