



PREPARED ORAL TESTIMONY OF

Jay Alan Sekulow, PhD

Chief Counsel, American Center for Law and Justice

Tom Lantos Human Rights Commission

March 15, 2013

“The Worsening Plight of Religious Minorities in Iran”

Chairman McGovern, Chairman Wolf, and distinguished Members of the Tom Lantos Human Rights Commission, on behalf of the American Center for Law & Justice and our global affiliates, thank you for allowing me to come before you to discuss the rapidly deteriorating human rights situation in Iran. Please also allow me to thank you and your staff for all your efforts to advance the cause of human rights in Iran, and for holding this hearing. With the ACLJ’s ongoing legal representation of the family of Saeed Abedini, an American Christian Pastor – a U.S. citizen – imprisoned in Iran and sentenced to 8 years for his faith, we are keenly aware of the vital importance of today’s hearing.

My prepared remarks today will focus on the growing trends of religious persecution in Iran for the Christian community, and steps that the United States can take to pressure the Iranian government to cease its human rights violations and stand with persecuted religious minorities.

The fact is that Iran is one of the world’s worst offenders of religious freedom and human rights.

The human rights situation for the Christian minority in Iran has regressed to the lowest levels we have seen since the early days of the Islamic revolution. Killings, arrests, death threats, attempted forced conversions to Islam, various intimidation tactics, and physical abuse during arbitrary detention has significantly increased in recent years. Two categories of Christians exist in Iran: ethnic, made up of Armenians and Assyrians, and non-ethnic, referring to those who convert to Christianity. While historically, the Iranian government has granted ethnic Christians some religious rights, in recent years, both ethnic and non-ethnic Christians have faced systematic and systemic persecution and discrimination in Iran. In fact, our contacts in Iran confirmed that 5 Christians who were arrested last October during a prayer meeting, were tried just this past Sunday for having threatened the national security of Iran through Christian gatherings.

Iran increasingly attacks not only those who exercise their faith, but those human rights

defenders in Iran who fight to protect human rights. This week, the UN Special Rapporteur on Human Rights in Iran said, “Unfortunately, a preponderance of reports communicated to [him] this past year indicate that the situation for individuals in Iran who advocate for the advancement of human rights . . . is grave and continues to deteriorate. . . [A] majority of human rights defenders, . . . continue to be subjected to harassment, arrest, interrogation, and torture and are frequently charged with vaguely-defined national security crimes, which is seemingly meant to erode the frontline of human rights defense in the country.”

Iran is a repeat offender - repeatedly violating its own laws and international laws, which protect religious freedom and human rights.

Despite Iran’s constitutional and treaty obligations, which require the Iranian government to provide a fair and public trial as well as various human rights protections, including freedom of religion and protections against torture, Iran consistently violates both its Constitution and its numerous international treaty obligations.

Although the Iranian government touts that its laws recognize and guarantee rights to Christians, judges can rely on *fatwas* to convict converts of apostasy, a charge that, though absent from the Penal Code, requires the death penalty under Islamic law if the convert does not renounce his faith and return to Islam. Such was the case of Pastor Youcef Nadarkhani, a Christian convert who had been sentenced to death for apostasy and spent almost three years in prison before his release, a release that came only after significant international pressure. The ACLJ has communicated with one prominent human rights attorney in Iran, who defended 19 Christians who were formally charged with apostasy in the beginning of 2012 alone.

Iran’s legal system is a sham. Its persecution of Christians and other religious minorities is entirely skewed – making the government the judge, jury, and, in many cases, the executioner – ignoring the truth and the facts. Defendants have no real opportunity to present a case – no chance to convince the court of their innocence.

A judge can also order the death penalty under more ambiguous charges, such as “attempts against the security of the state,” “crimes against God” including insulting the prophet Mohammad, and “outrage against high-ranking officials.” Since the international uproar over Pastor Nadarkhani’s death sentence for apostasy, the Iranian government has increasingly charged Christian converts with “attempts against the security of the state.” As you will hear in the next panel, this is the charge American Pastor Saeed Abedini currently faces in Iran. But even a cursory review of the national security charges filed against Christians reveals that the regime is systematically targeting Christians solely for exercising their fundamental human rights.

The Iranian government essentially creates the “so-called” national security threat by forcing Christians to meet in private homes due to the systematic measures it has taken to restrict church attendance. These measures have included forbidding the formation of new churches, closing existing government-approved churches, restricting the distribution of the Bible and Christian materials, and harassing and monitoring church members by using video surveillance and

requiring that churches reveal the identity of all visitors and members in the church.

The number of Christians who continue to be detained – as well as those facing torture and abuse at the hands of the Iranian government – continues to climb.

Although Iran's international obligations prohibit arbitrary arrest and detention, according to the UN Special Rapporteur on human rights in Iran, over 300 Christians were arbitrarily arrested and detained between June 2010 and September 2012. In reality, this number is likely significantly under reported as many Christians are threatened with retribution if they report such arbitrary detentions.

Christians are detained for months on end without ever knowing the formal charges against them. For example, arrested on December 26, 2010, Iranian authorities held Farshid Fathi for roughly 12 months without a formal indictment. He too was charged with acting against national security because he chose to worship with Christian believers in private homes. Fathi is currently serving a six-year sentence in Evin prison.

Many Christians have also reported that their interrogators applied various means of coercion to force them to convert to Islam, while others reported that they were forced to sign statements that they would no longer participate in Christian activities to secure their release. Interrogators often use the threat of execution, the threat of criminal prosecution, physical and psychological abuse, and the arrest or threat of harm to family members to pressure Christians from ceasing further participation in Christian activities.

In September 2012, the U.N. Special Rapporteur on human rights in Iran reported that of the 221 individuals he interviewed for his report who had been arbitrarily detained,

Approximately . . . 62 per cent reported intimidation of family members for the purpose of placing pressure on the target of interrogations; 78 per cent stated that they were beaten during interrogations; and 8 per cent reported being hung from ceilings for the purpose of soliciting confessions. Moreover, 64 per cent of those interviewed alleged that they were denied adequate access to a lawyer after the investigative phase of their case, and another 82 per cent stated that they believed that the judge had already made up his mind about their case, and that he was being directed by the Prosecutor's Office.

On March 11, 2013, the U.N. Special Rapporteur followed up with the United Nations Human Rights Council,

Unfortunately, a preponderance of reports communicated to me this past year indicate that the situation for individuals in Iran who advocate for the advancement of human rights, or those that document, report, or protest against human rights violations is grave and continues to deteriorate . . . Interviews continue to impart that a majority of human rights defenders, including those that defend the rights of women, religious and ethnic minorities, as well as those that

work to advance protections for the environment, workers and children continue to be subjected to harassment, arrest, interrogation, and torture and are frequently charged with vaguely-defined national security crimes, which is seemingly meant to erode the frontline of human rights defense in the country.

Alongside of these horrific abuses, Christians are regularly discriminated against in the fields of education and employment: Christian schools must be lead by a Muslim principal; Christian students are regularly denied entrance to or are expelled from secondary school and university programs because of their faith; and employers often fire or refuse to hire Christian converts.

The fact is that millions of people around the world understand that religious freedom and human rights are central to who we are as a people – something that must be protected, not denied. To that end, we know that when the world embraces this issue and when the media and public spotlight shines on Iran, improvements can occur. After a global outcry utilizing social media, Pastor Youcef Nadarkhani was released from an Iranian prison – spared the death penalty. Our collective voice does indeed make a difference.

In the case of American Pastor Saeed Abedini – imprisoned in Iran because of his Christian faith – we have heard from nearly 500,000 people around the world who are demanding his release. The more attention to his plight, the better. The more news coverage – the more public involvement – the better. Iran needs to understand that the world is watching.

But that pressure, while critical, cannot work alone. As religious persecution of Christians exponentially increases, we must ensure that religious liberty for all is a top priority in U.S. foreign policy. The fact is, most countries that violate religious freedom pose a serious risk to U.S. national security. At best, the United States has sent mixed messages to the world as to our priority on religious liberty issues. It is time for the President and the Secretary of State to personally engage this issue – to speak out – to use the full weight of the U.S. government to defend religious freedom and protect human rights.

We must not sit idly by. Ahmed Shaheed, the UN Special Rapporteur has said, “At least a dozen lives were saved because of the intervention of International opinion.” Part of that International opinion has to be the White House and US State Department not simply responding to questions, but proactively intervening. It’s now time for the United States to lead by example – show the world that religious liberty and human rights are the foundation of peaceful and secure societies.