



# General Assembly

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## Human Rights Council

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Agenda item 2

**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General**

### **Written statement\* submitted by Verein Sudwind Entwicklungspolitik, 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.

[22 August 2013]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **An overview of the impact of traditional values on Christians in the Islamic Republic of Iran**

This report presents the failure of the Islamic Republic of Iran in securing the human rights of religious minorities including Iranian Christians, who live in Iran, by upholding traditional Islamic law and Sharia law through its legislation, judicial system and actions of governing and administrative bodies.

### **Constitution and Legislation**

The constitution of Iran provides relative freedom for religious minorities including Christians, however, in practice these rights are not upheld for reasons explained further in this report. The constitution through Articles 13, 14, 23, 26, 28, 32 and 38 grants freedom to Iranian Christians irrespective of their ethnic background or language to practise their religion within the law and deal with personal and religious teachings in accordance with Christian doctrine; it requires the government and Muslim citizens to treat Christians and non-Muslims in conformity with ethical norms and to respect their human rights, to respect their private beliefs by forbidding investigation of their belief; to grant them freedom to form societies and participate in related meetings. It also requires the government to provide employment opportunities for all citizens including Christian minorities and to create equal conditions for obtaining employment.

Therefore, the constitution provides freedom for Iranian Christians to form religious societies, which are now incorrectly labelled by the government as “House Churches”, and to attend these gatherings. Similar gatherings are held by Muslims called “Jalaseye Quran” which means Quran sessions. However, the Supreme Leader, Ayatollah Khamenei, other religious leaders and government officials have since 2008 publicly called the Christian gatherings as threats to the Islamic tradition, identity and religion and have since taken punitive measures especially against New Christians. These measures have been taken by criminalising such gatherings and religious activities through the judiciary who are given power by Article 4 of the constitution which states that “All civil, penal, financial, economic, administrative, cultural, military, political laws and regulations, as well as any other laws or regulations, should be based on Islamic principles. This principle will in general prevail over all of the principles of the Constitution, and other laws and regulations as well.”

### **Judiciary**

The judicial system according to Article 4 of the constitution is based on Islamic principles and in those areas which are not covered by post-revolutionary legislation, judges should act on the basis of their own knowledge of Islamic law; this is to promote and expand Islamic traditions and values in the society; by doing so however, the judiciary has actively infringed human rights of religious minorities including members of both born and converted Christian, Sunni, Yarsan, Dervish, Zoroastrian and Baha’i communities. Judges have repeatedly ruled that those who had converted from Islam to other religions such as Christianity or Bahaism are apostates. This is whilst Iran has ratified the International Covenant on Civil and Political Rights and must uphold the rights of those who change their religion from Islam. Examples of sentences made on apostasy are presented as follows:

- Death penalty: Reverend Hossein Soudmand was executed in Mashhad in December 1990 on the charge of inter alia apostasy.

- **Imprisonment:** Many new Christians have been arrested and detained over the last 6 years. Charges vary and include but are not limited to holding Christian belief, setting up Christian ceremonies at home and evangelising, membership in an illegal group, acting against public security, activities against Islam and cooperating with anti-government movements. Sentences are also different and include but are not limited to deprivation from education and/or imprisonment from 1 year to 10 years.
- **Right to family life:** Patriarchal judicial approach allows mothers to automatically have custody of their children after divorce only until the child reaches the age of 7. This discrimination is worse for women of religious minorities including Christians. Judges have ruled in several cases including Magda Montazami that Christian mothers are apostate and not fit to raise their children. Montazami was deprived of her right to raise her two year old daughter on this basis.
- **Marriage:** Christians who are of Muslim background are not allowed to get married in churches and have to conduct Islamic marriage ceremonies. Those couples, whose marriage is treated by the courts as void, could be condemned to stoning or 'Rajm' in accordance with the Islamic Penal Code because of adultery.

## Governing bodies

Governing bodies such as Ministry of Intelligence, Ministry of Education, Ministry of Islamic Culture and Guidance, Town Mayors and the police in protecting and promoting Islamic culture and tradition, have also infringed basic rights of religious minorities as set out below:

- **Education and access to the Bible:** Bible is not taught at schools to non-Armenian/Assyrian Christians. Even in Armenian schools the Bible is taught mainly by Muslim teachers. It is now more than twenty years that the Ministry of Culture and Guidance has not granted permission to Christian publishers to publish the Bible in Farsi and to distribute and sell the Bible in bookshops. The government confiscated and burnt thousands of Bibles translated in Persian which was distributed in Iran in 2010 and 2011.<sup>1</sup>

Officers of the Ministry of intelligence and the police have also closed Bible schools run by the “Kelisaye Markaz”<sup>2</sup>. According to websites linked to the government such actions have been taken to protect Islamic ideology and culture against spread of Christianity.

- **Construction and renovation of churches:** not only any licence to build or run a church has not been granted to Farsi speaking Christians despite complying with all relevant legal regulations, the government reportedly revoked the licence of a church in Tehran, obtained pre-revolution, when they realised most members were Farsi speakers. Churches which had obtained a licence pre-revolution were not allowed to buy any land in the church's name. The building of an old church in Kerman which was registered as a national heritage was demolished by the government in 2011.<sup>3</sup> They also closed down churches in various towns which held services in Farsi or Assyrian language, either through a court order or by threatening its leaders; the Assemblies of God church in Tehran, “Kelisaye Markaz”, is an example of the latter.
- **Private life:** the ministry of intelligence has recently required churches in Tehran to provide National Identity numbers, full names and residential address of their members and have installed CCTV cameras in some churches. These measures are not taken in mosques against Muslims. Furthermore, officers of the Ministry of

<sup>1</sup> <http://alef.ir/vdcayin0.49ne615kk4.html?7wml>

<sup>2</sup> <http://www.fcnn.net/index.php/fa/khabarha/akhbarmasihian/149-dastortatiljalesekalisa>

<sup>3</sup> <http://old.mehrnews.com/fa/NewsDetail.aspx?NewsId=1384568>

Intelligence and the police required employers to provide details of their employees who are of religious minorities. In recent years, when authorities raided houses of Christians, they confiscated their money, books, albums, films, Christian icons such as the cross. These measures are against the article 12 of the Universal Declaration of Human Rights (“UDHR”). Many Christians have also been banned from leaving Iran which is against article 13 of UDHR.

- **Hate speeches:** Several religious leaders and government officials in contravention of the constitution have publicly made hate speeches against Christians. Especially those labelled by the state as “evangelical Christians”, were affected of these hatred words, calling them deviant, enemies of Islam and Iran.<sup>4,5,6</sup>
- **Lack of due process:** apart from the government, religious families and friends have repeatedly abused Christians in Iran and at times carried out honour killings. The police however have repeatedly failed to carry out investigation and prosecution of the criminals.
- **Justice:** religious minorities have fewer rights than their fellow Muslim citizens in cases of murder and inheritance. Converts, in particular those who are considered as apostates, cannot inherit from Muslims whereas Muslims can inherit the estate of non-Muslims who are “apostates”.
- **Social discrimination:** Several harming traditional views are held by the general public in Iran. For example the members of Christian, Jew, Zoroastrian, Baha’i and all other minority religious communities are regarded as “Najes” meaning dirty, and religious people should not shake hand with them, touch them, or eat their food. Non-Muslim food sellers such as Armenians were required to put a notice outside their shops to state they belong to religious minorities so that Muslims do not buy from them. Such segregation in a society which is promoted by the rules and regulations has caused many Muslim people to regard Christians as non-Iranians and outsiders.

In conclusion, it is evident that protection of Islamic traditional values and laws through the legislative, judicial and governing system of Iran is over and above protection of human rights of individuals including religious minorities such as Christians specially those who are not from Orthodox Armenian or Assyrian background as they are regarded as threats to Islamic values and identity. It is proposed that the Islamic Republic of Iran should put in place, policies and legislations that would protect the human rights of minorities instead of regarding them as a threat.

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<sup>4</sup> <http://www.mehrnews.com/fa/NewsDetail.aspx?pr=s&query=20%/0,12&NewsID=1583909>

<sup>5</sup> <http://ashoora3.blogfa.com/8906.aspx>

<sup>6</sup> <http://old.mehrnews.com/fa/NewsDetail.aspx?NewsId=1468329>