



Briefing from the New Zealand Bahá'í community

Report of the Foreign Affairs, Defence and Trade Committee

Contents

Summary of recommendations	2
Introduction	2
Bahá'í and Iran	2
Bahá'í leaders' trial	3
New Zealand Government policy	3
New Zealand action	4
Recommendations	4
Appendix	5

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Summary of recommendations

The Foreign Affairs, Defence and Trade Committee makes the following recommendations to the Government.

- 1 That the Government take the opportunity during the Political and Economic Cooperation Consultations bilateral talks between New Zealand and Iran, to be held in Tehran on 1 November 2009, to raise New Zealand's concerns regarding human rights violations and the treatment of the detained members of the Yarran.
- 2 That New Zealand co-sponsor the Canadian resolution on human rights in Iran in the Third Committee of the United Nations General Assembly.
- 3 That New Zealand lobby other countries in support of the Canadian resolution.

Introduction

We have received a briefing from the New Zealand Bahá'í community, who have expressed concern about the treatment of Bahá'í living in Iran. The Bahá'í community is the largest religious minority in Iran, of approximately 350,000. We were told that the human rights of Bahá'í and other groups are being systematically violated by the Government of Iran. The Bahá'í community expressed particular concerns regarding the detention of Mrs Fariba Kamalabadi, Mr Jamaloddin Khanjani, Mr Afif Naeimi, Mr Saeid Rezaie, Mr Behrouz Tavakkoli, and Mr Vahid Tizfahm, members of the Bahá'í Yarran ("friends", or leadership group).

Bahá'í and Iran

The Bahá'í faith was established in 19th century Iran by the Prophet Bahá'u'lláh, and has been persecuted since its inception. As Moslems believe that there will be no further Prophets after Mohamed, Bahá'u'lláh and his followers are considered heretics and infidels. The teachings of Bahá'u'lláh are also unacceptable to some conservative members of the Islamic leadership, because of beliefs such as the equality of men and women, the right of individuals to independently investigation religious truth, and the abolition of clergy.

We were told of verified examples of systematic persecution of Bahá'í in Iran, including arbitrary arrest or detention; imprisonment without charge; unwarranted searches of homes and businesses; expulsion from schools and universities; seizures from bank accounts and of inheritances; desecration of Bahá'í cemeteries and shrines; prohibition from government or military jobs, or any formal employment; and denial of state pensions, social security, and healthcare.

Some of these measures are legislated, but often the persecution is without official sanction or basis in Iranian law. Embassies in Tehran and Iranian media sources estimate on the basis of publicly released reports that at least 220 Bahá'í are currently incarcerated in Iran.

We are aware that the New Zealand Government has raised the situation of the Bahá'í on repeated occasions. The official Iranian response argues that the Bahá'í are not a religion but a political group (a ruling from the Organisation of Islamic Conference is cited which

does not recognise the Bahá'í as a religion) and that in Iran there is no difference between religious minorities regarding their standing under the law.

Bahá'í leaders' trial

We heard that seven members of the Bahá'í Yarran were arrested regarding the bombing of a religious centre in Shiraz in April 2008, which claimed 14 lives and wounded at least 200. They were arrested on 14 May 2008 at their homes in Tehran and have since been held in the political wing of Tehran's Evin prison.

We are concerned that the members of the Yarran may not receive a fair trial. We understand that after they had been 10 months in prison, without charge, writs were finally filed in March 2009 by the Tehran Prosecutor-General. The charges included, inter alia, "espionage for Israel, insulting religious sanctities and propaganda against the Islamic Republic". These crimes potentially carry the death penalty. We were told that the trial was initially delayed several times until a date of 17 August 2009 was set and widely publicised in the Iranian State-run media. The trial was postponed until 18 October 2009, but again when attorneys and families arrived at the court offices in Tehran on that date they were told it would not take place. No new trial date has been given.

Legal defence

We understand that two senior members of the Yarran's legal counsel, Nobel laureate Shirin Ebadi and human rights attorney Abdolfattah Soltani, were unable to attend the hearing as Ebadi was (and remains) in effective exile from Iran, and Soltani was in prison, detained in the wake of the civil unrest following the June presidential election. Soltani was released seven weeks later. Last month he was prevented from leaving the country when he was due to travel to Germany to collect a human rights award.

New Zealand's response to trial

The New Zealand Government has made representations to the Iranian Government and the New Zealand Ambassador in Teheran called on Dr Tahereh Nazari, Director-General of Human Rights at the Ministry of Foreign Affairs, and made a démarche on 3 September 2009, citing New Zealand's concern about the treatment of members of the Bahá'í faith in Iran and the trial of the seven senior Bahá'í, and welcoming the release of Mr Abdolfattah Soltani from prison, and calling for the trial to be conducted promptly since the defendants have already spent a year in custody, and in a fair manner consistent with the Iranian law.

We understand that a similar démarche was made by the New Zealand Ambassador to the Iranian authorities six months earlier.

New Zealand Government policy

We understand that the New Zealand Government takes a broad approach to the human rights situation in Iran. As noted earlier, the persecution of the Bahá'í is raised frequently by New Zealand. New Zealand considers the persecution of the Bahá'í the principal human rights issue in Iran. The New Zealand Bahá'í community and the National Spiritual Assembly of the Bahá'í of New Zealand regularly express appreciation for the support of New Zealand Government on this matter.

The Minister of Foreign Affairs raised New Zealand's and his parliamentary colleagues' concerns about the continued detention of the Bahá'í leaders and the treatment of the Bahá'í in general with the Iranian Ambassador to New Zealand on 16 September 2009.

The Government holds bilateral talks with Iran (Political and Economic Cooperation Consultations). The next round of talks is scheduled to take place in Tehran on 1 November 2009. We consider that they represent an opportunity for the Government to again raise human rights issues with Iran, including the treatment of Bahá'í.

We understand that the Government also draws international attention to the plight of the Bahá'í in Iran by raising the issue in multilateral bodies, most recently in its statement on 22 September 2009 during the twelfth session of the United Nations Human Rights Council.

New Zealand action

We consider that the New Zealand Government could take a number of actions to address human rights violations in Iran including those specifically against the Iranian Bahá'í community. We understand the need for care and do not want any representations on behalf of the Bahá'í to rebound and invite further repression of their community in Iran.

Recommendations

- 1 We recommend that the Government take the opportunity during the Political and Economic Cooperation Consultations bilateral talks between New Zealand and Iran, to be held in Tehran on 1 November 2009, to raise New Zealand's concerns regarding human rights violations and the treatment of the detained members of the Yarran.
- 2 We recommend to the Government that New Zealand co-sponsor the Canadian resolution on human rights in Iran in the Third Committee of the United Nations General Assembly. We are aware that for the past seven years Canada has sponsored a resolution on human rights in Iran in the Third Committee of the United Nations General Assembly and that New Zealand has traditionally co-sponsored the resolution. We understand that Canada intends to table this year's resolution in late October 2009, which specifically mentions the Bahá'í.
- 3 We recommend to the Government that New Zealand lobby other countries in support for the Canadian resolution. We understand that New Zealand has actively lobbied other countries in support of the Canadian resolution; in 2008 New Zealand sought support on this matter from Pacific countries.

Appendix

Committee procedure

The committee heard evidence from the New Zealand Bahá'í community on 24 September 2009 and the Ministry of Foreign Affairs and Trade on 15 October 2009.

Committee members

John Hayes (Chairperson)
Hon Chris Carter
Jacqui Dean
Hon Pete Hodgson
Hone Harawira (Non-voting member)
Dr Paul Hutchison
Keith Locke
Todd McClay
Hon Maryan Street