



Ruined carvings in the city of Persepolis, Iran. Photo: www.freeimages.com

IRAN

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RISING JUDICIAL HARASSMENT OF THE CHRISTIAN COMMUNITY

Christian Solidarity Worldwide (CSW)¹ is deeply concerned by a recent escalation in the judicial harassment of Iran's religious and ethnic minorities. This escalation has coincided with the second tenure of a presidency which continues to be widely viewed as a moderating and progressive influence.

Since the latest presidential elections on 19 May 2017, both CSW and Article 18² have noted a particularly sharp increase in the number of Christians who have received excessive sentences after being convicted of vaguely worded and unsubstantiated national security-related charges, such as 'acting against national security', 'insulting the sacred' or 'propaganda against the state'. Following their initial arrests, many have also been detained for extended periods prior to being charged. The UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran reported earlier this year, "The right of anyone who is arrested to be promptly informed about the charges against him or her is not respected,"³ with some people being arrested without being shown a warrant.

Previously, the maximum sentence issued in such cases was five years, and in cases where defendants received two five-year sentences, these were reduced to five years on appeal. According to records compiled by Article 18, in the last three

months Judge Ahmadzadeh, head of the 26th branch in Islamic Revolutionary Court, has sentenced at least 16 Christians to between five and ten years' imprisonment. One defendant received 15 years, and two more cases are pending. In at least two cases defendants have been charged with 'promoting Zionist Christianity'. The charges and sentences meted out in these cases are illustrative of an official propensity for utilising legislation and the judiciary to silence or punish any kind of perceived dissent.

The excessive nature of the charges appears pre-determined, and they have been handed down despite a paucity of supporting evidence. From the beginning of the trial until the time of sentencing no material witnesses were called and no testimony offered in support of the charges. In at least one instance the presiding judge is alleged to have shown an extremely limited understanding of Christianity, and to have been reading from papers. Nevertheless, each trial has resulted in sentences that far exceed the lengthiest sentence stipulated by law.

Iran is party to the International Covenant on Civil and Political Rights (ICCPR), which recognises in Article 18 a person's 'freedom to have or to adopt a religion or belief of his choice'. The ICCPR goes on to stipulate that 'no one shall be subject to coercion which would impair his freedom to have or adopt

1 CSW is an organisation working for religious freedom through advocacy and human rights, in the pursuit of justice.

2 Article 18 is an organisation that defends persecuted Christians in Iran.

3 Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Human Rights Council, Thirty-fourth session, 27 February-24 March 2017, Agenda item 4 www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session34/Documents/A_HRC_34_65_AEV.docx

a religion or belief of his choice.’ However, in the Iranian theocracy conversion from Islam to another religion (or to none) is often viewed as a grave sin or even a betrayal of the universal Islamic community, and such apostasy is also deemed a threat to the integrity of the state. As such, the majority of these defendants are converts to Christianity, although one is an Assyrian Christian.

RECOMMENDATIONS

To the government of the Islamic Republic of Iran

- End the judicial harassment, intimidation and punishment of individuals who exercise their right to freedom of religion or belief
- End the use of vaguely-worded national security-related charges to criminalise the Christian community and its practices
- In accordance with constitutional provisions and international obligations, uphold the rights of religious and ethnic minorities
- Stringently respect and uphold the right to a fair trial and due legal process for all detainees, as stipulated in the ICCPR
- Guarantee equality before the law for members of religious and ethnic minorities
- End the practice of holding persons for lengthy periods without charge, ensuring detainees are either charged or swiftly released
- Guarantee unlimited access to legal representation and family to detainees
- Review the constitutionality of revolutionary and religious courts, and end their use in cases involving prisoners of thought, conscience or belief
- Ensure the judiciary system is free from the influence of and interference by security agencies, by separating judiciary and executive powers
- Lift every restriction on the right to follow a religion or belief of one’s choice.

To the international community

- Extend existing targeted sanctions to include judges who are implicated in ongoing and severe harassment and persecution of religious minority communities, including through excessive sentencing

- Support the UN Special Rapporteur on the situation of human rights in Iran in monitoring Iran’s compliance with international human rights standards, including freedom of religion or belief.

CURRENT CASES OF CONCERN

Church of Iran (Rasht): Pastor Yousef Nadarkhani, Mohammadreza Omid, Yasser Mossayebzadeh, Saheb Fadaie

The four men were arrested on 13 May 2016, during a series of raids by security service (VEVAK) agents on Christian homes in Rasht. A ruling on their case was expected prior to Iranian New Year on 21 March 2017; however, a decision to refer the case to judicial authorities in Tehran delayed the sentencing.

On 14 June 2017 they were summoned to the 26th Chamber of the Revolutionary Tribunal, where Judge Ahmadzadeh informed them that they would receive a verdict within 20 days, and accused their church of receiving £500,000 per year from the British government. During the hearing Judge Abolghasem Salavati, who heads the 15th Branch of the Revolutionary Court and is infamous for issuing harsh verdicts in trials lacking due process, entered the courtroom and announced that “Christians make foolish claims.” Judge Salavati is notoriously responsible for miscarriages of justice in high-profile trials involving foreign political activists, lawyers, journalists and ethnic and religious minorities; and for delivering lengthy prison sentences and ordering that defendants be lashed. In many cases he has ordered the death sentence. His unexpected intervention may indicate that the presiding judge is under pressure from the secret police to pronounce a pre-determined verdict and deliver a harsh sentence.

Soon thereafter, the four defendants were sentenced to ten years in prison each for ‘acting against national security’ by ‘promoting Zionist Christianity’. The verdict was dated 24 June 2017 but was not received until 6 July. Pastor Nadarkhani and Mr Omid were given an additional two-year sentence each, to be served in an area in the south of the country, which has an exceedingly hot and harsh climate. They are appealing the sentence.

A ruling is still overdue for a decision on an appeal by Mr Omid, Mr Mossayebzadeh and Mr Fadaie against a sentence of 80 lashes each for drinking wine during a Communion service. Their sentence followed a hearing on 10 September 2016.

Assyrian Pentecostal Church (Tehran): Pastor Victor Bet-Tamraz, Amin Afshar-Naderi, Kaviyan Fallah-Mohammadi and Hadi Asgari

Hadi Asgari, Amin Afshar-Naderi and Kaviyan Fallah-Mohammadi were among several Christians arrested on 26 December 2014 at a Christmas celebration at Pastor Bet-Tamraz's home in Tehran. They were charged with 'acting against national security by organising and conducting house-churches', and Mr Afshar-Naderi was also charged with 'insulting the sacred'. On 3 July 2017 Judge Ahmadzadeh sentenced Pastor Bet-Tamraz, Mr Asgari and Mr Fallah-Mohammadi to ten years in prison each, while Mr Afshar-Naderi was given a 15-year sentence. Pastor Bet-Tamraz, who is Assyrian, was found guilty of 'conducting evangelism' and 'illegal house-church activities'. He was the leader of the Assyrian Pentecostal Church until the Interior Ministry forced it to close in 2009; however, its members continued to meet in homes.

Mr Fallah-Mohammadi was sentenced to ten years for 'acting against national security' and 'organising and conducting house-churches'. He was out on bail when the verdict was announced.

Mr Naderi was sentenced to ten years for 'acting against national security' and five years for 'insulting the sacred'. He was initially arrested at the 2014 Christmas celebration, charged with 'conducting evangelism' and sent to Evin Prison, where he was held mostly in solitary confinement before being released on bail in February 2015. In August 2016 he was one of five Christians arrested at a picnic in Firouzkooh, an area 150km north-east of Tehran, and has remained in Evin Prison since that time.

Mr Asgari was sentenced to ten years for 'acting against national security' and 'organising and conducting house-churches'. He was arrested in August 2016 at the picnic in Firouzkooh and has been in Evin Prison ever since, where he has experienced particularly intense interrogation. On 5 February 2017 Mr Naderi and Mr Asgari went on hunger strike to demand medical attention, and in protest at delays in their case. Mr Asgari had been refused treatment for a kidney infection. They ended the hunger strike when the head of the Attorney General's office and his deputy visited them in prison on 14 February. The officials promised the men medical care and

also said they would look into their cases and those of others imprisoned for their religious beliefs.

Pastor Bet-Tamraz's wife and son, Shamiran Issavi Khabizeh and Ramiel Bet-Tamraz, are still awaiting trial. In June 2017 Mrs Khabizeh was summoned and charged with 'participating in foreign seminars' and 'acting against national security'. She was released one day later on bail. Mr Bet-Tamraz has been charged with 'acting against national security' and 'organising and creating house churches' as well as with charges relating to his father's work. It is likely that both cases will be handled by Judge Ahmadzadeh.

Word of Life Church (Baku): Nasser Navard Goltape, Yusif Farhadov, Eldar Gurbanov and Bahram Nasibov

During a hearing on 23 May 2017 Judge Ahmadzadeh imposed 10-year sentences on Iranian national Nasser Navard Goltape, and Yusif Farhadov, Eldar Gurbanov and Bahram Nasibov from the Republic of Azerbaijan, who had been invited to Iran to participate in an engagement ceremony. They too were accused of 'promoting Zionist Christianity'. The men were arrested on 24 June 2016 and kept in solitary confinement in Tehran's Evin Prison for two months, where they were subjected to harsh interrogations before being charged. Although the hearing was held on 23 May, the judgement was not communicated to them until 12 June. While the men are appealing the sentence, local sources are pessimistic about the outcome – despite the lack of evidence against them – as the authorities appear determined to use the case to make a punitive statement.

Three of the defendants had travelled to Tehran on an informal visit to their Christian friends. They were held in Evin Prison following their arrest, where they initially spent around two months in solitary confinement enduring regular interrogations, and were denied access to consular assistance and legal counsel, before being moved to Ward 350. They were released on bail on 29 October 2016 and the three Azeris were allowed to return to their country on 7 November 2016, having paid the full bail amount.

Following the verdict the Azeri Christians are likely to forfeit bail by not returning to Iran; however, Mr Navard Goltape does not have this option.

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