

HUMAN RIGHTS IN ISLAMIC REPUBLIC OF IRAN: WOMEN'S RIGHTS

October 2019

IMPACT IRAN

UPR Info Pre-sessions

Overview

- Women face various forms of gender-based discrimination in law and practice in the Islamic Republic of Iran (e.g. Iran's Civil Code, Family Law and Islamic Penal Code).
- Iran is one of six UN members states that are not party to the Convention of the Elimination of all Forms of Discrimination against Women (CEDAW).
- Overall, over 1/3 of recommendations accepted by the Government in 2014 related to women's human rights focused on various forms of violence against women and girls (VAWG). Not-accepted recommendations on VAWG included those about early and forced marriage, a concern on which nearly 10% of UPR recommendations offered on women's rights in 2014 were focused.
- This statement addresses the following issues: (1) child marriage, (2) economic participation, and (3) women human rights defenders.

Situation in Iran – Child Marriage

- Nearly 10% of UPR recommendations offered to Iran on women's rights in 2014 focused on early and forced marriage, none of which Iran accepted.
- Article 1041 of Civil Code settles the minimum age of marriage to 13 for girls and 15 for boys. However, the law provides that **if the father or the legal guardian and the court give consent**, a girl can be married before that age, with no minimum legal age, effectively legalizing child marriage.
- Despite the fact that Article 50 of the Family Protection Act adopted in 2012 criminalizes child marriage, it does not remove/revoke/supersede the last part of Article 1041 of Civil Code, which grants flexibility for child marriage.
- According to official statistics, children under the age of 15 were parties to approximately 4% of all marriages in Iran from 2010 and 2014, at the time of the second review. This proportion increased by 1.5% between 2014-2018.
- Attempts for legal reforms remain unsuccessful in this arena. For instance, The Child Marriage bill to amend Article 1041 of Iran's civil code, aimed at increasing the minimum marriage age to 16 for girls and 18 for boys was rejected by judicial committee of the Islamic Legislative Assembly (Majles) in June 2019, and is now undergoing revisions.

Recommendations – Child Marriage

- Expedite the adoption of the pending draft bill entitled the Comprehensive Provision of Women's Security Against Violence, in a form that ensures adherence with international standards related to protection of women and girls against violence
- Re-introduce and adapt a bill that unconditionally increases the minimum marriage age, in line with the recommendation from the CRC
- Accede to CEDAW without reservations

Situation in Iran – Economic Participation

- Iran has received 4 recommendations calling for the enhancement of women's participation in economic life, 3 out of which it accepted.
- However, almost 5 years later, the economic participation rate for women in Iran remains one of the lowest in the world: in 2018, while women's enrolment in secondary education was at 72.7%, the labor force participation stood at 17.9% for women, compared to 75.2 % for men.
- The Iranian Labor Code forbids women from being employed in 'dangerous, arduous or harmful work,' while the Civil Code gives a husband the right to bar his wife from any job that he considers to be 'against family values or inimical to his or her reputation.' Some employers require engaged or married women to provide a written statement of permission from their husbands in order to be hired.
- Several recent legislative initiatives (e.g. the Reduction of Office Hours Act for Women with Special Circumstances), while seemingly positive, have the potential to worsen the discrimination experienced by Iranian women in the labor market, in particular in the private sector.

Recommendations – Economic Participation

- Remove restrictions on the types of jobs that women can obtain, as well as the requirement to obtain the husband's permission
- Ensure that discrimination against women at work or in access to work is prohibited and that employers who discriminate against women are appropriately sanctioned

Situation in Iran- Women Human Rights Defenders (WHRDs)

- In the previous UPR review, Iran received 16 recommendations regarding the protection of freedom of expression of human rights defenders, only 3 of which it accepted.
- Iranian human rights advocates, and in particular women human rights defenders, have for long peacefully advocated for human rights, gender equality and the rights of marginalized groups nationwide.
- In recent years, there has been an aggressive and systematic attack against women human rights defenders including lawyers, journalists, artists, labor rights activists, environmental rights and women's rights defenders.
- For instance, from January 2018 till March 2019, at least 30 protesters against compulsory hijab have been arrested across Iran and indicted on charges of "encouraging immorality or prostitution," which carries a ten-year prison sentence. Similarly, lawyers defending these protestors have also faced arrest on multiple national security related charges that incur stiff penalties.

Recommendations – Women Human Rights Defenders (WHRDs)

- Uphold the rights to freedom of peaceful assembly, including for women protestors, and make sure that women's rights activists and lawyers defending them are not prosecuted for exercising their human rights
- Conduct investigations into prison conditions of women human rights defenders and initiate prosecution of the police and parastatal forces or other relevant authorities as appropriate

Thank you

Thank you from Impact Iran, and the members of our coalition!

For the complete list of our coalition members, please visit us at <<http://impactiran.org/>>.