

QUICK GUIDE TO ADDRESS WOMEN'S ISSUES DURING THE UNIVERSAL PERIODIC REVIEW ON IRAN

These Guides include:

- A list of issues mentioned in the National Report, the Compilation of official UN Documents and the Summary of Other Stakeholders Submissions, with references to the particular paragraphs in which they can be found.
- A reference to "gaps", that is, issues on which the National Report should/could have applied a gender perspective but failed to do so.
- In those cases in which the Sexual Rights Initiative has submitted reports, we have included an Annex with our recommendations.
- In all cases we have included suggested questions and recommendations

References in the two working languages of the Council (English and French) have been kept in their original language.

Issues are highlighted. References from the National Report are *in Italics*.

Recommendations - including those from UN treaty-monitoring bodies, are at the end of the document.

All women's rights issues (included sexual rights' issues related specifically to women) are referred to in this Guide. Other sexual rights issues are referred to in the Sexual Rights Guides for each state under review

CEDAW not ratified. OP-CEDAW not ratified. Rome Statute not ratified. Palermo Protocol not ratified.

Gaps

The National Report should/could have applied a gender perspective -that is, make reference to how the issue affects women and men in particular ways- but failed to do so in the following sections: Civil and Political Rights (80-88), Health and Medical Treatment (91), Education (92-94), Social Security (95), Housing (96), Cultural Activities (97), Rights of the Child (108-109), Rights of Minorities (110-111), Rights of the Disabled (112), National Initiatives (124-126)

ISSUE	N Report	Compilation	Summary
Early / forced marriage		Forced marriages, runaway girls (38) Unequal and very low minimum ages, 13 years for girls (45)	
Economic rights/ Right to development	Increasing economic participation. Official employment of 13.6 % (100)	Low landownership (17) New laws recognizing right to inheritance (18)	
Equality and Non discrimination	Constitutional status (6)	Draft law reversing rights and reinforcing unequal legal family power of men (9) Discrimination incompatible with ICCPR and ICESCR (17)	More vulnerability after natural disasters (14)

Harmful traditional practices/ traditional mindsets leading to SR abuses		Punishment when breaking strict dress code (17) Serious rates of death penalty to women for "moral crimes". 200 women condemned in 2006. Stoning death for adultery (25)	Stoning penalty for adultery (19) Honor killings (24)
Laws that discriminate against women	Plans and programmes to improve women's status (99)	Discriminatory provisions in Penal and civil laws (17) Unequal compensation for accidents. Full coverage from insurance companies (18) Unequal child custody rights (44)	Legal discrimination in Penal and Civil code (13) Non implementation of non discriminatory law in employment and education (16)
Maternal mortality			Decreased rates (59)
Participation in Public and political life	Women in Majlis (8) Women judges in family courts (46) Low increased rates in political participation, management and government positions (101)	Limited participation in governance and decision-making positions. Not allowed to be magistrates (57)	
Patriarchal attitudes/stereotypes		Control of freedoms and behaviour by husbands (46)	
Poverty		Rural-urban and gender inequalities (61)	Traditional and legal limitations (12)
Reproductive health/rights		Improvements (62)	Training on women's rights, sexual and reproductive health (9) Decreased rates. Increase of medical agents in rural areas, health centers and hospitals (59)
Rights of girls		Unequal age for criminal responsibility, set at 8 years and 9 months for girls (42)	Age for criminal responsibility set at 8 years and nine months for girls (32)
Right to education	Increased rate of student girls (93) Increased literacy and access to higher education (100)	Equal gender rates in primary and higher education (68)	Gender barriers for creative tendencies (14)
Right to housing		Discrimination, esp. against single and divorced women. Lack of shelters for runaway girls and street women (64)	
Right to marry		No recognition of marriages with Afghan men (19)	
Right to work	Plan for elimination of discrimination and	Limited participation in waged labour (59)	High gender inequalities. Few

	creation of employment for women (89)	Harassment of teachers for claiming for working conditions (60)	university women access to formal economy. Gap in wages. Unequal opportunities. Economic poverty and dependence. (52) Intimidation and condemnation of unionist teachers (54)
State Institutions/ Plans of Actions	Several institutions promoting women's right besides family rights (50, 58, 98, 102, 103, 104, 107)		Draft programmes for empowerment and protection of rights (8)
Trafficking of women/ Forced prostitution		Worrying increase. Temporary marriage to be sold for sexual slavery (37)	
Violence against Women /Gender Violence		Gender violence not recognized by state, victims rarely report. Self-immolation, lack of legal protection, shelters, difficult for divorce. Honor crimes (32)	Lack of information on domestic violence and honor killings. Mental and physical abuse, financial exploitation. (23)
Women in prison	Prisoners separated on basis of convictions, gender and age (61)	Torture and detention for years without medical assistance, punishment, death penalty (31)	
Women's Rights Defenders	High number of NGOs active in women's issues (73)	Accusations for web-blogs (52)Persecution on people defending gender equality (54)Nobel Peace Prize threatened (55)	Persecution and limits (49) Repression of activists (27) Repression of journalists defending women's rights (29)

Access to justice

See Recommendations, Special Rapporteur on violence against women (33, 41); The Muslim Campaigner Women Society (34)

Early / forced marriage

The ILO Committee of Experts noted that the prospect of forced early marriages was reportedly one of the underlying causes of the recent phenomenon of runaway girls (Para 38, Compilation). The Committee on the Rights of the Child (CRC) noted the increase in the age of marriage for girls from 9 to 13 years (15 for boys) and was seriously concerned at the very low minimum ages (Para 45, Compilation)

See Recommendations, CRC (45), Reihaneh Alnabi Charity Institute (35)

Economic rights/Right to development

The indicator for **economic participation** of women over the past 10 years has risen by 72 per cent. For example, the percentage of **official employment of women in the country is 13.6 per cent** which is 12.3 per cent larger than ten years ago (Para 100, NR). UNICEF highlighted the fact that **landownership** remained very low for women (Para 17, Compilation). UNICEF noted that in 2008 a law passed parliament () recognizing **women's right to inherit land from deceased husbands** (Para 18, Compilation)

See Recommendations, Sedighin Charity Institute (12)

Equality and non-discrimination

*The most important principles of human rights that are clearly mentioned in the Constitution are: () the **non-discrimination principle**, equality before the law, **women's rights** (Para 6, NR)*

In November 2007, the Special Rapporteur on violence against women sent a communication regarding the family protection draft bill, **allegedly reversing rights currently enjoyed by women, and reinforcing the unequal legal power of men within the family** (Para 9, Compilation). The HR Committee and The Committee on Economic, Social and Cultural Rights (CESCR) observed that the **persistence and extent of discrimination** was incompatible with ICCPR and ICESCR (Para 17, Compilation)

In relation to **women's vulnerability after natural disasters**, Rahbord Peymayesh Educational and Research Institute noted **inequality in receiving facilities**; aggression towards women; isolation in camps; and lack of information on facilities and services (Para 14, Summary)

See Recommendations, Farhikhteh Empowerment Institute -FEI- (79); The Women's Islamic Institute (35)

Harmful traditional (customary) practices/traditional mindsets leading to SR abuses

The HR Committee cited inter alia, **punishment and harassment of women who do not conform to a strict dress code** (Para 17, Compilation). In 2006, the Special Rapporteur on violence against women cited with concern numerous reports of **women on death row**, noting there were **397 women** in Evin Prison, **200 of whom were sentenced for "moral crimes"**. In 2008, three Special Rapporteurs sent a communication regarding eight women and a man sentenced to **death by stoning for adultery**. In its response, the Government stated that Islam attributed great importance to safeguarding the security and morality of society. In 2009, a communication was sent regarding several other such cases (Para 25, Compilation). Amnesty International (AI) noted that **stoning was the penalty for "adultery while being married"**, although a parliamentary committee had recommended that it be dropped from a revised version of the Penal Code currently under consideration (Para 19, Summary). According to The Iran-Other Countries Friendship Association Supreme Council Network (IOCFASCN), **honor killings** were committed mainly in the Kurdistan, West Azerbaijan (among the ethnic Kurd population), Sistan and Baluchistan, and Khuzistan provinces (Para 24, Summary)

Laws that discriminate against women

*Over the recent years important advances have been made **in legislations relating to the rights of women and family**. Among the most important legislations in this field are the passage of a comprehensive law on the **rights and duties of women**, program for*

preventing of social harms, combating abuse and violence against women, the national plan for development and organizing research projects on women, empowerment of influential women. Protective policies for the formation, consolidation and enhancement of family, facilitation of marriage, the programs for raising public awareness through mass media education, the law on part time work of women, equal payment of blood money (Diah) and financial penalties for men and women by insurance companies and the right of women to inherit from immovable property. The most recent measure in this connection is the bill on supporting creation and expansion of NGO's and civil institutions and women associations (Para 99, NR)

In 2008, the Secretary-General highlighted gender equality challenges in Iran, and penal and civil laws containing discriminatory provisions (Para 17, Compilation) According to AI, women were discriminated against in the Civil Code, particularly in marriage, divorce, nationality, custody of children, and inheritance, and could not preside over a court as judges. Under the Penal Code, a woman's weight of testimony was worth half that of a man, women received half as much compensation for injury or death as men, and girls faced prosecution as adults at a much younger age than boys (Para 13, Summary)

Under Iranian law, provisions for compensation (diah or blood money) for accidents and deaths put a double value on men's lives (and limbs) to those of women. This was reviewed by parliament, and legislation proposed to recognize the equal value of women. UNICEF noted that in 2008 a law passed parliament recognizing women's entitlement to full coverage from insurance companies for accidents leading to injury or death () (Para 18, Compilation). The Special Rapporteur on violence against women noted that because child custody laws favor men, women frequently feel no choice but to remain in a relationship with a violent partner (Para 44, Compilation)

Education International (EI) noted that the Government had postponed implementation of the bill on non-discrimination in employment and education, which would guarantee to all Iranian nationals, irrespective of their gender () equal access to education (Para 16, Summary)

See Recommendations, Secretary-General (17); The International Campaign for Human Rights in Iran -CHRI- (13)

Maternal mortality/maternal health

() The Iran and Arab Friendship Association noted a decrease in maternal mortality due to the establishment of a wide health plan (Para 59, Summary)

Minority women

See Recommendations, Special Rapporteur on violence against women (20)

Participation in public and political life

Majlis (Iranian Parliament) is made up of representatives of people who are elected by direct voting () Since the victory of the revolution, eight parliamentary elections have been held. Women have also participated in the parliamentary elections as candidates. There are presently 8 women parliamentarians in Majlis (Para 8, NR)

For the purpose of dealing specifically with the cases relating to family cases, a special court is dedicated to family disputes. Women judges and counsellors are active in these courts (Para 46, NR). In the arena of political participation, women are witnessing substantial growth and advancement over the past recent decade. There are women in high government positions in 40 agencies, in 30 provincial administrations, and 256

district governorates. This shows a 3.25 per cent increase in the number of women acquiring senior executive positions. Introduction and appointment of women for positions of minister, and provincial governors are among the newest development (Para 101, NR)

UNICEF noted that during the March 2008 parliamentary elections, the percentage of women in parliament dropped from 4.1 in the previous term to 2.8. The Secretary-General and the Special Rapporteur on violence against women noted women's limited participation in governance and decision-making. The HR Committee and CESCR noted that women were not permitted to become magistrates (Para 57, Compilation)

Patriarchal attitudes

The Special Rapporteur on violence against women noted that, as the exclusive head of the family, the husband has the right to control his wife's freedom of movement and behaviour in many situations. She must show his notarized approval to obtain a passport and travel abroad (Para 46, Compilation)

Poverty

The UNDP action plan noted that poverty in Iran is characterized by significant regional, rural-urban and gender differences (Para 61, Compilation). Sedighin Charity Institute noted that in recent years, the number of families managed by women and living under the poverty line was increasing due to traditional and legal limitations, and social and economic problems. More than 50 per cent of such families belonged to the poorest groups and 71 per cent of the women had low education or were illiterate and poor (Para 12, Summary)

Ratification of CEDAW / other international Treaties

See Recommendations, Special Rapporteur on violence against women (2); The Foreign Policy Centre -FPC- (1); ICHRI and FPC (1)

Reproductive health/rights

UNICEF and the Secretary-General observed a significant improvement in life expectancy and health care, including () reproductive health care (Para 62, Compilation). The Health Family Center (HFC) noted that the Office of Women's Affairs in the Ministry of Interior in cooperation with the Center of Women's Participation Affairs and other organizations provided training for married women on women's rights, including sexual and reproductive health (Para 9, Summary)

() The Iran and Arab Friendship Association noted () an increase in the number of family physicians and obstetricians in rural areas, the establishment of therapeutic health centers and hospitals, and encouraging natural delivery by experienced persons (Para 59, Summary)

See Recommendations, CRC (63); HFC (78)

Rights of girls

The Secretary-General, the Special Rapporteur on violence against women, CRC and UNICEF noted that the age for criminal responsibility was set at 14 years and 7 months (15 lunar years) for boys and 8 years and 9 months (9 lunar years) for girls. Children who commit serious crimes could be processed as adults under the Penal Code (Para 42, Compilation). According to AI, the age for criminal responsibility under Iranian law was

set at fourteen years and seven months for boys and eight years and nine months for girls. (Para 32, Summary)

Right to education

The ratio of girl students to total number of students has increased 10 per cent from 38.4 per cent to 48.6 per cent (Para 93, NR). The literacy rate of women is 80.34 per cent. The ratio of literate women as compared to the total population is 46.5 per cent, which was 36.5 per cent 30 years ago. The number of women entering institutes of higher education is close to 70 per cent of the total entrants in the previous academic year (Para 100, NR)

() The Special Rapporteur on violence against women cited the ratio of girls to boys in primary school as almost equal. In higher education, 62 per cent of students were women (Para 68, Compilation)

Zemzeme Sabz Javanan Institute cited excessive emphasis on the gender of the child as one of the most important barriers to growth in their creative tendencies (Para 14, Summary)

Right to housing

The Special Rapporteur on adequate housing () expressed concern at discrimination () against women (). He received testimonies on obstacles faced by single and divorced women wishing to buy and rent houses and expressed particular concern on the insufficiency of safe houses for runaway girls and street women (Para 64, Compilation)

See Recommendations, The Special Rapporteur on adequate housing (67)

Right to marry

The Special Rapporteur on the human rights of migrants noted particularly that marriage between an Afghan man and an Iranian woman is not officially recognized and their children have no legal status because the Afghan man's presence is irregular (Para 19, Compilation)

Right to work

In the Twenty-Year Vision Strategic Plan for development () special attention is paid to elimination of discrimination and creation of employment for the vulnerable segments of the population, such as women (Para 89, NR)

According to the Secretary-General, unemployment among women was especially acute, noting their limited participation in wage labour outside the agricultural sector (Para 59, Compilation)

The International Trade Union Confederation indicated that gender-based discrimination runs deep in Iran and affects women's participation in the labour market. Although over 60 per cent of university students are women, they only constitute 15 per cent of the formal economy. The House of Culture and Sustainable Development (HCSD) noted that women and men should be treated equally in employment, but women working in governmental bodies and private sector entities were paid less than men. The Women Research Center noted that some employers did not believe women had scientific and managerial capabilities. HCSD further expressed concern over inequalities in employment opportunities, lack of employment security, inappropriate employment places, lack of special support for women, economic poverty and dependence of women, especially housekeepers. The Azarakhsh Entrepreneur Women Society stated that

women who are forced to work to survive, work in the worst conditions, with the least job and social security and lowest wages. Seasonal women workers face a very difficult situation (Para 52, Summary)

In 2007, two Special Rapporteurs sent a communication regarding the alleged harassment of teachers in connection with protests related to their working conditions (Para 60, Compilation). EI stated that the arrest, detention and condemnation of teacher unionists because of their union activities were not only serious human rights violations, but created an atmosphere of fear prejudicial to civil society development. According to EI, as a result of intimidation by the Government, teachers were now reluctant to join independent teacher associations (Para 54, Summary)

See Recommendations, ILO Committee of Experts (59); The Business Women Council of the Tehran Chamber of Commerce, Industry and Mine (53)

State Institutions/Plans of Actions

This office for Women's Affairs was established in the Judiciary for the purpose of protecting the women's rights and is headed by a woman (Para 50, NR). The Judiciary has had close cooperation with NGOs active in promotion of human rights since 1997. This cooperative relationship takes place by receiving consultations on vulnerable segments of the society, including women () (Para 58, NR)

Relying on the progressive Islamic laws the role of women in Iran in the family institution is unparalleled and unique. All the policies relating to women's rights proceed from this principle. In respect of rights of women and elimination of discrimination against them, Iran has carried out principles, unremitting and targeted efforts to promote the status of women in educational, political and cultural endeavors over the past 30 years (Para 98, NR). The Center for Women and Family (Para 102, NR). The Cultural and Social Council of Women (Para 103, NR). The women and Children Committee of the Expediency Council (Para 104, NR) General Directorate for the women international affairs and Human Rights of the Ministry of Foreign Affairs (Para 107, NR)

FEI noted that Iran's Fourth Development Programme referred to the drafting and adoption of comprehensive programmes for empowerment and protection of women's rights (legal, social and economic), and their implementation by relevant authorities (Para 8, Summary)

Trafficking of women/Forced prostitution

The Special Rapporteur on violence against women cited reports indicating a worrying increase in trafficking of girls and women, mostly in the eastern provinces where women are kidnapped, bought or entered into temporary marriage to be sold into sexual slavery. CRC echoed concerns over trafficking facilitated by temporary marriages or siqeh - which last from 1 hour to 99 years (Para 37, Compilation)

See Recommendations, the ILO Committee of Experts (37)

Violence against Women/Gender Violence

The Secretary-General noted that gender-based violence was widespread. The Special Rapporteur on violence against women highlighted that it was rarely acknowledged as a serious problem by authorities and rarely reported by victims. She noted some self-immolation cases linked to lack of legal protection for women victims of violence, lack of

shelters, difficulty in obtaining divorce, child custody laws favouring the father and pervasive gender discrimination. Some incidents were said to relate to honour crimes (Para 32, Compilation). IOCFASCN cited the lack of access to accurate information on domestic violence and honour killings. It noted that women and girls who are the main victims of these abuses, often because of fear of losing dignity and/or lack of police support and sympathy, see these problems as private. Without trying to get help, they are subjected to the severest of abuses. According to IOCFASCN, the most common abuse in Iran was mental abuse, making up 95 per cent of domestic violence cases. Physical abuse included assault and battery, hair pulling, burning, shoving, and occurred against all women regardless of education, race and family situation. Non-payment of maintenance and financial exploitation were seen as economic abuse (Para 23, Summary)

Women in prison

Regulations of the Prisons Organization provide extensive facilities for the humane treatment of prisoners, separation of prisoners on the basis of their convictions, gender and age () (Para 61, NR)

During the period under review, 211 communications were sent, some jointly by a number of special procedures mandate holders. Issues raised included cases of women (among others) () detained and arrested, in most cases, by the Ministry of Intelligence. Communications indicated that the great majority were taken to undisclosed locations, some for interrogation, and later transferred to places of detention where they were held incommunicado for long periods, facilitating perpetration of torture. Detainees were denied medical treatment, and sentenced on grounds like "endangering national security", "acting to disturb internal state security by establishing links with hostile opposition groups and foreign countries", and "publication of lies". Sentences included, inter alia, several years of detention, physical punishment, financial sanctions and capital punishment (Para 31, Compilation)

Women's Rights Defenders

There are hundreds of NGOs active in the field of human rights. () A considerable number of those NGOs are active in issues relating to women. (Para 73, NR)

The Secretary-General noted in 2008 that some women's rights activists were indicted on national security grounds owing to their web blogs (Para 52, Compilation). In 2007, the Special Rapporteurs on violence against women, on the right to freedom of opinion and expression and on human rights defenders noted that Iranian women and men who peacefully demonstrated or stood up for gender equality and women's rights had been arrested or attacked on several occasions. The mandate holders cited people active in the "One Million Signatures Demanding Changes to Discriminatory Laws" campaign, a grass-roots movement promoting gender equality, as particularly targeted (Para 54, Compilation). In January 2009, the Secretary-General expressed concern about reports that Nobel Peace Prize laureate Shirin Ebadi was threatened, citing an increase in human rights violations targeting women (Para 55, Compilation). According to Human Rights Watch (HRW), Since 2005, civil society activists such as women's rights campaigners () have consistently faced the threat of arrest and being forcibly dispersed by security forces (Para 49, Summary). JS2¹ raised concerns regarding ongoing repression of

¹ Joint submission by FIDH (International Federation for Human Rights) and LDDHI (League for the defense of Human Rights in Iran)

women human rights defenders and an alarming increase in harassment against human rights activists belonging to minorities or working on minority issues (Para 27, Summary).
() State authorities frequently abused national security laws to arrest, detain and harass journalists (Para 29, Summary)

Suggested Questions and Recommendations

CRC

- § To set the age of majority at 18 years (Para 45, Compilation)
- § To take measures addressing adolescent health issues and a comprehensive policy on reproductive health counseling and services (Para 63, Compilation)

The ILO Committee of Experts

- § The repeal or amendment of laws and regulations restricting women's employment, and the discriminatory application of social security legislation (Para 59, Compilation)
- § To ensure that children under 18, particularly young girls, are prevented from engaging in trafficking for commercial sexual and labour exploitation (Para 37, Compilation)

The Secretary-General

- § Urgent reform of penal and civil laws containing discriminatory provisions (Para 17, Compilation)

The Special Rapporteur on adequate housing

- § To address together housing, water, sanitation, electricity and protection from evictions, ensuring priority for women (Para 67, Compilation)

The Special Rapporteur on violence against women

- § That the Government enhance women's access to justice; prioritize the elimination of violence against women as a public policy issue to prevent, investigate and punish all such acts; and promote and support the empowerment of women (Para 33, Compilation)
- § To ensure that punishments do not discriminate against women and are proportionate to the offence; instituting proper investigation procedures for rape cases; ensuring victims are not subject to prosecution for adultery where unable to prove rape; and abolishing requirements that women present eyewitnesses to prove violence (Para 41, Compilation)
- § To ratify the Palermo Protocol and CEDAW without reservations and bringing relevant national laws into conformity (Para 2, Compilation)
- § Special programmes for minority women who suffer multiple discrimination; and ensuring women's equal rights in entering marriage, during marriage and its dissolution (Para 20, Compilation)

FEI

- § To provide technical and scientific assistance for the empowerment of rural women and the promotion of a culture of common responsibility in Iran, ultimately resulting in human rights advancement and elimination of gender discrimination (Para 79, Summary)

HFC

- § To sensitize Iranian society on issues of women's rights, reproductive and sexual rights, and sexual health (Para 78, Summary)

Reihaneh Alnabi Charity Institute

- § To prevent marriage at low age as the marrying person would not have achieved personality and mental evolution (Para 35, Summary)

Sedighin Charity Institute

- § Plans for removing deprivation and empowering women (Para 12, Summary)

The Business Women Council of the Tehran Chamber of Commerce, Industry and Mine

- § To promote the employment of women workers in the private sector by providing incentives for employers to recruit, invest in and retain women workers, such as tax exemptions upon employment of more women workers (Para 53, Summary)

The Foreign Policy Centre (FPC)

- § To ratify the Convention on the Elimination of All Forms of Discrimination Against Women and the OP-CAT (Para 1, Summary).

The International Campaign for Human Rights in Iran (CHRI)

- § To take concrete steps to rectify legal discrimination against women (Para 13, Summary)

The Muslim Campaigner Women Society

- § Human rights training on how to treat accused women as part of Iran's judiciary training programmes (Para 34, Summary)

The Women's Islamic Institute

- § To change discriminatory rules concerning divorce (Para 35, Summary)

SRI

- § To take urgent measures to address the serious effect of poverty on women and girls, especially in rural areas.
- § To take appropriate measures to guarantee the right of freedom of expression and that defenders of women's rights will be protected from arbitrary arrests, attacks, threats and other repressive actions by security forces.
- § To take immediate measures to address the legality of sexual violence against women and girls, taking into account the root causes of increasing gender violence, which continues being naturalized by authorities and society.
- § To take all necessary steps, including international cooperation, to put an end to the human rights violations faced by imprisoned women in the country, reconsidering the inquire procedures and the detention systems, to reform them according with international human rights and humanitarian rights standards.