

Special Rapporteur on freedom of religion or belief A/HRC/13/40/Add.1 para 146

Full recommendation

Furthermore, the Special Rapporteur would like to refer to General Assembly resolution 63/181, in which the Assembly urges States to step up their efforts to protect and promote freedom of thought, conscience, religion or belief, and to this end, to exert the utmost efforts, in accordance with their national legislation and in conformity with international human rights law, to ensure that religious places, sites, shrines and symbols are fully respected and protected and to take additional measures in cases where they are vulnerable to desecration and destruction. As mentioned, inter alia, in paragraph 4 of the Human Rights Committee's general comment no. 22, places of worship are an essential element of the manifestation of the right to freedom of religion or belief to the extent that the great majority of religious communities or communities of belief need the existence of a place of worship where their members can manifest their faith. Moreover, unlike other forms of violations of the right to freedom of religion or belief, attacks or other forms of restriction on places of worship or other religious sites and shrines in many cases violate the right not only of a single individual, but the rights of a group of individuals forming the community that is attached to the place in question

Assessment using Impact Iran human rights indicators¹

The Constitution of the Islamic Republic of Iran names the Twelver *Ja'fari* School of Shia Islam as the state religion and stipulates that “other Islamic schools are to be accorded full respect, and their followers are free to act in accordance with their own jurisprudence in performing their religious rites” (Article 12).² Article 13 of the Constitution provides that the Zoroastrian, Jewish, and Christian Iranians “are the only recognized religious minorities” under Iranian law. Because there are no laws safeguarding the right of religious minorities to worship, maintain places of worship or assemble, religious minorities are left without legal protection to manifest and practice their religion or belief.

Religious minorities recognized by Articles 12 and 13 of the Constitution, have few places of worship compared to their numbers. Sunnis are not allowed to build new mosques in major cities, including Tehran. In addition, a number of Sunni religious seminaries have been destroyed by the government³ and authorities have reportedly been closing Sunni mosques or preventing

¹ CCPR.18.1.S.2; CCPR.18.1.P.2; CCPR.18.1.O.8

² The Constitution of the Islamic Republic of Iran, English translation, <https://irandataportal.syr.edu/wp-content/uploads/constitution-english-1368.pdf>

³ Joint submission to the Human Rights Committee from All Human Rights for All in Iran, Association for Human Rights in Kurdistan – Geneva, Association for the Human Rights of the Azerbaijani People in Iran, Iran Human Rights Documentation Center, OutRight International, Siamak Pourzand Foundation, Small Media, Impact Iran, 2020, <https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/IRN/INT_CCPR_NGO_IRN_42317_E.pdf>

Sunnis from gathering for congregational prayers.⁴ Only 1% of religious temples in Iran are non-Muslim.⁵ In Tehran, there are about 15 churches for 43,987 Christians (one church every 2932 Christians).⁶ In 2019, reports of the closure by government authorities of a 100-year-old Christian church in Tabriz surfaced.⁷

The shortage of official places of worship forces religious minorities to gather in informal assemblies inside their own home, frequently termed “house churches”,⁸ or in underground prayer halls (*namaz khane*)⁹, which often get dismantled by Iranian authorities.¹⁰ House churches are often being raided by the government on the basis that they do not hold necessary permits from the authorities. Attendees are arrested and imprisoned on charges of “acting against national security by organizing and conducting house-churches” or “propaganda against the state and insulting the sacred Iranian establishment”.¹¹

The end of 2018 and 2019 saw an unprecedented wave of raids on private house gatherings related to religion or belief, leading to a large number of arrests detention and imprisonment.¹² Charges include “breaching national security” or “propaganda against the holy regime of the Islamic Republic of Iran”.¹³

The *Baha'i* faith, with members numbering an estimated 350,000¹⁴ in Iran, is not recognized under Iranian law and does not have any official place of worship. Since August 2005, more than 1,253 *Baha'is* have been arrested in Iran solely based on their religious beliefs, notably on charges of proselytizing the *Baha'i* faith.^{15 16}

⁴ Rights Denied: Violations against ethnic and religious minorities in Iran, <https://minorityrights.org/wp-content/uploads/2018/03/Rights-Denied-Violations-against-ethnic-and-religious-minorities-in-Iran.pdf>

⁵ Based on Province annual data reports, as of 2018.

⁶ Based on Province annual data reports, as of 2018.

⁷ <https://www.newsweek.com/iran-agents-storm-church-tear-down-cross-100-year-old-christian-place-worship-1437382>

⁸ Joint submission to the Human Rights Committee from The World Evangelical Alliance, Open Doors, Christian Solidarity Worldwide, Middle East Concern, Article 18, 29 May 2020 , https://articleeighteen.com/wp-content/uploads/2020/06/F3430b-2020-JointReport_Iran_HRCttee_ListOfIssues-dragged-1.pdf

⁹ 2019 Report on International Religious Freedom: Iran, U.S. Department of State, <https://www.state.gov/reports/2019-report-on-international-religious-freedom/iran/>

¹⁰ Joint submission to the Human Rights Committee from The World Evangelical Alliance, Open Doors, Christian Solidarity Worldwide, Middle East Concern, Article 18, 29 May 2020 , https://articleeighteen.com/wp-content/uploads/2020/06/F3430b-2020-JointReport_Iran_HRCttee_ListOfIssues-dragged-1.pdf

¹¹ Joint submission to the Human Rights Committee from The World Evangelical Alliance, Open Doors, Christian Solidarity Worldwide, Middle East Concern, Article 18, 29 May 2020 , https://articleeighteen.com/wp-content/uploads/2020/06/F3430b-2020-JointReport_Iran_HRCttee_ListOfIssues-dragged-1.pdf

¹² Joint submission to the Human Rights Committee from The World Evangelical Alliance, Open Doors, Christian Solidarity Worldwide, Middle East Concern, Article 18, 29 May 2020 , https://articleeighteen.com/wp-content/uploads/2020/06/F3430b-2020-JointReport_Iran_HRCttee_ListOfIssues-dragged-1.pdf

¹³ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 18 July 2019 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/222/62/PDF/N1922262.pdf?OpenElement>

¹⁴ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 18 July <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/222/62/PDF/N1922262.pdf?OpenElement>

¹⁵ ARTICLE19, <https://www.article19.org/resources/iran-lawmakers-must-urgently-drop-the-bill-that-criminalises-fundamental-rights-and-freedoms/>

¹⁶ Baha'i International Community, https://www.bic.org/sites/default/files/pdf/iran/the_bahais_of_iran_-_a_persecuted_community.pdf

The lack of places of worship and the regular dismantling of religious informal meetings frustrates the rights of religious minorities to manifest a religion or belief. Additionally, the threat of raids, arrests, detention and imprisonment for those identified as belonging to certain religious minorities disincentivizes community and public manifestation.

Recommendation Status:

This recommendation has NOT been implemented.