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*Mission Permanente
de la République Islamique d'Iran
auprès des Nations Unies
et des autres Organisations Internationales à Genève*

In the name of God, the Compassionate, the Merciful

N° 2050/5615

The Permanent Mission of the Islamic Republic of Iran to the United Nations Office and other international organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights, and with reference to the note: UA G/SO 214 (56-23) Iran (2011-16) Minorities (2005-4) IRN 8/2014 dated 8 May 2014, UA IRN 17/2014 dated 20 August 2014 and the Statement dated 3/9/2014 regarding the claim of the destruction of Baha'is cemetery in Shiraz, has the honor to submit herewith the response of I.R. Iran.

The Permanent Mission of the Islamic Republic of Iran to the United Nations Office and other international organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights, the assurances of its highest consideration.



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The following information regarding the claim of the destruction of Baha'is cemetery in Shiraz has been provided by the "High Council for Human Rights of the Judiciary of the I.R. of Iran":

A) The situation of the cemeteries undergoing land use change in Iran

With regard to the growth of population and urban development plans in most of major cities of the country, the issue of public cemeteries located in the urban fabric has been raised. In Tehran, regional cemeteries have been totally closed, while even *Mesgar Abad* great cemetery (accommodating hundreds of thousands of graves) has been transformed into parks and cultural facilities. At the moment, 33 local cemeteries in Tehran which have already been closed are now ready for land use change. In the holy city of Qom, 23 cemeteries have been closed, and even Esfahan's historical cemetery, called *Takht-e Foolad*, has been totally closed and undergone land use change. In Shiraz, the land use of two cemeteries allocated to Muslims have been changed, too: one has been transformed into a park called "*National garden*" (*Bagh-e Melli*) located in *Hafezieh* crossroads, the other transformed into a bus terminal down "*Ahmadi No*" street.

B) Introducing the local situation of the Baha'is cemetery in question and plans for establishing cultural facilities therein:

The Baha'is cemetery is presently situated in the residential and commercial fabric of the city near the main boulevard (i.e. *Rahmat Blvd.*). With this cemetery being deserted, the residents of the district have complained and emphatically urged the land use change thereof. Accordingly, various plans have been proposed since 1982 regarding its land use change, including building public and cultural facilities therein.

C) The situation of the above-said cemetery:

Regarding the fact that the mentioned cemetery is included in the development plan of the city of Shiraz, and regarding the necessity of observing urban health considerations, the burial of new corpses in this cemetery was forbidden since the Iranian calendar year 1359 (A.D. 1980), just like many other Muslim and Christian cemeteries.

According to Note 6 Article 96 of the Municipalities Act, public graves are considered as a public property and hence owned by the municipality. According to Article 45 of the Municipalities' Financial By-law, cemeteries are considered the municipality's public properties. Furthermore, based on Article 9 of the Cemeteries' Health Regulations By-law, each person's grave has a time limit of 30 years, and according to the principles codified in laws and aforementioned by-law, a public cemetery is to be used by the public; in other words, it is not a person's private and personal property upon which they may apply their proprietary rights. Just like all other cemeteries, this place can undergo land use change and new facilities can be built upon it after 30 years have passed from the latest burial.

With regard to the decision adopted in the year 1980 concerning this cemetery, the land use change measures have been authorized since 2010. As is suggested by the text of the reporter's letter in question, no corpse has been buried in this cemetery for over 30 years now, while Baha'is residing in Shiraz have paid few visits to the same place during this time. It should be noted that changing the land use of this cemetery (after 30 years) does not by any means constitute desecration of the dead, rather it has been carried out in compliance with the requirements of urban development and public health protection, hence not exclusively related to any particular religious belief.

D) Allocating an alternative cemetery to Baha'is in Shiraz:

After the aforesaid cemetery was closed in 1980, and as per the request of Baha'i citizens, an equivalent property (called *Sheikh Deh*) in the outskirts of Shiraz was allocated to Baha'is, and they have since buried the corpses of their dead in the same place.

Conclusion:

1. In response to the received correspondences, the claims made are hereby basically refuted as incorrect and baseless.
2. With regard to the information presented above, no discrimination has been practiced against the Baha'is; since their public cemetery was situated within the

urban zone, it was closed and a suitable equivalent property was assigned to them, according to the normal urban administrative procedures in Iran.

3. The claim that the said cemetery is a historical one is baseless, no evidence existing as to its being registered as a historical site.

4. It is to hereby refute the comments ascribed to IRGC authorities as official; furthermore, as was mentioned earlier, making decisions concerning the said property and changing its land use has nothing to do with the comments ascribed to those authorities, and such decisions have been definitely adopted over 30 years ago with regard to urban issues.

5. Taking into consideration the above arguments, it was proved that the correspondences sent by some Baha'is to international bodies concerning the said cemetery contained false information, distorting normal urban realities. Due to various unfounded claims, the same were relegated to relevant departments in urban offices, upon which much time and energy were spent so as to study the records of the case, and finally the claims proved to be false and baseless.