

IRAN: The reality for Christians

*Considerations for immigration
officials, government agencies and
advocates of Iranian Christians*

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Open Doors International
(World Watch Research)



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1. Christianity is seen as a growing threat

The Iranian government considers Christianity a condemnable Western influence and a constant threat to the Islamic identity of the Republic. This is especially the case because Christian numbers are growing and allegedly even children of political and spiritual leaders are leaving Islam for Christianity. Since there are no Persian-speaking church services accessible for converts and Christian materials are prohibited, most converts gather in informal house-church meetings or receive information on Christian faith via media, such as satellite TV and websites. The number of Iranian Christians with a Muslim background continues to increase, although exact numbers are unknown. Open Doors uses an estimated number of 800,000 Christians in World Watch List 2021 documentation.¹ Ethnic Assyrian and Armenian Christians account for approximately 250,000 of that number, while the remainder consists of Christian converts from Islam with the overall majority of them belonging to the Protestant house-church movement. However, the total number of Christian converts remains unclear, due to the secret nature of conversions, the ongoing migration of converts to other countries and the fact that many converts remain isolated and are not connected to a house-church or other Christians.

2. Legal framework

The Constitution of the Islamic Republic of Iran states that Islam (Twelver Ja'fari school of Islamic jurisprudence) is the nation's official religion.² Accordingly, all Iranian laws must be derived from and consistent with Islamic law.³

2.1 Ethnic minority Christians

Under the Constitution, Christianity is one of the three legally recognized ethnic religious minorities in Iran. Through this recognition, ethnic minority Christians maintain the right, at least in principle, to exercise their faith.⁴ Article 13 of the Constitution states: "Zoroastrian, Jewish, and Christian Iranians are the only recognized religious minorities, who, *within the limits of the law*, are free to perform their religious rites and ceremonies, and to act according to their own canon in matters of personal affairs and religious education." As interpreted by the Iranian government, these rights pertain only to ethnic minority Christians (not to Iranian converts to Christianity) who act within the limits of the law, including non-codified principles of Islamic law.

However, even ethnic minority Christians suffer from a large amount of legalized and social discrimination. They are not allowed to hold services in Persian (Farsi) or print religious materials in Persian. In addition, they face employment restrictions (being Muslim is a requirement for many jobs, in particular in government positions and the authorities have been known to force Muslim employers to dismiss Christian employees); marriage restrictions (for instance, the Civil Code prohibits a non-Muslim man from marrying a Muslim woman);⁵ unequal treatment by the

¹ WWL 2021 Iran – Full Country Dossier, available at: <http://opendoorsanalytical.org/wp-content/uploads/2021/02/Iran-WWR-Full-Country-Dossier-February-2021.pdf> (password: freedom), last accessed 19 March 2021.

² Qanuni Assassi Jumhurii Islamai Iran [The Constitution of the Islamic Republic of Iran] 1980, Art. 12.

³ Id. Art. 4.

⁴ Id. Art. 13 (emphasis added).

⁵ THE CIVIL CODE OF THE ISLAMIC REPUBLIC OF IRAN, Art. 1059.

courts; not being allowed to adopt children; the Islamic hijab is compulsory for all women in Iran, including Christians; and the inability to inherit property from a Muslim (which encourages people to convert to Islam for financial reasons). Moreover, Article 881 of the Iranian Civil Code provides that when an ‘infidel’ dies, if there is any Muslim among the beneficiaries, this legatee inherits all the property even if only a distant relative.⁶ Even the recognized religious minorities are referred to as ‘infidels’ in this article.⁷ Christians are also not allowed to hold public offices such as being a judge, qualify for the presidency or be elected to local councils (except for three out of five designated seats for religious minorities in the Majlis, the Iranian parliament).

The government forces churches to reject any Muslim trying to be baptized into the Christian faith and requires a church to register its members. The government closes any church that does not comply. Recognized Christian communities who help and support converts face prosecution and similar treatment, as shown in the cases of Iranian-Armenian Christian Sevada Aghasar and the Iranian-Assyrian Christian couple Victor Bet-Tamraz and Shamiram Issavi and their son Ramiel Bet-Tamraz.⁸ For this reason, converts are forced to meet in informal house churches or to practice their faith in isolation.

2.2 Freedom of thought, conscience and religion

Concerning freedom of thought, conscience and religion, Article 23 of the Constitution provides that the “investigation of individuals’ beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief.”⁹ Article 26 of the Constitution grants the recognized ethnic religious minorities the freedom to form associations, such as churches. The Constitution also dictates respect for the human rights of non-Muslims, but qualifies this protection by stipulating that “this principle applies to all who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran.”¹⁰ Notably, prosecutors often bring charges against Christians, asserting that their Christian activities amount to crimes such as “propaganda against the Regime” and “acting against national security.”¹¹ The reality is, although Iran acknowledges constitutional protection, it fails to uphold this for its Christian community.

The Iranian government brings national security charges against Christian converts under the rationale that apostates are not Christians as recognized by the Iranian Constitution and threaten the security of the Islamic state. This ensures that the case is handled under the opaque shroud of the Revolutionary Courts; these are courts that notoriously lack transparency and due process. In 2014, the UN Rapporteur on the situation of human rights in Iran interviewed 133 people who faced trial in Iran. Forty-five percent of those interviewed said they were not permitted to present information in their defense; in 43 percent of cases, trials lasted only

⁶ Id. Art. 881 (bis).

⁷ Article 18, 26 April 2021, <https://articleeighteen.com/analysis/8506/>.

⁸ See for Sevada Aghasar’s case: <https://articleeighteen.com/news/4298/> (accessed 20 May 2021), for Victor Bet-Tamraz and Shamiram Issavi’s case: <https://articleeighteen.com/news/6652/> (accessed 20 May 2021) and for Ramiel Bet-Tamraz’s case: <https://articleeighteen.com/news/5632/> (accessed 20 May 2021)

⁹ Qanuni Assassi Jumhuri Islamai Iran [The Constitution of the Islamic Republic of Iran] 1980, Art. 23.

¹⁰ Id. Art.14.

¹¹ See for example: UN Special Rapporteur on Human Rights to Iran, *Report of the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran*, UN Doc. A/HRC/34/65 (17 March 2017), para. 78, <https://undocs.org/A/HRC/34/65> (accessed 24 March 2021) and generally: Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran Note by the Secretary-General, UN Doc. A/HRC/74/188 (18 July 2019), paras. 32 - 42, 57 - 61, <https://undocs.org/A/74/188> (accessed 24 March 2021)

minutes, and 70 percent of interviewees noted that coerced information or confessions had been reportedly used by the judge or at least part of the evidence presented by the prosecution was made up.¹² Recent annual reports from the UN Rapporteur show no improvement in this regard.¹³

Revolutionary Courts process crimes ranging from the violation of national security, terrorism and smuggling, to the ambiguously conceived offense of “waging war against God and sowing the seeds of corruption on earth.”¹⁴ Islamic religious judges preside over the revolutionary courts,¹⁵ which also operate outside the jurisdiction of public civil or criminal courts. In the Revolutionary Court system, those charged with national security-based crimes are denied an attorney of their choice¹⁶ and human rights defenders are often punished through arrests and imprisonments for representing religious minorities. According to one Iranian attorney who is familiar with Revolutionary Courts, “in the course of trials, judges used threatening language” against the defense, “openly refused to apply the law and seldom took any notice of the defense lawyers’ repeated objections to the court’s breaches of the law.”¹⁷

Iran’s Supreme Leader Ayatollah Khamenei and other government officials have vilified Christianity and expressed that “[n]othing shall be accepted from others outside of those three [recognized] groups but Islam or death.”¹⁸ Morteza Tamaddon, the former head of the Tehran Provincial Public Security Council and former governor-general of Tehran, expressed during his tenure that evangelical Christians are a “deviant” sect of Christianity and accused them of using Christianity as a “cover” for their true intent to undermine Islam.¹⁹ Many other religious and political leaders continue to speak out against Christianity as well. They are accused of “plotting against the government and Islam”, “moral corruption” and “blasphemy and insulting the prophets”.²⁰ Through this concerted propaganda of hate towards Christianity, many Christians, especially converts to Christianity, are denied legal protection that would otherwise be granted to them under Article 13.

¹² See: UN Special Rapporteur on Human Rights to Iran, *Report of the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran*, UN Doc. A/HRC/25/61 (18 Mar. 2014), <https://undocs.org/A/HRC/25/61> (accessed 19 March 2021).

¹³ See: UN Special Rapporteur on Human Rights to Iran, *Report of the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran*, UN Doc. A/HRC/46/50 (11 January 2021) <https://undocs.org/A/HRC/46/50> (accessed 23 March 2021) and UN Special Rapporteur on Human Rights to Iran, *Report of the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran*, UN Doc. A/HRC/43/61 (28 January 2020) <https://undocs.org/A/HRC/43/61> (accessed 23 March 2021).

¹⁴ See: The Islamic Penal Code of The Islamic Republic of Iran (2013), Articles 297 and 303.

¹⁵ According to the 1982 Law on the Qualifications for the Appointment of Judges, see *Official Gazette*, “Law on the Qualifications for the Appointment of Judges”, only a male candidate who has faith and is deemed just and in possession of “a practical commitment to Islamic principles and loyalty to the system of the Islamic Republic” may be considered as a judge or a prosecutor.

¹⁶ UN Special Rapporteur on Human Rights to Iran, *Report of the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran*, UN Doc. A/HRC/40/67 (30 Jan. 2019), Available at: <https://undocs.org/A/HRC/40/67> (accessed 24 March 2021)

¹⁷ Reza Banakar & Keyvan Ziaee (2018) The Life of the Law in the Islamic Republic of Iran, *Iranian Studies*, 51:5, 717-746, DOI: 10.1080/00210862.2018.1467266. Available at: <https://www.tandfonline.com/doi/full/10.1080/00210862.2018.1467266> (accessed 24 March 2021)

¹⁸ INTERNATIONAL FEDERATION FOR HUMAN RIGHTS (2009), *Iran/death penalty A state terror policy*, available at: http://www.fidh.org/IMG/pdf/Rapport_Iran_final.pdf (accessed 24 March 2021).

¹⁹ International Campaign for Human Rights in Iran, *The Cost of Faith 25* (2013), available at: http://www.iranhumanrights.org/2013/01/cost_of_faith (accessed 24 March 2021)

²⁰ For more examples, see: Dr Sara Afshari, *Persecution of Christians in Iran*, para. 3, available at: <https://articleeighteen.com/analysis/4593/> (accessed 24 May 2021)

2.3 Capital punishment for apostasy

Decisions handed down in the Iranian judiciary reflect the belief that all apostates deserve to die. Although apostasy is not codified in the Iranian Penal Code, Article 167 of the Constitution instructs judicial authorities to make their judgments based on “authoritative Islamic sources and authentic fatwa”, rather than dismissing a case for lack of a codified crime or sentence.²¹ Additionally, Article 220 of the Penal Code instructs a judge to rely on Article 167 of the Constitution and *fatwas* to convict converts from Islam of “apostasy”, a charge punishable by death according to prevailing *fatwas*.²² A judge can also order the death penalty under more ambiguous charges, such as “enmity against God”, “corruption on earth”, “insulting the prophet Mohammad”, and “outrage against high-ranking officials”.^{23, 24, 25, 26}

Due to international pressure after the hanging of Rev. Hossein Soodmand in 1990, Iran has not formally executed a Christian for apostasy since then. Nevertheless, at least four convert pastors, namely Haik Hovsepian-Mehr, Mehdi Dibaj, Tateos Michaelian and Mohammed Bagher Yusefi, died under suspicious circumstances between 1994 and 1996.²⁷ In 2010, Youcef Nadarkhani was sentenced to death for apostasy, which was prevented by another international outcry. After his release, however, he and his family continued to be harassed until the authorities re-arrested him on new charges in July 2018. Notably, Iranian prosecutors have since been hesitant to formally bring apostasy charges against converts. Instead, the prosecutors have relied heavily on charges related to national security and used the threat of an apostasy charge during interrogations. However, there are reported cases of atheists who have been sentenced to death and the legal practice is still in place.²⁸ The national security charges against Christians are often based upon Articles 499 and 500 of the Penal Code, which respectively relate to “membership or organization of ‘anti-security groups’” and “propaganda against the state”.²⁹

On 18 February 2021, President Rouhani signed two amendments to these articles into law.³⁰ In addition, Article 500 (bis) now imposes between two and five years imprisonment and/or a monetary fine on anyone who commits “any [...] proselytizing activity that contradicts or interferes with the sacred law of Islam” when it is – among others – part of a ‘sect’, [...].³¹ In its response to a letter from the Special Rapporteur on Freedom of Religion or Belief, the Iranian

²¹ The Constitution of the Islamic Republic of Iran Art.167.

²² Ayatollah Ruhollah Khomeini, *Tahrir Al-Wasilih*, 494-95 (Vol. 2). Apostates are to be given three days to return to Islam. If they do not recant their faith they are to be executed on the fourth day.

²³ Islamic Penal Code of the Islamic Republic of Iran, Chapter 8, Arts. 279 – 285; available at: <https://www.refworld.org/docid/518a19404.html>

²⁴ Islamic Penal Code of the Islamic Republic of Iran, Chapter 9, Arts. 286 – 288; available at: <https://www.refworld.org/docid/518a19404.html>

²⁵ Islamic Penal Code of the Islamic Republic of Iran, Chapter 5, Arts. 262 – 263; available at: <https://www.refworld.org/docid/518a19404.html>

²⁶ BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR U.S. DEP’T OF STATE, *Iran 2019 Human Rights Report* (2019), available at: <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/iran/>, p. 4.

²⁷ Mark Bradley, *Iran and Christianity Historical Identity and Present Relevance* (2008), pp. 169 -177.

²⁸ *See for example:* <https://www.iranhumanrights.org/2017/03/sina-dehghan-case-review/> (accessed 24 March 2021). Highlighting Iran’s hardline stance against Christians and other minorities is the appointment of Ebrahim Raeesi in March 2019 as head of the judiciary, meaning that he is likely to succeed Supreme Leader ayatollah Khamenei. Raeesi is especially known for his prominent role as a judge in hanging thousands of dissidents in 1988. *See for example:* <https://en.radiofarda.com/a/new-head-of-iran-s-judiciary-is-a-controversial-figure-who-enjoys-some-popularity/29809510.html> (accessed 24 March 2021).

²⁹ Article 18, 19 February 2021, <https://articleeighteen.com/news/7872/>.

³⁰ Article 19, 19 February 2021, <https://www.article19.org/resources/iran-parliament-passes-law-to-further-choke-freedoms-and-target-minorities> (accessed 24 May 2021)

³¹ *Idem*.

government explicitly described converts to Christianity and recognized Christians supporting them as acting against “the Islamic Establishment [...] through organized cults”.³² Thus confirming once again that Iranian Christians and their activities do fall under the scope of the Articles 499 and 500 of the Penal Code. In May 2021, Article Eighteen reported that three converts to Christianity were charged under the amended Article 500.³³

2.4 Obligations under the ICCPR and other treaties

Besides its domestic laws that purport to protect religious minorities, Iran voted in favor of the Universal Declaration of Human Rights and ratified (without reservations) the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.³⁴ Within each of these international commitments, Iran has obliged itself to protect *every individual's* right to religious freedom, expression, peaceful assembly, to be free from arbitrary detention, to be free from discrimination on the basis of religion, and to have a fair trial in the presence of an impartial tribunal. But in practice, Iran has shown utter disrespect for these obligations when it comes to its treatment of Christian converts in Iran.

3. Government persecution practices

It is evident that the Iranian government monitors or is trying to monitor *all* Christian activity, including those who actively attempt to exercise their faith only in private. While many of the arrested Christians are active within a religious community, every Christian remains a target for state sponsored religious freedom violations. The Iranian government interprets ‘being active’ broadly to include organizing or participating in a religious gathering, often called a house church, even if it only consists of four or five people; and anyone who takes on any role or responsibility, e.g. in assisting with religious teaching for women or children.

Again, almost all the charges against Christians in Iran are classified as political and related to national security. Under the charges, everything from ‘the right of peaceful assembly for religious purposes’ to ‘promotion of the Christian faith and leaving Islam’ is considered to undermine the Islamic nature of Iran and thus viewed as actions against national security.³⁵

3.1 Factors leading to discovery

There are a number of ways how the Iranian authorities might discover or seek to discover those practicing Christianity and those who have left Islam. There are also parallel intelligence agencies with their own protocols and methods, some with little oversight such as the Basij voluntary

³² Letter of 12 January 2021 from the Permanent Mission of the Islamic Republic of Iran to the United Nations High Commissioner for Human Rights, available at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35896>.

³³ Article 18, 12 May 2021, <https://articleeighteen.com/news/8610/>.

³⁴ See Universal Declaration of Human Rights, G.A. Res. 217 (III) A, U.N. Doc. A/RES/217(III) (10 Dec. 1948); International Covenant on Civil and Political Rights (ICCPR), adopted Dec. 16 1966, G.A. Res. 2200A (XXI), UN Doc A/6316 (1966), 999 UNTS 171 (entered into force March 23, 1976, ratified by Iran in 1975); International Covenant on Economic, Social and Cultural Rights, 993 UNTS 3, UN Doc. A/6316 (16 Dec. 1966) (entered into force 1976); Cairo Declaration on Human Rights in Islam: World Conference on Human Rights, 5 Aug. 1990, U.N. GAOR, 44th Sess., Agenda Item 5, UN Doc. A/CONF.157/PC/62/Add.18 (1993).

³⁵ See, for example, the case of Naser Navard Goltapeh, Article 18, 13 November 2020, <https://articleeighteen.com/news/7297/>, (accessed 24 March 2021).

militia and the Cyber Council.³⁶ Reasons for discovery can include, but are not limited to, the following:

- The Iranian government has one of the world's best monitoring systems, having purchased Chinese technology to monitor its citizenry, including their movements, purchases, tele-communications and online activity.³⁷ There is evidence that Iran monitors and targets religious minority individuals they consider to be a threat during their time outside the country.³⁸ Thus, even a Christian's public and private (such as emails) online presence while located outside of Iran could lead to the Iranian government's identification of their faith.
- Any kind of gathering might attract the attention of the authorities, as the Iranian government is suspicious of any dissent. Being in "the wrong place at the wrong time", including being with or near an individual already being monitored by the government (for example, when going to a house church meeting) can lead to questioning and detention.
- Open acts of proselytism bring a huge risk of arrest but talking to the wrong person can also lead to questioning and detention. Therefore, holding religious education classes and inviting new converts or interested people bears risks as well.
- Being in possession of Christian materials in Persian might rise the suspicion of proselytizing.
- The Iranian government actively threatens Christians to reveal/betray names of other Christians, to allegedly keep their own families safe.
- The government is very suspicious of citizens having contact with the outside world. Having contact with a foreign Christian via the Internet or messaging apps (even those with encryption services) might lead to questioning and detention.
- Family members or friends who oppose the Christian faith might report a convert to the authorities. Although the level of familial and social pressure on the convert to renounce the new faith differs from family to family and from (rural) village to (urban) city, Iran's Islamic society remains, at least partly, conservative and fundamentalist. Christians are sometimes considered to be "impure" and years of government instigated smear campaigns have created a negative image of Christians in Iranian society. It is also considered a matter of shame and dishonor for the whole family and Muslim community, if someone turns away from Islam.

The risk of interrogation and detention lessens if a Christian remains isolated and does not participate in any Christian activity with others. However, being forced to practice one's faith in such manner is a clear violation of one's Freedom of Religion and Belief.³⁹

³⁶ Austrian Red Cross ACCORD, *Iran: Capacity and methods of authorities to monitor online activities and religious activities of Iranians living abroad*, 12 June 2017, <https://www.justice.gov/eoir/page/file/975076/download> (accessed 24 March 2021).

³⁷ See *Idem*; also: *Iran's Cyber Threat*, Carnegie Endowment for International Peace, 4 January 2018, available at: <https://carnegieendowment.org/2018/01/04/iran-s-internal-targets-pub-75142> (accessed 24 March 2021).

³⁸ *Idem*.

³⁹ Which in most European countries is protected under Article 9 of the European Convention on Human Rights (ECHR) and clearly states that this right includes the freedom to (publicly) manifest one's religion in community with others.

3.2 Forced out of the country, while forfeiting high bail amounts

The Iranian government puts pressure on Christians who are arrested for their house church or evangelistic activities to leave the country and forfeit their bail. With disproportionately high sums of money, the bail system is used as a tool to put financial pressure on Christians.⁴⁰ Threatened by security officials and intimidated by the lengthy jail sentences given to convicted fellow believers, many accused Christians do raise the amount required to secure their release. They ultimately flee the country, leaving their oppressors with title deeds and any remaining assets. From the regime's point of view, active Christians are less dangerous when they are outside the country.

Those who stay may be forced to sign a commitment not to have contact with Christians in Iran and will be put under pressure to return to Islam. Many arrested or charged Christians are threatened not to speak about or report their arrest, or they will face additional persecution. Others who were detained and interrogated often remain silent having been threatened that the government will bring charges if they do not. Still others, who see members of their Christian network face detention or arrest, choose to flee the country out of fear they may be next in line. This, combined with the secrecy of the revolutionary courts and the pressure not to discuss the arrest, explains in part why the number of known judicial cases remains low.

Nevertheless, the Iranian government views those who leave Iran and engage in ministries supporting those inside Iran as a threat to their policy of containment. For years the regime has been trying to contain the growth of Christianity by investing in countrywide smear campaigns. Christians who have fled the country often report that the Iranian government targets and threatens their families in Iran to force the Christian abroad to cut any connection with house church members and active Christians inside.

4. Considerations when interviewing converts

4.1 Credibility of the claimant and of religious conversion

In cases where religious conversion from Islam to Christianity forms the basis of the asylum claim, the interview should explore when and where the claimant's personal experience of Christianity began and the steps taken on the way to full acceptance of the new faith. However, personal experiences and paths taken should not be reduced to a mere collection of data describing the journey from Iran to the country of destination, or to a description of exact dates when the person was first introduced to the new faith. Rather, personal experience is indicated by emotions and thoughts. A personal experience is perceived individually and on a very personal level.

⁴⁰ Recent examples include the unprecedented high amount of \$220,000 in the case of Mehdi Akbari, Fatemeh Sharifi, Simin Soheilinia and Mehdi Roohparvar (Article Eighteen, 17 December 2020, <https://articleeighteen.com/news/7653/>) and the \$150,000 bail amount in the case of Iranian-Armenian house-church leader Joseph Shahbazian (Article Eighteen, 23 July 2020, <https://articleeighteen.com/news/6496/>). The joint Annual Report 2020 published by Christian Solidarity Worldwide, Article Eighteen, Middle East Concern and Open Doors stated that \$1,197,500 has been demanded from Christians in bail during 2020 (Annual Report 2020 - Rights violations against Christians in Iran, January 2021, <https://articleeighteen.com/wp-content/uploads/2021/02/2020-Report-Edited-1.pdf>).

Why an individual chooses to convert from one religion or another varies from person to person. Thus, it is important for the interviewer to keep an open mind to a claimant's explanation of their motives for conversion. For some individuals, conversion comes through intense study and personal reflection – it can look like an intellectual exercise. For others, it may come through having a dream or vision, for which Iranian culture places a high significance.⁴¹ Such experiences can be difficult to convey. For others, they have decided to convert after making a connection with other Christians either via Internet or satellite TV stations.⁴² In Iran, many Christian converts are not connected to any church and often lack significant religious knowledge or training. Therefore, the assessment of credibility of the claimant should not depend solely upon an accurate list of places, names and dates, neither should it be a test of religious knowledge.

Furthermore, while it is reasonable to expect some comprehension of the basics of the faith, given the restrictions on religious freedom in Iran, an interviewer must not find a claimant's lack of basic understanding of the Christian faith or its religious doctrine *prima facie* evidence of a lack of credibility. The claimant's understanding should be contextualized to what may reasonably be expected in the light of the claimant's circumstances. Moreover, an interviewer should consider the degree of trauma experienced by many claimants and the affect it may have on a claimant's ability to provide nuanced details or facts.

4.2 Limited knowledge

Given that i) in 1991 the Iranian government banned all Bibles and Christian materials printed in the Persian language; ii) it has closed virtually all Persian-speaking Christian churches and services, including closing most Protestant church buildings; and iii) it monitors and forbids ethnic minority churches to allow church attendance by non-ethnic minority Iranians – there are considerable difficulties in gaining Christian theological training and knowledge. In other words, the repeated violations against and crackdowns on Christians can make it difficult for converts to have the religious knowledge considered necessary to answer the credibility questions for an asylum or refugee application. These circumstantial considerations should be accounted for during any interview.

4.3 Cultural influence

Culturally, there are many reasons for an applicant to be fearful about speaking openly about their conversion, even during an asylum/refugee application process. Faith is considered a private matter and the monitoring practices of the Iranian government has sown seeds of distrust in any government process. The risks of exposing one's true faith comes with high risks. The interviewer should take reasonable measures to ensure that the interpreter is capable of translating the concepts and terminology of religious groups in the country of origin. Furthermore, all questions should be asked and presented in a way that encourages the claimant to elaborate on their personal experience.

⁴¹ See for example: Mazandarani A; Aguilar-Vafaie M, Iranians' beliefs about dreams: Developing and validating the My Beliefs about Dreams Questionnaire, American Psychological Association 2018, Vol. 28 No. 3, pp. 225-234.

4.4 Genuine decision

Interviewers have a difficult task when it comes to determining the genuineness of a claimant's faith. One source that should retain an authoritative voice as to the genuineness of a claimant's faith is the institution of the church. Often, the church in the asylum country has spent considerable time with a claimant having received the claimant into a church as a new member. A church's evidence of the claimant's genuineness of faith should be given considerable weight and considered as an authoritative resource in the applicant's claim.

The evidence provided by the church may take many forms, including an affidavit of the claimant's involvement in the church, confessions of faith, or in a baptismal certificate. Given the restraints on religious freedom in Iran, it is not uncommon for Iranian claimants to have waited to be baptized into the Christian faith in the country of asylum.

When interviewed, the claimant should be asked to describe their personal experience and beliefs, including their experience with the church in the country of asylum.

4.5 Assessing the risks

All the issues presented in this document should feed into a discussion of the risks which a claimant's personal experience and practice of faith expose them to in their home country. Therefore, their assessment should always include a consideration of the treatment of Christians in Iran as described above. Under both international and European human rights law, the right to freedom of thought, opinion and expression extends to the freedom not to hold and not to express opinions. Refugee law does not require a person to express false support for an oppressive regime or require an agnostic to pretend to be a religious believer to avoid persecution. Similarly, as the Court of Justice of the European Union has held, living incognito upon return is not tantamount to freedom of religion and violates the European Directives on Asylum.⁴³

5. Conclusion

Christians – including converts – are one of the most persecuted religious minorities in Iran. The Iranian government has systematic mechanisms in place to identify or try to identify all members in their society who do not adhere to the majority faith, Shiite Islam. They closely monitor Christians, especially those who have contacts with Christians outside Iran, converted from Islam to Christianity or those who provide assistance to and training for those wishing to convert, or simply provide Persian-language Christian materials. These mechanisms have made it increasingly likely for the government to identify a Christian in Iran, even if practicing in secret. If identified by the Iranian government, Christian converts often, at minimum, suffer substantial harm or interference with life by way of deprivation of liberty, denial of education and employment opportunities, assaults and continual harassment; or in the worst case, the individual could face severe mistreatment and even death. Despite allegations by the Iranian government that its laws respect and recognize the Christian community, the Christian

⁴³ Bundesrepublik Deutschland v. Y (C-71/11) and Z (C-99/11), 5 September 2012.

community in Iran faces systemic and systematic state persecution and discrimination. Returning a genuine Christian to Iran – whether a convert to Christianity or an ethnic-minority Christian - would subject the convert to ill-treatment, deprivation of fundamental human rights including clear violations of one’s Freedom of Religion and Belief, and potentially expose the individual to life-threatening danger.