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**ON THE COVER:** Members of Pakistan's Women Action Forum in Lahore, Pakistan rally against the presence of Taliban and militants in the northwest of Pakistan on Thursday, February 12, 2009. The banners condemn religious extremism, domestic violence, and the burning down of girls' schools in Swat. (AP Photo/K.M. Chaudary)

## Iran

The government of Iran continues to engage in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused. Iran is a constitutional, theocratic republic that inherently discriminates against its citizens on the basis of religion or belief. Over the past few years, the Iranian government's poor religious freedom record has deteriorated, especially for religious minorities and in particular for Baha'is as well as Sufi Muslims and Evangelical Christians, including intensified physical attacks, harassment, detention, arrests, and imprisonment. In September 2008, the Iranian parliament took further steps toward passing a revised penal code that would codify serious punishments, including the death penalty, on converts from Islam. Heightened anti-Semitism and repeated Holocaust denial threats and activities by senior government officials have increased fear among Iran's Jewish community. Since the 1979 Iranian Revolution, significant numbers from religious minority communities have fled Iran for fear of persecution. Dissident Muslims also continue to be subject to abuse. Since 1999, the State Department has designated Iran as a "country of particular concern," or CPC. The Commission recommends that Iran again be designated as a CPC.

The Constitution of the Islamic Republic of Iran proclaims Islam, specifically the doctrine of the Twelver (Shi'a) Jaafari School, to be the official religion of the country. It stipulates that all laws and regulations, including the Constitution itself, be based on Islamic criteria. The head of state, Ayatollah Ali Khamenei, is the Supreme Leader of the Islamic Revolution and has direct control over the armed forces, the internal security forces, and the judiciary. The Supreme Leader is chosen by the Assembly of Experts, a group of 86 Islamic scholars elected by popular vote from a government-screened list of candidates. All legislation passed by the *Majlis* (parliament) is reviewed for adherence to Islamic and constitutional principles by the Guardian Council, half of whose members are appointed by the Supreme Leader. The Guardian Council also has the

power under the Constitution to screen and disqualify candidates for all elective offices, including the Assembly of Experts and the 290-member *Majlis*, based on a vague and arbitrary set of requirements, including candidates' ideological and religious beliefs. Disputes over legislation between the *Majlis* and the Guardian Council are adjudicated by the Expediency Council, an advisory body appointed by the Supreme Leader. Five seats in the *Majlis* are reserved for recognized religious minorities: two for Armenian Christians, one for Assyrian Christians, and one each for Jews and Zoroastrians.

In recent years, hundreds of prominent Muslim activists and dissidents from among the Shi'a majority advocating political reform have been sentenced to lengthy prison terms by the Revolutionary Court on charges of seeking to overthrow the Islamic system in Iran; many others have been arrested and detained for alleged blasphemy and criticizing the nature of the Islamic regime. Reformists and journalists are regularly tried under current press laws and the Penal Code on charges of "insulting Islam," criticizing the Islamic Republic, and publishing materials that deviate from Islamic standards. Following a visit to Iran in 2004, the UN Special Rapporteur on the Right to Freedom of Opinion and Expression concluded that such charges brought by Iranian courts "lack any objective criteria" and are open to "subjective and arbitrary interpretation by judges implementing them." In March 2009, Iranian blogger Omid Mirsayafi died in prison while serving a 30-month sentence imposed by a revolutionary court in Tehran for "propaganda against the state" and criticism of religious leaders; Iranian authorities claim his death was a suicide but his lawyer and family have demanded an investigation.

A number of senior Shi'a religious leaders who have opposed various religious and/or political tenets and practices of the Iranian government have also been targets of state repression, including house arrest, detention without charge, trial without due process, torture, and other forms of ill treatment. In October 2006, Ayatollah Mohammad Kazemini Boroujerdi, a senior Shi'a cleric who advocates the separation of religion and state, and a number of his

followers were arrested and imprisoned after clashes with riot police. He and 17 of his followers were initially sentenced to death, but the death sentences were later withdrawn. In August 2007, he was sentenced to one year in prison in Tehran followed by another ten years in prison in another part of the country. In addition, Ayatollah Boroujerdi was reportedly defrocked and his house and all his belongings were confiscated. According to the State Department, in November 2008, supporters of Ayatollah Boroujerdi, who is said to be in poor health, reported that prison officials “severely beat him and moved him from Evin Prison to an undisclosed location despite appeals for release on medical grounds.” In October 2008, Iranian authorities rearrested nine of his followers who were originally arrested in 2006; their status is unknown.

Muslim minorities continue to face repression. Some Iranian Sunni leaders have reported widespread abuses and restrictions on their religious practice, including detentions and torture of Sunni clerics, as well as bans on Sunni teachings in public schools and Sunni religious literature, even in predominantly Sunni areas. Sufi and Sunni Muslim leaders are regularly intimidated and harassed by intelligence and security services and report widespread official discrimination. The Sunni community still has not been able to build a mosque in Tehran. Also, there have been allegations that the Iranian government discriminates against the Sunni community in government employment, particularly leadership positions in the executive and judicial branches.

During the past year, arrests and harassment of Sufis increased significantly. In February 2009, at least 40 Sufis in Isfahan were arrested after protesting the destruction of a Sufi place of worship; all were released within days. In January, Jamshid Lak, a Gonabadi Dervish from the Nematollahi Sufi order, one of the country’s largest Sufi sects, was flogged 74 times after being convicted in 2006 of “slander” following his public allegation of ill-treatment by a Ministry of Intelligence official. In late December 2008, after the closure of a Sufi place of worship, authorities arrested without charge at least six members of the Gonabadi Dervishes on Kish Island

and confiscated their books and computer equipment; their status is unknown. In November 2008, Amir Ali Mohammad Labaf was sentenced to a five-year prison term, 74 lashes, and internal exile to the southeastern town of Babak for “spreading lies,” based on his membership in the Nematollahi Gonabadi Sufi order. In October, at least seven Sufi Muslims in Isfahan, and five others in Karaj, were arrested because of their affiliation with the Nematollahi Gonabadi Sufi order; they remain in detention. In November 2007, clashes in the western city of Borujerd between security forces and followers of a mystic Sufi order resulted in dozens of injuries and the arrests of approximately 180 Sufi Muslims. The clashes occurred after authorities began bulldozing a Sufi monastery. It is unclear how many remain in detention or if any charges have been brought against those arrested. During the past year, there were numerous reports of Shi’a clerics and prayer leaders, particularly in Qom, denouncing Sufism and the activities of Sufi Muslims in the country in both sermons and public statements. In addition, there were reports that the government is considering banning Sufism outright.

The constitution of Iran formally recognizes Christians, Jews, and Zoroastrians as protected religious minorities who may worship freely and have autonomy over their own matters of personal status (e.g. marriage, divorce, and inheritance). Nevertheless, the primacy of Islam and Islamic laws and institutions adversely affects the rights and status of non-Muslims. Members of these groups are subject to legal and other forms of discrimination, particularly in education, government jobs and services, and the armed services. Non-Muslims may not engage with Muslims in public religious expression or persuasion; some also face restrictions on publishing religious material in Persian. In 2004, the Expediency Council authorized collection of equal blood money for the death of Muslim and non-Muslim men. Baha’is, Sabean Mandaean men, and all women remain excluded from the revised ruling. According to Iranian law, Baha’i blood is *mobah*, which means members of the Baha’i faith can be killed with impunity.

Since August 2005, the Iranian government has intensified its campaign against non-Muslim religious minorities. A consistent stream of virulent and inflammatory statements by political and religious leaders and an increase in harassment and imprisonment of, and physical attacks against, these groups indicate a renewal of the kind of oppression seen in the years immediately following the Iranian revolution in the late 1970s. Ayatollah Ahmad Jannati, head of the Guardian Council, has publicly attacked non-Muslims and referred to them as “sinful animals” and “corrupt.” In October 2008, UN Secretary General Ban Ki-Moon issued a report on the situation of human rights in Iran, which included details of abuses against religious minorities by authorities, including arbitrary detentions, false imprisonment, and violent attacks against Baha’is and arbitrary arrests and physical abuse of Sufi and Sunni Muslims and Christians. In December 2008, the UN General Assembly adopted a resolution condemning the Iranian government’s poor human rights record, including its continued abuses targeting religious minorities and the escalation and increasing frequency of violations against members of the Baha’i faith. In early 2008, the Iranian parliament began considering a new law that would impose serious punishments, including the death penalty, on converts from Islam. In September 2008, a committee in the *Majlis* approved advancing the amended language on apostasy, which could be passed by the full *Majlis* in the near future. Although the Iranian government has in the past applied the death penalty for apostasy under Islamic law, it has not been explicitly codified. If the proposed law is passed, it would further endanger the lives of all converts from Islam, particularly members of the Baha’i faith, who are already considered apostates, even if they are fourth- or fifth-generation Baha’i adherents.

The Baha’i community has long been subject to particularly severe religious freedom violations in Iran. Baha’is, who number approximately 300,000, are viewed as “heretics” by Iranian authorities, and may face repression on the grounds of apostasy. Since 1979, Iranian government authorities have executed more than 200 Baha’i leaders in Iran, and more than 10,000 have been

dismissed from government and university jobs. Baha’is may not establish places of worship, schools, or any independent religious associations in Iran. In addition, Baha’is are barred from the military and denied government jobs and pensions as well as the right to inherit property, and their marriages and divorces are also not recognized. Baha’i cemeteries, holy places, and community properties are often seized or desecrated and many important religious sites have been destroyed.

In recent years, Baha’is in Iran have faced increasingly harsh treatment, including increasing numbers of arrests and detentions and violent attacks on private homes and personal property. Baha’i property has been confiscated or destroyed and dozens of Baha’is have been harassed, interrogated, detained, imprisoned, or physically attacked. In February 2009, a Baha’i cemetery in Semnan was desecrated, and in January, another Baha’i cemetery was destroyed in Ghaemshahr. Baha’i cemeteries also have been destroyed in Yazd and outside of Najafabad. In the past several years, a series of articles in the government-controlled newspaper *Kayhan*, whose managing editor is appointed by Supreme Leader Ayatollah Khamenei, have vilified and demonized the Baha’i faith and its community in Iran. Iranian authorities also have gone to great lengths to collect information on all members of the Baha’i community in Iran and to monitor their activities. In the past, waves of repression against Baha’is began with government orders to collect such information, and the latest 2006 directives have created a renewed sense of insecurity and heightened fear among Baha’i adherents.

Nearly 200 Baha’is have been arbitrarily arrested since early 2005 and, at present, more than 30 Baha’is remain in prison on account of their religion or belief. Dozens are awaiting trial while others have been sentenced to prison terms ranging from 90 days to several years. All of those convicted are in the process of appealing the verdicts. Charges typically ranged from “causing anxiety in the minds of the public and of officials” to “spreading propaganda against the regime.” In March and May 2008, seven Baha’i leaders – Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie,

Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm – were arrested and taken to the notorious Evin prison in Tehran. All are members of an informal Baha’i national coordinating group, known to the Iranian government, which was established to help meet the educational and social needs of the Baha’i community after the Iranian government banned all formal Baha’i activity in 1983. In February 2009, they were charged with espionage, “insulting religious sanctities,” and “propaganda against the Islamic Republic”—charges that could result in the death penalty. They have not had access to their legal counsel, Shirin Ebadi, the 2003 Nobel Laureate. Although statements by Iranian officials have suggested that a trial was imminent, no trial has yet taken place and a date is not known. In March and April 2009, several Baha’is were arrested in Yazd, Semnan, Sari, and Shiraz, some of whom remain in detention. In January, four Baha’is were arrested in Ghaemshahr after their homes were raided by Ministry of Intelligence officials. Also in January, at least six Baha’is were arrested in Tehran on charges of “insulting religious sanctities,” including a woman who worked at a human rights organization connected with Ebadi; five were released in March, including one who worked for Ebadi’s center, which was closed by authorities in December 2008. In December 2008, at least eight Baha’is were arrested on Kish Island, including two persons visiting from Canada; their status is unknown.

In the past, Baha’is in Iran have not been allowed to attend university. Significantly, in the fall of 2006, because the 2006-2007 applications did not require students to list religious affiliation, for the first time in decades nearly 300 Baha’i students were admitted to a number of Iranian universities and colleges. However, the majority were later expelled when it became known that they were Baha’is. Although more than 1,000 Iranian Baha’i students registered for the national university entrance examination for the 2007-2008 academic year, only 77 were permitted to enroll. The low number is reportedly due to the fact that more than 800 Baha’i students were only told months after they had completed the examination that their files were “incomplete.” Although the Iranian government maintains publicly that Baha’is are free to attend

university, reports over the past year indicate that the *de facto* policy of preventing Baha’is from obtaining higher education remains in effect. Of the very few Baha’is who are enrolled in universities, several were expelled during the past year once their religious beliefs became known. Furthermore, during the past few years, young Baha’i schoolchildren in primary and high schools increasingly have been vilified, pressured to convert to Islam, and in some cases, expelled on account of their religion.

Christians in Iran, in particular Evangelical and other Protestants, continue to be subject to harassment, arrests, close surveillance, and imprisonment; many are reported to have fled the country in recent years. Iranian President Mahmoud Ahmadinejad reportedly has called for an end to the development of Christianity in Iran. Over the past few years, there have been several incidents of Iranian authorities raiding church services, detaining worshippers and church leaders, and harassing and threatening church members. According to advocacy and human rights organizations, dozens of house church leaders were arrested and interrogated in the past year for engaging in religious activities in their homes. One group reported that approximately 73 Christians were arrested in 2008 on account of their religion, although most were released after short-term detentions. It is a common practice, particularly in cases involving offenses based on religious belief, for Iranian authorities to release prisoners but to leave the charges against them or their convictions in place in order to be able to threaten them with re-imprisonment at any future time.

In March 2009, two women, Marzieh Esmaeilabad and Maryam Rustampoor, were arrested for practicing Christianity after authorities raided and confiscated materials from their home. Iranian officials reportedly claimed the two women were engaging in “anti government” activities, although the charges have not been substantiated. As of this writing, they are being held in Evin prison. In January, three Christian converts, Jamal Ghalishorani, Nadereh Jamali and Hamik Khachikian, were arrested in Tehran for engaging in underground house church activity. No formal charges were made and all were released within one

to two weeks, although Ghalishorani and Jamali have an open case against them. In August 2008, five Christian converts were arrested, including Ramtin Soodmand, the son of Assemblies of God pastor Hossein Soodmand, who was executed in 1990. All were released by October, although Soodmand continues to await trial on charges of “promoting propaganda against the Islamic Republic.” In June, a couple who converted to Christianity was arrested and allegedly beaten for four days, then released on bail without being formally charged. In May 2008, more than a dozen Christian converts from Islam were arrested and detained in the southern city of Shiraz. All but two were released after several weeks, but subsequently informed that legal cases remain pending against them. In September, the Iranian government leveled apostasy charges against the two converts still in detention, Mahmoud Matin and Arash Basirat, but they were released later that month after a court ruled that the apostasy charges were invalid.

During the past few years, the unrecognized Sabeian Mandaean religious community, numbering between five and ten thousand people, has been facing intensifying harassment and repression by authorities. There were reports that members of the Sabeian Mandaean community experienced societal discrimination and pressure to convert to Islam, and they were often denied access to higher education.

Official policies promoting anti-Semitism are on the rise in Iran, though members of the Jewish community have usually been targeted on the basis of “ties to Israel,” whether real or perceived. President Ahmadinejad and other top political and clerical leaders have made public remarks in the past year denying the event of the Holocaust and calling for the elimination of the state of Israel. In 2008, there was a rise in officially sanctioned anti-Semitic propaganda, involving official statements, media outlets, publications, and books; anti-Semitic editorial cartoons depicting demonic and stereotypical images of Jews, along with Jewish symbols, were also published in the past year. For example, in May 2008, a government-sponsored exhibition titled the “Fraudulent Myth” opened in Qom with the goal of marking the “Anniversary of the Establishment of the

Zionist Regime.” According to the State Department, most of the items in the exhibit represent Jews in an anti-Semitic manner. Official government discrimination against Jews continues to be pervasive. In recent years, numerous programs broadcast on state-run television depicted anti-Semitic messages, a prominent newspaper held a Holocaust denial editorial cartoon contest, and the Iranian government sponsored a Holocaust denial conference. According to the State Department, despite minimal restrictions on Jewish religious practice, education of Jewish children has become increasingly difficult in recent years, and distribution of Hebrew religious texts is strongly discouraged.

The government’s monopoly on, and enforcement of, the official interpretation of Islam negatively affect the human rights of women in Iran, including their right to freedoms of movement, association, and thought, conscience, and religion, as well as freedom from coercion in matters of religion or belief. The Iranian justice system does not grant women the same legal status as men; for example, testimony by a man is equivalent to the testimony of two women. Provisions of both the Civil and Penal Codes, in particular those sections dealing with family and property law, discriminate against women. Over the past few years, several women’s rights activists were arrested by authorities and some remain in prison for their involvement in collecting signatures for the Campaign for Equality aimed at ending discrimination against women in the application of Islamic law in Iran. Some of the activists’ demands included: 1) that women’s testimony in court carry the same weight as that of men; 2) equality of inheritance rights between men and women; 3) eliminating polygamy; and 4) equality of compensation payments between women and men in the event of wrongful death. In March 2009, Iranian authorities arrested 12 women’s rights activists, including 10 members of the Campaign for Equality’s One Million Signatures Campaign, who were visiting families of political prisoners on the occasion of the Iranian New Year. Ten were subsequently released, but two involved with the signature campaign, Khadijeh Moghadam and Mahbubeh Karami, remain imprisoned without charges in Evin prison.



In March 2008, Freedom House released a study on “Discrimination and Intolerance in Iran’s Textbooks.” The study found that the country’s textbooks published for the 2006-2007 school year, including religious subjects for grades 1 – 11, teach “the country’s children to discriminate against women and minorities, to view non-Muslims with suspicion if not contempt, and to perpetuate the regime’s theocratic ideology.” While the study found that the textbooks did not contain any “direct hostility” toward recognized religious minorities, the textbooks include intolerant content about the Baha’i religion, including asserting that the Baha’i faith is a “hidden” minority and a “false sect” used as a tool for foreign governments.

Throughout the past year, Commission staff met with members of non-governmental organizations representing various religious communities in Iran, as well as human rights groups and other Iran experts and policymakers. In May 2008 and February 2009, the Commission issued public statements expressing concern over the arrests and then the charges against the seven Baha’i leaders, and urging the U.S. government and international community to call for their release. In September 2008, the Commission sent a letter to the leadership of Religions for Peace, the American Friends Service Committee, the Mennonite Central Committee, the Quaker United Nations Office, and the World Council of Churches-United Nations Liaison Office to protest their invitation to President Ahmadinejad to take part in a “dialogue” on “the significance of religious contributions to peace.” Also, in September the Commission released a statement expressing concern about the proposed changes to the penal law to include the death penalty for apostasy. In March 2008, Commissioner Nina Shea briefed Members of Congress on religious freedom conditions in Iran at a congressional Iran Working Group briefing titled “Assessing the Human Rights Situation of Ethnic Religious Groups in Iran.” In February 2008, the Commission held a hearing chaired by Commissioner Michael Cromartie on Capitol Hill entitled “Advancing Religious Freedom and Related Human Rights in Iran: Strategies for an Effective U.S. Policy,” at which policy officials and Iran experts

explored current U.S. policy toward Iran and highlighted the deteriorating religious freedom conditions and other human rights abuses taking place there.

## **Recommendations for U.S. Policy**

### **I. Stopping Abuses of Freedom of Religion or Belief and Supporting Human Rights and Democracy**

In addition to recommending that Iran continue to be designated a CPC, the Commission recommends that the U.S. government should:

- at the highest levels, vigorously speak out publicly about the deteriorating conditions for freedom of thought, conscience, and religion or belief in Iran, and draw attention to the need for the international community to hold authorities accountable in specific cases where severe violations have occurred, such as:
  - extremely poor treatment of the Baha’i community;
  - increasing problems facing Christians, Sufi Muslims, and dissident Muslims; and
  - state-sponsored anti-Semitism and Holocaust denial activities;
- work within its current overall policy framework to ensure that violations of freedom of religion and belief, and related human rights, are part of all formal and informal multilateral or bilateral discussions with representatives of the Iranian government, including:
  - ensuring that the revised amendment to the Penal Code, which would codify the death penalty for apostasy, is rescinded;
  - permitting Baha’is to practice their faith, rescinding any existing laws that permit members of the Baha’i faith to be killed with impunity, and allowing full access for Baha’is to

study in public universities without discrimination;

-- releasing from prison the seven Baha'i leaders—Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm—and other Baha'is in prison on account of their religion or belief as well as dropping all charges against those Baha'is who have cases pending;

--releasing all Christians, including Marzieh Esmailabad and Maryam Rustampoor, in prison on account of their religion or belief and dropping all pending charges against any Christian converts, including Jamal Ghalishorani, Nadereh Jamali, and Ramtin Soodmand;

--releasing from prison Ayatollah Boroujerdi and other dissident Muslims, including any Sufi Muslims in prison on account of their religion or belief;

--ceasing all messages of hatred and intolerance, particularly toward Jews and Baha'is, in the government-controlled media and removing the government-appointed editor of *Kayhan*;

--halting state-sponsored acts of anti-Semitism, and, while vigorously protecting freedom of expression, counteract anti-Semitic rhetoric and other organized anti-Semitic activities by the President and other high-level government officials;

--releasing from prison all women's rights activists, including Khadijeh Moghadam and Mahbubeh Karami, who advocate for ending discrimination against women in the application of Islamic law in Iran;

- ensure that funding budgeted to promote democracy and human rights in Iran includes support for effective initiatives advancing freedom of religion or belief, as well as ways to promote rule of law and human rights defenders

programs that specifically seek to protect religious minorities in Iran;

- adequately fund U.S. public diplomacy entities, such as Voice of America and Radio Farda, and expand and develop new programming focusing solely on the situation of human rights—including the freedom of thought, conscience, and religion or belief—in Iran;

## **II. Promoting Freedom of Religion and Belief and Related Human Rights in Multilateral Fora**

- continue to support an annual UN General Assembly resolution condemning severe violations of human rights, including freedom of religion or belief, in Iran, and calling for officials responsible for such violations to be held accountable;
- press for a resolution condemning severe violations of human rights, including freedom of religion or belief, in Iran at the UN Human Rights Council;
- call on the UN Human Rights Council to monitor carefully and demand Iran's compliance with the recommendations of the representatives of those UN special procedures that have already visited Iran, particularly the Special Rapporteur on Freedom of Religion or Belief (1995), the Working Group on Arbitrary Detention (2003), and the Special Rapporteur on Freedom of Opinion and Expression (2003), and restore the position of UN Special Representative on the Islamic Republic of Iran with the task of investigating and reporting on human rights abuses in Iran; and
- encourage the UN Human Rights Council to continue to use its procedures to maintain oversight of conditions for freedom of religion or belief in Iran, including continued visits and reporting by the Special Rapporteur on Freedom of Religion or Belief, and other relevant special rapporteurs and working groups, to which Iran has issued a standing invitation.