

Written Submission to the 41st session of the United Nations Human Rights Council

Freedom of Religion or Belief in Educational Settings: Studies from the Federal Republic of Nigeria, the Islamic Republic of Iran and the United Mexican States

Introduction

1. CSW (Christian Solidarity Worldwide) is a human rights organisation specialising in freedom of religion or belief (FoRB) for all.
2. Education – the forth Sustainable Development Goal (SDG) - can directly and indirectly benefit all. Achieving SDG 4 enhances the potential of other SDGs: strengthening human rights, leading to greater chances of employment, healthier nations and sustainable outcomes.
3. The strong intersection between education and FoRB was explored in CSW's report¹ 'Faith and a Future: Discrimination on the Basis of Religion or Belief in Education,' (February 2018.)
4. This submission seeks to draw the Council's attention to the situation of ethnic and religious minorities in the Federal Republic of Nigeria, the Islamic Republic of Iran and the United Mexican States.

Federal Republic of Nigeria: The situation of religious minorities in an under-resourced education system

5. Schools remain a primary target for the Boko Haram terrorist group, which operates in north east Nigeria. 112 girls

of the girls abducted from their school in Chibok, Borno state on 14 April 2014 by the original Boko Haram faction remain in captivity. All are Christians; most are from the denomination Ekklesiyar Yan'uwa a *Nigeria* (EYN), the Church of the Brethren in Nigeria.

6. On 19 February 2018, Leah Sharibu was the sole Christian among 110 school girls abducted from a girl's school in Dapchi, Yobe state by the Islamic State West Africa Province (ISWAP), which broke away from Boko Haram. Her surviving 104 classmates were returned the next month following government negotiations, with a warning to parents that should they return to school, they would be taken indefinitely. Ms Sharibu was denied her freedom because she refused to convert as a precondition for release. On 15 October 2018 she was declared a slave for life.
7. The stigmatisation and effective rejection of girls who become pregnant as a result of their abduction, or who return with children who are also rejected, mitigate against the re-integration of both mother and child and compounding their trauma and victimisation.
8. In Shari'a states, abduction, forcible conversion and marriage without parental consent of underage girls from minority faith communities by members of the majoritarian religion

¹ CSW (Christian Solidarity Worldwide), 'Faith and a Future: Discrimination on the basis of Religion or Belief in education' February 2018

http://faithandafuture.com/wp-content/uploads/2018/02/Faith_and_a_Future_HR.pdf

occurs regularly. Parents are threatened and intimidated, and despite strong legal provisions proscribing child marriage and abduction, law enforcement agents generally fail to assist, fearing social unrest.

9. Boys enrolled in the network of Islamic boarding schools known as the Almajiri system receive no formal education, and are obliged to beg for food after classes. Far from home and entirely dependent on their teacher, the children are extremely vulnerable to abuse and radicalisation.

Recommendations to the government of the Federal Republic of Nigeria

10. ***Ensure adequate protection for educational facilities situated in vulnerable areas.***
11. ***Continue to restructure the Almajiri system to ensure quality religious education and pupils receive adequate food, shelter and basic education.***
12. ***Allocate 26% of the national budget to the education sector, as recommended by UNESCO.***
13. ***Ensure the return of female minors abducted by terrorist factions, as well as those abducted by locals in Shari'a states in accordance with Article 15(5) of the CRA, and assist those who are pregnant to continue with education, if they so wish.***
14. ***Reduce the stigmatisation of female abductees, particularly those abducted by terrorist factions, through a specifically-designed civic education programme.***

Recommendations to the international community:

15. ***Use every opportunity to reiterate the need for Nigeria to meet international obligations with regard to the rights of the child and education.***
16. ***Encourage the federal authorities and state governments to take prompt action to secure the release of abducted minors in Shari'a states, and of Leah Sharibu and the 112 Chibok Girls from the hands of terrorists.***

Islamic Republic of Iran: Situation for The Bahá'í community and religious minorities

17. While all ethnic and religious minorities have suffered since Iran's Islamic Revolution (1979), the Bahá'í community is perhaps the most systematically persecuted religious minority in the country. In 2014, during its second UPR, Iran rejected Lithuania's call 'to end discrimination in law and practice against religious and ethnic minorities, including the Bahá'í community.'²
18. Article 13 of Iran's constitution states that "Zoroastrian, Jewish and Christian Iranians are the only recognised religious minorities..." Without constitutional recognition the Baha'i cannot benefit from the rights and opportunities afforded to recognised groups, including the right to education.
19. Moreover, Article 1 of the Supreme Cultural Revolution Council's Student Qualification Regulations, approved by Supreme Leader Ali Khamenei in 1991, bars Baha'is from attending

² Ibid.

university, while Article 3 permits the expulsion if a student is identified as Baha'i after enrolling.

20. During the 1979 Revolution large numbers of Bahá'í children and youth were expelled and prohibited from accessing education. To this day, Baha'i children and youth are regularly denied access to higher education and routinely subject to exclusion and harassment.
21. All identified Bahá'í administrators and faculty members were dismissed from their work following the Islamic Revolution. According to the Bahá'í International Community 'school textbooks have either grossly distorted or simply failed to mention the Bahá'í faith.'³
22. In addition, lessons are taught in Farsi and the curriculum, which promotes Shi'a Islam is determined by The Ministry of National Education. Children from minority religious or ethnic communities are therefore disadvantaged further by being deprived of the opportunity to study their own religious teachings or to learn in their mother tongue.

Obstacles to higher education

23. In 2003, and in apparent response to pressure, the authorities announced they would omit the declaration of religious affiliation from the university entrance examination. However, exclusions continue. At least 15 Bahá'í students were expelled from

universities between December 2016 and January 2017.⁴ More recently, Baha'i student Soha Izadi was expelled in 2018, and was informed by university officials that she could resume her studies by renouncing her faith.⁵

Recommendations to the Islamic Republic of Iran:

24. ***Uphold and respect the rights of all citizens to FoRB, as outlined in the ICCPR, to which it is a signatory.***
25. ***Enact accepted recommendations on FoRB and on the right to education given during the UPR in 2014.***
26. ***Take steps to guarantee accessible education for all, ending discriminating on the basis of religion or belief. This includes directing resources to facilitate education in the faith and mother tongue of minority groups.***
27. ***Revoke the Supreme Cultural Revolution Council Qualification Regulations, "ensure inclusive and equitable quality education and promote lifelong learning opportunities for all" (SDG4).***
28. ***Eliminate false statements and bias against religious minorities in curricula and in educational materials.***

³ Bahá'í International Community, 'Islamic Republic of Iran - Denial of the right to education for Bahá'ís,' April 2018

<https://www.bic.org/sites/default/files/pdf/iran/sreducation-iran-0418.pdf>

⁴ Centre for Human Rights in Iran, 'Iranian University Conceals Evidence of Expelling Baha'I Students for Religious Beliefs,' 26 January 2017

www.iranhumanrights.org/2017/01/bahai-deprived-of-education/

⁵ Center for Human Rights in Iran, 'Baha'i Student Expelled From Iranian University One Year Before Graduation,' 14 June, 2018.

<https://www.iranhumanrights.org/2018/06/bahai-student-expelled-from-iranian-university-one-year-before-graduation/>

Recommendations to the international community

29. ***Continue to urge Iran to ensure Bahá'ís students are given equal access to education internationally as well as in Iran.***
30. ***Support regional forums on education in, and teaching of, minority languages, and assist in providing regional contributions to the 12th Session of the UN Forum on Minority Issues.***

United Mexican States: Situation for religious minorities

31. Mexico has a rapidly growing protestant community in situ with a Roman Catholic majority and Pre-Columbian religious heritage.⁶ On paper, there is a strong separation between church and state and FoRB is protected under law. In practice, many religious minorities face discrimination; FoRB violations within educational settings in Mexico highlight the complexities of the country's historic and cultural influences.
32. Mexicans at all levels of society often fail to recognise that members of religious minorities may not wish to participate in activities with a religious aspect, no matter how deeply these activities are entrenched in the culture. As a result, many children are often barred from attending school, despite the right to education being enshrined in Article 3 of Mexico's constitution.
33. Significant powers are given to local authorities, with The Laws of Uses and

Customs protecting the autonomy of indigenous communities.⁷ This law is often applied discriminatorily, particularly in rural areas, leading to serious FoRB violations, such as forced displacement.

34. Alma, an 18 year old girl and her family were evicted from the Bolaños Municipality, Jalisco state along with 60 others in December 2017 because of their Protestant beliefs. Traumatic displacements often result in the loss of paperwork and a home address necessary to register in new schools. Despite a recent public apology from Mexico's National Council to Prevent Discrimination (CONAPRED), CSW remains concerned about similar cases.
35. Children are sometimes forced to participate in overtly religious activities against their will under the guise of cultural education, usually promoting Roman Catholicism. Children of minority backgrounds are vulnerable at certain times of the year, especially on dates such as 2 November (Day of the Dead) leading to mandatory religious participation. Children who have refused to participate have been reprimanded and excluded from schools in severe cases.

Recommendations to the United Mexican States

36. ***Promote FoRB for all by ensuring that state and federal governments hold to account local authorities who are responsible for criminal acts linked to FoRB violations.***
37. ***Ensure teachers and school administrators are FoRB trained by***

⁶ UNICEF, 'Key Demographic Indicators: Mexico' <https://data.unicef.org/country/mex/>

⁷ CSW, 'Faith and a Future'

promoting campaigns within the state education system that encourages tolerance and respect for religious diversity.

Recommendations to the international community

38. *Raise FoRB and religious tolerance with Mexico at every opportunity, supporting efforts to address specific impact of violations of FoRB and forced displacement on children and their rights to education.*
39. *Support organisations, such as The Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, A.C., to record the nature of displacement.*