

**Mandates of the Special Rapporteur on freedom of religion or belief; the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and the Special Rapporteur on minority issues**

REFERENCE:  
AL IRN 26/2020

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Excellency,

We have the honour to address you in our capacities as Special Rapporteur on freedom of religion or belief; Working Group on Arbitrary Detention; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; 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 40/10, 42/22, 43/4, 41/12, 43/24 and 43/8.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **reported persecution of members of the Christian minority in Iran, including converts from Islam, as well as the detention of dozens of Christians, most of whom have been convicted for exercising their right to freely observe and worship their religion.**

Concerns about the human rights situation of Christians in Iran have been raised by several Special Procedures mandate holders in previous communications to your Excellency's Government on 22 February 2011 (ref. no. IRN 4/2011), on 28 January 2013 (ref. no. IRN 4/2013) and on 2 February 2018 (ref. no. IRN 4/2018). We regret that your Excellency's Government has not responded to these communications and to the presented allegations, as well as the expressed concerns contained therein. We remain concerned at reports of the continued systematic persecution of the members of this religious minority, particularly numerous reports received of discriminatory practices and violations of their human rights.

Accordinging the received information:

The total number of Christians in Iran is estimated between 500,000 and 800,000 individuals. Approximately 250,000 of them are ethnic Assyrian and Armenian Christians, while the rest are converts from Islam, with the majority being followers of Protestant churches, including house churches. However, there are reported difficulties in determining the actual number of these Christian communities, due to governmental pressures and restrictions imposed on persons belonging to religious minorities, and in particular to those minorities and religious denominations that are not constitutionally recognized. Such difficulties may be due also to the fact that a number of them may not be connected to any particular church, and instead observe and practice their faith discretely in family settings.

With regard to pressure from state authorities, the Ministry of Intelligence and the Islamic Revolutionary Guard Corps are considered to be the main agencies

that closely monitor the activities of Christians in the country. A number of reports have described the intimidating actions undertaken by these agencies and the human rights violations perpetrated by their officers against the members of these religious communities, including house raids, frequent summons to police stations, intensive and abusive interrogations, arbitrary arrests and detentions, as well as judicial harassment on charges related to actions against national security and propaganda against the system, which may incur long prison sentences and hefty fines, as well as serious restrictions with regard to legal representation prior and during hearings. The securitization of minority religions and beliefs and the State’s perception that minority religious worship, observance and teaching is a threat to national security, is shown by the fact that individuals from this religious minority are often charged with national security offences in connection with the practice of their religious faith and tried by Revolutionary Courts.

During house raids, law enforcement officers confiscate individual property as well as Bibles and other related Christian literature. Those arrested – in some cases without even being presented with a warrant – are subjected to repeated and lengthy interrogations, often without the presence of a lawyer. They are humiliated and physically or psychologically ill-treated by the interrogation officers for their decision to change their faith, being labelled and stigmatized as “apostates of Islam” and pressured to renounce Christianity and to sign commitments to not meet with other Christians. Such repressive practices are not only limited to the concerned individuals but are often extended to their family members, who are subjected to surveillance, police summons and unannounced visits, and pressured by law enforcement to convince their arrested relatives to confess their alleged “unlawful activities”. Furthermore, these family members are often for days or weeks not notified about their relatives’ arrest and detention. Even after their release, Christians and their families continue to be monitored through surveillance, telephone interceptions, or regular police summons, while some of them may be forced to leave the country and seek asylum abroad for fear of further harassment, arrest or detention.

Since 2018, there has been a surge in raids, in particular during the Christmas period, and arrests were reported in different cities, including in Ahvaz, Chalus, Hamedan, Isfahan, Karaj, Mashhad, Rasht, Shiraz and Tehran. In 2019, there were 19 raids on private homes of Christians and of residences used for church services or Bible studies, which led to the arrest of dozens of individuals.

Below is a list of individuals, who are currently in detention or expecting summons to prison, as well as updated information about their respective cases.

<b>Name</b>	<b>Information</b>
<b>Mr. Nasser Navard Gol-Tapeh</b>	Arrested in June 2016 and sentenced on 23 May 2017 to 10 years in prison for acting against national security. He is currently detained in Evin Prison. He has been denied a retrial to challenge his prison sentence.
<b>Mr. Majidreza Souzanchi Kushani</b>	Moved from Evin Prison to the Greater Tehran Prison following the completion of his two-year

	<p>prison sentence for membership of a house church. He is currently serving a separate two-year sentence for theft, a charge he has consistently denied. He has also been sentenced to 74 lashes.</p>
<p><b>Mr. Yousef Nadarkhani</b></p>	<p>Arrested in July 2018, in Rasht. Currently detained in Evin Prison. In June 2020, he obtained a retrial of his case which reduced his 10-year prison sentence to 6 years. He still faces two years in exile, in Nikshahr, southeast Iran following his scheduled release in four years' time.</p>
<p><b>Mr. Zaman (Saheb) Fadaie</b> <b>Mr. Mohammad Ali (Yasser) Mossayebzadeh</b></p>	<p>Arrested in May 2016, in Rasht, and sentenced to 10 years in prison each for "forming a house church" and "promoting Zionist Christianity". Currently detained in Evin Prison.</p>
<p><b>Mr. Abdolreza (Matthias) Haghnejad</b> <b>Mr. Mohammad (Shahrooz) Eslamdoust</b> <b>Mr. Babak Hosseinzadeh</b> <b>Mr. Mehdi Khatibi</b> <b>Mr. Behnam Akhlaghi</b></p>	<p>Arrested in early 2019, in Rasht. In October 2019, they were sentenced to 5 years in prison each for "acting against national security" and "promoting Zionism". On 25 February 2020, they lost their appeal against the prison sentence, though neither them nor their lawyers were allowed to attend the appeal hearing. Currently detained in Evin Prison.</p>
<p><b>Mr. Khalil Dehghanpour</b> <b>Mr. Mohammed Vafadar</b> <b>Mr. Kamal Naamanian</b> <b>Mr. Hossein Kadivar</b></p>	<p>Arrested in early 2019, in Rasht. In October 2019, they were sentenced to 5 years in prison each for "acting against national security" and "promoting Zionism". One day before the deadline of 2 June for reporting to Evin Prison, they went to the Revolutionary Court in Rasht to ask for extended time with their families. They were immediately arrested and detained for five days before being sent to Evin Prison on 6 June 2020. They were only able to contact and inform their families of their detention a few days after it happened.</p>
<p><b>Mr. Victor Bet-Tamraz</b> <b>Ms. Shamiram Issavi Khabizeh</b></p>	<p>Arrested with his spouse, <b>Ms. Shamiram Issavi Khabizeh</b>, on 26 December 2014, after plain-clothed security forces raided his home in Tehran. In July 2017, <b>Pastor Bet-Tamraz</b> was sentenced by Branch 26 of the Revolutionary Court in Tehran to 10 years in prison for</p>

	<p>“conducting evangelism and illegal house-church activities”. In January 2018, <b>Ms. Khabizeh</b> was sentenced to 5 years in prison. On 19 July 2020, they were both informed by their lawyer that they had lost their final appeal and they were summoned to begin their prison sentences.</p>
<p><b>Mr. Moslem Rahimi</b> <b>Mr. Ramin Hassanpour</b> <b>Ms. Kathrin Sajadpour</b></p>	<p>Arrested in February 2020, in Rasht. Unable to afford the bail, they were sent to Lakan Prison. Following a week of detention, they were released on reduced bail. On 1 August, they were sentenced to four years in prison each for “actions against national security”, “attending home churches”, and “promoting Zionist Christianity”</p>
<p><b>Mr. Sam Khosravi</b> <b>Mr. Sasan Khosravi</b></p>	<p>Arrested in July 2020, in Bushehr, and sentenced to one year in prison, followed by a two years in exile and work restrictions with regard to mainly public sector positions, on charges of “propaganda against the state”</p>
<p><b>Mr. Habib Heydari</b></p>	<p>Arrested in July 2020, in Bushehr, and sentenced to one year in prison, on charges of “propaganda against the state”</p>
<p><b>Mr. Pooriya Peyma</b></p>	<p>Arrested in July 2020, in Bushehr, and sentenced to 91 days in prison, on charges of “propaganda against the state”</p>
<p><b>Mr. Ismaeil Maghrebinejad</b></p>	<p>Arrested on 25 January 2019, at his home, in Shiraz. Released on bail on 31 January 2019, after being detained for seven days in solitary confinement, and interrogated for a fourteen-hour period for six of those days. On 11 January 2020, he was sentenced by a civil court in Shiraz to three years in prison for “using cyberspace to insult Islamic sacred beliefs”, and on 27 February 2020, he was sentenced by Branch 1 of the Revolutionary Court in Shiraz to two years in prison for “membership of a hostile group” and an additional one year for “propaganda against the state”. On 5 July 2020, the Branch 17 of the appeal court overturned the civil court’s three-year prison sentence. However, the other sentences have been upheld, and he is expected to be summoned to prison.</p>

While we do not wish to prejudge the accuracy of the information received, we wish to express our serious concern at the reported widespread repression against and persecution of persons belonging to the Christian minority in Iran, and in particular those who have converted from Islam. We are particularly concerned about the criminalization of freedom of religion or belief and freedom of expression in the repressive methods applied by the Iranian state agencies, including the Ministry of Intelligence and the Islamic Revolutionary Guard Corps, to suppress the right of

members of Christian communities to observe, worship and teach their faith. Freedom of religion or belief is a universally recognized right, an intrinsic aspect of a person's integrity and humanity, which allows everyone to hold and practice their beliefs, individually and in community with others, in private or in public. Such a right exists independently of any administrative approval, and of any formal or informal recognition of places of worship. The use of ambiguously formulated terms such "acting against national security" or "propaganda against the state" to systematically restrict the peaceful exercise of this right is contrary to Iran's obligations under international law.

Furthermore, we deeply regret the reported judicial harassment of dozens of individuals and their families on the grounds of their conscience, religion or belief, the physical or psychological ill-treatment to forcibly extract confessions, the non-respect in some cases of due process and fair trial guarantees, and the imposition of lengthy prison sentences, hefty fines, as well as work restrictions and internal exile in remote areas. The reported discrimination and intimidation may continue even after the end of the imposed sentence, with closed surveillance and frequent summons by law enforcement, which have detrimental effects on the individuals' lives and those of their families.

Should the facts alleged be confirmed, they would constitute severe violations of international human rights law, including the rights to liberty and security, to freedom of thought, conscience, religion or belief, to freedom of expression, association and peaceful assembly, physical and psychological integrity, privacy, as well as the principle of non-discrimination, and the rights of persons belonging to minorities, the violations of which are prohibited under articles 7, 9, 10, 17, 18, 19, 21, 22, 26 and 27 of the International Covenant on Civil and Political Rights (ICCPR) to which Iran is a party since 24 June 1975.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please provide the factual and legal grounds for the arrest, detention and conviction of all the individuals mentioned above, as well as updated information concerning their cases.
3. Please provide detailed information and examples on how the national courts interpret the terms "acting against national security" and "propaganda against the state", when considering cases of minority religions and persons belonging to religious minorities, and how these interpretations are compatible with the international norms and standards on freedom of religion or belief, freedom of expression, and freedom of peaceful assembly and association.

4. Please provide updated information about any measures and policies undertaken to ensure that persons belonging to the Christian minority, including those converting from Islam, are not discriminated against in all walks of life, and fully enjoy their human rights, including freedom of thought, conscience, religion or belief, freedom of expression and freedom peaceful assembly and association.

We would appreciate receiving a response within 60 days. Passed this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#). They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

We would like to inform your Excellency's Government that after having transmitted an allegation letter to the Government, the Working Group on Arbitrary Detention may transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. Such appeals in no way prejudice any opinion the Working Group may render. The Government is required to respond separately for the allegation letter and the regular procedure.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

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

Ahmed Shaheed  
Special Rapporteur on freedom of religion or belief

Elina Steinerte  
Vice-Chair of the Working Group on Arbitrary Detention

Irene Khan  
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Clement Nyaletsossi Voule  
Special Rapporteur on the rights to freedom of peaceful assembly and of association

Javaid Rehman  
Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

Fernand de Varennes  
Special Rapporteur on minority issues

## **Annex**

### **Reference to international human rights law**

In connection with the above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to the relevant international norms and standards that are applicable to the issues brought forth by the situation above.

We would like to refer your Excellency's Government to the International Covenant on Civil and Political Rights (ICCPR), ratified by the Islamic Republic of Iran on 24 June 1975, and in particular articles 7, 9, 10, 17, 18, 19, 21, 22, 26 and 27, which provide for the right to liberty and security of person, the right to an effective remedy by the competent national tribunals for acts violating their fundamental rights, privacy, freedom of thought, conscience, religion or belief, freedom of expression, freedom of association and peaceful assembly, the principle of non-discrimination, guarantees of humane treatment while in detention, the rights of persons belonging to minorities and the protection against arbitrary arrest or detention, and protection against torture and other cruel, inhuman or degrading treatment or punishment.

We wish to recall that the prohibition of torture under article 5 of UDHR is universally binding, absolute and may not be derogated under any circumstance, and it includes not only acts that cause physical pain, but also acts that cause mental suffering to the victim (see CCPR, General Comment No. 20, para. 5).

Moreover, we would like to refer to article 9 ICCPR enshrining the right to liberty and security of person and establishing in particular that no one shall be deprived of his or her liberty except on such grounds and in accordance with such procedure as are established by law as well as the right to legal assistance from the moment of detention. Article 9 (4) also entitles everyone detained to challenge the legality of such detention before a judicial authority. In its General Comment No 35, the Human Rights Committee has found that arrest or detention as punishment for the legitimate exercise of the rights as guaranteed by the Covenant is arbitrary, including freedom of opinion and expression (art. 19), freedom of assembly (art. 21), freedom of association (art. 22) and freedom of religion (art. 18). It has also stated that arrest or detention on discriminatory grounds in violation of article 2, paragraph 1, article 3 or article 26 is also in principle arbitrary. Furthermore, article 14 upholds the right to a fair trial and equality of all persons before the courts and tribunals.

The right to religious practices and manifestations is provided by article 18 (1) of the ICCPR that stresses "Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom [...] either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching." Human Rights Committee General Comment No. 22 further explains that "[t]he freedom to manifest religion or belief in worship, observance, practice and teaching encompasses a broad range of acts. The concept of worship extends to ritual and ceremonial acts giving direct expression to belief, as well as various practices integral to such acts, including the building of places of worship [...] the display of symbols [...] In addition, the practice and teaching of religion or belief includes acts integral to the conduct by religious groups of their basic affairs, such as freedom to choose their religious leaders, priests and teachers, the

freedom to establish seminaries or religious schools and the freedom to prepare and distribute religious texts or publications.” (CCPR/C/21/Rev.1/Add.4, para. 4).

In addition, we wish also to recall that while the manifestation of religion or belief may be restricted as per Article 18(3) of the ICCPR, to protect public safety, order, health, morals and the fundamental rights and freedoms of others, any such limitation must fulfil a number of obligatory criteria of legality, proportionality and necessity, including being non-discriminatory in intent or effect and constitute the least restrictive measure.

We moreover refer to article 19 of the ICCPR, which guarantees the right of everyone to freedom of opinion and expression, which includes “freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice”.

In its General Comment No. 34 on the right to freedom of opinion and expression, the Human Rights Committee has found that restrictions of the right to freedom of opinion and expression that a government seeks to justify on grounds of national security and public order should adhere to the principles of necessity and proportionality, be designed and implemented in a way that respects the universality of human rights and the principle of non-discrimination, and should not be used to prosecute human rights defenders. In regards to the laws under which the victims have been prosecuted we would like to remind your Government of paragraph 25 where it is established that a norm, to be characterized as a “law”, must be formulated with sufficient precision to enable an individual to regulate his or her conduct accordingly. A law may not confer unfettered discretion for the restriction of freedom of expression on those charged with its execution. Laws must provide sufficient guidance to those charged with their execution to enable them to ascertain what sorts of expression are properly restricted and what sorts are not (CCPR/C/GC/34).

We would also like to refer to Human Rights Council resolution 24/5 in which the Council “reminds States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline, including in the context of elections and including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others, including migrants, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions of the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law” (OP2, emphasis added).

We would like to respectfully remind your Government of the 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (A/RES/36/55), which in its Article 2 (1): “[n]o one shall be subject to discrimination by any State, institution, group of persons, or person on grounds of religion or other belief.” In Article 4 (1), the General Assembly further states that: “All States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms [...]” Furthermore, we would like to refer your Government to Article 4(2) according to which: “All States shall make all efforts to enact or rescind legislation where necessary to prohibit any such discrimination, and to take all appropriate measures to combat intolerance on the



grounds of religion or other beliefs in this matter. According articles 6 (d) and (e), the right to freedom of thought, conscience, religion or belief includes also the freedom “to write, issue and disseminate relevant publications in these areas”, and the freedom “to teach a religion or belief in places suitable for these purposes”.

We would like to recall that the General Assembly, in its resolution 63/181 paragraph 9 (j) urges States “To ensure that all public officials and civil servants, including members of law enforcement bodies, the military and educators, in the course of fulfilling their official duties, respect all religions or beliefs and do not discriminate for reasons based on religion or belief, and that all necessary and appropriate education or training is provided.”

Furthermore, Article 27 of the ICCPR establishes that in those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities have the right, in community with the other members of their group, “to enjoy their own culture, to profess and practice their own religion, or to use their own language”.

We wish to refer to the 1992 United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted in General Assembly resolution 47/135, which refers to the obligation of States to protect the existence and the identity of minorities within their territories and to adopt measures to that end (article 1) as well as to adopt the required measures to ensure that persons belonging to minorities can exercise their human rights without discrimination (article 4). Article 2 further establishes that persons belonging to minorities have the right to enjoy their own culture, to profess and practice their own religion, and to use their own language, in private and in public, freely, without any interference or any form of discrimination and provides for the effective participation of minorities in cultural, religious, social, economic and public life, as well as in decision-making processes on matters affecting them.

Furthermore, we also would like to draw your Excellency’s Government attention to the recommendations of the sixth session of the Forum on Minority Issues on “Guaranteeing the rights of religious minorities” (A/HRC/25/66) and in particular Recommendation 17, which calls on States to ensure that “there is no discriminatory treatment in regard to the legal and administrative recognition of all religious and belief groups. Any registration and administrative procedures, including those relating to the property and the functioning of places of worship and other religious-based institutions, should be conducted according to non-discrimination standards. International standards do not allow non-recognition of religious or belief groups to result in denial of their rights. Such standards require an inclusive approach to be taken”.

Finally, in his latest report to the 75th session of the UN General Assembly, on the elimination of all forms of religious intolerance in the context of the 2030 Agenda for Sustainable Development, the Special Rapporteur on freedom of religion or belief has expressed concerns about the criminalization of apostasy in Iran and he highlighted a number of cases in which states have used national security imperatives as the stated objective in criminalizing membership in and/or activities of certain religious or belief groups (A/75/385, paras 16 and 17).