

[PROVISIONAL TRANSLATION FROM PERSIAN]

[Translator's notes appear in square brackets]

[Personal information has been **redacted**.]

[Emblem]

The Judiciary

Court of Administrative Justice

Petition form

File number: -----

Referred to -----

Signature of the Head of the Court

Registration Number and Date -----

In the Name of God

Particulars of Parties: Appellant

Name and Family Name: Bashir Dana

Father's name: Vahid

Occupation: Unemployed

Address: [**redacted**]

Appellant's lawyer: -----

Respondent: 1. Ministry of Science and Technology; 2. Payame Noor University

Subject of Grievance and Claim: Non-registration at the university; Issuance of order to register

Statements, Reasoning and Proofs:

I, the undersigned, Bashir Dana, birth certificate number [**redacted**] and student number [**redacted**], participated in the National University Entrance Examination in 1385 [2006]. I was accepted for the second term in Theoretical Economics at Payame Noor University at Nourabad Unit of Kazeroun (code 4395). This was confirmed in the letter number 1/84550 from the Assessment Organization on 25 Dey 1385 [15 January 2007] (Enclosure 1). As required for registration, I obtained a certificate from the Military Services (Enclosure 2) and prepared all the necessary documents. I planned to submit the documents to the [Payame Noor] University and present in person in order to choose my courses towards the end of Bahman 1385 [February 2007]. But on 18 Azar 1385 [9 December 2006] I was summoned to the university by telephone on behalf of Mr. Jamalzadeh, the chancellor of Payame

Noor University – Kazeroun. On 19 Azar 1385 [10 December 2006], I met with him at the university. He began by asking me about my religion, although, based on Article 23 of the Constitution, any investigation of an individuals' beliefs is forbidden. However, since I was questioned by the chancellor of the university, I replied that my religion is Baha'i. He went on to tell me they could not register Baha'is at the university, and they would return all my documents without any legal explanation regarding my expulsion from the university. This happened while according to Article 14 of the Constitution, non-Muslims have equal rights and are to benefit from all human rights – including the right to education which is one of the basic rights of a person. Articles 19 and 20 of the Constitution also confirms the equality of people under the law and stresses equal protection for all.

Then in order to pursue my legal right I started to write letters to the relevant authorities at the Ministry of Science, including Dr. Mohammad Mehdi Zahedi, Minister of Science (Enclosure 3); Ali Asghar Rostami Abusaeedi, Minister's consultant and the executive director of complaints, investigation and response office (Enclosure 4); Dr. Mahdokht Borujerdi Alavi, executive director of Public Affairs of the Ministry of Science (Enclosure 5); and Director of National Educational Assessment and Evaluation Organization (Enclosure 1)¹. As a result, two letters were sent to the President of Payame Noor University from the Central Educational Services Management of Payame Noor University, one number 21/73101 dated 30 Dey 1385 [20 January 2007] (enclosure 6) and the other number 21/82899 dated 6 Esfand 1385 [25 February 2007] (Enclosure 7) addressed to the chancellor of the Payame Noor University Region 5. To date, I have not received any response to these two letters, in spite of trying numerous times and writing many letters. My non-registration solely due to my being a Baha'i is a violation of both my legal and human rights and obviously contradicts sections 3, 4, 9 and 14 of Articles 3 and 30 of the Constitution, as well as sections 26 and 27 of the Universal Declaration of Human Rights and Article 13 of the United Nations International Social, Economic and Cultural Rights Convention, as the right to education is a basic human right. These laws have been ratified by the Government of Iran and are enforceable according to Article 9 of Civil Law. Moreover, education is one of the ordinances of Islam and to acquire knowledge and the sciences are emphasized [in Islam]. Considering all the above, how can the government executive authorities deny me my basic rights, and discriminate against me in contravention with Section 9 of the Constitution?

Considering the above information and the documents submitted, which all provide evidence of the infringement of my rights, and the illegality of the Payame Noor University and the Ministry of Science, I hereby request the Judges of the Court of Administrative Justice to first issue a temporary order for me to be registered so that I can pursue my education; and then issue the order to cancel the previous decision and action of the above educational institutions.

[Signature]

Bashir Dana

The Appellant's signature is certified.

Signature or fingerprint of appellant must be certified by one of the court's offices, or the Governor or military forces or one of the government offices or revolutionary units or Leader of the Congregational Prayer of local mosque of where appellant lives. If the appellant lives abroad, it should be certified by a consulate of Islamic Republic of Iran.

¹ There are two 'Enclosure 1' references.