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## ***Forum on Minority Issues***

### ***"Minorities and the right to education"***

***(Oral statement, December 2008)***

The Bahá'í International Community welcomes the organization of the Forum on Minority Issues and the draft recommendations prepared for consideration at this event.

We noted the wide-ranging nature of these recommendations, which apply to numerous circumstances affecting minority groups. As you know, the Islamic Republic of Iran has systematically deprived the Bahá'í minority of full and equal access to education in their homeland. Therefore, we are pleased to see that some of the proposed recommendations could help to alleviate their situation.

Section III requires access to education at all levels for all minorities, including the tertiary, technical and vocational levels of higher learning – which, in Iran, are strictly limited to members of *recognized* religions. Section IV calls upon authorities to remove direct institutional barriers, for example the required declarations of religion used to identify and exclude *non-recognized* religious minorities. Section V declares that education must work to stamp out prejudices based on ethnic, religious or cultural background, and to eliminate related incidents, such as those targeting Bahá'í children in Iranian schools. And we were very satisfied to note the recommendation that “States should strive actively to recruit and train teachers from minority communities at all levels of education”, as Bahá'ís are totally excluded from all teaching positions in Iran.

We would like to suggest one additional recommendation. The document does not address the means for minorities to seek remedy in cases where they have been excluded from education. Authorities have to ensure that all minorities have access to effective mechanisms to appeal discriminatory exclusions. Perhaps this could be added to section IV.

Finally, we feel we must raise an issue under the core principles. In section II, the end of the first paragraph states that “National and local contexts are important” and that “governments enjoy a margin of appreciation in applying the principles to particular contexts.” We have grave concerns about this passage, as the experience of the Bahá'ís demonstrates that some governments widely interpret “margins of appreciation” to favour concepts and beliefs held by majority religions and their leaders. This can be

detrimental to religious minorities – directly contradicting the most important principle of all, found in section I: “In cases of doubt or contestation (...), the principles should be interpreted to favour members of minorities as bearers of rights but also as potential victims of educational deprivation.”

This is absolutely essential. It needs to be underlined and understood to apply to **all** the recommendations. No matter what the original intent, if application of any principle or policy results in the targeted exclusion of members of minorities, this is (by definition) unacceptable. It will need to be corrected, by the authorities, through effective mechanisms for appeal and remedial action.