

Iran

Case study 1.

The case involves four Christian prisoners: Yousef Nadarkhani, Mohammadali Mosayebzadeh, Zaman Fadaee, and Mohammadreza Omid.

Case is referenced by:

Human Rights Activists News Agency, "4 Christians sentenced to 10 years imprisonment", *HRANA: Human Rights Activists News Agency*. 23 September 2017, <https://www.en-hrana.org/christians-sentenced-10-years-imprisonment>, (accessed 2 May 2019).

Christian Solidarity Worldwide, "Iranian pastor Nadarkhani arrested in violent raid", *CSW Website*. 23 July 2018, <https://www.csw.org.uk/2018/07/23/press/4050/article.htm>, (accessed 1 May 2019).

Ewelina U. Ochab, "Another blow to the victims of religious persecution", *Forbes*. 5 January 2018, <https://www.forbes.com/sites/ewelinaochab/2018/01/05/another-blow-to-the-victims-of-religious-persecution/#253f663311de>, (accessed 3 May 2019).

Middle East Concern, "2018 Annual Report: Violations of the rights of Christians in Iran", *MEC*. January 2019, <https://www.meconcern.org/wp-content/uploads/2019/01/Iran%20Report%202018.pdf>, (accessed 3 May 2019).

Release International, "Will they be lashed for taking communion wine? Iranian Christians await verdict", *Release International: Voice of Persecuted Christians*. 15 February 2017, <https://releaseinternational.org/will-lashed-taking-communion-wine-iranian-christians-await-verdict/>, (accessed 3 May 2019).

Short Summary

On Friday, 13 May 2016 Iranian security forces raided a house-church and arrested five members including Yousef Nadarkhani's wife, Tina. Mr. Nadarkhani and his wife were released the same day but the other three were detained. Two months later, on 24 July 2016, Yousef Nadarkhani was summoned and detained in Rasht prison, charged with "acting against national security". All four of the above men are members of the leadership team of the "Church of Iran".¹ Their case has been an ongoing issue since their arrests.

Background events

On Friday, 13 May 2016 security forces raided a house gathering of a group of Christian converts and arrested 5 members including Yousef Nadarkhani and his wife, Fatemeh (Tina) Pasandideh, along with Mohammadali (Yaser) Mosayebzadeh, Zaman (Saheb) Fadaee, and Mohammadreza (Youhan) Omid.

¹ The "Church of Iran" is a Unitarian denomination that has been targeted in the recent years. Over the past 8 years, a number of its members have been detained. Of most concern is the imprisonment of Pastor Yousef Nadarkhani, and three other leaders of the Church in Rasht (above names), who have been sentenced to 10 years in prison.

All four men are members of the leadership team of the church run by Pastor Yousef Nadarkhani.² Prior to the raid, VAVAK³ (MOIS) officers summoned Saheb Fadaee and Mohammadreza Omid to their offices by telephone, telling them that their homes had been raided and they had seized their Bibles, computers and mobile phones.

Mr. Nadarkhani and his wife were released the same day, but the other 3 remained detained. After two weeks in prison, they were all released on bail for the equivalent of \$33,000 (100 million tomans).

On 24 July 2016 Yousef Nadarkhani was summoned to the 13th Branch of the Revolutionary Court in Rasht. He was formerly charged with "acting against national security" and given until 31 August to deposit \$33,000 bail. He was held in Rasht Prison on 1 and 2 August, but was released after title deeds were submitted.

On 10 September 2016, Mohammadali Mosayebzadeh, Zaman Fadaee, and Mohammadreza Omid were summoned to Rasht Court to answer charges of drinking wine during communion, and were sentenced to 80 lashes each, which they appealed. Their appeal remains outstanding.

On 15 October 2016, Mohammadali Mosayebzadeh, Zaman Fadaee, and Mohammadreza Omid had a hearing to face charges of "acting against national security". On 8 May 2017, all four had a hearing at the branch of the revolutionary court presided over by Judge Masha'allah Ahmadzadeh. The second hearing was scheduled for 14 June.

On 6 July 2017 Yousef Nadarkhani, Mohammadreza Omid, Mohammadali Mosayebzadeh, and Zaman Fadaee were given 10-year prison sentences for "acting against national security by propagating house-churches and promoting Zionist Christianity". Yousef Nadarkhani and Mohammadreza Omid were also sentenced to 2 years' exile, Yousef in Nik-Shahr and Mohammadreza in Borazjan – both of these locations are in the south of the country, far away from their families in Rasht. The verdict was dated 24 June but was received by the lawyer for the four men on 6 July. They lodged an appeal.

On 14 December, 2017 the appeal court took place. On 2 May 2018 all four received notification from the appeal court through their lawyer that the ten-year prison sentences were upheld by Judge Hassan Babaee.

On 22 July 2018, Pastor Nadarkhani was taken to Evin Prison in the capital, Tehran, after a violent raid on his home in the northern city of Rasht. The other three members of his congregation sentenced along with him were also taken to Evin the following day. They had been expecting a summons to serve their sentences. However, rather than being summoned, plain-clothed officers forced their way into Mr. Nadarkhani's home early on Sunday morning. The officers asked for Pastor Yousef after his teenage son, Danial, opened the door. When he went to call his father, the officers attacked him with a taser and incapacitated him. When Pastor Yousef came, they also tasered him, before taking him away. The security forces used unwarranted and excessive force: Pastor Nadarkhani was beaten up, despite the fact that neither he, nor his son, had offered any resistance. Pastor Nadarkhani was able

² Based on the Article 18 report, the raid on the Nadarkhani home was reported to have been part of a series that targeted around ten Christian homes.

³ Iran's intelligence service is called in English, the Ministry of Intelligence and Security (MOIS) and Vezarat-e Ettela'at va Amniat-e Keshvar (VEVAK) in Farsi.

to call his family from Evin Prison on 23 July to let them know he was being held there, in quarantine, before being transferred to Ward 8 of Evin Prison.

Previous arrests:

Pastor Nadarkhani was initially arrested in 2009 after going to his children's school to question the Muslim monopoly on Iranian education, which he felt was unconstitutional. He was charged with "apostasy" and sentenced to death in 2010, a decision that was upheld by the Supreme Court in 2011. The pastor was repeatedly asked to renounce his faith during court hearings in order to avoid the death penalty, but he refused.

On 8 September 2012, he was released from prison following his acquittal on apostasy charges, though he was found guilty on charges of "evangelising Muslims and conducting illegal house-church services in his home", for which he received a three-year sentence. Pastor Nadarkhani was re-arrested on Christmas Day 2012 on the orders of the director of Lakan Prison, where he had been held, ostensibly to serve the remainder of a three-year sentence. He was released once again on 7 January 2013.

Mohammadreza Omid was initially detained on 31 December 2012, during the annual government crackdown on house-churches around Christmas time. He was part of a group of four Christians who in October 2013 were charged with "drinking alcohol during a communion service, and possessing a receiver and satellite antenna". The group were sentenced to 80 lashes each.

In February 2015, all four men were briefly detained following similar raids.

Analysis

There has been a significant increase in human rights violations in Iran in recent years, and particularly in the persecution of religious minorities, principally of Christians from a Muslim background.

The Iranian constitution supports freedom of religion for religious minority groups recognised by the government - those being Christians, Jews and Zoroastrians. Though apostasy is a crime under Islamic law, the Iranian Penal Code has not specifically assigned any punishment for apostates.⁴ However, there are several legal provisions that give judges the discretion to find defendants guilty of apostasy.⁵ These provisions give more power to prosecutors and judges to bring charges of apostasy along with other crimes related to national security and politics. Moreover, in recent years, converts to Christianity have not been charged with apostasy but rather with "crimes against the regime" and "acting against national security". Those charges are mainly political charges rather than religious. This might be mainly to avoid an international outcry at religiously motivated charges such as apostasy.

Those detained or charged often have to obtain and hand over exorbitant amounts for bail which are often forfeited as some choose to flee the country in the knowledge that they are very unlikely to receive a fair trial and just verdict. Those awaiting trial who flee the country are tried in absentia.

⁴ Apostasy has always been a controversial issue within Shia Islam. There is no agreed understanding among clerics and Islamic scholars on what actually constitutes apostasy. The issue has been discussed in parliament several times, the latest discussions took place in 2015, whether to enter the apostasy code into the Iran Penal Codes. The parliament did not come to a full agreement and it is therefore an ongoing debate.

⁵ Sara Afshari, "Persecution of Iranian Christians under the Islamic Republic of Iran", Article 18, March 2019. Unpublished.

Many will face a gruelling legal process, and until their case is heard, which could take several years, their lives are in limbo.

Therefore the majority of the Christians arrested in the last few years have been released, either after finishing their prison sentences or temporarily released on bail with severe warnings and threats against any further Christian activity. Once released they are closely monitored, and risk re-arrest and imprisonment if they engage in or are suspected of engaging in any Christian activity.

UK involvement

There has been UK local diplomatic activity in support of Pastor Nadarkhani and others going back to the time of his first imprisonment. Ministers have also made statements bilaterally and in multilateral fora where resolutions condemning breaches of human rights in Iran have been supported at both the UN General Assembly and the Human Rights Council.⁶

⁶ Minister Alistair Burt, Hansard 24.05.2011 (FCO Debate) , 11.01.2012 (Iran Human Rights Debate) & 24.10.2012 (Baha'i Community (Iran) Debate); Minister David Lidington, Hansard 01.12.2016 (Business of the House Debate) & 08.12.2016 (Iran: Human Rights Debate)