

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

Full recommendation:

End the practice of identifying Baha'i children in schools and intimidating and expelling children on account of their religion.

Assessment using Impact Iran human rights indicators¹

Article 13 of the Constitution of the Islamic Republic of Iran provides that the Zoroastrians, Jewish and Christians religious minorities “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 long as it is “within the framework of the law”.² On the other hand, there are no laws protecting the rights of unrecognised religious minorities to ensure the religious moral education of their children in conformity with their own convictions.

The Ministry of Education determines the religious curricula of public schools, which must all include a course on Shia Islamic teachings. All curricula must include a course on Shia Islamic teaching although Sunnis and members from recognised religious minorities may take separate courses on their religious beliefs. While pupils from recognised minority faiths have access to religious instruction designed by members of their religious communities (but approved by the Ministry of Education), those from unrecognised faiths are obliged to study only Shia Islam.^{3 4}

In 2017, children of parents and guardians from the Christian minority have reportedly been threatened to be expelled from their school if they refused to study Shia Islam.⁵ Teachings of Sunni religion in some public schools has reportedly been banned, even those located in predominantly Sunni areas.⁶ Reports of *Baha'i* schoolchildren experiencing exclusion, harassment and abuse are regular.⁷ In July 2020, a secondary school student was reportedly expelled from their school after mentioning they were a member of the *Baha'i* faith.⁸

¹CRC.28.1.S.2.1; CRC.30.1.S.1
CRC.30.1.P.2; CRC.30.1.P.4
CRC.30.1.O.3

² The Constitution of the Islamic Republic of Iran English translation, http://www.iranchamber.com/government/laws/constitution_ch01.php

³ Faith and Future, 2018, https://faithandafuture.com/wp-content/uploads/2018/02/Faith_and_a_Future_HR.pdf

⁴ 2019 Report on International Religious Freedom: Iran, U.S. Department of State, <https://www.state.gov/reports/2019-report-on-international-religious-freedom/iran/>

⁵ Christian Solidarity Worldwide, <http://www.csw.org.uk/2017/09/07/news/3694/article.html>

⁶ 2019 Report on International Religious Freedom: Iran, U.S. Department of State, <https://www.state.gov/reports/2019-report-on-international-religious-freedom/iran/>

⁷ Faith and Future, 2018, https://faithandafuture.com/wp-content/uploads/2018/02/Faith_and_a_Future_HR.pdf

⁸ Center for Human Rights in Iran, 2020, <https://www.iranhumanrights.org/2020/07/bahai-youth-expelled-from-secondary-school-for-gifted-students-solely-due-to-his-faith/> (For more information also see Baha'is

Yet, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights have noted that public education that includes instruction in a particular religion or belief is inconsistent with Articles 18.4⁹ of the ICCPR and 13 of the CESCR,¹⁰ “unless provision is made for non-discriminatory exemptions or alternatives that would accommodate the wishes of parents and guardians”. Such imposition of Shia Islam education as exemplified above is therefore inconsistent with the ICCPR.

Article 8 of the Charter of the Citizen’s rights stipulates that “The Government shall refrain from adopting any decision and taking any action that leads to the widening of the class divide, undue discrimination or deprivation of citizen’s rights” including in the context of educational opportunities. Additionally, during its last Universal Periodic Review session in 2019 the government of the Islamic Republic of Iran affirmed that minorities were free to choose their schools.¹¹ Yet, following a new ministry initiative entitled Project *Mehr*, the Minister of Education Mohsen Haji-Mirzaei announced on September 11th, 2019 that “If students say that they follow a faith other than the country’s official religions and this is seen as proselytising, they cannot continue attending school”.¹² The project would give to schools increased authority to identify children’s religion in school and to deny education to religious minorities students.

The practice of identifying children’s religion in school, including Baha’i children’s, is ongoing in the Islamic Republic of Iran and supported by the Government. Reports have shown that children are intimidated and expelled from school on account of their religion.

Recommendation Status:

This recommendation has **NOT** been implemented.

International Community’s (BIC) page on Bahais in Iran, <https://www.bic.org/focus-areas/situation-iranian-bahais>

⁹ CCPR General Comment No.22: Article 18 (Freedom of Thought, Conscience or Religion)

<https://www.refworld.org/docid/453883fb22.html>

¹⁰ CESCR General Comment No. 13: The Right to Education (Art. 13) <https://www.refworld.org/pdfid/4538838c22.pdf>

¹¹ Report of the Working Group on the Universal Periodic Review Islamic Republic of Iran, 27 December 2019,

<https://undocs.org/A/HRC/43/12>

¹² Iran Wire, 2019, <https://iranwire.com/en/features/6303>