



PREPARED WRITTEN TESTIMONY OF

Jay Alan Sekulow, J.D., Ph.D.

Chief Counsel, American Center for Law and Justice

Tom Lantos Human Rights Commission

March 15, 2013

“The Worsening Plight of Religious Minorities in Iran”

I. Introduction

Chairman McGovern, Chairman Wolf, and distinguished Members of the Tom Lantos Human Rights Commission, on behalf of the American Center for Law and 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 of your efforts to advance the cause of human rights in Iran, and for holding this hearing to be a voice for the persecuted religious minorities in Iran. With the ACLJ’s ongoing legal representation of the family of Saeed Abedini, an American Christian Pastor 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.

Christianity in Iran dates back to the birth of the Christian church. Yet in the last century, the Christian Church’s anguish at the catastrophic decline of Christianity in the region is palpable. According to the World Christian Database, Christians in Western Asia (which includes Iran)¹ have decreased significantly since 1900 when they made up 22.71 percent of the population² to

¹ Sonja Corbitt, *Special Report: Synod Confronts Christian Persecution in Middle East*, CATHOLIC ONLINE (Oct. 17, 2010), http://www.catholic.org/international/international_story.php?id=38747; *Composition of Macro Geographical (Continental) Regions, Geographical Sub-regions, and Selected Economic and Other Groupings*, UNITED NATIONS.ORG, <http://unstats.un.org/unsd/methods/m49/m49regin.htm#asia>.

² *Christian Growth by Region*, WORLD CHRISTIAN DATABASE, available at <http://www.worldchristiandatabase.org/wcd/> (on file with author) (subscriber access only; contact author for document information).

only 5.73 percent in 2010.³ At this rate, it is estimated that by 2050, Christians will account for a miniscule 4.43 percent.⁴ One of the main reasons for these staggering statistics is a mass exodus of Christians from this region due to increasing levels of Christian persecution.

Today in Iran, Christians make up less than .04 percent of the overall population.⁵ Two categories of Christians compose this small percentage: ethnic and non-ethnic. The ethnic Christians consist mainly of Armenians and Assyrians (or Chaldeans). Non-ethnic Christians, for the most part, are converts to Christianity. While historically, the Iranian government has granted ethnic Christians some religious rights, in recent years, the ethnic Christians have faced increased levels of persecution and discrimination. But, by and large, non-ethnic Christians face the higher levels of persecution and discrimination in Iran.

As one individual described: “The tiny Christian population has been treated as second class *dhimmi*—people of the Book who are theoretically protected while officially marginalized. The printing of Christian literature is illegal, converts from Islam are liable to be killed, and most evangelical churches are forced to function underground.”⁶ Despite allegations by the Iranian government that its laws respect and recognize the Christian community, the Christian community in Iran faces systemic and systematic state persecution and discrimination.

II. Legal Framework

The Constitution of the Islamic Republic of Iran (“Constitution”) states that Islam (Twelver Ja’fari school of Islamic jurisprudence) is the nation’s official religion.⁷ Accordingly, all Iranian laws must be derived from and consistent with Islamic law.⁸ Even so, the actions of the Iranian government towards the Christian minority violate not only Iran’s Constitution, but numerous international treaty obligations to which Iran has solemnly agreed to be bound. Iran’s constitutional and treaty obligations 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. The Iranian government’s treatment of the Christian minority consistently violates these obligations.

Under the Constitution, Christianity is one of the three legally recognized ethnic religious minorities in Iran. Through this recognition, ethnic Christians maintain the right, at least in

³ *Id.*

⁴ *Id.*

⁵ See Bureau of Democracy, Human Rights, and Labor, *International Religious Freedom Report for 2011: Iran*, U.S. DEP’T ST., <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?dliid=192883> (last visited March 13, 2013) (reporting that 300,000 Christians live in Iran); *The World Factbook*, CENT. INTELLIGENCE AGENCY (Feb. 5, 2013), <https://www.cia.gov/library/publications/the-world-factbook/geos/ir.html> (estimating Iran’s total population at 78,868,711).

⁶ Jonathan Adelman & Agota Kuperman, *Christian Exodus from the Middle East*, JEWISH VIRTUAL LIBRARY (2001), <http://www.jewishvirtuallibrary.org/jsourc/arabs/christianme.html>.

⁷ QANUNI ASSASSI JUMHURII ISLAMAI IRAN [THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF IRAN] 1980, art. 12.

⁸ *Id.* art. 4.

principle, to exercise their faith.⁹ Article 13 of the Constitution states: “Zoroastrian, Jewish, and Christian Iranians are the only recognized religious minorities, who, *within the limits of the law*, are free to perform their religious rites and ceremonies, and to act according to their own canon in matters of personal affairs and religious education.” As interpreted by the Iranian government, these rights pertain only to ethnic Christians in Iran who act within the limits of the law, including non-codified principles of Islamic law.

Concerning freedom of thought, conscience, and religion, Article 23 of the Constitution provides that the “investigation of individuals’ beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief.”¹⁰ Article 26 of the Constitution grants the recognized ethnic religious minorities the freedom to form associations, such as churches. The Constitution also dictates respect for the human rights of non-Muslims, but qualifies this protection by stipulating that “this principle applies to all who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran.”¹¹ Notably, prosecutors often bring charges against Christians, asserting that their Christian activities amount to crimes such as “propaganda against the Regime” and “acting against national security.”¹² The reality is, although Iran acknowledges constitutional protections, it fails to uphold them for its Christian community.

Not only does Iranian law fail to protect the rights of Iranian Christians, it fails at an even broader level to protect the basic human rights of all Iranians. In January 2012, the Guardian Council, a body of twelve Islamic jurists, approved revisions to Iran’s penal code, supposedly aimed at providing greater human rights protections.¹³ However, the penal code remains in flux because the revisions have not yet been signed into law, and Ayatollah Sadeqh Larijani, the head of Iran’s Judiciary, has instructed the courts to apply the old penal code.¹⁴ Additionally, even with the proposed revisions, there is no real guarantee of substantial change. For example, although the revised penal code removed stoning as a punishment for adultery,¹⁵ it instead authorized a judge to rely on authoritative Islamic sources to sentence a defendant convicted of adultery to death by stoning.¹⁶

Besides its domestic laws that purport to protect religious minorities, Iran voted in favor of the Universal Declaration of Human Rights and ratified (without reservations) the International

⁹ *Id.* art. 13 (emphasis added).

¹⁰ *Id.* art. 23.

¹¹ *Id.* art.14.

¹² See generally U.N. Special Rapporteur on Human Rights to Iran, *Report of the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran*, U.N. Doc. A/HRC/22/56 (Feb. 28, 2013) [hereinafter SR 2013 Report].

¹³ See *Iran: Proposed Penal Code Deeply Flawed*, HUMAN RIGHTS WATCH (Aug. 29, 2012), <http://www.hrw.org/news/2012/08/29/iran-proposed-penal-code-deeply-flawed>; Faraz Sanei, *The Problem with Iran’s Proposed Penal Code*, CNN.COM (Sept. 4, 2012), <http://globalpublicsquare.blogs.cnn.com/2012/09/04/the-problem-with-irans-proposed-penal-code/>.

¹⁴ HUMAN RIGHTS WATCH, CODIFYING REPRESSION 9 (2012), available at http://www.hrw.org/sites/default/files/reports/iran0812webwcover_0.pdf.

¹⁵ See Islamic Republic Penal Code (1991), arts. 83, 98–107.

¹⁶ See also Proposed Penal Code, art. 198 (stating adultery by married individuals “shall be proved by testimony of two just men and four just women; unless when the *hadd* punishment for [adultery] is *execution or stoning*, in which case, testimony of at least three just men and two just women are required.” (emphasis added)).

Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Cairo Declaration on Human Rights in Islam.¹⁷ Within each of these international laws, Iran has obliged itself to protect *every individual's* right to religious freedom, expression, peaceful assembly, to be free from arbitrary detention, to be free from discrimination on the basis of religion, and to have a fair trial in the presence of an impartial tribunal.

Iran has shown utter disrespect for these obligations when it comes to its treatment of religious minorities in Iran. Recently, at least one news source reported that Iran's Judiciary Chief, Ayatollah Sadeq Larijani has "criticized the Universal Declaration of Human Rights" and stated that Iran made a mistake when it signed the Declaration.¹⁸

III. Methods of Persecution and Discrimination

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.¹⁹ Killings, arrests, death threats, attempted forced conversions to Islam, various intimidation tactics, and physical abuse during arbitrary detention have all significantly increased in recent years.²⁰ Corresponding with the increase of persecution in recent years, government officials, including the President of Iran himself, and influential Muslim clerics have repeatedly demonized and called for the suppression of Christianity.²¹ The Iranian government has taken systematic measures to restrict church attendance, including forbidding the formation of new churches, closing existing government-approved churches (commonly known as building churches), restricting the distribution of the Bible and Christian materials, and harassing and monitoring church members by utilizing video surveillance and sometimes requiring that churches reveal the identity of all visitors and members in the church.²²

A. Arbitrary Arrests and Detention, Threats, and Abuse

While international law prohibits arbitrary arrest and detention, this is one of the most regularly used methods of persecution against the Christian minority. Since the election of President Mahmoud Ahmadinejad in 2005, the rate at which Christians are arrested, interrogated, detained,

¹⁷ See Universal Declaration of Human Rights, G.A. Res. 217 (III) A, U.N. Doc. A/RES/217(III) (Dec. 10, 1948); International Covenant on Civil and Political Rights (ICCPR), adopted Dec. 16 1966, G.A. Res. 2200A (XXI), U.N. Doc A/6316 (1966), 999 U.N.T.S. 171 (entered into force March 23, 1976, ratified by Iran in 1975); International Covenant on Economic, Social and Cultural Rights, 993 U.N.T.S. 3, U.N. Doc. A/6316 (Dec. 16, 1966) (entered into force 1976); Cairo Declaration on Human Rights in Islam: World Conference on Human Rights, Aug. 5, 1990, U.N. GAOR, 44th Sess., Agenda Item 5, U.N. Doc. A/CONF.157/PC/62/Add.18 (1993).

¹⁸ *The Head of Iran's Judiciary: the Universal Declaration Mistakenly Joined*, BBC PERSIA (Persian) (Feb. 2, 2012), http://www.bbc.co.uk/persian/iran/2012/02/120202_123_sadeq_larijani_iran_un_human_rights.shtml.

¹⁹ U.S. COMM'N ON INT'L RELIGIOUS FREEDOM, ANNUAL REPORT 2011, at 74 (2011) [hereinafter USCIRF Report 2011], available at <http://www.uscirf.gov/images/ar2011/iran2011.pdf>.

²⁰ *Id.*

²¹ *Id.* at 79.

²² Bureau of Democracy, Human Rights, and Labor, *International Religious Freedom Report for 2011: Iran*, U.S. DEPT ST., <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?dliid=192883> (last visited March 13, 2013).

and prosecuted in violation of their fundamental human rights has dramatically increased.²³ After the 2009 election uprisings, the pattern of arrests, warrantless raids, and persecution of Christians further intensified.²⁴

According to U.N. Special Rapporteur on Human Rights in Iran, Ahmed Shaheed, over 300 Christians were arbitrarily arrested and detained between June 2010 and September 2012.²⁵ In reality, this number is likely significantly under-reported as many Christians fear retribution and are threatened that if they report such arbitrary detentions, additional persecution will befall them or their family members. While many are eventually released, they often face exorbitant bail amounts and their cases are never closed or brought to trial; instead, the threat of prosecution hangs over these Christians as a form of intimidation.

Many Christians are detained for months on end without ever knowing the formal charges against them. For example, after arresting him on December 26, 2010, Iranian authorities held Farshid Fathi for roughly 12 months without a formal indictment.²⁶ A year after his arrest, in his first appearance before a court, Judge Salvati informed Farshid Fathi of his charges: acting against national security, contact with enemy countries, and possessing religious propaganda.²⁷ In April 2012, the court sentenced Fathi to six years imprisonment, which he is currently serving in Evin prison.

Many Christian converts have reported that their interrogators applied various means of coercion, including threats of execution, to force them to revert back to Islam, while other Christians have reported that they were forced to sign affidavits swearing that they would no longer participate in Christian activities in order to secure their release. Additionally, they are threatened with criminal prosecution, physical and psychological abuse, and the arrest or threat of harm to family members to pressure them to stop participation in Christian activities publicly or privately.²⁸

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,

[a]pproximately 73 per cent . . . alleged that they were blindfolded during

²³ *Id.*; USCIRF Report 2011, *supra* note 19, at 77.

²⁴ Bureau of Democracy, Human Rights, and Labor, *International Religious Freedom Report for 2011: Iran*, U.S. DEP'T ST., <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?dliid=192883> (last visited March 13, 2013); Roxana Saberi, *Iran Must Stop Persecuting Minority Religions*, CNN.COM (Dec. 21, 2011, 10:51 AM), <http://www.cnn.com/2011/12/21/opinion/saberi-iran-religion> (journalist who had been detained in Iran describing “a rise in Iranian authorities raiding church services and harassing worshippers” after the 2009 election).

²⁵ See generally U.N. Special Rapporteur on Human Rights to Iran, *Report of the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran*, U.N. Doc. A/67/369, ¶ 34 (Sept. 13, 2012) [hereinafter SR Sept. 2012 Report].

²⁶ INTERNATIONAL CAMPAIGN FOR HUMAN RIGHTS IN IRAN, THE COST OF FAITH 45 (2013) [hereinafter THE COST OF FAITH], available at http://www.iranhumanrights.org/2013/01/cost_of_faith. The ACLJ is also in contact with a close family friend of Farshid Fathi and has verified this account.

²⁷ See generally VOICE OF THE MARTYRS, http://www.persecution.com/public/newsroom.aspx?story_ID=NTIy.

²⁸ THE COST OF FAITH, *supra* note 26, at 9.

interrogations; 58 per cent reported the use of prolonged solitary confinement; 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.²⁹

B. Threat of Execution for Non-Ethnic Christians and Extrajudicial Killings

Non-ethnic Christians, those who convert to Islam also face frequent threats of execution for their conversion to Christianity. Recently, Pastor Youcef Nadarkhani was convicted and sentenced to death as an apostate. After spending almost three years in prison under the threat of execution, the Iranian government released Pastor Nadarkhani on September 8, 2012, but only after a large international campaign for his release. In December 1990, the Iranian government executed Hossein Soodmand for apostasy, evangelizing to Muslims, and serving as pastor of a church for converts from Islam.³⁰ At least one prominent human rights attorney in Iran has shared with the ACLJ that during the beginning of 2012, he successfully defended 19 Christians who were formally charged with apostasy.

On numerous other occasions, judges have urged prosecutors to pursue apostasy convictions against defendants even when the charge was not officially before the court.³¹ The ACLJ has on file a 2008 Iranian ruling against Pastor Behnam Irani, who was charged with "acting against national security," but during his trial the judge noted that Pastor Irani was an apostate and that a new case should be brought against him seeking his execution. Many Christians, though never formally charged with apostasy, have been threatened with execution for choosing Christianity during their detention and interrogations.

Apostates in Iran, even after being acquitted of the charge and released from prison, have a history of mysterious disappearances and suspicious murders. Mehdi Dibaj was a convert from Islam to Christianity and became an evangelist spreading the gospel all over Iran until his arrest in 1983. He was a member of the Jama'at-e Rabbani Church, the Iranian branch of the Assemblies of God. The church was officially recognized by the Iranian government. The Iranian regime arrested Dibaj in 1983, but he spent 9 years in prison before being tried.

In December 1993, the regime convicted Dibaj of apostasy and sentenced him to death. Only after significant international outcry did the regime release Dibaj. One of the key individuals who fought for Dibaj's freedom was Bishop Haik Hovsepian-Mehr, an Armenian pastor and superintendent of the Iranian Assemblies of God. Bishop Hovsepian publicized to the world the news of Dibaj's death sentence as well as other violations of religious freedom of Christians in

²⁹ SR Sept. 2012 Report, *supra* note 25, ¶¶ 5, 46.

³⁰ THE COST OF FAITH, *supra* note 26, at 32.

³¹ *See id.*

Iran. Ultimately, he gave his life for this cause.

Iran released Dibaj in January 1994. Three days after Dibaj's release, Bishop Hovsepian was found stabbed to death. Dibaj's life here on earth was also cut short. On June 24, 1994, Dibaj was scheduled to return home from a conference for his daughter's birthday celebration, but never made it home. On July 5, 1994, his body was found; he had been shot to death.³² Many suspect the regime played a role in his murder.

Tateos Mikaelian, Bishop Hovsepian's successor as the Chairman of the Council of Protestants, also died a suspicious death in 1994, reportedly shot several times in the head.³³ Other suspicious deaths of Christian leaders include the assassination of prominent Protestant leaders such as Reverend Arastoo Sayah, Bahram Deghani, Reverend Mohammad Bagher Yousefi, and the attempted assassination of Anglican Bishop Hassan Dehghani.³⁴ More recently, in 2005, Pastor Ghorbani Tourani, a house church leader and convert to Christianity, was murdered and found with his throat cut.³⁵

C. *Hate Propaganda from Government Officials & Muslim Clerics*

In recent years, government leaders and Muslim clerics who influence government policy have increasingly demonized and encouraged harassment of the Christian minority. President Ahmadinejad has called for an end to Christianity in Iran,³⁶ and he is one of many Iranian governing authorities who wish to stop Iranian citizens from practicing non-Muslim faiths.

Various religious and political leaders, including Ayatollah Hosseini Booshehri, a religious leader and member of the Assembly of Experts, and Iranian Supreme Leader Ayatollah Ali Khamenei,³⁷ have publicly declared Christians to be enemies to Islam and enemies to Iran. "Ayatollah Ahmad Jannati, head of the Guardian Council, continued to demonize non-Muslims publicly and refer to them as 'sinful animals' and 'corrupt.'"³⁸ One senior religious expert, affiliated with the Islamic Republic, recently stated that Christianity poses more of a threat to Iran than Satanism.³⁹ Additionally, the governor of Tehran, Morteza Tamadon, referred to Christians as "'deviant' and 'corrupt' and vowed to identify and detain more."⁴⁰ Evangelical Christians have been characterized as terrorists, being backed by foreign enemies, and likened to

³² For Mehdi Dibaj's last testament, see Mehdi Dibaj, *Final Testament of Mehdi Dibaj*, ELAM, <http://www.elam.com/articles/Final-Testament-of-Mehdi-Dibaj> (last visited March 13, 2013).

³³ THE COST OF FAITH, *supra* note 26, at 8.

³⁴ *Id.* at 9.

³⁵ *The Martyrs of the Iranian Church*, ELAM, <http://www.elam.com/articles/The-Martyrs-of-the-Iranian-Church/> (last visited Mar. 11, 2013).

³⁶ USCIRF Report 2011, *supra* note 19, at 77.

³⁷ *Id.* at 6.

³⁸ U.S. COMM'N ON INT'L RELIGIOUS FREEDOM, ANNUAL REPORT 5 (2012) [hereinafter USCIRF Report 2012], available at [http://www.uscirtf.gov/images/Annual%20Report%20of%20USCIRF%202012\(2\).pdf](http://www.uscirtf.gov/images/Annual%20Report%20of%20USCIRF%202012(2).pdf).

³⁹ *A Shiite Clergy views Spreading Christianity as a Serious Danger*, MOHABAT NEWS (Aug. 4, 2011), http://www.mohabatnews.com/index.php?option=com_content&view=article&id=2669:a-shiite-clergy-views-spreading-christianity-as-a-serious-danger&catid=36:iranian-christians&Itemid=279.

⁴⁰ USCIRF Report 2012, *supra* note 38, at 86.

the Taliban.⁴¹ A member of the Assembly of Experts classified house churches as “against the national security” of Iran.⁴² Such demonization reflects the government’s true sentiments towards Christianity and the official policy at the roots of religious persecution in Iran.

D. Persecution for Religious Assembly

After the 1979 revolution, the Iranian government recognized official Christian churches, mostly made up of ethnic Christians and a few long-standing protestant churches made up of Muslim converts. Until the 1990s, Iran allowed these building churches to conduct worship services in Persian, but imposed strict restrictions on church attendance largely to prevent church growth through evangelism.⁴³ Some of these restrictions included requiring churches to close their doors to non-Christians and new converts.⁴⁴ Despite various attempts to obtain formal recognition by newer churches,⁴⁵ those mostly made up of converts to Christianity, the Iranian government has refused to recognize any new church organizations since the revolution.⁴⁶

Official building churches, including Armenian and Assyrian congregations, are subject to intense surveillance and are closely monitored by the Iranian authorities. Many Iranians have reported that the government has installed surveillance cameras aimed at the point of entrance for official building churches to monitor those in attendance. The government also requires official building churches to submit membership reports and to report the addition of any new members.⁴⁷

Government restraints on official churches’ abilities to accept converts and non-Christians during their worship services combined with the inherent fear that converts could be sentenced to death for apostasy has forced many Christian communities to develop churches in private homes. Morad Mokhtari, a member of the Iranian Protestant minority and employee of an Episcopal church, has stated that the government’s restriction on freedom of assembly forces “Farsi-speaking, Iranian Christians . . . to live as shadows.”⁴⁸ Danial Shahri,⁴⁹ an Iranian Christian who

⁴¹ USCIRF Report 2012, *supra* note 38, at 8–9.

⁴² THE COST OF FAITH, *supra* note 26, at 26 (2013).

⁴³ *Id.* at 20.

⁴⁴ HUSSEIN D. HASSAN, CONG. RESEARCH SERV., RL34021, IRAN: ETHNIC AND RELIGIOUS MINORITIES (2008), available at <http://www.fas.org/sgp/crs/mideast/RL34021.pdf>.

⁴⁵ Through the ACLJ’s contact with various groups of Iranian Christians, we have heard repeated testimony of congregations seeking government approval and being denied.

⁴⁶ Michael Nazir-Ali, *Christianity in Iran: A Brief Survey*, INT’L J. STUDY CHRISTIAN CHURCH, Jan. 30, 2009, at 32, 37–38.

⁴⁷ USCIRF Report 2012, *supra* note 38, at 8.

⁴⁸ *Witness Testimony: Morad Mohktari*, IRAN HUM. RTS. DOCUMENTATION CENTER (2009), <http://www.iranhrdc.org/english/publications/witness-testimony/3164-witness-testimony-morad-mohktari.html#.UTtIQFf4KSo>.

⁴⁹ Danial Shahri was arrested in 2010 on charges of “web management of the home church,” “blasphemy and publishing lies,” “evangelism,” and “forming and participating in home church.” He was beaten during interrogations, and eventually fled Iran after his release when the authorities did not stop harassing him and his family. *Witness Statement of Danial Shahri*, IRAN HUM. RTS. DOCUMENTATION CENTER (2010), <http://www.iranhrdc.org/english/publications/witness-testimony/100000042-witness-statement-of-danial-shahri.html#.UTtLp1f4KSo>.

began as a member of a building church and later joined a house church due to constant persecution, explained that many prefer to worship in house churches to avoid the “strict supervision” and “pressure” from the government on building churches. The lack of freedom to gather with like-minded Christian believers without threat or intimidation has made even recognized ethnic religious minorities feel as though they are “second class citizens”⁵⁰ and both categories of Christians are a far cry from realizing religious liberty.

E. Criminalizing Religious Expression and Possession of Religious Materials

Under international covenants, to which Iran is a party, all individuals are guaranteed the right to freedom of expression,⁵¹ including the right to religious discourse and the right to “prepare and distribute religious texts or publications.”⁵² And while the Iranian Constitution also provides for freedom of expression, in practice, the Christian minority in Iran has very limited freedom of expression.⁵³

Christians are arrested, detained, and prosecuted for sharing their faith with Muslims and for distributing Christian literature. Islamic authorities also prohibit the use of the Persian language in any non-Muslim religious services. Since February 1990, when the government shut down Iran’s Persian-language Bible publisher, it has been difficult for Christians to worship or study the faith in their native vernacular. The government confiscates and destroys Bibles and other non-Islamic religious literature printed in Persian. In 2010, various reports arose from the government of Iran that it had discovered and consequently burned hundreds of copies of the New Testament and Torah.⁵⁴ Additionally, in August 2011, “6,500 Bibles were confiscated as they were being transported between the cities of Zanjan and Ahbar in the northwestern province.”⁵⁵

F. Methods of Discrimination in Religious Education

Students who are converts to Christianity or those who are children of Christian converts are required to study Islam and the Quran during primary and secondary school.⁵⁶ The Iranian Regime further tempers religious education by its interference with private Christian institutions run by ethnic Christians. Christian private schools “are administered by Iran’s Ministry of Education, which imposes a state-approved religious curriculum,”⁵⁷ and are often required to have a Muslim principal and administrators.⁵⁸

⁵⁰ USCIRF Report 2012, *supra* note 38, at 5.

⁵¹ International Covenant of Civil and Political Rights, *supra* note 17, art. 19.

⁵² *Id.* art. 18.

⁵³ QANUNI ASSASSI JUMHURII ISLAMAI IRAN [THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF IRAN] 1980, art. 24.

⁵⁴ *Iran Burns Bibles*, ELAM, <http://www.elam.com/articles/Iran-burns-Bibles> (last visited Mar. 11, 2013); *Once Again, the Islamic Republic of Iran Burned New Testaments!*, MOHABAT NEWS (Mar. 14, 2011), http://mohabatnews.com/index.php?option=com_content&view=article&id=1355:once-again-the-islamic-republic-of-iran-burned-new-testaments&catid=36::Iranian-christians&Itemid=279.

⁵⁵ USCIRF Report 2012, *supra* note 38, at 8–9.

⁵⁶ THE COST OF FAITH, *supra* note 26, at 69.

⁵⁷ USCIRF Report 2012, *supra* note 38, at 5.

⁵⁸ Saberi, *supra* note 24.

Several Christians have reported their expulsion from secondary school and university programs because of their religion.⁵⁹ Iran's admission regulations for higher education mandate that "education authorities must deny admission to an 'enemy of the Islamic Republic' or those who 'repudiate to be morally corrupt.'"⁶⁰ Thus, converts to Christianity, who have been demonized as morally corrupt and enemies of the state, are regularly denied entrance to or expelled from educational institutions.

G. Methods of Discrimination in Labor and Employment

In violation of Article 28 of the Iranian Constitution, employers often discriminate against Christians upon finding out about an employee's conversion. Under Iranian law, it is mandatory that employment applications ask for the applicant's "religion" and as a result, it is nearly impossible for Christians, especially Protestants, to avoid discrimination.⁶¹

The International Campaign for Human Rights in Iran tells the story of voice actor Arian Risbaf:

One time I auditioned for a voice-acting role. On the application form I wrote I was Christian. They asked, "How are you Christian with parents that have Muslim names?" I told them that we're Protestant; they didn't know what that meant and they didn't make a big deal of it. It wasn't until two weeks later when my application reached *Hirasat* [the local intelligence office] that they contacted me.⁶²

Shortly after *Hirasat* reviewed his application, Risbaf was released from his job. Several employers informed him that because he did not have "real religion" they were scared to work with him, and that associating with a known apostate would bring undesired persecution upon the employer.⁶³

Iran's Constitution also forbids Christians from serving in certain public offices, including the head of state (Supreme Leader), the presidency, and in the judiciary.

IV. Recommendations

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. We must not sit idly by; rather the United States must lead by example—show the world that religious liberty and human rights are the foundation of peaceful and secure societies.

⁵⁹ THE COST OF FAITH, *supra* note 26, at 68.

⁶⁰ *Id.* at 68 n.306.

⁶¹ *Id.* at 12.

⁶² *Id.* at 65.

⁶³ *Id.*

The United States has always been the leading advocate of rights that are universal to all human beings. These rights include the “right to speak freely, the right to assemble without fear, and the right to equal administration of justice.”⁶⁴ Today, Iranian citizens are denied these rights and face abuse and brutality by their government. Consistently, the United States has condemned the “Iranian government’s continued brutal repression of nearly all elements of civil society through the use of unwarranted arrests, prolonged detentions, and violence against its citizens.”⁶⁵ The increasing persecution of religious minorities is particularly troubling. “President Obama and Secretary Clinton continue to speak out on behalf of the hundreds of victims in Iran who suffer at the hands of their government.”⁶⁶ On November 30, 2012, Secretary Clinton stated that “we see Iran brutalizing their own people,” and that the “United States is ratcheting up the pressure to sharpen the choices facing Iran’s leadership. . . . America’s goal is to change the Iranian leadership’s calculus.”⁶⁷

It is the goal of the United States to see that all abuse of human rights ceases. Jeffrey D. Feltman, Assistant Secretary for the Bureau of Near Eastern Affairs, stated when testifying before the House Foreign Affairs Committee that the “Iranian authorities persist in harassment, arbitrary detention, torture, and imprisonment of their citizens, as well as some of ours.” In that same statement he concluded that the United States will stand with these victims and asserts that it is the United States’ responsibility to hold the Iranian human rights abuser accountable at the international level.⁶⁸ Unfortunately, as of today, the United States has failed to live up to that promise.

Mr. Chairman, the ACLJ and its global affiliates join USCIRF in urging the Obama Administration to fulfill the statutory requirements under IRFA Section 402b(2) and the Comprehensive Iran Sanctions, Accountability, and Divestment Act (CISADA) (P.L. 111-195), both of which require the President to submit to Congress a list of Iranian government officials or persons acting on their behalf who are responsible for human rights violations and particularly severe violations of religious freedom. We specifically request that the President take the following “commensurate actions” under IRFA Section 405: bar from entry into the United States and freeze the assets of Iranian government officials who have engaged in particularly severe religious freedom violations; and work with our European allies also to ban from entry

⁶⁴*Assessing U.S. Foreign Policy Priorities and Needs Amidst Economic Challenges in the Middle East: Hearing Before the House Foreign Affairs Comm., Subcomm. on the Middle E. & S. Asia* (2012) (remarks of Jeffrey D. Feltman, Assistant Secretary, Bureau of Near Eastern Affairs), available at <http://www.state.gov/p/nea/rls/rm/189572.htm>.

⁶⁵*Id.*

⁶⁶*Human Rights and Democratic Reform in Iran, Statement Before the S. Foreign Relations Comm., Subcomm. on Near E. & S. & Cent. Asian Affairs*, (2011) (testimony of Michael H. Posner, Assistant Secretary, Bureau of Democracy, Human Rights, & Labor).

⁶⁷Hillary Rodham Clinton, Secretary of State, *Remarks at the Saban Center for Middle East Policy 2012 Saban Forum Opening Gala Dinner*, U.S. DEP’T ST. (Nov. 30, 2012), <http://www.state.gov/secretary/rm/2012/11/201343.htm>.

⁶⁸*Axis of Abuse: U.S. Human Rights Policy Toward Iran and Syria – Part 1: Hearing Before the House Foreign Affairs Comm., Subcomm. on the Middle E. & S. Asia* (2011) (testimony of Jeffrey D. Feltman, Assistant Secretary, Bureau of Near Eastern Affairs), available at <http://www.state.gov/p/nea/rls/rm/169163.htm>.

and freeze the assets of Iranian officials who have engaged in particularly severe religious freedom violations.

We also recommend that the U.S. government make religious freedom a priority in its foreign policy, including its discussions with the P5+1 (the United States, Britain, France, Russia, China + Germany), to ensure that violations of freedom of religion and belief, and related human rights, are part of all formal and informal multilateral or bilateral discussions with representatives of the Iranian government.