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## CORI Research Analysis

**Date:** 24<sup>th</sup> November 2008

**Country:** Iran

**Issues:** Status of Christian converts that *do not* try to proselytize or those who are not active pastors in Iran

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According to the US Department of state there are estimated to be 300,000 Christians living in Iran, the majority of whom are ethnic Armenians. 10,000-20,000 are estimated to be Assyrian Christians and under 10,000 Protestant Christians, many of whom reportedly practice in secret. Sabeian Mandaens (est. 5,000-10,000) are included among the three recognized religious minorities in Iran. The Iranian government consider Sabeian-Mandaeans as Christians, however, Sabeian-Mandaeans do not consider themselves such.<sup>1</sup>

Article 13 of the Iranian Constitution formerly recognises Christians as a “protected” religious minority and grants them the freedom to perform their religious rites, practice their religion in personal status matters and to receive religious education.<sup>2</sup>

Article 23 of the Iranian Constitution states that “the investigation of individuals' beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief.”<sup>3</sup>

### Armenian, Assyrian and Chaldean Christians

A Human Rights Watch representative quoted by the United States Bureau of Citizenship and Immigration Services states that Christians are generally free to worship,

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<sup>1</sup> U.S. State Department, International Religious Freedom Report 2008 (Iran), <http://www.state.gov/g/drl/rls/irf/2008/108482.htm>

<sup>2</sup>United Nations, Report submitted by the Special Rapporteur on the right to freedom of opinion and expression, Ambeyi Ligabo, Mission to the Islamic Republic of Iran, 2004, E/CN.4/2004/62/Add.2

[http://www.unhchr.ch/huridocda/huridoca.nsf/\(Symbol\)/E.CN.4.2004.62.Add.2.En?Opendocument](http://www.unhchr.ch/huridocda/huridoca.nsf/(Symbol)/E.CN.4.2004.62.Add.2.En?Opendocument)  
The US Committee on International Religious Freedom, Annual Report 2008, [http://www.uscirf.gov/images/AR2008/iranar2008\\_full%20color.pdf](http://www.uscirf.gov/images/AR2008/iranar2008_full%20color.pdf)

<sup>3</sup> UNESCO, Islamic Republic of Iran – Constitution, <http://www.unesco.org/most/rr3iran.htm>

“Christians, including Armenian Christians, are not as a rule persecuted for the fact that they are Christian, unless they are proselytizing to Muslims. (The Armenian Christian community is generally a “closed” one that does not proselytize to other faiths). Christians generally are able to, for instance, attend church, carry a Bible, and hold religious gatherings or celebrations in their homes.”<sup>4</sup>

However the UK Home office quotes sources reporting that Armenian, Assyrian and Chaldean Christians have experienced imprisonment, harassment and discrimination and suffer limitations with access to education, government and army positions.<sup>5</sup>

The US Department of State reports that “in practice the Government severely restricts freedom of religion” and that these recognized religious minorities have reported government imprisonment, harassment, intimidation, and discrimination based on their religious beliefs.<sup>6</sup> Freedom House also reports that religious freedom is limited.<sup>7</sup>

Amnesty International reports that Christians “face discrimination in law and practice with respect to employment, marriage, and criminal sanctions.”<sup>8</sup>

The US Commission on International Religious Freedom (USCIRF) further states that religious minorities in Iran face legal and institutional discrimination and are prevented from engaging in public religious expression.<sup>9</sup> The US State Department reports that Christians are excluded from the judiciary and security services and from becoming public school principals.<sup>10</sup> Freedom House reports that religious minorities face restrictions with regard to property ownership.<sup>11</sup>

According to USCIRF, “the primacy of Islam and Islamic laws and institutions adversely affects the rights and status of non-Muslims.”<sup>12</sup> The USCIRF has accused the Iranian government of engaging in “systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused.”<sup>13</sup>

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<sup>4</sup> United States Bureau of Citizenship and Immigration Services, *Iran: Information on Conversion from Islam to Christianity*, 14 November 2002. IRN03002.ZHN. Online. UNHCR Refworld, available at: <http://www.unhcr.org/refworld/docid/3f51f9b24.html> [accessed 24 November 2008]

<sup>5</sup> UK Home Office COIS Country Report, Iran 2008, [http://www.homeoffice.gov.uk/rds/country\\_reports.html](http://www.homeoffice.gov.uk/rds/country_reports.html)

<sup>6</sup> U.S. State Department, International Religious Freedom Report 2008 (Iran), <http://www.state.gov/g/drl/rls/irf/2008/108482.htm>

<sup>7</sup> Freedom House, Freedom in the World, Country Report: Iran, 2008, <http://www.freedomhouse.org/template.cfm?page=22&year=2008&country=7413>

<sup>8</sup> Amnesty International, Iran: New government fails to address dire human rights situation 16 February 2006, <http://www.amnesty.org/en/library/asset/MDE13/010/2006/en/dom-MDE130102006en.pdf>

<sup>9</sup> The US Committee on International Religious Freedom, Annual Report 2008, [http://www.uscirf.gov/images/AR2008/iranar2008\\_full%20color.pdf](http://www.uscirf.gov/images/AR2008/iranar2008_full%20color.pdf)

<sup>10</sup> U.S. State Department, International Religious Freedom Report 2008 (Iran), <http://www.state.gov/g/drl/rls/irf/2008/108482.htm>

<sup>11</sup> Freedom House, Freedom in the World, Country Report: Iran, 2008, <http://www.freedomhouse.org/template.cfm?page=22&year=2008&country=7413>

<sup>12</sup> The US Committee on International Religious Freedom, Annual Report 2008, [http://www.uscirf.gov/images/AR2008/iranar2008\\_full%20color.pdf](http://www.uscirf.gov/images/AR2008/iranar2008_full%20color.pdf)

<sup>13</sup> The US Committee on International Religious Freedom, Annual Report 2008,

## **Sabean Mandaeans**

The Iranian government considers Sabean Mandaeans to be Christians, although Sabean Mandaeans do not consider themselves as such.<sup>14</sup>

According to the US State Department the Sabean-Mandaean religious community faced increasing harassment from the authorities

“including reported government closings of Sabean-Mandaean places of worship (Mandi). There were also reports of religious freedom violations, such as forced observance of Islamic fasting rituals and praying in an Islamic fashion, which are in violation of Sabean-Mandaean teachings.”<sup>15</sup>

## **Government attitude to religious minorities**

The 2008 the US Department of State reports that respect for religious freedom has continued to deteriorate, and that “Government rhetoric and actions created a threatening atmosphere for nearly all non-Shi'a religious groups”<sup>16</sup> The US Department of State reports that “The President's agenda stressed the importance of Islam in enhancing "national solidarity" and mandated that government-controlled media emphasize Islamic culture in order to "cause subcultures to adapt themselves to public culture.”<sup>17</sup>

Amnesty International reported in 2006 that officials have made statements which “create an atmosphere in which human rights abuses by non-state actors against minorities may be encouraged. For example, on 20 November 2005, Ayatollah Jannati, the Secretary General of the Council of Guardians which vets legislation passed by the Majles [parliament] to ensure its conformity with Islamic Law, stated in a speech at a commemoration of those killed in the 1980-1988 war with Iraq that ‘human beings, apart from Muslims, are animals who roam the earth and engage in corruption.’”<sup>18</sup>

The US Department of State reported that government controlled broadcasters and print media have intensified campaigns against religious minorities and “political and religious leaders issued a continual stream of inflammatory statements”.<sup>19</sup>

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[http://www.uscirf.gov/images/AR2008/iranar2008\\_full%20color.pdf](http://www.uscirf.gov/images/AR2008/iranar2008_full%20color.pdf)

<sup>14</sup> U.S. State Department, International Religious Freedom Report 2008 (Iran), <http://www.state.gov/g/drl/rls/irf/2008/108482.htm>

<sup>15</sup> US Department of State, International Religious Freedom Report 2007 <http://www.state.gov/g/drl/rls/irf/2007/90210.htm>

<sup>16</sup> U.S. State Department, International Religious Freedom Report 2008 (Iran), <http://www.state.gov/g/drl/rls/irf/2008/108482.htm>

<sup>17</sup> U.S. State Department, International Religious Freedom Report 2008 (Iran), <http://www.state.gov/g/drl/rls/irf/2008/108482.htm>

<sup>18</sup> Amnesty International, Iran; New government fails to address dire human rights situation, February 2006, <http://asiapacific.amnesty.org/library/Index/ENGMD130102006?open&of=ENG-2MD>

<sup>19</sup> U.S. State Department, International Religious Freedom Report 2008 (Iran), <http://www.state.gov/g/drl/rls/irf/2008/108482.htm>

According to the US state Department “those who are not Shi'a Muslims faced substantial societal discrimination”<sup>20</sup>, further they state that “Christians encountered societal and religious discrimination and harassment at the local, provincial, and national levels.”<sup>21</sup>

According to the US State Department religious activity is monitored “closely” by The Ministry of Islamic Culture and Guidance (Ershad) and the Ministry of Intelligence and Security (MOIS). Members of religious minorities are not required to register with the government. However the government required Evangelical groups to submit membership lists of their congregations and church officials were required to inform the Ministry of Information and Islamic Guidance before admitting new members.<sup>22</sup>

## Legislation

In 2008 the Iranian government drafted legislation which will criminalise apostasy under national law. The Islamic Penal Code would sanction the death penalty for any Iranian male who left the Islamic faith, women would receive life imprisonment.<sup>23</sup>

In September 2008 Iranian Parliament voted in favour of the legislation with 196 votes for and 7 against.<sup>24</sup> The new law will be sent back to the Legislative Committee for amendments before returning to parliament for another vote, the legislation will then require the signature of the Ayatollah before it comes into force.<sup>25</sup>

The EU has criticized Iran’s new Penal Code for codifying the death penalty for leaving the Muslim faith, claiming that this aspect violated Iran’s commitments under international human rights conventions.<sup>26</sup> Sources state that the death penalty for

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<sup>20</sup> U.S. State Department, International Religious Freedom Report 2008 (Iran), <http://www.state.gov/g/drl/rls/irf/2008/108482.htm>

<sup>21</sup> U.S. State Department, International Religious Freedom Report 2008 (Iran), <http://www.state.gov/g/drl/rls/irf/2008/108482.htm>

<sup>22</sup> U.S. State Department, International Religious Freedom Report 2008 (Iran), <http://www.state.gov/g/drl/rls/irf/2008/108482.htm>

<sup>23</sup> The Telegraph, Hanged for being a Christian in Iran, 11 October 2008, <http://www.telegraph.co.uk/news/worldnews/middleeast/iran/3179465/Hanged-for-being-a-Christian-in-Iran.html>

<sup>24</sup> The Telegraph, Hanged for being a Christian in Iran, 11 October 2008, <http://www.telegraph.co.uk/news/worldnews/middleeast/iran/3179465/Hanged-for-being-a-Christian-in-Iran.html>

<sup>25</sup> The Telegraph, Hanged for being a Christian in Iran, 11 October 2008, <http://www.telegraph.co.uk/news/worldnews/middleeast/iran/3179465/Hanged-for-being-a-Christian-in-Iran.html>

Christian Solidarity Worldwide, CSW welcomes foreign secretary’s condemnation of Iran apostasy bill 9 October 2008, <http://dynamic.csw.org.uk/article.asp?t=press&id=789>

<sup>26</sup> BBC, EU attack’s Iran’s new penal code, 26 February 2008, [http://news.bbc.co.uk/1/hi/world/middle\\_east/7264810.stm](http://news.bbc.co.uk/1/hi/world/middle_east/7264810.stm)

European Union, Declaration by the Presidency on behalf of the EU concerning the consideration of a draft Penal code in Iran, 25 February 2008 <http://europa.eu/rapid/pressReleasesAction.do?reference=PESC/08/26&format=HTML&aged=1&language=EN&guiLanguage=en>

apostasy violates Article 23 of the Iranian Constitution.<sup>27</sup> The Penal Code is the first time that the punishment is brought into the criminal code, however the death penalty has previously been handed down by Iranian courts for apostasy, under shariah law.<sup>28</sup> According to Elam ministries interpretation of Shariah law meant that judges could use their individual discretion in sentencing, the Penal Code uses the word 'hadd' which means that the punishment is fixed and cannot be changed or reduced.<sup>29</sup>

Iranian Christians International has published articles of the draft Islamic Penal Code;

“Article 225-1 Any Muslim who clearly announces that he/she has left Islam and declares blasphemy is an Apostate.

Article 225-2: Serious and earnest intention is the condition for certainty in apostasy. Therefore, if the accused claims that his/her statement had been made with reluctance or ignorance, or in error, or while drunk, or through a slip of the tongue or without understanding the meaning of the words, or repeating words of others; or his/her real intentions had been something else, he/she is not considered an apostate and his/her claim could be heard and justified.

Article 225-3: There are two kinds of apostates: innate (Fetri) and parental (Melli).

Article 225-4: Innate Apostate is someone whose parent (at least one) was a Muslim at the time of conception, and who declares him/herself a Muslim after the age of maturity, and leaves Islam afterwards.

Article 225-5: Parental Apostate is one whose parents (both) had been non-Muslims at the time of conception, and who has become a Muslim after the age of maturity, and later leaves Islam and returns to blasphemy.

Article 225-6: If someone has at least one Muslim parent at the time of conception but after the age of maturity, without pretending to be a Muslim, chooses blasphemy is considered a Parental Apostate.

Article 225-7: Punishment for an Innate Apostate is death.

Article 225-8: Punishment for a Parental Apostate is death, but after the final sentencing for three days he/she would be guided to the right path and encouraged to recant his/her belief and if he/she refused, the death penalty would be carried out.

Article 225-9: In the case of a Parental Apostate, whenever there appears to be a possibility of recanting, sufficient time would be provided.

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<sup>27</sup> The Telegraph, Hanged for being a Christian in Iran, 11 October 2008, <http://www.telegraph.co.uk/news/worldnews/middleeast/iran/3179465/Hanged-for-being-a-Christian-in-Iran.html>

<sup>28</sup> BBC, EU attack's Iran's new penal code, 26 February 2008, [http://news.bbc.co.uk/1/hi/world/middle\\_east/7264810.stm](http://news.bbc.co.uk/1/hi/world/middle_east/7264810.stm)

<sup>29</sup> Elam, Iranian Christians Under Attack, October 2008, <http://www.elam.com/articles/Under-Attack/>

Article 225-10: Punishment for women, whether Innate or Parental, is life imprisonment and during the sentence, under the guidance of the court, hardship will be exercised on her, and she will be guided to the right path and encouraged to recant, and if she recants she will be freed immediately.

Article 225-11: Whoever claims to be a Prophet is sentenced to death, and any Muslim who invents a heresy in the religion and creates a sect based on that which is contrary to the obligations and necessities of Islam, is considered an apostate.

Article 225-12: Any Muslim who deals with witchcraft and promotes it as a profession or sect in the community is sentenced to death.

Article 225-13: Assistance to the crimes in this chapter, in case there is no other punishment assigned to it by law, is punishable by up to 74 lashes in proportion with the crime and the criminal.<sup>30</sup>

## **Christian Converts**

According to US News and World Report many Christian converts practice their religion in secrecy for fear of reprisals from the government.<sup>31</sup>

Christian Solidarity Worldwide (CSW) report that Christian converts have experienced restrictions to their freedom of movement being denied exit at borders and having their passports confiscated.

“The Iranian police continue to detain apostates for brief periods and pressurise them to recant their Christian faith and to sign documents pledging they will stop attending Christian services and refrain from sharing their faith with others. There have also been increasing reports of apostates being denied exit at the borders, with the authorities confiscating their passports and requiring them to report to the courts to reclaim them. During the court hearings they are coerced to recant their faith with threats of death penalty charges and cancellation of their travel documents. Although verdicts stipulating the death penalty for apostasy are rarely, if ever, carried out, intense pressure and serious human rights abuses occur regularly, and extra-judicial murder and attacks by official Islamic militias or radical groups are a serious concern.”<sup>32</sup>

CSW state that they are aware of at least 40 instances where Christians have had their passports confiscated on return from Christian conferences abroad. According to CSW, in these cases each person was required to present themselves in front of a judge and

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<sup>30</sup> Iranian Christians International, undated, <http://www.iranchristians.org/conference.shtml>

<sup>31</sup> US News and World Report, In Iran, Covert Christian Converts Live With Secrecy and Fear: A draft Iranian law would mandate the death penalty for apostasy, 28 May 2008  
<http://www.usnews.com/articles/news/world/2008/05/08/in-iran-covert-christian-converts-live-with-secrecy-and-fear.html?PageNr=1>

<sup>32</sup> Christian Solidarity Worldwide, Briefing, Iran, Religious freedom Profile, 2008,  
<http://dynamic.csw.org.uk/article.asp?t=report&id=97>

faced coercion to convert to Islam for the return of their documentation without facing criminal charges.<sup>33</sup>

CSW interviewed a man whose documentation was confiscated,

“He has been summoned to court five times during 2008. At each hearing, he was asked for the reasons behind his conversion and pressured to recant his Christian faith. He repeatedly refused to convert back to Islam and stopped reporting to the court, which to date is still demanding his appearance. In addition to giving up hopes of ever being allowed to travel abroad, he was fired from his job as his co-workers at the factory learned about his conversion and refused to work alongside an apostate, whose presence ‘defiled’ the office. This reaction arises from the idea that non-Muslims, particularly apostates, are *najess*, impure, thus any physical contact with them or products produced by them can potentially defile a Muslim’s purity. Ayatollah Khomeini himself had declared that “non-Muslims of any religion or creed are *najess*.” Khomeini argued that although a handshake with a non-Muslim is not *najess*, contact with bodily liquids of a non-Muslim was. Thus washing the clothes of non-Muslims and Muslims together, eating food, consuming products or using utensils touched by non-Muslims are potentially *najess*.<sup>34</sup>

Rashin Soodmand, daughter of Hossein Soodmand, a Christian convert and the last man to be executed for apostasy in Iran in 1990, told the Telegraph that she fears that her brother, a Christian who was recently released from jail, may become subject to any new law against apostasy,

"Even though my brother is not an apostate, because he has never been a Muslim – my father raised us all as Christians – I don't think he is safe. They assume that if you are Iranian, you must be Muslim."<sup>35</sup>

Amnesty International and the US Department of State received reports of the arrests of Christian converts in April 2008 and May 2008 in Tehran, Shiraz and Amol.<sup>36</sup> Amnesty International also reports that a couple, a Christian convert married to a Christian woman were flogged in Gohar Dasht in September 2007 in connection with their faith.<sup>37</sup> Human Rights Without Frontiers has reported that two of those arrested have since been charged with apostasy in the Public and Revolutionary Court in Shiraz.<sup>38</sup>

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<sup>33</sup> Christian Solidarity Worldwide, Briefing, Iran, Religious freedom Profile, 2008, <http://dynamic.csw.org.uk/article.asp?t=report&id=97>

<sup>34</sup> Christian Solidarity Worldwide, Briefing, Iran, Religious freedom Profile, 2008, <http://dynamic.csw.org.uk/article.asp?t=report&id=97>

<sup>35</sup> The Telegraph, Hanged for being a Christian in Iran, 11 October 2008, <http://www.telegraph.co.uk/news/worldnews/middleeast/iran/3179465/Hanged-for-being-a-Christian-in-Iran.html>

<sup>36</sup> U.S. State Department, International Religious Freedom Report 2008 (Iran), <http://www.state.gov/g/drl/rls/irf/2008/108482.htm>

<sup>37</sup> Amnesty International, State of the World’s Human Rights Report, 2008, <http://thereport.amnesty.org/eng/regions/middle-east-and-north-africa/iran>

<sup>38</sup> Human Rights Without Frontiers, Freedom of Religion and belief, Iran 2008, [http://www.hrwf.net/index.php?option=com\\_content&view=article&id=105:news-2008-catalogued-by-country&catid=38:freedom-of-religion-and-belief&Itemid=90](http://www.hrwf.net/index.php?option=com_content&view=article&id=105:news-2008-catalogued-by-country&catid=38:freedom-of-religion-and-belief&Itemid=90)

Christian news organisation, Compass Direct reports that a Christian convert was held incommunicado from 31 May to 26 June 2008 by Sepah (Revolutionary Guards) and tortured when he refused to give the names of other converts and members of house church groups in Iran.<sup>39</sup>

In July 2008 Compass Direct reported a “new wave” of arrests in four cities over a 10 day period, targeting Christians attending house churches in Bandar Abbas, Isfahan, Sanandaj and Kermanshah.<sup>40</sup> Compass Direct reports that an elderly couple died from injuries sustained following beatings by the police who raided a house church service which they hosted.<sup>41</sup>

USCIRF reports that “It is a common practice, particularly in cases involving offenses based on religious belief, for Iranian authorities to release prisoners but to leave the charges against them or their convictions in place in order to threaten them with re-imprisonment at any time in the future.”<sup>42</sup>

The UN Secretary General reports allegations that Christian community has been subject to arbitrary arrest and torture, “in connection with peaceful demonstrations for their rights, such as the right to speak their own language and to hold religious ceremonies.”<sup>43</sup>

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## Research note

This research was prepared using publically available sources and produced within a specified time frame. Every effort has been taken to ensure accuracy and comprehensive coverage of the research issue, however as COI is reliant on publicly available documentation there may be instances where the required information is not available. It is intended that this research is an aid to the refugee determination process, it is not and does not purport to be a conclusive statement as to the merit of any particular claim.

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<sup>39</sup> Compass Direct, Tortured Christian flees, 21 July 2008, <http://www.compassdirect.org/en/display.php?page=news&idelement=5478&lang=en&length=short&backpage=archives&critere=&countryname=&rowcur=75>

<sup>40</sup> Compass Direct, Iran: Jailed Christian in Critical Condition, 30 July 2008, <http://compassdirect.org/en/display.php?page=news&lang=en&length=short&idelement=5494&backpage=summaries>

<sup>41</sup> Compass Direct, Iran: Christian couple dies from police attack, 6 August 2008, <http://www.compassdirect.org/en/display.php?page=news&length=long&lang=en&idelement=5508>

<sup>42</sup> The US Committee on International Religious Freedom, Annual Report 2008, [http://www.uscirf.gov/images/AR2008/iranar2008\\_full%20color.pdf](http://www.uscirf.gov/images/AR2008/iranar2008_full%20color.pdf)

<sup>43</sup> Report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran, October 2008, <http://www.unhcr.org/refworld/publisher,UNGA,,490032342,0.html>



## **Sources consulted**

### ***Research Interviews***

The following were contacted to participate in an interview concerning the status of Christian converts that *do not* try to proselytize or those who are not active pastors in Iran, however CORI did not receive information within the research time frame;

- Iran Human Rights Documentation Center (IHRDC)
- Iranian Christians International
- Iranian Christian Fellowship
- Dr Eden Naby

The following responded but did not have information;

- IWPR –Mianeh Project

### ***Published sources (Including internet sites)***

- US Commission on International Religious Freedom
- US Department of State
- Freedom House
- The Telegraph
- US News and World Report
- UN, Special Rapporteur on the right to freedom of opinion and expression
- UK Foreign and Commonwealth Office
- Minority Rights Group International
- UNHCR Relief Web
- UN Security Council – Secretary General’s Reports
- Iranian Christians International
- Iranian Christian Fellowship
- Ecol.net
- Compass Direct
- Amnesty
- Iranian Minorities Human Rights Organisation
- Christian Solidarity Worldwide
- Iran Human Rights Documentation Center (IHRDC)
- European Union
- Assyrian International News Agency
- Institute for War and Peace Reporting
- Islamic Republic News Agency (IRNA)
- British Broadcasting Corporation
- Danish Immigration Service
- ELAM Ministries