

Mandates of the Special Rapporteur on freedom of religion or belief; the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, and the Special Rapporteur on minority issues

REFERENCE: UA
IRN 17/2014:

20 August 2014

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on freedom of religion or belief; Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; and Special Rapporteur on minority issues pursuant to Human Rights Council resolutions 22/20, 25/24, and 25/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **a Bahá'í cemetery in Shiraz, which has reportedly been recently vandalized and desecrated**. The destruction of the burial site has raised legitimate concern and fear among members of a local Bahá'í community, which feels discriminated against on account of its religious beliefs. In this context, we would like to express our grave concern and urge your Excellency's Government to investigate the situation and ensure the burial site is being protected.

The cemetery was the subject of a previous communication, dated 8 May 2014, by our mandates. A reply to this communication is still awaited from your Excellency's Government.

According to the information received:

In the beginning of August 2014 an old Baha'i cemetery in Shiraz, where approximately 950 Bahá'ís are buried, was vandalized and desecrated. Reportedly, in April 2014 the Islamic Revolutionary Guards in the province of Fars turned the cemetery into a construction site which appeared to have been brought to a halt in the middle of May, as a result of the widespread attention the matter had received internationally. However, after a while, the construction of a building with a garden has recommenced at that Bahá'í cemetery, which lead to dumping in a trench the remains of those who were disinterred from the portion of

the cemetery that had been excavated. Reportedly the trench has been dug to serve as a waterway next to the new building.

The cemetery is considered by the local Bahá'í community as a site of religious value and importance for its members. Although the latter can no longer use it for burials, it remains a site for praying and for paying respect to the memory of the dead. Since the beginning of April 2014, the local Bahá'í community has been requesting to various governmental agencies, including the local Commander in Chief of the Revolutionary Guards, a senior Imam in the municipality of Shiraz, the Governor of the city, Iran's Prosecutor General and the Head of the Judiciary, to spare the cemetery, but all their efforts were in vain.

Also on 14 June 2014, the Revolutionary Guards in Shiraz allegedly placed a banner outside the cemetery stating their plan to construct a cultural and sports centre, as well as a mosque, a library, a restaurant, a theatre and a child care facility at that site. The commander of the Revolutionary Guards in Shiraz stated allegedly that the Bahá'ís "have no rightful place" in Iranian society asserting: "the Islamic authorities are not going to take note of a foul, unclean, and rootless sect". Reportedly, a week later, a high ranking Iranian official was cited on the website of the Revolutionary Guards in the Province of Fars calling for "vehement" action to be taken against those who attempt to teach the Bahá'í Faith in the Province of Fars.

While we do not wish to prejudge the accuracy of these allegations, we are expressing grave concerns about what appears to be a series of actions by the Iranian authorities aimed at depriving the Baha'i community in Shiraz of right to access their grave yards. These actions appear to be motivated by religious discrimination against the Baha'i community, and to be aimed at restricting their fundamental human rights to freedom of observance and practice of one's religion or belief.

These allegations appear to be in contravention with the human rights standards related to the right to freedom of thought, conscience and religion and to not be subject to discrimination by any State, institution, group of persons, or person as set forth in International Covenant on Civil and Political Rights, which the Islamic Republic of Iran ratified on 24 June 1975, and the United Nations 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (A/RES/36/55).

In this context we would like to refer to the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and in particular article 1.1, which calls on States to protect the existence of religious minorities within their territories and to encourage conditions for the promotion of that identity. We would also like to bring to your Excellency's attention the recommendation number 34 of

the Forum on Minority Issues (2013), which states that “measures should be put in place to protect and maintain the cultural heritage of religious minorities-including buildings, monuments, burial grounds and other sites of religious importance [...]”.

With regard to the statement of the commander of the of the Revolutionary Guards in Shiraz made on 14 June 2014, we would also like to remind your Excellency’s Government that States have the responsibility to prohibit by law and to ensure its full enforcement against every incident of advocacy of hatred that constitutes incitement to discrimination, hostility or violence in accordance with article 20(2) of the ICCPR; it is explained by the Human Rights Committee in paragraph 8 of its General Comment No. 34.

In view of the urgency of the matter, we appeal to your Excellency’s Government to take all steps necessary to prevent further destruction of the site, which, if carried out, would be inconsistent with acceptable standards of international human rights law. We call upon your Excellency’s Government to ensure full and unimpeded access for the members of Bahá’í to the cemetery, as well as full protection and respect of the Bahá’í’s right to freedom of religion or belief.

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org /can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the steps taken by your Excellency’s Government to safeguard the rights of the aforementioned cemetery in compliance with the international human rights standards.

We are intending to publicly express our concerns in the near future as we are of the view that the information upon which the press release is going to be based is sufficiently reliable to indicate a matter warranting attention. The press release will indicate that we have been in contact with your Excellency’s Government’s to clarify the issue in question.

We undertake to ensure that your Excellency’s Government’s response to this communication and our previous communication, dated 8 May 2014, is accurately reflected in the report we will submit to the Human Rights Council for its consideration.

Your Excellency’s Government’s response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

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