

In the Name of God

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**The Ahlulbait World Assembly**

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**A Comparative Analysis of Religious Minorities' Rights in the  
Islamic Republic of Iran and Some European Countries**

## **Abstract:**

1 The Present study intends to analyze the rights of religious minorities in the Islamic Republic of Iran in comparison with some European countries. Through a general study on Islamic Republic of Iran's status in comparison with some European countries, present shortcomings in the rights of religious Minorities in some countries like Germany, France and U.K. have been recognized. To support religious minorities, we shall refer to some international principles and rules of Human Rights as well as some domestic laws and regulations. Finally, suggestions shall be made to the said countries as well as the UN Human Rights Council to take firm measures in order to eliminate such shortcomings. A general conclusion shall put an end to the present report.

2 At this stage, our special acknowledgement goes to the United Nations Human Rights Council especially UN High Commissioner for Human Rights and other Human Rights institutions, also to all officials and authorities who granted us this opportunity to submit the present report. We also appreciate all representatives of governments and non-governmental organizations for their cooperation and effective actions.

## **Introduction of Nongovernmental Organization:**

3 The Ahlulbait World Assembly was established under Registration No. 10552 in 1990. Having more than 600 members of general assembly, conducting activities in 114 countries and having relations with religious minorities of those countries, meanwhile obtaining information about cultural, economic, social, scientific and legal status of religious minorities and their analysis, the Ahlulbait World Assembly has some plans and takes necessary actions in order to remove the problems and fulfill the needs.

## **Financial Resources**

4 The Ahlulbait World Assembly secures its budget through public contributions, Islamic taxes, oblations, and economic investments. The title of the organization denotes that the institution is working internationally.

5 Some of the achievements of the Assembly include: advocating a large number of religious minorities all over the world, granting academic scholarships to the qualified applicants, publishing cultural books, articles and journals and translating them to 33 live languages in the world and finally distributing them among religious minorities, establishing schools, mosques, sport stadiums, medical centers, libraries, also holding cultural and sport matches, cultural and educational camps, holding scientific and cultural conferences, holding international book fairs and generally supporting religious minorities' rights through exchange of cultural and scientific affairs. This organization is being supervised and audited by a Supreme Council consisting of a group of elites and intellectuals.

## **Objectives and Duties of the Ahlulbait World Assembly:**

- 6 Restoration and propagation of Islamic teachings and culture;
- 7 Creating and reinforcing solidarity among all members of the Islamic World, especially among the religious minorities;
- 8 Defending the integrity, dignity and rights of Muslims and religious minorities;
- 9 Development of spiritual and material infrastructures of religious minorities throughout the globe;
- 10 Cooperation for development and promotion of cultural, economic, social, and political status and living standards of religious minorities;
- 11 Saving religious minorities from media oppression and scientific deprivations.

## **Preface:**

12 It is clear that legal literature of the world is based on philosophy and ideals, but in spite of endeavors of all lawyers, these ideals could not secure the global society's needs. That is because in all legal systems there are certain degrees of discrimination. For example, Denis Lloyd, in his book entitled *The Ideal of Law* writes: "Law is devil, but an essential devil." It means that even if law is not formulated on a discriminatory basis, yet it may be interpreted and performed on an inequitable basis. The legal system of some European civilized countries suffers from such inequitable condition. More surprising, they are interpreted and performed in a discriminatory and unfair manner

13 The present study, while analyzing the rights of religious minorities in Islamic Republic of Iran in comparison with some European countries, intends to submit current shortages to the relevant countries and the United Nations Human Rights Council, hoping that the said countries shall take due measures to eliminate such shortages with the guidance of UN Human Rights Council.

## **Case Study:**

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14 A quick glance at intense challenges of some countries like Germany and France with Freedom of Religion and the issue of Hijab (Islamic Veil) proves that such governments perform discriminatory actions against religious minorities; they not only do not condemn offenders to hardest punishments but also they and their courts support these crimes.

15 Some countries have been studied as samples. It is clear that these points are not complete schedule of a case study but it is represented as a sample:

- 16 **Islamic Republic of Iran:** Religious minorities (e.g. Christians, Jews, Zoroastrians) in this country have the same rights in comparison with Muslim majority in political, educational, cultural, social and generally all personal and social dimensions of life and in practice have the same quantitative and qualitative development with them. There is no conceptual boundary that shows difference or discrimination between them. For example religious minorities and Muslim Majority alike have seats in the parliament on a political basis. Religious minorities in Iran can study at universities even up to highest degrees without any limitations. Women, too, have no limitation regarding the type of Islamic cover and they – shoulder to shoulder with men – are freely allowed to be actively and widely present in different social arenas.

- 17 Germany:** There are many challenges concerning Human Rights in this country against religious minorities, particularly against Muslims. Preventing Muslim women from wearing Islamic dress (Hijab) in schools and governmental bureaus in eight German provinces is an example. The other example is the opposition of extremist radical groups in Koln to the construction of the great mosque in this city. The issue of Ms. Marveh Alsharbini (Dr.) was the worst example when she was insulted by German citizens just because of wearing Islamic veil; and when she complained against that person at a German court, the accused person attacked her at the court session and she was martyred in front of her husband and child with 18 beats of knife and this crime was happened at court Forum and in front of court authorities. Now, we humbly request Human Rights Council to prevent from repetition of theses crimes and follow up the case.
- 18 France:** This country, too, is among European countries with numerous violations of international Human Rights against religious minorities. Mistreatment against women, child sexual abuse, incest, high rate of imprisoned individuals, high rate of suicide in prisons, high statistics of people living below poverty line, repeated murders in the wake of family conflicts, misbehavior against foreign immigrants, smuggling girls, obvious violation of basic rights of Muslims and other religious minorities and racial discrimination against them, 2004 Law for banning Hijab in governmental departments and schools, expelling female students wearing Hijab from schools, and finally bad treatments against Muslims with the excuse of combating terrorism all are examples of violations of human rights in France.
- 19 United Kingdom:** In England, religious minorities have frequently announced their hatred and abhorrence regarding terrorist and violent actions; nevertheless, they are vulnerable groups who are exposed to constant violations of their legitimate rights due to invalid excuses such as combating terrorism. For instance, university personnel and professors in UK are supposed to be asked to try to collect secret information about Asian and Muslim students. The only justification for this illegal act is that such students are accused of interfering with terrorist violent actions. The UK government thinks their universities have been turned into a suitable atmosphere for extremists. This kind of behavior by the British administration has caused deep concerns among the academic section in that country. On the other hand, Muslims are much angry due to the decision of ministers in the British Cabinet who have emphasized on issues such as banning Hijab or forcing Islamic schools to admit students of other religions. Other examples to be highlighted here include: discrimination, negative propaganda for spreading the concept of Islamophobia, fanning the fire of hatred towards Muslims, developing policies by the UK government resulting in wide negative prejudice and discrimination against Islam or Muslims, increase of negative propaganda in UK mass media against Islam, discriminative approach of UK police and other governmental sectors against Muslims.

## **Conclusion:**

**20** Generally some European countries have numerous problems with regard to the human rights violation. Removing these problems would be possible at domestic level. It is absolutely inevitable for these countries to respect the rights of religious minorities inside their territory.

**21** Also a review on constitutional law in these countries – to be conformed to their native (endemic) origin - is a must. Promotion of human rights in these countries is among the first priorities. Failure to support religious minorities is ignoring the rights of future generation of such groups as they will be deprived of the first principle of human rights, that is, the Right to Life. In other words, through this comparative analysis, the Ahlulbait World Assembly emphasizes on the right to life for religious minorities.

**22** Promotion of the Right to Life is a variable, which depends on cultural promotion. If cultural dimensions are encouraged through acquisition, religious minorities will learn their survival strategy. Learning legal, economic, environmental, social, cultural and scientific fields can help formulating the Right to Life, survival strategy and self-help so that victims would achieve vindication of their rights.

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## **APPENDIX**

### **\*\*\* Definitions of Legal Terms:**

- **Rights:** be entitled to something, maybe to some concepts like justice and correct legal trend or right of ownership about properties or profit in properties, legal or natural, these rights includes following items: Different kinds of freedom, supporting against intervention in the right to life and properties, civil law, right of vote, accessing to courts, natural rights, human rights and supporting against terror, excruciation, savagely actions, deprivation from civil law and using man power, guarantees of constitutional regulations includes: freedom of speech, press religion and etc.  
( <http://dictionary.law.com/default.aspx?selecte4d=1857> )
- **Minority:** some parts of a population that is different from other parts of that population in case of some virtues and often is subjected to different behavior in comparison with each other.  
(*Merriam Webster's Dictionary, 11<sup>th</sup> edition*)

### **\*\*\* Legal Documents:**

- ✓ Constitutional Law of Islamic Republic of Iran: Principle 3, Paragraph 16 and Principle 152.
- ✓ Global Declaration of Human Rights: Articles 18 and 27
- ✓ International Covenant of Economic-Social & Cultural Rights: Article 15
- ✓ International Covenant of Civil Law & Political Rights: Articles 18 and 27
- ✓ International Convention for Removing any Racial Discrimination: Article 5, Part D – Paragraph 7 and Part H – Paragraph 6
- ✓ International Convention for Removing all forms of Discrimination Against Women: Article 13, Paragraph P
- ✓ Convention for Child Law: Article 14, Paragraph 1 and Articles 30 and 31
- ✓ Cairo Declaration about Human Rights in Islam: Article 9.