

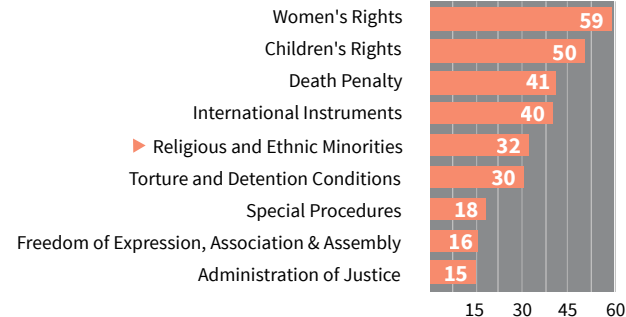
RELIGIOUS AND ETHNIC MINORITIES IN THE ISLAMIC REPUBLIC OF IRAN

An assessment of Iran's implementation of recommendations received during the 2014 Universal Periodic Review

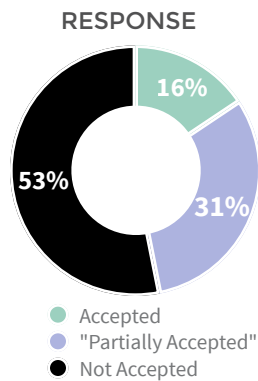
KEY AREAS OF CONCERN RAISED BY STATES

- **RELIGIOUS MINORITIES**
 - Discrimination in Law
 - Discrimination in Practice
- **ETHNIC MINORITIES**
 - Discrimination in Practice

TOP RECOMMENDATIONS RECEIVED BY ISSUE



MINORITIES AT IRAN'S UNIVERSAL PERIODIC REVIEW IN 2014



TOP 5 STATES RECEIVING FREEDOM OF RELIGION AND BELIEF RECOMMENDATIONS IN THE 2ND CYCLE:

1. MYANMAR (62)
2. IRAN (29)
3. SWEDEN (27)
4. AUSTRIA (26)
5. ISRAEL (25)

UPR BREAKDOWN

- Following Myanmar, Iran received the highest number (29) of recommendations addressing freedom of religion and belief in the second cycle, and received the highest number during the first cycle (21).
- Despite accepting 5 and partially accepting 7 of these recommendations on freedom of religion or belief, Iran failed to implement its recommendations by the midterm period.

EXAMPLES OF RECOMMENDATIONS

RECOMMENDATION	RESPONSE	SCORE
138.114: Strengthen measures aimed at the protection of religious minorities, in accordance with articles 13 and 14 of its Constitution (South Africa)	ACCEPTED	NOT IMPLEMENTED
138.220: Ensure respect, in law and in practice, of the freedom of religion and belief (Poland)	ACCEPTED	NOT IMPLEMENTED
138.117: Take all necessary measures to protect ethnic and religious minorities from all forms of discrimination (Bahrain)	PARTIALLY ACCEPTED	NOT IMPLEMENTED
138.119: Adopt policies and mechanisms to avoid that members of any religious minority suffer from any kind of discrimination or human rights violation for exerting their right to worship according to their faith (Brazil)	PARTIALLY ACCEPTED	NOT IMPLEMENTED
138.131: Review its legislation and policy so as to ensure freedom of religion of persons belonging to religious minorities, including Baha'is, as well as protection of their other human rights without any discrimination (Czech Republic)	PARTIALLY ACCEPTED	NOT IMPLEMENTED
138.128: Take measures to ensure non-discrimination in law and in practice against ethnic and religious minorities, including arbitrary detention and exclusion from higher education and government employment, as well as governmental interference in private employment against persons belonging to the Baha'i community (Sweden)	NOT ACCEPTED	NOT IMPLEMENTED
138.113: End discrimination in law and in practice against all religious and ethnic minorities, such as Baha'is, Sufis, Kurds and Sunni Arabs, and ensure full protection of their rights (Austria)	NOT ACCEPTED	NOT IMPLEMENTED
138.283: Recognize all existing religious minorities in the territory of the Islamic Republic of Iran and respect the human rights of their members (Peru)	NOT ACCEPTED	NOT IMPLEMENTED

DISCRIMINATION AGAINST RELIGIOUS MINORITIES: Member states raised **29** recommendations on persecution of religious minorities and freedom of religion or belief.

DISCRIMINATION IN LAW: Article 12 of Iran’s Constitution identifies Twelver Shi’ism as the country’s official religion, but allows adherents of other Islamic schools, including Sunnis, to act in accordance with their own jurisprudence in performing their religious rites. Article 13 recognizes Zoroastrians, Jews and Christians as the country’s only religious minorities, depriving the country’s largest non-Muslim minority—the Baha’is—of legal recognition and, ultimately, protection.

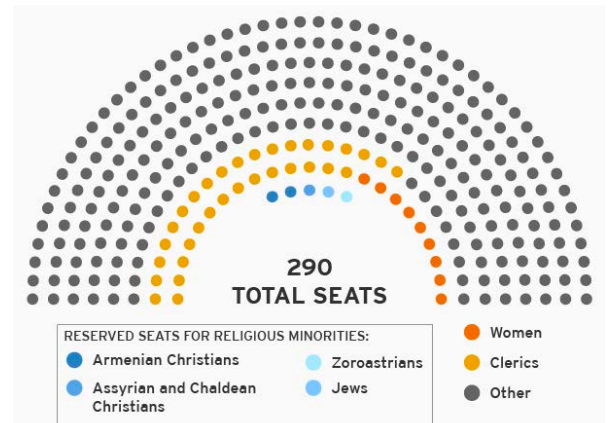
This discriminatory legal framework also permeates the political structure and public office. Article 115 of the Constitution, for example, requires that the president be a Shi’a Muslim. While there is a degree of representation in the parliament, which designates **5** seats to religious minorities, members of these groups face legal challenges in representation in other political bodies such as the powerful Guardian Council. Unrecognized religious minority groups, such as Baha’is, remain wholly unrepresented in government. Discrimination on the basis of religious belief or identity also exists pursuant to a number of provisions in Iran’s penal code. For example, the law requires that if a Muslim murders another Muslim, the perpetrator is liable to legal retribution (*qesas*) and the death penalty. However, if a Muslim murders a non-Muslim, the law does not require *qesas* and does not specify a punishment.

DISCRIMINATION IN PRACTICE: Members of certain religious minorities are systematically targeted and prosecuted for practicing their faith, often despite the existence of some legal protections. In particular, members of unrecognized faiths, such as the Baha’i faith, Sufi groups, and Christian converts are systematically targeted and discriminated against. They are also often prevented from holding religious gatherings and face arrest, imprisonment and other forms of harassment. The discrimination and targeting is particularly acute for Baha’is whose religious institutions have been dismantled, their leaders imprisoned, and their adherents denied the most basic rights including access to a university education, state employment, and business licenses. Sunnis, who number in the millions, have been prevented from establishing a mosque in the capital Tehran and are excluded from high-level governmental positions, including cabinet ministers or governors of provinces.

DISCRIMINATION AGAINST ETHNIC MINORITIES: Member states raised **24** recommendations on ethnic minorities.

Iran’s Constitution guarantees equality and non-discrimination on the basis of color, race, language and ethnicity. Article 15 allows “the use of regional and tribal languages in the press and mass media, as well as for teaching of their literature in schools.” Despite these constitutional guarantees, members of ethnic minorities—including Ahwazi Arabs, Azerbaijani Turks, Baloch, Kurds and Turkmen—face a range of discriminatory laws and practices in matters of employment, adequate housing, political office, and their exercise of cultural, civil and political rights. Rights groups continue to document arbitrary restrictions involving the use of ethnic languages in schools and the media, for example. In August 2016, participants in the national entrance examinations for universities in Iran were allowed to choose Kurdish and Turkish languages as their majors at the bachelor level.

Rights groups continue to document routine and systematic targeting by the authorities of ethnic rights activists, human rights defenders, and journalists.



SOURCE: BROOKINGS INSTITUTE (IRAN'S 9TH MAJLIS, 2016)

5
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Seats reserved for recognized religious minorities

CASES OF NOTE

RECENT PROTESTS: The families of several members of the Gonabadi Sufi Order continue to be denied information about their detained family members who are being held without charge. The detainees include university students Kasra Nouri, Mohammad Sharifi Moghaddam, Faezeh Abdipour, Mohammad Reza Darvishi and Zafarali Moghimi.



2 AUGUST 2016: Authorities reportedly executed 20 Sunni and Kurdish political prisoners, most of whom were allegedly convicted on the basis of torture-induced confessions under unfair trials.