**Report of Mandela Foundation for Rights and Democracy to the Special Rapporteur on the right to education on the Islamic Republic of Iran**

**Preface**

 **Mandela Foundation for Rights and Democracy** is deeply concerned about the violation by the Islamic Republic of Iran of the issue of respect for the cultural diversity of persons on its territory. The Foundation has noted that parts of the deprived and border areas of Iran suffer from problems in education, educational tools and appropriate places of education, which undermines the right to ensure quality education, but the real concerns of the Foundation lie in the question of expelling Baha'i students from institutions of higher education once their faith is discovered. As well as an explicit violation of minority rights and the violation of the right to freedom of belief on the one hand, and a hindrance to the integration of different cultures and respect for cultural diversity on the other.

The Foundation also condemns the Iranian governmental pressure on scientists, students and higher education institutions. This is in addition to the same pressures exerted by actors in the field of higher education, which threatens the academic freedom of individuals and the ability of the higher education sector to operate in a free and open manner that supports respect for the cultural rights of individuals. Also continuing Persian as the only official language for primary and secondary education, it undermines the prosperity of other cultures of non-Persian minorities, and is not fully aligned with the 2030 Sustainable Development Agenda.

**Iran's violation of the right to cultural diversity in legislative term**

 Mandela Foundation for Rights and Democracy is deeply regret, that there are no constitutional provisions explicitly providing for the guarantee of the right to education in the 1979 Constitution of the Islamic Republic of Iran, as amended in 1989. However, articles 3.3 and 3.4 provide for the duty of the Government to direct all its resources to "free education and physical training for all and at various levels; It also facilitates higher education and its circulation." Article (3.9) guarantees the duty "to eliminate all forms of unjustified discrimination and to provide equal opportunities for all in the physical and moral spheres. Article 30 states that "the Government shall provide free education to all the people until the end of the secondary stage and shall extend the means of higher education free of charge Until the country reaches a level of self-sufficiency". Articles 15 and 16 also provide that "the official and common language and writing of the people of Iran is Persian; documents, correspondence, official texts and textbooks must be in that language and writing. However, other local and national languages may be used in the press and the public media, and their schools may be taught in schools in addition to the Persian language." In addition, "the Arabic language must be studied after the primary stage", and articles 19 and 20 provide for gender equality and equality of rights for all citizens[[1]](#footnote-1).

Despite the above, the Mandela Foundation noted that the Iranian Constitution did not explicitly provide for free and compulsory education at basic educational levels. The Foundation therefore calls upon the Islamic Republic of Iran to give due consideration to the participation of cultural actors and non-governmental organizations from civil society. As soon as Vulnerable groups (minorities, indigenous peoples, migrants, refugees, youth, especially youth with special needs); In preparing a bill guaranteeing the right to quality education and equal educational opportunities for all citizens without discrimination, as well as the importance of constitutional amendments guaranteeing the right to quality education in its various dimensions, especially cultural ones.

**Iranian discriminatory with regard to cultural diversity**

Iran continues to fail to prepare an effective national plan to deal seriously with the growing problems of the educational process. There are many disadvantaged children in rural and sub-urban areas, which, unfortunately, underscores Iran's failure to respect cultural diversity and the cultural rights of all citizens. According to reports, based on the official data for the school year 2015-2016, 777,862 children (438,036 girls – 56 per cent) were out-of-school, including 152,225 children aged 6-11 years (76,846 girls – 50 per cent) at primary level, 215,854 children 12-14 years (135,639 girls – 63 per cent) at lower secondary level, and 409,783 children 15-17 years (225,551 girls – 55 per cent). [[2]](#footnote-2)

During the last UPR cycle, the Islamic Republic of Iran was recommended to: eliminate discrimination against ethnic and religious minorities, promote gender equality including through the abolishment of discriminatory practices, prevent school dropouts, and promoting legislation guaranteeing the right of all citizens to free education up to the secondary level. Nevertheless, the Iranian authorities have not taken serious steps in this regard, as well as the high proportion of school drop-outs, especially those living in rural areas, as well as Arab indigenous children. In addition, the Iranian government, educational institutions and relevant actors are expelling students found to belong to the Baha'i faith. In addition to hosting a large number of refugees, the Foundation noted that there were no official statistics on the status, numbers and enrollment of refugees in basic education and university education. Most refugees face difficulties in obtaining education and, unlike Iranian children, refugee children are forced to pay school fees. [[3]](#footnote-3)

In the same context, the Islamic Republic of Iran does not issue birth certificates to registered refugee and unregistered foreign children born in the Islamic Republic of Iran, thus impeding their right to education. The Foundation therefore recommends that the Islamic Republic of Iran to prepare detailed data on the situation of refugees; and work to develop a comprehensive national plan, the purpose of which is to study the barriers and obstacles facing refugees, unregistered foreigners, and refugee children registered in obtaining education, as well as work to eliminate school fees for refugee children; to encourage them and ensure that they do not get out of the educational process, which undoubtedly supports the integration of cultures, promotes cultural rights, and supports full consistency with the Sustainable Development Agenda 2030.

 **The imposition of Persian language on indigenous peoples**

While all opponents in Iran are persecuted by the Iranian authorities, minorities of non-Persian indigenous peoples are subject to much greater persecution, in addition to the arbitrary repression practiced by the authorities. Non-Persian peoples are treated as second-class citizens, deprived of the right to education in their own language and of other rights automatically granted to Iranians of ethnic Persians[[4]](#footnote-4). this takes place despite the constitutional guarantees assumed to use other languages in all media and education. In articles 15 and 19, the Iranian Constitution provides for the use of other languages, which clearly emphasize the need to learn in the mother tongue of peoples, but the Iranian authorities impose on non-Persian minorities in Iran (Ahwaz, Baloch, Turkmens, Kurds, etc.) are required to teach Persian language compulsory, denial of the right to education in their native language, which constitutes considerable persecution, which in turn has led to low levels of educational attainment and low graduation rates among students belonging to indigenous minorities.

Compulsory teaching of the Persian language is one of the main tools used by the Iranian authorities to forcibly integrate non-Persian indigenous minorities. Indigenous minorities are also prohibited from wearing traditional clothing in public places such as schools and workplaces[[5]](#footnote-5). The use of indigenous languages in government offices and in school education is also prohibited. In 5 November 2017, concurrent with the National Student Day in Iran, two Ahwazi Arab girls were punished and humiliated by their teacher, for speaking Arabic together in class. The teacher forced the students to write: “We refrain from speaking Arabic in the classroom” 100 times as a punishment. Activists fighting for the rights of indigenous peoples also face many threats, arrests and imprisonment. [[6]](#footnote-6)

**Recommendations**

* The need to ensure that the Islamic Republic of Iran recognizes cultural pluralism in law and in practice.
* The Iranian authorities should appreciate the importance of regularly submitting national reports for periodic consultations on UNESCO instruments for the development of standards relating to education, in particular the Convention against Discrimination in Education.
* The need to extend compulsory education to at least another nine years, and to introduce at least one year of pre-primary education, plus 12 years of free education, in accordance with the requirements of the Sustainable Development Agenda 2030, in relation to education.
* Ensure that political structures exist that enable all the people of the Islamic Republic of Iran to exercise their cultural rights freely.
* It is important that the Islamic Republic of Iran, through its national legislation, guarantee the right to education, as well as the cultural and social dimensions, in order to ensure that the legitimate rights of Iranian citizens are in line with international conventions and Treaties.
* The need to expand access to education for all, especially in rural areas, and to reduce the number of school drop-outs.
* Further measures are being taken to eliminate discrimination in the educational process, in particular against girls, minorities, including religious minorities, and refugee children, and to promote their access to education.
* Promote increased access to education for foreign, asylum-seeking and refugee citizens, including through the implementation of the 2015 Decree, which gives all refugee children access to education; as well as production of detailed data on the status of refugees, addressing barriers faced by refugees and unregistered foreigners, refugee children registered in access to education and eliminating school fees requirements for refugee children.
* The importance of ensuring the free cultural expression of minorities from non-Persian societies, providing guarantees of religious education, and education in the languages ​​of minorities in the country.
* The need to expedite the adoption of the draft law on education (2018), and to provide all appropriate educational tools and supplies and places of education in the deprived and border areas of the Islamic Republic of Iran.
* The Islamic Republic of Iran should guarantee the right to university education for all, and the deprivation of university admission should depend only on the scientific qualifications.
* The establishment of a national mechanism and the establishment of educational programs, the overall objective of which is to ensure the cultural dimension and cultural integration, as well as cultural rights, and their prosperity.
* The necessity of ensuring the participation of the various stakeholders and civil society organizations, as well as the population and concerned groups, and parents in setting a development plan to challenge the cultural and legislative obstacles that exist in the Islamic Republic of Iran in order to better understand and effectively the right to education in its various dimensions.
* The Iranian authorities should lift the ban and restrictions on indigenous peoples' mother languages and allow them to receive education in their native language.
1. دستور إيران الصادر عام 1979، شاملاً تعديلاته لغاية عام 1989، وللإطلاع على نصوص الدستور كاملاً. <https://www.constituteproject.org/constitution/Iran_1989.pdf?lang=ar> [↑](#footnote-ref-1)
2. UNICEF, Country Office Annual Report 2018, Iran. <https://www.unicef.org/about/annualreport/files/Iran_2018_COAR.pdf> [↑](#footnote-ref-2)
3. UNESCO, IRAN, Right to Education. <https://www.upr-info.org/sites/default/files/document/iran_islamic_republic_of/session_34_-_november_2019/unesco_upr34_irn_e_main.pdf> [↑](#footnote-ref-3)
4. للمزيد انظر: <https://unpo.org/article/21115> [↑](#footnote-ref-4)
5. للمزيد انظر: <https://iran-hrm.com/index.php/2018/06/13/kurdish-clothes-banned/> [↑](#footnote-ref-5)
6. للمزيد انظر: <https://unpo.org/article/21115> [↑](#footnote-ref-6)