



Australian Government
Refugee Review Tribunal

Country Advice

Iran

Iran – IRN36597 – Mixed marriages –
Foreign wives – Christians – Freedom of
movement
21 May 2010

1. Is there any information that suggests that marrying a Christian woman (and not actually converting yourself) will cause difficulties in Iran?

According to Iranian law, it is not possible for an Iranian Muslim man to marry a Christian woman who would remain Christian after her marriage.

Official advice of the Ministry of Foreign Affairs of the Islamic Republic of Iran indicates that an Iranian husband of a foreign wife would not be able to enter Iran with his wife (as a married couple) unless the woman had converted to Islam and was able to produce a 'conversion certificate' to the Iranian authorities. She needs to have been married according to the Islamic faith. Once a foreign woman has converted and married an Iranian national, she automatically acquires Iranian citizenship as evidenced by this advice from the Ministry of Foreign Affairs of the Islamic Republic of Iran on how to register a marriage with the Iranian authorities:

Iranian husband with foreign wife

The following documents are required for registration of marriage:

1. The new birth certificates of couple.
2. The original passports of couple.
3. 12 photos of wife (with Hejab)
4. 4 photos of husband (without hat and glasses)
5. The original religious marriage certificate.
6. Conversion certificate of wife to Islam if the husband is Moslem.
7. The original English marriage certificate.
8. Wife's full detailed English birth certificate
9. The original health certificate from a doctor for couple.
10. The relevant registration form.

Important Note: If you married a foreign wife, your wife is Iranian, by law, and she should apply for Iranian birth certificate and Iranian passport. Please note that it is not possible to issue a visa for those who are considered to be Iranian.¹

¹ Registration of marriage' 2010, Ministry of Foreign Affairs, Islamic Republic of Iran.
<http://www.mfa.gov.ir/cms/cms/Tehran/en/ConsularAffairs/Sejelat/RegistrationOfMarriage.html> - Accessed 6 May 2010 - Attachment 1

This is corroborated by Form Number 411 which is a required form for registration and is available from the Iranian authorities in the United States to register mixed marriages. This document confirms the information above and also notes that an Islamic marriage certificate can be obtained from a Mosque or Islamic centre.²

2. Would it cause any difficulties for a foreign Christian wife if she was to accompany her husband to Iran?

As outlined above, the foreign wife is allowed to accompany her husband to Iran as a Muslim and as an Iranian citizen.

She would be forced to conform to the Islamic dress code – infringements carry penalties such as imprisonment or considerable fines. In Iran this means that a woman cannot appear in public without a veil which would cover her entire body apart from her face and her palms.³ Under Iranian Family Law her husband is designated as head of the household, and as such she is legally obliged to be obedient to him. He would have the right to take more than one wife. If she wants to prevent her husband taking another formal wife she would have to have this stipulated in her marriage contract.⁴ He would be within his rights to forbid her from seeking employment should she want to work.⁵ Should she want to leave Iran, she would not be allowed to depart without her husband's permission.⁶ Should there be disagreement in the marriage – the husband would have an incontestable right in law to divorce his wife, whereas his wife would not have the same legal rights.⁷

An Iranian man would not be able to live with his wife unless they were married in an Islamic marriage ceremony; if they attempted to live together otherwise they would be deemed to be guilty of adultery which may incur a sentence of death by stoning.⁸

The Australian Department of Foreign Affairs and Trade (DFAT) travel advisory does not provide information on the issue of mixed marriages. The travel advisory of the Canadian government states that it can only provide very limited assistance to a Canadian woman married to an Iranian husband, because often Iranian immigration authorities impound the Canadian passports of such women on the premise that they intend to reside in Iran.⁹

² The marriage registration between an Iranian man and a woman of foreign nationality' (Form #411), undated, Embassy of Pakistan, Washington DC, Interests Section of the Islamic Republic of Iran - <http://daftar.org/forms/vitalrecords/marriage/411.pdf> - Accessed 7 May 2010 – Attachment 2

³ Kar, M. 2007, Iranian Law and women's rights, *Muslim World Journal of Human Rights*, Volume 4, issue 1, article 9. P 7 <http://web.ebscohost.com/isc/pdf?vid=8&hid=109&sid=3d214a04-2297-48c2-91b1-263018d543d6%40sessionmgr112> – Accessed 7 May 2010. – Attachment 3

⁴ Friedl, E.2009, 'New friends: Gender relations within the family', *Iranian Studies*, volume 42, Number1, February - <http://web.ebscohost.com/isc/pdf?vid=10&hid=109&sid=3d214a04-2297-48c2-91b1-263018d543d6%40sessionmgr112> – Accessed 7 May 2010 – Attachment 4

⁵ 'Iranian women campaign to end discriminatory laws against them' 2009, Voice of America Press, 11 December – Attachment 5

⁶ Kar, M. 2008, 'Iran: Discrimination against women under Iranian law', Gozaar website, 8 December – Attachment 6

⁷ 'Stand up for Iran's women' 2010, Khaleej times, 14 March – Attachment 7

⁸ Immigration and Refugee Board of Canada 2001, IR38037.E - *Iran: Legal consequences for a woman in Iran married via a civil marriage in Cyprus who later marries in Iran before obtaining a divorce for the marriage in Cyprus; recognition of the marriage in Cyprus by Iran; likelihood of adultery charges in Iran (1995-200-* Attachment 8

⁹ Department of Foreign Affairs and International Trade Canada, 2010, *Travel Report*, 11 May - http://www.voyage.gc.ca/countries_pays/report_rapport-eng.asp?id=132000 – Accessed 12 May 2010. Attachment 9

Similar advice is offered by the Swiss authorities, with a further warning that the Iranian husband can in extreme cases forbid his wife and children to leave Iran even if these are entitled to dual citizenship.¹⁰

The US Department of State assessed that respect for religious freedom in Iran had deteriorated since last year. It states that the Iranian government does not respect the right of Muslim citizens to change or renounce their religious faith, and that a child born to a Muslim father is automatically considered a Muslim by the Iranian government; this means that if a couple were to have children the foreign wife would have no say in the choice of their child's religion.¹¹

As the foreign wife cannot enter Iran without converting to Islam, should she wish to revert to her previous religion she would be guilty of apostasy (renouncing her religion) and would be liable to the death penalty. According to Iranian Sharia law (Muslim religious laws), the death penalty is to be applied to any Muslim who attempts to change his/her religion.¹²

Attachments

1. 'Registration of marriage' 2010, Ministry of Foreign Affairs, Islamic Republic of Iran. <http://www.mfa.gov.ir/cms/cms/Tehran/en/ConsularAffairs/Sejelat/RegistrationOfMarriage.html> - Accessed 6 May 2010.
2. The marriage registration between an Iranian man and a woman of foreign nationality' (Form #411), undated, Embassy of Pakistan, Washington DC, Interests Section of the Islamic Republic of Iran - <http://daftar.org/forms/vitalrecords/marriage/411.pdf> - Accessed 7 May 2010.
3. Kar, M. 2007, Iranian Law and women's rights, *Muslim World Journal of Human Rights*, Volume 4, issue 1, article 9 . <http://web.ebscohost.com/isc/pdf?vid=8&hid=109&sid=3d214a04-2297-48c2-91b1-263018d543d6%40sessionmgr112> – Accessed 7 May 2010.
4. Friedl, E. 2009, 'New friends: Gender relations within the family', *Iranian Studies*, volume 42, Number 1, February - <http://web.ebscohost.com/isc/pdf?vid=10&hid=109&sid=3d214a04-2297-48c2-91b1-263018d543d6%40sessionmgr112> – Accessed 7 May 2010.
5. Iranian women campaign to end discriminatory laws against them' 2009, Voice of America Press, 11 December. (FACTIVA)
6. Kar, M. 2008, 'Iran: Discrimination against women under Iranian law', Gozaar website, 8 December. (CISNET IRAN CX 216398)
7. 'Stand up for Iran's women' 2010, Khaleej times, 14 March. (FACTIVA)

¹⁰ Federal Department of Foreign Affairs, (Switzerland), 2010, 'Les conseils aux voyageurs pour Iran' 3 February. <http://www.eda.admin.ch/eda/fr/home/repas/asia/virn/rhira.html> - Accessed 12 May 2010 – Attachment 10

¹¹ US Department of State 2009, *International Religious Freedom Report for 2009*– Iran, October.

¹² US Department of State 2009, *Country Reports on Human Rights Practices for 2008* - Iran, March. (Section 2 Respect for Civil Liberties, including c. freedom of religion) - Attachment 12

8. Immigration and Refugee Board of Canada 2001, *IR38037.E - Iran: Legal consequences for a woman in Iran married via a civil marriage in Cyprus who later marries in Iran before obtaining a divorce for the marriage in Cyprus; recognition of the marriage in Cyprus by Iran; likelihood of adultery charges in Iran (1995-2001)*.
9. Department of Foreign Affairs and International Trade Canada, 2010, *Travel Report*, 11 May - http://www.voyage.gc.ca/countries_pays/report_rapport-eng.asp?id=132000 – Accessed 12 May 2010.
10. Federal Department of Foreign Affairs, (Switzerland), 2010, '*Les conseils aux voyageurs pour Iran*', 3 February. <http://www.eda.admin.ch/eda/fr/home/rebs/asia/virn/rhira.html> - Accessed 12 May 2010.
11. US Department of State 2009, *International Religious Freedom Report for 2009 – Iran*, October.
12. US Department of State 2009, *Country Reports on Human Rights Practices for 2009 - Iran*, March.