

Bahá'í International Community

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Agenda Item 4 - Challenges of criminal justice systems in addressing the needs and demands of minorities

About a month ago, the BBC broadcast a documentary entitled "*Iranian Revolutionary Justice*". The film showed, for the first time, footage of the 1981 trial of 7 members of the national governing body of the Bahá'í community in Iran.

In the documentary a number of prominent Iranian lawyers were asked to give their opinions of the trial. They all made the same observation, namely: it had none of the elements of a fair trial.

The film shows a justice system that violates virtually every accepted element of due process. This same system that executed Bahá'ís in the past continues today to deny them their basic rights, including fair treatment before the law.

The individuals tried on 13 December 1981 were executed a few hours after their court appearance.

The members of the Baha'í Faith still face arbitrary arrest and detention. Just last week 20 individuals were arbitrarily arrested in Tehran, Isfahan and Mashhad, bringing the total number of Bahá'ís incarcerated solely because of their religious belief to over 90. As they were being arrested, shops were also illegally shut down by the authorities after the Bahá'í owners had closed them as part of their religious observance of Bahá'í Holy Days.

Mothers are imprisoned with their newborn children, who are then typically faced with serious illnesses because of lack of proper sanitation. Sometimes both parents are imprisoned, leaving the children to the care of others.

When Bahá'ís take their cases to the government offices they are told that the orders have come from higher authorities. Trials are closed and judges are biased. Some courageous lawyers who, despite all sorts of pressures, agree to defend Bahá'ís then have to face the consequences.

The lack of fair treatment that Bahá'ís face in the criminal justice system stems from the Iranian government's false assertion that membership in the Bahá'í Faith is considered to be "acting against the security of the State". Therefore a simple observance of one's Holy Day, or providing spiritual education to children and youth, or even putting some flowers on the

tomb of a departed relative can provide sufficient evidence for one's being imprisoned, sometimes for many years. Members of the revolutionary guards do not simply enter the home of Bahá'ís, they storm into them, ransacking the rooms and confiscating such 'dangerous' items as books with religious content and photos of spiritual figures of the Bahá'í Faith.

Iran claims that all its citizens enjoy equal rights and that it abides by the rule of law. Unfortunately the reality on the ground for the members of its largest non-Muslim religious minority – the Bahá'ís – proves otherwise. It is now high time that this country fulfill the claims it makes and abides by the principles it preaches.