

Concluding Observations Committee on the Rights of the Child CRC/C/IRN/CO/3-4 para 78(b)

Full recommendation:

Take measures to provide access to education based on the national curriculum in the native languages of ethnic minorities, in particular in Azeri, Kurdish, Arabic and other languages.

Assessment using Impact Iran human rights indicators¹

Article 15 of the Constitution of the Islamic Republic of Iran identifies Persian as the official language but permits the use of “regional and ethnic languages in the press, the mass media, and the teaching of their literature at schools, alongside the Persian language...”² However, the restrictive language of Article 15 of the Constitution does not protect fully the right of minorities to learn and teach in their mother tongue. Although Article 101 of the Charter on Citizens’ Rights recognises the right of citizens to learn, use and teach their own local language and dialect,³ the Charter is not legally binding.

Despite these restricted legal guarantees, the Special Rapporteur on the human rights situation in the Islamic Republic of Iran raised concerns about reports of Kurdish, Ahwazi Arab and Azerbaijani-Turk (or Azeri-Turk) lacking access to education in their mother tongues.^{4 5} These concerns were echoed by the UN Secretary General,^{6 7 8} noting reports indicating that members of ethno-linguistic minorities, including the Azeri community as well as Arabs, were being denied the opportunity to teach their language in schools.⁹ The reported state-imposed ban on Azeri-Turkish being taught in school would go some way in explaining such struggle.¹⁰ The Ministry of Education has reportedly circulated reminders to teachers and school administrators that the use of Kurdish and Turkish languages inside public schools is forbidden.¹¹ Furthermore,

¹CRC.28.1.S.2.1; CRC.30.1.S.1

CRC.30.1.P.3

CRC.30.1.O.3; CRC.28.1.O.3

² Constitution of the Islamic Republic of Iran, English translation, <https://irandatportal.syr.edu/wp-content/uploads/constitution-english-1368.pdf>

³ Charter on Citizens’ Rights, English translation, <http://president.ir/en/96865>

⁴ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, January 2020, https://www.ohchr.org/Documents/Countries/IR/Report_of_the_Special_Rapporteur_on_the_situation_of_human_rights_in_the_Islamic_Republic_of_IranA4361.pdf

⁵ See more: Association for the human rights of the Azerbaijani people in Iran, https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/IRN/INT_CRC_NGO_IRN_19735_E.pdf

⁶ IRNA News, www.irna.ir/news/83404283/ (in Farsi).

⁷ Report of the U.N. Secretary General, January 2020, https://www.ohchr.org/Documents/Countries/IR/Report_of_the_Secretary-General_on_the_situation_of_human_rights_in_the_Islamic_Republic_of_IranA4320.pdf

⁸ Ibid.

⁹ Report of the U.N. Secretary General, August 2019, <https://undocs.org/en/A/74/273>

¹⁰ Center for Human Rights in Iran, <https://iranhumanrights.org/2019/03/irans-intelligence-ministry-slaps-azeri-rights-activist-with-new-charges-claim-hes-organizing-protests-from-prison/>

¹¹ Minority Groups, <https://minorityrights.org/wp-content/uploads/2018/03/Rights-Denied-Violations-against-ethnic-and-religious-minorities-in-Iran.pdf>

Kurdish language teachers have been facing harassment and persecution.^{12 13} Education in some minority languages like Kurdish is available only through private classes, reducing the accessibility and affordability of Kurdish education. Furthermore, private teachers are required to obtain a license from the state to teach Kurdish, which places an additional barrier to private practice.

In 2016, reportedly up to 40,000 Ahwazi Arab children were denied access to education for failing the Farsi language proficiency test, although Farsi being their second language.¹⁴ In 2019, Rezvan Hakim Zadeh, deputy of the regime's elementary education department, announced that the health assessment plan for pre-school children will include an evaluation of the children's level of proficiency and comprehension in Persian. Children who fail to pass the assessment will not be able to attend state kindergartens, therefore limiting severely access to pre-primary education for children from ethnic minorities such as Ahwazi Arabs, Turks, Kurds and Balochis who will be directed to an intensive training in the Farsi language.^{15 16}

The lack of access to mother tongue education in primary and secondary schools remains a major challenge in the Islamic Republic of Iran. This access at a young age is critical both to preserve minorities' distinct cultural identity, and to promote equality of opportunities. A lack of teaching in a children's mother tongue has reportedly been causing high school dropout and illiteracy rates, notably among Azeri¹⁷ and Ahwazi Arab children.¹⁸

At the university level, the teaching in and of minority languages was non-existent until 2015. In August 2016, however, participants were able for the first time to choose Kurdish and Turkish languages as majors at the bachelor level.¹⁹ Nonetheless, in practice, there has been no elementary, middle school or high school in both the public and private education systems in Iran teaching minority languages such as Turkish, Balochi or Kurdish. As a consequence, opportunities for individuals who wish to access those majors are limited as the teaching of minority languages at school is inexistant. Reports documented a lawsuit against the Ministry of Education initiated in March 2018, for which the Court of Administrative Justice ruled in March 2020 that the state is required to produce and prepare textbooks for teaching literature in ethnic

¹² Joint submission to the Human Rights Committee from All Human Rights for All in Iran, Association for Human Rights in Kurdistan – Geneva, Association for the Human Rights of the Azerbaijani People in Iran, Iran Human Rights Documentation Center, OutRight International, Siamak Pourzand Foundation, Small Media, Impact Iran, 2020, https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/IRN/INT_CCPR_NGO_IRN_42317_E.pdf

¹³ Radio Zamaneh: <https://www.radiozamaneh.com/519191>

¹⁴ UNPO, <https://unpo.org/article/19590>

¹⁵ ISNA News <https://www.isna.ir/news/99031005237/>

¹⁶ Dur Untash Studies Center, <https://www.dusc.org/en/drasat/3966/>

¹⁷ Association for the human rights of the Azerbaijani people in Iran,

https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/IRN/INT_CRC_NGO_IRN_19735_E.pdf

¹⁸ Center for Human Rights in Iran, <https://www.iranhumanrights.org/2013/10/khuzestan-teachers/>

¹⁹ Radio Farda: <https://www.radiofarda.com/a/f7-students-able-to-select-azari-and-kurdi-for-university/27919663.html>

languages until the end of secondary school in Iranian schools.²⁰ It is not clear whether the Ministry of Education has decided to appeal the ruling or whether it will be implemented.²¹

In its General Comment on Article 13 of the Convention, the Committee on Economic Social and Cultural Rights stipulates that education should be accessible for all and “flexible so it can adapt to the needs of changing societies and communities and respond to the needs of students within their diverse social and cultural settings.”²² In 2012, reportedly 70% of students who started their education in the Islamic Republic of Iran did not have Farsi (Persian) as their mother tongue,²³ yet ethnic minorities lack access to education in their mother tongue. Additionally, Article 13 also “requires States to take positive measures that enable and assist individuals and communities to enjoy the right to education”.²⁴ The failure to take measures to address *de facto* educational discrimination may amount to a violation of Article 13.²⁵ As of February 2021, Ahwazi Arabs and Azeris still lack access to education in their mother tongue which have been preventing them from staying in school and learn how to read and write.

Recommendation Status:

This recommendation has **NOT** been implemented.

²⁰ Tasnim News Agency: <https://tn.ai/2229748>

²¹ Following an electoral promise of President Rouhani during his 2013 election campaign, the government announced in 2015 that a university program on Kurdish language and literature would be introduced at the University of Kurdistan in Sanandaj, which has been implemented now. A Similar program for “Azerbaijani Turkish language” was also announced for 2016 by the government, which is now launched.²¹ The government also announced in 2015 that Baluchi language courses would be introduced at the university of Sistan & Baluchistan, which has not been implemented yet. See: University of Kurdistan <https://uok.ac.ir/fa/faculties/literature/departments/kurdish.aspx> Tasnim News Agency: <https://tn.ai/1670519> Daneshjoo News Agency: <https://snn.ir/001kvb>

²² CESCR General Comment No. 13: The Right to Education (Art. 13), <https://www.refworld.org/pdfid/4538838c22.pdf>

²³ UNPO, <https://unpo.org/article/21115>

²⁴ CESCR General Comment No. 13: The Right to Education (Art. 13), <https://www.refworld.org/pdfid/4538838c22.pdf>

²⁵ Ibid.