

Report

## **Christians and converts in Iran**



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## **SUMMARY**

This report concerns the subject of Christians and Christian converts in the Islamic Republic of Iran. It is based on information provided by both public and non-public sources. After providing a brief overview of religious minorities and Christian Churches in Iran, the report goes on to discuss apostasy in relation to Islam and Islamic Law and apostasy in the context of Iranian Law. The final chapter gives an outline of some key practical realities and concerns of converts in Iran, and provides a number of references to recent events concerning conversion.

## **SAMMENDRAG**

Dette temanotatet omhandler kirkesamfunn, islamsk og iransk syn på apostasi (frafall fra islam) og situasjonen for kristne og kristne konvertitter i Iran. Notatet bygger på offentlige og ikke-offentlige kilder.

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## **1. INTRODUCTION**

The report provides a brief general account of the situation of Christian minorities in Iran, with emphasis on issues relating to apostasy from Islam. Suggestions for further reading are provided in the list of references.

### **1.1 ACCESS TO AND USE OF SOURCES**

The report is based on public and non-public sources. Some of the information has been collected from relevant sources in connection with fact-finding missions to Iran. The sources are largely Iranian and belong to various religious minorities. Meeting with the Norwegian immigration authorities, they have described how they experience their situation. It has been a condition for these conversations that the identity and religious affiliation of the sources is not made public. The report attempts, however, to convey information and impressions from the conversations held.

## **2. ABOUT IRAN**

### **2.1 RELIGIOUS MINORITIES**

The population of Iran is approximately 70 million, of which the vast majority are Muslims. It is not known how many people are members of non-Muslim minorities; however it is generally assumed that Iran has between 80,000 and 200,000 Christians, approximately 25,000 Jews and 25,000 Zoroastrians. The number of Baha'i adherents is also unknown, but 1979-estimates indicate numbers of 300,000.<sup>1</sup>

Christianity, Judaism and Zoroastrianism are lawful religions in the Islamic Republic of Iran. As 'People of the Book', Christians, Jews and Zoroastrians are ensured religious status and defined rights in accordance with Islamic principles. In practice, this means that they can practise their religion and decide civil law matters such as marriage, divorce, child custody and inheritance according to Christian, Jewish or Zoroastrian family law. They are assured representation in parliament and can swear oaths on their holy books.<sup>2</sup> They have their own institutions, nursery schools, schools and voluntary organisations that are engaged in cultural, family affairs and welfare issues. The Jewish community in Tehran also runs a private hospital. Young men of conscription age serve their initial military service on a par with other

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<sup>1</sup> Baha'i is prohibited in Iran. The Iranian regime regards adherents of the Baha'i faith as Muslim heretics and as a political sect. Nor has the fact that the main seat of Baha'i is in Haifa in Israel made the situation any easier for adherents of the faith.

<sup>2</sup> Three seats are reserved for Christians (two for Armenians, one for Assyrians), one for Jews and one for Zoroastrians.

Iranians. Nor do minorities normally experience problems obtaining passports or permits to travel abroad.<sup>3</sup>

On the other hand, there is no doubt that non-Muslim minorities experience varying degrees of social and economic discrimination in relation to Iranian Muslims. In practice, for example, non-Muslims are excluded from jobs in the public administration. Certain types of employment and positions are reserved for Shi'a Muslims.<sup>4</sup> In a civil law dispute with a Muslim, a non-Muslim will be the weaker party because Iranian law favours Muslims. This applies in particular in connection with inheritance and damages, where a Muslim will take precedence over a non-Muslim.

Many Christians left Iran in the 1990s and later.<sup>5</sup> One important reason is the generally difficult economic situation, with persistently high unemployment, as well as problems gaining access to higher education, dissatisfaction with the regime and a desire for greater social freedom and a better life (Kamyab 2007). Other factors, such as the Nationality Act in Armenia, which makes it possible for Iranian Armenians to attain citizenship, and the USA's liberal visa practice in relation to Iranian non-Muslim minorities, have given Christians good opportunities to emigrate. An American organisation, the Hebrew Immigrant Aid Society (HIAS),<sup>6</sup> helps Iranian Christians to emigrate to the USA (priest in Iran, interview in Tehran January 2009). Iranian Christians have also made use of visas to Schengen countries only to subsequently apply for asylum in Europe.

## 2.2 CHRISTIAN CHURCHES

Most Christians live in Tehran, Tabriz and Isfahan. There are churches or religious communities without places of worship (so-called 'home churches', i.e. religious activities that take place in private homes) in Tehran, Hamadan, Tabriz, Amol, Orumiyeh, Shiraz, Isfahan and Mashad.

The vast majority of Iranian Christians are Armenians who belong to the Apostolic Armenian Church. The Armenian Church is a national, ethnically-based church that uses Armenian as its liturgical language. The church neither engages in evangelical activity nor accepts Muslim converts. Armenians in Iran are generally very conscious of their ethnic affiliation and their religious and cultural legacy.

The Assyrian Church is also ethnically-based and uses Aramaic as its liturgical language. Like the Armenian Church, the Assyrian Church loyally follows the authorities' instructions to only engage in religious activity within its own ranks. Like Armenians, Iranian Assyrians are generally very conscious of their ethnic affiliation and their religious and cultural legacy.

The Catholic Church in Iran does not engage in evangelical activity nor does it baptise Muslims. Only on a few previous occasions, conversions are said to have

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<sup>3</sup> Certain passport and travel restrictions apply to Iranian Jews.

<sup>4</sup> This means that Sunni Muslims are also excluded from certain offices and positions.

<sup>5</sup> This also applies to other non-Muslim groups and very many Iranian Muslims.

<sup>6</sup> Hebrew Immigrant Aid Society (HIAS): <http://www.hias.org/> [downloaded 11 Feb 2009].

taken place. The attitude then was that the church did not reject Muslims who wished to convert, but nor did it encourage them. Those who insisted could take part in mass and receive training. The requirements relating to training and practice were very stringent, and it could take from three to five years before the church approved baptism. The long period of training – which is usual in the Catholic Church – was also the result of the church being contacted after the Islamic Revolution in 1979 by many Iranians who wished to convert for more or less tactical reasons in order to make it easier to obtain visas to Western countries.

The protestant churches are closely associated with past Western missionary activity. The churches comprise six small religious communities in Tehran with branches in other towns. In 1986, the churches established a Council of Protestant Churches in Iran.

Three of the protestant churches in the Council are evangelising towards Muslims and accept in principle – and also at times in practice – Muslims who wish to convert to the Christian faith. Their members come from different ethnic backgrounds and the majority are either converts or children of Muslim converts. The churches are charismatic and define themselves within the Christian tradition of martyrdom. Their liturgical language is Persian, which is problematic in itself in relation to the Iranian authorities, who want Christian liturgy to be conducted in minority languages.

Muslims who have contacted ‘the convert churches’ have had to undergo prolonged and thorough training prior to baptism. The churches have wished to be certain that candidates are true believers. Fear of provocateurs, considerations for the safety of the church and the religious community and the possibility of tactical conversions, i.e. the use of conversion as a migration strategy, have also contributed to caution on the part of churches.

There are no reliable figures for how many converts live in Iran. Based on available information, there are probably no more than between one and two thousand.<sup>7</sup> Most of them are said to live in Tehran, where church leaders state that the three churches in question have a combined membership of between 680 and 730 (Landinfo 2006). Approximately 150 converts are said to be affiliated to a church in Shiraz. In addition, there are a few congregations affiliated to the same churches in other towns. Some of them have church buildings and are registered religious communities, but most of them are said to be organised in ‘home churches’.<sup>8</sup> This means that they are not registered and approved by the Iranian authorities, which is a requirement for engaging in lawful religious activity.

The Iranian authorities’ interest in ‘home churches’ is generated by their quest for information. The authorities want information about the ‘enterprise’ itself, of who is in charge and of members, participants or adherents. Those who do get arrested and who are released on bail after interrogation will not be charged with apostasy but with other/alternative offences which do not lead to the death penalty (Iranian lawyer, interview in Tehran January 2009).

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<sup>7</sup> The figure is primarily based on information provided by various church leaders to the Norwegian immigration authorities.

<sup>8</sup> ‘Home churches’ means that a private individual or pastor invites guests or adherents to his home to take part in prayer, preaching or studies.

According to a 2009 report by the Danish immigration authorities, ‘home churches’ appear to be organised as individual churches (or congregations) as opposed to being part of church networks. The total number of such ‘home churches’ is unknown. According to the same report, an international organisation in Turkey estimates that there are approximately a thousand ‘home churches’ in Iran, while a Western embassy in Tehran states that it is difficult to know the actual number of ‘home churches’ in the country (Danish Refugee Council & Danish Immigration Service 2009, page 33).

It is uncertain whether the number of converts is increasing in Iran today and, if it is so, by what numbers. Checking or confirming such numbers will be exceedingly difficult.

### 3. ON ISLAM AND APOSTASY

#### 3.1 APOSTASY

Conversion in a Muslim context is related to the question of apostasy – the renunciation of Islam. Seen from a historical perspective and in a theoretical framework, according to traditional Islamic law, the world is divided into **Dar-al-Islam**, territory under Muslim rule, and **Dar-al-Harb**, territory at war with Muslims. Consequently, conversion is primarily renunciation of Muslim unity and, in Muslim history, it has been compared with high treason or associated with political rebellion or opposition. This thinking also explains why Christian evangelical work aimed at Muslims is either prohibited or subject to strong restrictions in the vast majority of Muslim countries.

#### 3.2 SOURCES OF LAW

In legal terms, apostasy<sup>9</sup> is considered in relation to Islamic law, *Sharia*<sup>10</sup>. The Qur'an and the Prophet Muhammad's *Sunnah*<sup>11</sup> are the prime authoritative sources of Islamic law. *Sunnah* consists of the combined reported sayings or actions of Muhammad, his closest family and first adherents as they are written down in the *Hadith* literature (the tradition, also called the reported sayings or actions).

Apostasy in the Muslim context is not just related to conversion. It also includes blasphemy, for example offensive utterances about the Prophet Muhammad and Muslim beliefs and practice.

#### 3.3 ISLAMIC LAW AND APOSTASY

The Qur'an and Hadith are not unambiguous and clear on the issue of the punishment for apostasy. Nor is there any universal interpretation of Islamic law.

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<sup>9</sup> Greek: defection.

<sup>10</sup> Arabian: That which is prescribed, the sum of Allah's commands and prohibitions.

<sup>11</sup> Arabian: way of life, behaviour, custom.



The Sunni Muslim and Shi'a Muslim law schools therefore have different interpretations of a number of religious and legal issues. However, it is a consensual view among Muslim clerics and within *Fiqh*, Islamic jurisprudence, that apostasy is a serious crime that warrants punishment. Apostasy is regarded as a rebellion against Allah and a threat to the global Muslim community, *Ummah*<sup>12</sup>. Muslim clerics disagree about whether an apostate deserves the death sentence and about who, in such case, is to carry it out. The predominant view, however, is that an apostate deserves to die and that Muslim societies either can or must punish the person in question.

In relation to apostasy, Shi'a jurisprudence does not differ to any great extent from Sunni jurisprudence.

### **3.4 CONSEQUENCES OF APOSTASY**

In Muslim countries, apostasy can have consequences in civil law (loss of ownership and inheritance rights) or in criminal law. The precondition for sanctions is that the conversion is known and has been reported to the authorities in the country concerned. The extent to which apostasy can have consequences in civil and criminal law in Muslim countries varies from country to country. In practice, a convert will primarily experience problems if his or her family knows about the conversion, does not accept it and applies pressure on the convert to return to Islam or reports the conversion to the police.

## **4. IRANIAN LAW AND APOSTASY**

### **4.1 LEGISLATION**

Apostasy is not regulated directly in the current Iranian penal code. Apostasy is considered in relation to traditional Islamic law and legal interpretations from religious authorities. The interpretations have legal authority as law. The chief characteristic of Shi'a law is the authority and competence it assigns to the Imams,<sup>13</sup> i.e. the successors of and stand-ins for the founder Ali, who was the Prophet Muhammad's cousin and son-in-law.

In the draft of the new Iranian penal code, a new provision is proposed that expressly prohibits renunciation of Islam. The draft bill has been under consideration for several years, and was adopted by parliament in October 2008. The draft has not yet been adopted by the Council of Guardians,<sup>14</sup> which is necessary for a new penal code to enter into force.

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<sup>12</sup> Ummah comprises all Muslim throughout the world.

<sup>13</sup> Shi'a Islam is split into three main schools. This is due to disagreement about the number of legitimate Imams in history. The biggest and most important is the Twelver doctrine, which is the official state religion in Iran.

<sup>14</sup> The Council of Guardians consists of six clerics and six lawyers who ensure that all legislation is in accordance with Islamic law.

## 4.2 EVIDENCE REQUIREMENTS

The evidence required in connection with conversion consists of four confessions made on four different occasions before a Muslim judge. The accused must also be an adult in the religious sense (which in Iran means 15 years old for boys and nine years old for girls), be mentally accountable and have acted intentionally, i.e. not have been intoxicated or under coercion or duress.

The court must have concrete evidence that a person has converted in order to convict him or her. If a person accused of apostasy declares himself or herself a Muslim before the court, it is unlikely that he or she will risk further prosecution. However, it is a precondition that the person in question is not accused of other offences.

A confession is evidence. However, because the Iranian judicial system is based on Islamic principles, a confession is only legally valid if it is made in court before a Muslim judge. The procedural requirements stipulate four confessions (or admissions/confirmations) on four separate occasions before the judge.

If all criteria are met, the punishment for conversion for a male Muslim is the death sentence. If all criteria are met, there is no alternative, i.e. the judge cannot commute a death sentence to imprisonment for a male convert.<sup>15</sup>

A female convert will be sentenced to life imprisonment. If she expresses remorse and again declares herself to be a Muslim, she may be released. It is a precondition for release, however, that she has not been convicted (or accused) of other offences.

## 4.3 WHICH COURT DECIDES IN APOSTASY CASES?

A court case against an apostate in Iran can be heard by both a revolutionary court and an ordinary civil court, depending on whether the accused is charged with other offences in addition to apostasy and, if so, what these offences are.<sup>16</sup>

In the case of a conviction, the Supreme Court will, in addition to deciding the sentence, consider whether the case has been heard by the appropriate court.

## 5. EXPERIENCE AND PRACTICE

Iranian religious tradition differentiates between offences committed in the public domain and that which takes place within the confines of privacy. Offences that are in violation of Islam and that are committed in the public domain must be punished, while what takes place in the private sphere, and is thereby concealed, is tolerated to a greater extent. This can include, for example, drinking of alcohol, prohibited sexual relations, use of illegal films, books, music and religious practice. Irrespective of their ethnic and religious background, very many Iranians in practice live two lives,

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<sup>15</sup> This punishment also applies in Sunni Islam. Between 85 and 90 per cent of all Muslims are Sunni Muslims.

<sup>16</sup> An Iranian Muslim cleric who is charged with deviant theology or blasphemy, will have his case heard by a special court for clerics.

one in the public domain and another in private. As long as the private sphere remains private and Islamic rules and values are not visibly challenged or violated, the Iranian authorities will not normally intervene in citizens' private sphere.

All non-Muslim minorities generally maintain a low profile in public as regards religious affiliation. As long as they follow the rules, minorities can practise their religion without being in the authorities' spotlight because this constitutes lawful and socially acceptable behaviour.

Problems with the authorities primarily arise in relation to outgoing and evangelical activity aimed at Muslims. All Christians (whether born Christians or converts) who evangelise in relation to Muslims and, for example, hand out Christian literature risk problems in the workplace and in the local community. If the matter is reported, the person in question risks being tried on serious charges.

In practice, Iranian Muslims who convert to Christianity largely live in the same way as those who are born to Christian parents. However, it is a precondition for avoiding problems that converts behave discreetly, allow religious practice to take place within the confines of the religious community and otherwise treat their faith as a private matter, which most of them do.

According to church leaders, it is only rarely that ordinary members have experienced problems obtaining a job, gaining admission to university or obtaining a passport. Experience shows that it is primarily the leadership of the evangelical churches that are in the authorities' spotlight and that the tolerance of the authorities ends with instances of open evangelising and – in some case – the ordination of priests. There are examples of converts who have enjoyed untroubled lives for many years only to experience problems with the authorities once they have been ordained as priests. In the 1990s, several cases of this kind were resolved by means of a discreet agreement between the churches involved and certain Western embassies that granted visas. The Iranian authorities did nothing to prevent this and allowed those involved to leave Iran lawfully with their families.

If an Iranian citizen is reported for apostasy, he or she can expect to be summoned for questioning. If the person concerned answers in the affirmative, he or she risks being arrested and held in custody for a prolonged period. A person charged with apostasy will not be released on bail pending trial (Iranian lawyer, interview in Tehran January 2009). The judicial authorities do not grant bail to people held on remand who risk the death penalty.<sup>17</sup>

During the judicial process, the accused will be brought before a judge four times at an interval of a few weeks or months. During the process, the judge will often put pressure on the person concerned, inform him or her that they can save their lives by declaring themselves a Muslim, and otherwise recommend guidance and urge them to think things through. The family may also be asked to persuade or put pressure on the person concerned. If, at the fourth and final court hearing, the person concerned confirms his or her conversion and declares that it has taken place voluntarily and

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<sup>17</sup> Iranian law prescribes the death penalty for a number of crimes, including murder, rape, infidelity, homosexual intercourse, serious drug crimes, espionage, apostasy and for insulting the founder of the Islamic Republic, Ayatollah Khomeini.

with intent, the judge must sentence the accused to death (or lifetime imprisonment if the accused is female).

Striking a balance between the desire to evangelise and the authorities' demands is difficult for leaders of the 'convert churches'. They have doubtlessly experienced considerable problems at times because they have refused to accept that Iran is an Islamic Republic where Christian evangelisation is prohibited and where changing religion is only permitted if one converts to Islam. This has given rise to difficulties in relation to other churches who discourage or dislike evangelisation and who fear that it may have consequences for other Christians. But the biggest problem has undoubtedly been that the Iranian authorities have at times subjected the churches' leadership to strong and prolonged pressure in order to get them to close their church doors to Muslims, to not establish 'home churches' and end evangelisation.

Experience shows that the authorities have used Islamic law as a threat. Recalcitrant church leaders have been confronted with the fact that the authorities can prosecute them if they so wish. Church leaders have been threatened with the police not being able to protect them from 'extreme Islamic groups' if they fail to comply with the authorities' demands. Arrests of church leaders for short periods, threats during interrogation, raids, seizures of internal documents and warnings have all taken place on occasion. The last major campaign by the Iranian authorities against church leaders in Tehran was in 2004. Since then, the churches in Tehran have maintained a low profile and behaved more in accordance with the authorities' demands. Church leaders have also stated on several occasions that the authorities monitor all activity and know the identity of all members and others with looser ties to the churches.

In practice, it is very rare for anyone to be convicted of apostasy. The last time this happened was in 1990, when a priest was executed for apostasy, evangelisation and US espionage (Telegraph 2008). However, three priests (two of them converts) were kidnapped and killed by unknown perpetrators in 1994 (Landinfo 2006). In 2004, a pastor who had converted to Christianity in 1980 was arrested in connection with a Christian conference. The pastor, a colonel in the army, was tried for apostasy but acquitted (Norwegian Mission to the East, 2005). However, he was convicted of violating military law because he had kept his Christian faith hidden from his superiors. Pursuant to the law, only Muslims can become officers in the Iranian armed forces. The man was sentenced to three years imprisonment and his pension rights were revoked. In 2005, another pastor was stabbed with a knife on the street by unknown perpetrators. The pastor died from his injuries.

After Mahmoud Ahmadinejad was elected president in 2005, the situation for everyone who can be suspected of being in opposition to the regime has deteriorated. Human rights advocates (lawyers, women's rights activists and journalists), students, Kurdish activists, intellectuals, the organised political opposition and trade union leaders have all felt the stricter limits of the authorities' tolerance, among other things in the form of harassment, arrests, political trials and harsh sentences. Religious minorities have also experienced a general worsening of the political climate. This has affected adherents of Baha'i in particular, while Jews have increasingly been on the receiving end of the president's verbal tirades and threatening rhetoric (US Department of State 2008).

In April 2009, prior to the UN conference on racism (Durban II) in Geneva, several human rights organisations strongly criticised President Ahmadinejad and his regime. Among other things, they pointed out that discrimination on religious grounds is widespread in Iran and that the adherents of Baha'i as well as Christians, Jews, Sufis (Islamic mystics), Sunni Muslims and other minorities are subject to arbitrary arrest, threats and harassment (Iran Focus 2009).

Several evangelical Christians have also been arrested in Shiraz, Mashad and Amol (Compass Direct New 2008b). In 2006, a married couple who led a 'home church' in Mashad (he was a convert and she was the daughter of one of the priests who was killed in 1994) were arrested and held in custody for a few weeks before being released on bail (Amnesty International 2006).

In 2008, a man (the son of the pastor executed in 1990) was arrested in Mashad and held on remand for approximately two months accused of spreading propaganda against the regime (Compass Direct News 2008a).

Two men who were arrested in Shiraz in 2008 were released after approximately four months on remand (Christian Today 2008). The case against them was dropped after their lawyer had stated in court that they were both born Muslims and that they had not renounced Islam, and after the accused had themselves declared themselves to be Muslims in front of the judge (Western embassy in Iran, interview in Tehran January 2009).

In January 2009, three persons from two families, all affiliated to 'home churches', were arrested in Tehran (Compass Direct News 2009a). One of them was released after a week without charge. The others, a married couple, were released on bail after two weeks on remand (Compass Direct News 2009b).

In March 2009, three Christians from Shiraz were given suspended prison sentences of eight months with a probationary period of five years for having spread the gospel and for having collaborated with 'anti-government movements'. On pronouncing judgment, the judge warned that the suspended sentences would be reversed and those involved arrested and charged with apostasy if they were again found to have spread the gospel (Christian Today 2009). The three Christians were converts (Compass Direct News 2009c).

Two Christian women were also arrested in March and put in Evin prison in Tehran, charged with having acted contrary to national security and participating in illegal assemblies. The two were alleged to have been involved in church activities and the distribution of bibles (Compass Direct News 2009d).

## **5.1 CONTACTS ABROAD**

The evangelical churches have had and have (it varies over time) contact with Western embassies and contacts in Christian milieus abroad. The latter in particular can put the churches in a vulnerable position, also because it can result in accusations of illegal gifts of money. Financial support from abroad is only permitted if the authorities have given their prior consent. At times, the churches have maintained a very low profile and have not wanted special Western focus on their situation. Contact with Western embassies has taken place and takes place on the churches' terms. In practice, this means that the churches themselves regulate contact with

embassies and other foreigners. Contact with fellow believers abroad is another problem for these churches.

The Danish immigration authorities stated in their Iran report from 2009 that it is possible to convert 'online'. Iranians can contact TV channels based in the USA and be given religious training, a baptism certificate and a recommendation from an American church. Evangelists from the UK have also engaged in active evangelical activities on the Turkish side of the Iranian-Turkish border (Danish Refugee Council, Danish Immigration Service 2009, pages 33-34).

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