



Iranian woman marrying a foreign man and vice versa

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### **Special government permission for an Iranian woman to marry a foreign man**

There is no doubt that an Iranian woman can certainly not marry a foreign infidel man, and it is a valid marriage that has no legal impediment. Article 1060 BC The marriage of an Iranian woman to a foreign national has been postponed with the special permission of the government even in cases where it is not prohibited by law. Therefore, if the marriage of an Iranian woman with a foreign man in terms of religion or kinship and the like is not an obstacle, it is still subject to the permission of the Iranian government.

## **Permitting procedures**

An Iranian woman who wants to marry a foreign man must apply to the Ministry of Interior, IE and the govern orates, and to some of the political representatives and consuls authorized by the Ministry of Foreign Affairs, and apply for a license (Marriage Permission) is offered. This application must be signed by both men and women and must be subject to the following certifications:

- Certificate from the official authority of the man's country stating that marriage with an Iranian woman is unrestricted and recognizing it in the man's country.
- If the man is a non-Muslim and the woman is a Muslim, a certificate or testimony of the man's entry into this state of Islam (Article 2).

At the request of the woman, the Ministry of the Interior also requires the following documents from the man: a certificate stating that the man is single or married to a local official or political agents of the man's country; Certificate of no bad record and criminal conviction; Certificate of the couple's ability and ability and a letter of commitment from the foreign man stating that he undertakes to pay the expenses and alimony of the wife and children and any other rights that the wife has towards him in case of abuse and divorce (Article 3).

In cases where the Ministry of the Interior deems it expedient, it can ask you to study for a proper guarantee for the proper performance of the duties that are the responsibility of the husband according to the regulations of Iran.

## **Guarantee of marriage without permission**

Some professors have considered the guarantee of implementation of Article 1060 of the Civil Code of the Islamic Republic of Iran as non-influence of marriage.

However, as far as the writings of writers and professors have been studied, most commentators on civil law have considered marriage to be valid without the permission of the government. Some have said: the guarantee of the implementation of the violation of the order of this article is only the prohibition of the marriage registration offices in its registration. Some professors have also imposed criminal penalties on the offender based on Article 17 of the Marriage Law approved in 1316. The Justice Department has confirmed the latter in an advisory opinion.

In part of this opinion, we read: "... Failure to obtain the permission of a foreign national couple has no effect on the case and the relevant marriage must be registered. N.

"Obviously, the issuance of this order does not prevent the prosecution of a foreign couple in the last part of Article 17 of the Marriage Law approved in August 1941."

In addition, since such a marriage can not be registered, it will be subject to Article 645 of the Islamic Penal Code adopted in 1375 which was punishable by imprisonment for up to one year for not registering a marriage.

## **Iranian man marries a foreign woman**

Marriage of an Iranian man to a foreign woman is generally permissible in cases where there is no legal prohibition; "The government can postpone the marriage of some government employees, officials and students to a woman who is a foreign national with special permission." (Article 1061 BC). Marriage includes permanent marriage and temporary marriage. Therefore, those who are required by law to obtain a permit cannot enter into a temporary marriage without a permit; Because the purpose of the legislator is to supervise such marriages so that they do not affect the status and public policy of a country and do not act against the interests of the country.