



*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*

Ref. 2050/1611862

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 communication No. AI IRN 27/2022 dated 14 December 2022 concerning Baha'is, has the honor to transmit, herewith, the comment of the High Council for Human Rights of the Islamic Republic of Iran in that regard.

The Mission requests the latter to transmit this communication to the Working Group on Arbitrary Detention, Working Group on Enforced or Involuntary Disappearances, Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and Special Rapporteur on freedom of religion or belief for their considerations.

The Permanent Mission of the Islamic Republic of Iran 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.



Office of the United Nations  
High Commissioner for Human Rights  
Palais des Nations  
CH-1211 Geneva 10  
Emails: [registry@ohchr.org](mailto:registry@ohchr.org), [ohchr-registry@ohchr.org](mailto:ohchr-registry@ohchr.org)

شماره:

تاریخ:

پوست:



## **The Comments of the Islamic Republic of Iran on the 14 December 2022 Correspondence of the Special Procedures Mandate-Holders Regarding Baha'is**

In relation to the alleged cases raised in the 14 December 2022 correspondence regarding the Baha'is, the following points are presented for consideration and to rectify the approach of the Special Procedures Mandate-Holders.

- As previously stated in the comments on the 12 August 2022 correspondent, according to Article 19 of the Constitution of the Islamic Republic of Iran, all people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights. In addition, on the strength of Article 20 of the Constitution, all citizens of the Country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights in conformity with Islamic criteria. As per Articles 12 and 13 of the Constitution, the official religion of Iran is Islam, and Zoroastrian, Jewish, and Christian Iranians are the only recognized religious minorities who, within the limits of the law, are free to perform their religious rites and ceremonies and to act according to their own canon in matters of personal affairs and religious education. Along with the aforesaid religious minorities, the citizenship rights of the followers of the sects, including the Baha'is, are also respected. The observance of the citizenship rights of individuals is indeed deferred to the fulfillment of the legal duties and obligations of each person in society. The validity of any right is conditional upon the fulfillment of reciprocal duty, and this legal principle, i.e., placing the duty against the right, is recognized as the main principle in legal systems;
- Similar to other citizens, Baha'is in Iran enjoy citizenship rights and economic, social, cultural, and other facilities. The fact that they work in various economic and financial sectors, obtain bank loans, benefit from

شماره:

تاریخ:

پوست:

educational, health, law enforcement, judicial, insurance facilities, urban services, subsidies, and other facilities, and enjoy citizenship rights proves that there is no discrimination among the citizens of the Country. Based on the existing laws and policies of the Islamic Republic of Iran, all Baha'is benefit from citizenship rights, thus having a favorable relative status in cultural, economic, and social issues. Baha'is in Iran owe their success in economic activities to the facilities they have received from Government departments, especially banks and the ministries of Industry, Mine and Trade; Agricultural Jihad; and Cooperatives, Labor and Social Welfare. The Islamic Republic of Iran considers itself responsible for observing justice in judicial rights and maintaining the standards of and respect for all its citizens in courts;

- The claims made in the correspondence are politically-motivated and biased. Even the allegations of certain anti-Iranian media outlets have been repeated in the correspondence in question without any change in their language. Allegations such as "the systematic nature of these violations represents a continuous pattern.....affiliation." are the insinuations of the aforementioned media outlets which are affiliated with hostile countries and have no agenda other than disseminating falsehoods and painting a dark picture of realities in the Islamic Republic of Iran;
- The laws and regulations and the practical procedure of the institutions and executive bodies of the Country are emblematic of non-discrimination against and non-discriminatory treatment of all citizens, including the followers of the Baha'i sect. Undoubtedly, if a legal action is implemented in some cases, it is under three circumstances:
  - ✓ Several Baha'is have committed illegal actions such as unauthorized construction and confiscation of national lands and the like in some regions. Analogous to sections of society who commit property violations, the Baha'is are dealt with legally without discrimination. A

شماره:  
تاریخ:  
پوست:

case in point is the legal action taken based upon the judicial order in the village of Roshankoh in Mazandaran Province, which has already been commented on;

- ✓ Some Baha'is, like other members of society, have private plaintiffs and face prosecution due to personal disputes. Unfortunately, such cases have been deemed as politically-charged by hostile media outlets. In addition, some Baha'is – in order to flout the law, which is equal for all citizens – use the propaganda capacity of biased media to play the innocent on a large scale; and
  - ✓ A small group of Baha'is act against the Country's interests by engaging in or becoming a member of illegal groups without obtaining permission from the relevant authorities. They pursue their agendas in various ways by abusing other Baha'i citizens. This is while Article 19 of the Constitution states that all people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights; and color, race, language, and the like, do not bestow any privilege. Article 20 of the Constitution also stipulates that all citizens of the Country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights in conformity with Islamic criteria.
- While asserting that any arrest and search of houses, places, and objects are conducted only by order of the judicial authority and in compliance with the provisions of the Fifth Chapter of the Code of Criminal Procedure, enacted in 2013, and that those violating the said provisions face punishment, be advised that the investigations carried out into the statistics of judicial orders for arrest or search and inspection of houses, places, and objects show that a tiny percentage of such orders were issued for the Baha'i criminals.
  - The latest status of the persons mentioned in the correspondence is as follows:

شماره:  
تاریخ:  
پوست:

### **1. Fariba Kamalabadi, Mahvash Sabet & Afif Naemi:**

Regarding Fariba Kamalabadi, Mahvash Sabet, and Afif Naemi, be advised that the said individuals were temporarily arrested following an order of the judicial authority and sent to Evin prison for investigations on charges of setting up and being members of illegal organizations. They were detained for two months in an independent suite, NOT solitary confinement, for preliminary investigations. During this period, the abovementioned individuals have made more than 30 phone calls with their relatives and family members. Afif Naemi was released on bail after the investigations. Fariba Kamalabadi and Mahvash Sabet have been transferred to the general ward of Evin prison. Fariba Kamalabadi and Mahvash Sabet have been able to make phone calls in the general ward of Evin prison. The said individuals have been undergoing medical examinations on a daily basis during this period. Mahvash Sabet has even been sent to a hospital outside the penitentiary for more detailed medical examinations;

### **2. Payam Vali:**

The foregoing person was sentenced to 10 years in prison for the charge of cooperating with hostile countries through communication with the media against the Islamic Republic of Iran, inciting people to kill, riot, and create insecurity in the Country. The case is being reviewed in the Provincial Court of Appeals following the appeal made by the convict.

### **3. Ayda Rasti Ghalati:**

The abovenamed was released on 26 December 2022 after depositing a writ of security.

شماره:  
تاریخ:  
پوست:

**4. Enayatollah Naimi:**

Arrested on charges of forming and launching an illegal group to act against the security of the Country through the formation of a group named “Friends in Iran” or “Yaran” and making contacts with the Baha’i spy organizations of the Israeli regime, the said person was released on bail on 13 November 2022.

**5. Naim Vahidian:**

No person with the mentioned profile was found in any detention centers.

**6. Saman Khadem:**

The foregoing person was pardoned by Supreme Leader, his judicial case is closed, and is now free.

**7. Malika Malaki:**

The individual in question was arrested on the charge of publishing lies in cyberspace but was released on the same day despite filing a case following the pardon of the Supreme Leader. Her case is closed.

**8. Hami Bahadori:**

The judicial case opened against the abovenamed was sent to the Court with the indictment, and he is currently in prison. In addition, his confiscated belongings have been handed over to his family.

**9. Shayan Gholami & Shaghayegh Bahrami (Husband & Wife):**

شماره:  
تاریخ:  
پوست:

The case of the named persons has been closed due to the issuance of a writ of abandonment of prosecution. They are now free.

#### **10. Milad Sanaei:**

The mentioned person, who was arrested on the charge of inciting people to disrupt security, was released from prison on bail. His case is open for further investigations.

#### **11. Pouya Momtazi Sarraf:**

The mentioned person was arrested in November 2022 on charges of gathering and collusion to disrupt the Country's security through implementing the decrees of the main governing body of the Baha'is sect, Bayt-al Adl, located in the occupied Palestinian territories. He was released on bail in March 2022. It should be noted that his confiscated belongings (including technical items) have been returned thereto.

#### **Further Points for Consideration:**

- The Western countries' unflinching and unwavering support for the Baha'is via hostile media outlets, which is sometimes emboldened by international institutions, has provoked profiteers to abuse and instrumentalize the situation. Preparation of fake judicial documents regarding the issuance of the death penalty on charges of apostasy and the like by some of the followers of this sect who are seeking asylum and fabricated verdicts cited by UN offices in some countries serve as an example of profit-seeking;

شماره:  
تاریخ:  
پیوست:

- All the legal dealings with the Baha'is resulted from the illegal actions thereof. Like other countries, the behavior of the Islamic Republic of Iran with its citizens is *absque dubio* defined based upon the existing laws. What the Baha'i organization announces against Iran with non-constructive and biased intentions and using its capacity of bad media propaganda broadly and unrealistically is entirely indicative of the fact that the followers of this sect have gone beyond the framework of the law and have committed illegal and unlawful actions. Now that they have faced legal action, they try to stand against the law by highlighting and instrumentalizing their ideological orientation; and
- Notwithstanding extensive media hype, primarily fueled by the Baha'is in the international human rights forums, no person is persecuted, arrested, or imprisoned for merely holding a belief. Raising allegations about the arrest of certain individuals for ideological reasons by any authority is a politically-motivated and biased move to cover and justify the lawbreakers' illegal and unlawful actions.