



Coordination des Associations et des Particuliers pour la Liberté de Conscience

Report to the UN Special Rapporteur on Freedom of Religion or Belief

Subject: Report on religion or belief and torture and other cruel, inhuman or degrading treatment or punishment

Introduction:

This report responds to the call for input by the UN Special Rapporteur on Freedom of Religion or Belief regarding the intersection of religion or belief and torture and other cruel, inhuman or degrading treatment or punishment. It focuses on the experiences of members of the Ahmadi Religion of Peace and Light (AROPL), a Shia-derivative religious movement, in various countries. The report highlights severe violations of religious freedom and instances of torture and cruel treatment, contravening multiple articles of the International Covenant on Civil and Political Rights (ICCPR).

1. Jordan:

In July 2024, Jordanian authorities arrested six AROPL members engaged in peaceful missionary work. The arrest process involved excessive force, religious mockery, and baseless accusations of insulting Islam. The members were subsequently charged with "insulting religious feelings" and "inciting sectarian strife," offenses carrying potential three-year prison sentences.

While released on bail, these individuals remain under strict surveillance and face significant social ostracism. Many have lost their jobs and struggle to maintain their livelihoods. This treatment violates several ICCPR articles:

- Article 18: Freedom of thought, conscience, and religion
- Article 19: Freedom of expression
- Article 26: Equality before the law and non-discrimination

The criminalization of peaceful religious expression and the disproportionate use of force during arrests raise serious concerns about Jordan's commitment to its international human rights obligations.

2. Azerbaijan:

The situation in Azerbaijan is particularly alarming. In July 2024, eleven AROPL members were arrested for peacefully expressing their beliefs. Two members, Rustam Gasimli and Nariman Shabanzade, endured severe torture, including beatings, physical assault, and genital crushing. They were subjected to food deprivation and isolation, and faced false charges.

Despite presenting evidence of their injuries, the court dismissed their claims, resulting in unjust imprisonment. Other community members face ongoing threats and intimidation, creating a climate of fear and suppression.

These actions violate multiple ICCPR articles:

- Article 7: Prohibition of torture and cruel, inhuman or degrading treatment
- Article 9: Right to liberty and security of person
- Article 10: Humane treatment of persons deprived of their liberty
- Article 14: Right to a fair trial

The use of torture, denial of due process, and failure to investigate credible allegations of mistreatment represent severe breaches of Azerbaijan's international obligations.

3. Iran:

In Iran, thirteen AROPL members faced trial in July 2024 on charges of "causing corruption in the land" and acting against national security. The judicial process was marred by numerous irregularities, including denial of proper legal representation and failure to ensure a fair trial.

AROPL members in Iran face constant threats, including home raids, arbitrary arrests, and threats of execution. Some have reported being handcuffed, blindfolded, and threatened at gunpoint during detention. These actions contravene several ICCPR provisions:

- Article 9: Right to liberty and security of person
- Article 14: Right to a fair trial
- Article 18: Freedom of thought, conscience, and religion
- Article 22: Freedom of association

The use of vague national security charges to persecute religious minorities and the denial of fair trial rights are particularly concerning aspects of Iran's treatment of AROPL members.

4. Egypt:

In Egypt, AROPL members face severe discrimination across various aspects of life. They report job loss, educational barriers for their children, and family abuse. In 2017, a senior coordinator was arrested, interrogated, and threatened. More recently, in 2023, authorities raided a safe house, arresting seven members who were subsequently beaten and threatened with blasphemy charges.

The situation is further exacerbated by radical clerics who have called for the eradication of AROPL. One religious scholar declared members as heretics and called for their execution, inciting violence against the community.

These actions violate multiple ICCPR articles:

- Article 18: Freedom of thought, conscience, and religion
- Article 20: Prohibition of advocacy of religious hatred
- Article 24: Rights of the child
- Article 26: Equality before the law and non-discrimination
- Article 27: Rights of minorities

The systemic discrimination, threats of violence, and failure to protect religious minorities demonstrate significant gaps in Egypt's implementation of its ICCPR obligations.

Analysis:

The experiences of AROPL members in these four countries highlight a disturbing pattern of religious persecution, torture, and cruel treatment. These actions not only violate the fundamental human rights of AROPL members but also contravene the legal obligations of these states under the ICCPR.

Common themes across these countries include:

1. Criminalization of peaceful religious expression
2. Use of vague laws to persecute religious minorities
3. Arbitrary arrest and detention
4. Torture and ill-treatment in custody
5. Denial of fair trial rights
6. Discrimination in various aspects of public life
7. Incitement to violence against religious minorities
8. Failure to protect vulnerable communities

These patterns indicate a systemic failure to uphold the principles of religious freedom, non-discrimination, and prohibition of torture enshrined in the ICCPR. They also point to a broader issue of state-sanctioned persecution of religious minorities, often justified under the guise of national security or protection of majority religious sentiments.

The impact of these violations extends beyond the immediate victims. They create a climate of fear and oppression that stifles religious diversity, undermines social cohesion, and contradicts the principles of pluralism and tolerance essential for a democratic society.

Recommendations:

1. Urge the governments of Jordan, Azerbaijan, Iran, and Egypt to immediately cease all forms of persecution, torture, and cruel treatment against AROPL members and other religious minorities, in accordance with Article 7 of the ICCPR.

2. Call for thorough, impartial, and prompt investigations into all reported cases of torture and ill-treatment, ensuring accountability for perpetrators, as required by Articles 2 and 7 of the ICCPR.
3. Advocate for the immediate release of all individuals detained solely for their religious beliefs and the dropping of all charges related to peaceful expression of faith, in line with Articles 9, 18, and 19 of the ICCPR.
4. Recommend that these countries review and amend laws that restrict freedom of religion or belief, ensuring compliance with Article 18 of the ICCPR and other international human rights standards.
5. Encourage the establishment of independent monitoring mechanisms to prevent torture and ill-treatment in detention facilities, as implied by Articles 7 and 10 of the ICCPR.
6. Urge these countries to provide proper training to law enforcement and judicial officials on religious freedom and the prohibition of torture, supporting the implementation of Articles 7, 10, and 18 of the ICCPR.
7. Call for the protection of religious minorities from hate speech and incitement to violence, including by religious leaders, in accordance with Article 20 of the ICCPR.
8. Recommend that these countries invite the Special Rapporteur for an official country visit to assess the situation of religious minorities and instances of torture, demonstrating commitment to Articles 2 and 40 of the ICCPR regarding implementation and reporting.
9. Encourage international cooperation and support for countries struggling to protect religious minorities, including technical assistance and capacity-building programs, in line with the spirit of Article 2 of the ICCPR.
10. Emphasize the importance of education and awareness campaigns to promote religious tolerance and understanding in these societies, supporting the implementation of Articles 18 and 27 of the ICCPR.
11. Urge these states to ensure that all individuals, regardless of their religious beliefs, have equal access to education, employment, and public services, as required by Articles 25 and 26 of the ICCPR.
12. Call for the establishment of effective remedies and reparation mechanisms for victims of religious persecution and torture, in accordance with Article 2(3) of the ICCPR.
13. Recommend that these countries strengthen their judicial systems to ensure fair trials and due process for all, particularly religious minorities, as outlined in Article 14 of the ICCPR.
14. Urge these states to protect the rights of religious minority children to practice their faith and receive education without discrimination, in line with Articles 24 and 27 of the ICCPR.
15. Call for these countries to submit regular and comprehensive reports to the Human Rights Committee on their implementation of the ICCPR, particularly regarding freedom of religion and prohibition of torture, as required by Article 40.

Conclusion:

The persecution and torture of AROPL members in Jordan, Azerbaijan, Iran, and Egypt represent serious violations of international human rights law, particularly the ICCPR. These actions not only cause immense suffering to the individuals and communities involved but also undermine the fundamental principles of human dignity, equality, and freedom that form the basis of a just and peaceful society.