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# HIGH-LEVEL POLITICAL FORUM ON SUSTAINABLE DEVELOPMENT GOALS

CIVIL SOCIETY ORGANIZATION ASSESSMENT  
ISLAMIC REPUBLIC ON IRAN

**JULY 2017**

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Impact Iran operates a coalition composed of 14 international and Iranian non-governmental organizations based in seven countries, all working to monitor and promote human rights in the Islamic Republic of Iran.

**IMPACT IRAN**

## Introduction

1. It is increasingly recognized that human rights are essential to achieving sustainable development. The Millennium Development Goals (MDGs) served a conduit for promoting certain economic and social rights, but the initiative failed to recognize the need to address other core human rights and standards. By contrast, human rights principles and standards are now reflected in the new global development framework, the 2030 Agenda for Sustainable Development.
2. The Islamic Republic of Iran has been actively engaged in shaping the post-2015 development agenda, and volunteered to present its progress towards realizing the SDGs at the Volunteer National Review (VNR) during the second annual High-level Political Forum in July 2017. A human rights approach must be a central part of the Government's development agenda in order to better realize the initiative's objective to realize "*more peaceful, just and inclusive societies which are free from fear and violence*" with attention to democratic governance, rule of law, access to justice and personal security (in Goal 16), as well as an enabling international environment (in Goal 17 and throughout the framework)".
3. This report attempts to assess Iran's performance with regard to specific indicators and targets for each of these goals, and explores how the promotion and protection of human rights in Iran supports the realization of the SDGs. It is based on both official governmental sources and reports from independent civil society organizations monitoring and documenting the Iranian government's capacity to realize the SDG, among other international obligations. This includes Government statements, or "Key Messages" submitted by the Iranian government to inform the VNR process.
4. This assessment is by no means comprehensive. However, our organization has identified several SDGs for which a human rights approach is particularly important — including SDG goals 1 (no poverty), 4 (quality education), 5 (gender equality), 8 (decent work and economic growth), 10 (reduced inequalities) and 16 (peace, justice and strong institutions).

### **SDG 1: End Poverty in all its forms everywhere**

5. The United Nations has identified the eradication of poverty as integral to achieving other goals and one of the greatest challenges facing the international community today, making this goal a top priority. The Iranian government has pledged its full support and cooperation in the global fight against poverty. President Hassan Rouhani in 2014 declared that there is "no evil greater and worse" in Iranian society than poverty.<sup>1</sup> There have been notable improvements in poverty levels, especially extreme poverty, since 2005.<sup>2</sup> However, considerable challenges to ensure that poverty reduction policies reaches everyone remain, especially ethnic minorities and other marginalized groups, which are particularly affected by extreme poverty.

**1.A.1:** Ensure significant mobilization of resources from a variety of sources, including through enhanced development cooperation, in order to provide adequate and predictable means for developing countries, in particular least developed countries, to implement programs and policies to end poverty in all its dimensions.

Indicators:

- Proportion of resources allocated by the government directly to poverty reduction programs.

6. Despite a constitutional ban on discriminatory investment across Iran's provinces.<sup>3</sup> Yet the Government has failed to ensure parity in its national investment or development plans, especially in provinces with high concentrations of ethnic minorities where large numbers live in abject poverty.
7. The province of Khuzestan is home to between 90 and 100 percent of Iran's oil and natural gas reserves, but little to none of Khuzestan's vast resources are invested in the province's welfare and development. The province is also home to much of the country's ethnic Arab population which constitute approximately 70% of the Khuzestan's residents.<sup>4</sup> Over half of Khuzestani Arabs live in segregated, impoverished communities with limited access to healthcare and education.<sup>5</sup>
8. In spite of its wealth, the province has an unemployment rate of 14.9%, slightly higher than the national average.<sup>6</sup> This figure exceeds 40% among ethnic Arabs, who face pervasive discrimination in hiring and employment.<sup>7</sup> For example, ethnic Arabs are poorly represented in the oil and gas extraction industry. In one such company, only 7 out of the 4000 employees were Arabs.<sup>8</sup> Employers reportedly use the surnames or accents of applicants to screen out Arabs; giving preference to ethnic Persians arriving in the Province from other parts of the country.<sup>9</sup> When hired, ethnic Arabs working in both the private and public sectors have been subjected to arbitrary, mass dismissals.<sup>10</sup>
9. The experience of Iran's ethnic Balochs is similar to that of their Arab counterparts. They are primarily concentrated in the province of Sistan-Balochistan. Located on the border with Pakistan, Sistan-Balochistan is Iran's most impoverished and underdeveloped province.<sup>11</sup> It has suffered from deliberate neglect from the central government — most state funds for Sistan-Balochistan go towards security and law enforcement.<sup>12</sup> The official unemployment rate is about 11%, but the actual figure, according to the province's Deputy Governor, is at least 40%.<sup>13</sup> Furthermore, fewer than 5% of civil service positions are held by ethnic Balochs.<sup>14</sup> It is estimated that over 70% of Balochs live in poverty and two-thirds of the province's population do not have consistent access to drinking water;<sup>15</sup> in part as a result of severe and entrenched poverty, Sistan-Balochistan has the lowest life expectancy of any province in Iran.<sup>16</sup>
10. Iran is also home to a sizable Kurdish population, concentrated primarily in the provinces of West Azerbaijan, Kurdistan, Kermanshah and Illam, in what is collectively known as Iranian Kurdistan.<sup>17</sup> Iranian Kurdistan is one of the country's least developed regions, where economic neglect has left much of the Kurdish population in entrenched poverty<sup>18</sup>. According to official reports, Kermanshah has the highest unemployment rate in Iran (20.3%), and although Illam has only 11.7% unemployment, this figure is about 57% among youths aged 15-29.<sup>19</sup>
11. Poverty and the lack of opportunity has led many Kurds to engage in last resort activities to feed their families. These individuals, known as *kulbars* (border couriers), often risk their lives, often carrying 113 kilograms of goods on their backs between Iran and neighboring Iraq and Turkey for

as little as USD \$18 per trip. Iranian border guards regard these border couriers as smugglers and often shoot at them on sight; killing 51 in 2016 and injuring 71 others despite Supreme Leader Ayatollah Ali Khamenei's proclamation, on January 17, 2017 that they should not be regarded as smugglers.<sup>20</sup> Nevertheless, the poverty and lack of opportunity faced by the *Kulbaran* give them little choice but to continue their dangerous work.<sup>21</sup>

## Recommendations

Continue progress in combating poverty and take steps to ensure parity in national investments across all provinces and inclusive development which leaves no one behind, including by:

- Implementing measures that protect against de facto discrimination practices in services that address poverty and in labor practices.
- Substantially increase investments in education and job-creation in its poorest and most neglected regions, including but not limited to Khuzestan, Iranian Kurdistan and Sistan-Balochistan. And increasing budget allotments in the border regions of the country.
- Take measures to provide border couriers, not dealing in illicit goods, permits to operate legally.

### SDG 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

12. Education is the foundation for sustainable development in any society, and the United Nations has identified ensuring access to high quality education for all people as one of its Sustainable Development Goals. Iran codified its commitment to education in its constitution. Article 30 requires the government to “provide all citizens with free-education up to secondary school, and must expand free higher education to the extent required by the country for attaining self-sufficiency.”<sup>22</sup>

4.3: By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university

13. The Islamic Republic has had considerable success in expanding its citizens' access to education at all levels. However, there remain sharp disparities between regions and segments of the population. Members of specific religious minorities remain in large part excluded from the education system, and women still face limitations in their free and unhindered access to higher education, despite recent efforts to reduce these barriers.

- Enrollment in pre-primary education in Iran increased from 29.3% in 2000 to 55% in 2013.<sup>23</sup>
- Enrollment in primary school, which is compulsory, has increased from 95.9% in 2000 to 98.4% in 2014.<sup>24</sup>

- The proportion of children who complete all five years of primary school has increased from 88.8% in 2000 to 94.6% in 2013.<sup>25</sup> 95.7% of primary school graduates transitioned to lower secondary (junior high) education in 2013 compared with 91.8% in the year 2000.<sup>26</sup>
- Enrollment in junior high school has increased from 78.4% in 2000 to 90.6% in 2011.<sup>27</sup> However, transition from lower secondary to secondary school has dropped from 96% in 2000 to 92% in 2013.<sup>28</sup>
- The number of Iranians attending university has seen a sharp increase. About 363,000 attended in the year 2000 compared with almost 1.4 million in 2012.<sup>29</sup>
- The number of universities in Iran has also seen a sharp increase from about 450 (250 public and 200 private) universities in the year 2000 to over 1,000 (>300 public and >700 private) universities in 2014.<sup>30</sup>

4.5: By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations

14. Despite this progress, areas of major concern remain. For example, ethnic minorities continue to face limits on their access to education. Schools in most Arab villages in the province of Khuzestan are nonexistent and illiteracy is over 50% for Arab men and close to 100% for Arab women.<sup>31</sup>
15. Generally, regions with high concentrations of ethnic minorities such as Khuzestan, Sistan-Balochistan, Iranian Azerbaijan and Iranian Kurdistan are much less developed than the Persian-dominated parts of the country and therefore access to schools is often limited for minorities.<sup>32</sup> When they are able to attend school, ethnic minorities continue to face challenges. Though Article 15 of Iran's constitution states that "the use of regional and tribal languages ... for teaching of their literature in schools is allowed in addition to Persian," education in Iran is conducted almost exclusively in Persian, which for many ethnic minority children is secondary language.<sup>33</sup> Education in minority languages is prohibited and language support for students who have difficulty understanding the Persian language is nonexistent.<sup>34</sup> In part as a result, many ethnic minority students drop out of school and are underrepresented at higher levels of education.<sup>35</sup> The UN Special Rapporteur on the situation of Human Rights in the Islamic Republic of Iran reported in 2012 that ethnic Arab students drop out of school at a rate of about 30% at the primary school level, 50% at the lower secondary level and 70% at the secondary school level.<sup>36</sup> The situation is similar in Sistan-Balochistan, where 22% of children age 7 to 14 do not attend school and ethnic Balochs are estimated to make up only 200 or 0.0005% of university students in all of Iran despite being over 2% of the national population.<sup>37</sup>
16. Adherents to the Baha'i faith are effectively barred from higher education in Iran. Exclusion against the Baha'is begins in the primary and secondary school levels where Baha'i children face bullying from school authorities, pressure to convert to Islam, and expulsion or forced transfer to schools farther away from their homes.<sup>38</sup> Moves by the Baha'is to establish their own schools have been stymied by the state.<sup>39</sup> They are also excluded from university entrance exams on the

grounds that their files are “incomplete.”<sup>40</sup>

17. According to the Baha’i International Community, in 2007, the most recent year for which they have data, some 800 of the 1037 Baha’i students who registered for university entrance exams were barred from them for this reason.<sup>41</sup> Since 2006, Iranian universities have been directed by the Ministry of Science, Research and Technology to exclude Baha’is from universities either by way of the admission process or during the course of their studies, once their religious affiliation becomes known.<sup>42</sup> Just 183 of the roughly 200 Baha’is who qualified for entrance in 2006 and enrolled in university were still enrolled by the end of that school year.<sup>43</sup>
18. Despite the challenges faced by ethnic and religious minorities, the government taken some encouraging steps to address disparities in other areas. Iranian legislators have stressed the need to eliminate gender disparities in education in all of Iran’s quinquennial development plans since the year 2000.<sup>44</sup> Between 2000 and 2013, the number of women and girls enrolled in educational institutions increased from 47.6% to 48.6% at the primary level, 45.3% to 47.6% at the lower secondary (junior high) level and 44.7% to 52.2% at the secondary school level.<sup>45</sup> There has however been a recent decline in the enrollment rate and an increase in the dropout rate of boys in Iran.<sup>46</sup>
19. In higher education, women have made up the majority of Iran’s university students in recent years and authorities in Rouhani’s administration has made some effort to challenge and rescind some of the discriminatory policies that restrict women from entering 77 fields of study in science, technology, engineering and mathematics.<sup>47</sup>
20. Iran has also made significant progress in expanding access to education for disabled youth. The Department of Special Education is responsible for providing education at the pre-primary to the secondary/vocational levels for children with mental, hearing, visual, physical and developmental disabilities.<sup>48</sup> Most disabled children attend school alongside those without special needs, however about 75% of the mentally disabled as well as some hearing and visually impaired students attend special schools.<sup>49</sup> The total number of special needs children attending school has been on the rise, from about 71,000 in the year 2000 to 112,000 in 2010.<sup>50</sup>
21. Iran also took an encouraging step, in 2015 when Ayatollah Khamenei ordered that all Afghan refugee children, documented or undocumented must be allowed to enroll in Iranian schools.<sup>51</sup> There are currently an estimated 386,000 refugee children enrolled in Iranian schools, though this figure has increased by about 10% each year.<sup>52</sup> Over 360,000 of these are Afghans.<sup>53</sup> Iran, in conjunction with the United Nations High Commissioner for Refugees is spending about US\$23 million annually on the construction of new schools to accommodate refugee children.<sup>54</sup>

## **Recommendations**

Iran should build on progress in achieving SDG 4, by addressing the critical outstanding issues by:

- Building schools and expanding access to free lower primary to secondary education in underdeveloped regions, Khuzestan, Iranian Kurdistan, Iranian Azerbaijan and Sistan-Balochistan in particular;
- Providing special assistance and accommodations for students who are not sufficiently familiar with the Persian language and enforce the constitutional provisions that allow the use of minority languages in education;
- End the exclusion of Baha'is from higher education and combat harassment and mistreatment of them at the lower levels of education.

### **SDG 5. Achieve gender equality and empower all women and girls**

22. Addressing gender equality has been a central part of the UN's development work and human rights advocacy for the last two decades.

**5.1:** End all forms of discrimination against all women and girls everywhere

5.1.1 Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex.

23. Iran is faced with many challenges when it comes to discrimination against women and girls in law and practice. The Iranian authorities' position is to deny the principle of gender equality by drawing a distinction between women's equality and equity.<sup>55</sup> As an illustration, Ms. Maryam Mojtahedzadeh, advisor to the President in 2013 before the 57th Session of the CSW stated that: "we believe that the Almighty God has created both men and women equally from essence and for perfection and growth, complementary to each other thereby giving them each a specific role to play".<sup>56</sup> This understanding is put forward to justify discriminatory laws and regulations that exist in Iran Civil and Criminal Codes.
24. Human rights protections and access to justice for women and girls are unequal for women in Iran. A number of Criminal Code provisions discriminate against women and girls; including provisions which stipulate different procedures and punishments for men and women who commit the same act and offense. For example, criminal punishment for bodily harm inflicted on man is far greater than if the victim was a woman.<sup>57</sup> Women's testimony legally has half the evidentiary value of the testimony of men, meaning a man's testimony must be given more weight.<sup>58</sup> The age of criminal responsibility for girls is nine lunar years, whereas for boys it is 15 lunar years.<sup>59</sup>
25. In the realm of personal status laws, women do not have equal rights to men in marriage, divorce, child custody or inheritance. For example, husbands have an incontestable right in law to divorce

their spouse. Married women cannot obtain a passport without the permission of their husband. Moreover, a husband can prevent his spouse pursuing an occupation he deems against his family values or harmful to his or her reputation.<sup>60</sup>

26. Furthermore, state policies have also limited Iranian women's participation in aspects of cultural and social life, such as enjoyment of and participation in sports. Iranian authorities have imposed a ban on female sports fans from attending public athletic events. Despite one exception of allowing women to attend the 2017 Volleyball World League tournament on Kish Island following international pressure, Iranian women are still not allowed into stadiums. Moreover, women athletes face restrictions in their participation in sports, which emanate from state enforced social norms, dress codes, and the legal authority granted to husbands to limit their wives' employment and travel. For example, on 19 November 2016, the Iranian Wrestling Federation banned three female wrestlers from participating in the World Wrestling Competitions, reportedly for failing to uphold Islamic values.<sup>61</sup>
27. Furthermore, new legislation has further threatened any hope of preventing discrimination against women. Since 2013, the Iranian Parliament has debated seven bills, four of which have become law, that further curtail women's rights. The laws and bills limit women's access to health and family planning services, employment, or put women at increased risk protections for gender-based violence. Details of the legislation include:
  - The Plan to Reduce the Working Hours of Women with Special Conditions, which passed into law on 29 September 2016, reduces the working hours of female employees with certain family obligations—including female-headed households, those with children under the age of seven years, and women with children or spouses with disabilities or incurable and chronic diseases—from 44 hours to 36 hours a week, without reducing their salaries. Though the law is intended to protect these women, it creates barriers to their participation in the workforce, as it incentivizes employers to decrease their hiring of these women, thus, perpetuating discrimination in employment. (passed into law on April 11, 2013)
  - The Plan to Promote and Protect Virtue and Prevent Vice, which passed into law on 29 April 2015<sup>62</sup>, aims to prohibit acts considered to be “vices” under Islamic Law. This includes women's observance of “proper” hijab or the compulsory dress code. Article 4 of the plan allows “unofficial and unaccountable forces” to act as agents of law enforcement and by equipping untrained individual citizens with the power to enforce law, effectively creating a system of sanctioned vigilante justice.<sup>63</sup>
  - Article 17 of the Family Protection Law (Bill 315) attempts to reduce divorce rates by moving disputes outside of judicial proceedings, effectively treating domestic violence as a “family



matter,” and mandating that these issues be resolved through counseling, instead of accountability measures, such as police and judicial intervention.<sup>64</sup>

- The Bill to Increase Fertility Rates and Prevent Population Decline curbs access to contraception and information about family planning, cuts government family planning programs, and outlaws surgical contraception.
- The Comprehensive Population and Family Excellence Bill mandates employment discrimination against women and unmarried persons, makes divorce more difficult, and discourages police and judicial intervention in family conflicts.

**5.2:** Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.

28. According to UN Secretary-General’s 2016 UNGA report, 60% of women in Iran experience some form of domestic abuse<sup>65</sup>. There is no specific law against domestic violence in Iran<sup>66</sup> and no good estimates of the extent of the problem.<sup>67</sup> The authorities have consistently failed to adopt laws criminalizing sexual and other gender-based violence, including early and forced marriage, marital rape and domestic violence. A domestic violence bill has been pending review and a vote in Parliament since 2012, and the government has taken little action to prevent and respond to violence against women in public and private spheres.

**5.3:** Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation

5.3.1 Proportion of women aged 20-24 years who were married or in a union before age 15 and before age 18

29. Iran’s Civil Code permits marriage for girls 13 years and older (an increase from 9), but younger girls can be married if a court order is obtained.<sup>68</sup> UNICEF estimates that 17% of overall Iranian girls were married before the age of 18 and 3% were married by age 15.<sup>69</sup> In the Persian year 1394 (2015-2016), over 34% of officially registered marriages in Iran involved child brides, with 5% these girls having been under the age of 14.<sup>70</sup>

30. It is estimated that there were at least an additional 12,000 marriages involving young girls that were not officially registered.<sup>71</sup> Decisions on when and to whom young children are to be married are generally made by their parents. A study conducted by anthropologist Kameel Ahmady in seven Iranian provinces found that more than one in five married girls had no knowledge of who they were being married to and 42.9% admitted having been opposed to the decision.<sup>72</sup>

31. According to officials domestic violence is a fairly common experience for child brides. 47% have a

history of bruises, 21% of physical lesions and 53% of broken bones. 3% sustained permanent injuries. Moreover, 21% of studied child brides reported being forced to have sexual relations with their spouses in 2015.<sup>73</sup>

### 5.3.2 Proportion of girls and women aged 15-49 years who have undergone female genital mutilation/cutting, by age

32. Female genital mutilation (FGM) is illegal and not a common tradition in Iran, however different forms of FGM are nonetheless practiced in certain provincial areas of the country.<sup>74</sup> FGM is practiced in parts of Iran, most prevalently among the Kurd and Shafi'i Sunni populations in rural parts of the provinces of Kurdistan, Hormozgan, Western Azerbaijan, Kermanshah and Lorestan.<sup>75</sup> Reportedly as of 2014, 60% of women in Hormozgan Province have been genitally mutilated, as well as 21% in West Azerbaijan, 18% in Kermanshah and 16% in the province of Kurdistan.<sup>76</sup> FGM however, has been on a consistent annual 3-5% decline in all four provinces and women aged 15-29 are significantly less likely to have experienced FGM than their older counterparts.<sup>77</sup> In some parts of Kurdistan, West Azerbaijan and Kermanshah, rates of FGM among women aged 15-29 is no more than 2%.<sup>78</sup> In Hormozgan, however, although in decline, and much less than that of older women, rates of FGM among women 15-29 remain in excess of 20%.<sup>79</sup>

## 5.5: Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life.

### 5.5.1 Proportion of seats held by women in national parliaments and local governments.

33. Women are poorly represented at the national and local levels in Iranian politics. As of July 2017, they hold 17 of the 290 (not even 6%) seats in parliament and 10% of ministerial positions.<sup>80</sup> In local government, women hold none of the 31 provincial governorships and only 2 of the 1148 mayorships, 7 of the 1034 district governorships and 4 of the 440 county governorships.<sup>81</sup>
34. There has, however, been a promising trend in female political participation. During the recent parliamentary elections in February 2016, women activist initiated a campaign to increase number of women-held seats, though it only led to the election of 17 women who were elected to the national Parliament.<sup>82</sup> The result was the largest number of women elected to public office in the history of post-revolutionary Iran.<sup>83</sup>
35. President Hassan Rouhani has called for more women to run for office, including for seats on the Assembly of Experts, the body which will elect the next Supreme Leader.<sup>84</sup> However, all candidates for public office still must be approved by the Guardian Council, a 12-person assembly whose members are appointed directly or indirectly by the Supreme Leader. The Guardian Council has never permitted a woman to run for the presidency and barred hundreds of women from running in the 2016 elections and rejected all female candidates for the 2016 Assembly of Experts elections.<sup>85</sup> At the local level however, the responsibility to vet candidates for municipal elections

falls on the Interior Ministry and is more open to female candidates.<sup>86</sup> In Sistan-Balochistan, the 2017 elections brought 415 women to city councils across the province, up from 185.<sup>87</sup>

#### 5.5.2 Proportion of women in managerial positions.

36. Women are severely underrepresented in managerial positions in both the public and private sectors. The proportion of women in positions in Iran was reported at managerial less than 4% in 2009.<sup>88</sup> The majority of civil service job listings include explicit preference for male candidates and many organizations in the private sector refrain from allowing women access to positions of leadership.<sup>89</sup>
37. Discriminatory laws and employment practices are the primary causes of the gender gap. Iranian law requires married women to have permission from their husbands to obtain a passport, and husbands have the power to bar their wives from traveling abroad at any time whether they have one or not.<sup>90</sup> These laws make some employers reluctant to hire women for jobs which require extensive travel.<sup>91</sup> A deeper analysis of the consequences of these discriminatory law in regards to gender is discuss in SDG 8.5.
38. Furthermore, according to Human Rights Watch, widespread perception that women are less serious workers than men reportedly prevail, and they are less likely to be hired for leadership positions or promoted. Some employers fear that having a female manager or executive will result in the company no longer being taken seriously.<sup>92</sup> On the same note, when they do get positions of leadership, women are often not respected by male subordinates or representatives from other companies during negotiations.<sup>93</sup>

**5.6:** Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Program of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences

5.6.1. Proportion of women aged 15-49 years who make their own informed decisions regarding sexual relations, contraceptive use and reproductive health care

39. Iran restored its family planning program in December 1989, endeavoring to encourage families to delay the first pregnancy and to space out subsequent births, discourage pregnancy for women younger than 18 and older than 35 and limit family size to three children.<sup>94</sup> Since 1989, public clinics have been established to provide contraception and family planning services were made available to all married couples<sup>95</sup>. In 1990, Iran's High Court ruled that sterilization does not violate Islamic law and incentives for large families were revoked.<sup>96</sup> As a result, Iran's birth rate dropped from about 6 per woman in 1985 to 2 per woman in the year 2000. By 2010, 79% of married women in urban areas and 73.8% of rural married women reported using at least one form of contraception.<sup>97</sup> Iran however may soon reverse course on these family planning gains. In 2012, Ayatollah Khamenei criticized the family planning program and called for an increase in

Iranian population levels.<sup>98</sup> Following Khamenei's pronouncement, the Parliament passed bill 446 on August 10, 2014 . According to Amnesty International, this bill would ban all forms of permanent contraception and "promotional information" about contraception.<sup>99</sup>

### Recommendations

To better ensure gender equality the Iranian government should take the following steps:

- Draft and pass a law against domestic violence based on international best practices
- Raise (again) the marriage age for girls and boys equally to 18 year
- Continue its support efforts within local communities to discourage FG
- Eliminate gender-based vetting by the Guardian Council and consider implementing a quota for women in the Parliament , as an internationally recognized best practice
- Create programs that promote women management in the economy
- Eliminate laws that limit women's competitiveness in the job market
- Maintain access to voluntary family planning education and policies, including the access to forms of safe contraception chosen by women and their health care providers.

### SDG 8: Decent Work and Economic Growth

40. The United Nations has identified the achievement of sustained economic growth and full, productive employment in every society as necessary to eradicate poverty and reduce inequalities and improve standards of living for all people. The International Monetary Fund noted last year that the Iranian economy is in the midst of an "impressive recovery," following the Joint Comprehensive Plan of Action (JCPOA), the agreement between Iran and the P5+1 (United States, United Kingdom, France, Russia, China and Germany) implemented in January 2016.<sup>100</sup>
41. Under the terms of the deal, the United States, European Union and United Nations rescinded several economic sanctions against Iran and unfroze Iranian financial assets in exchange for the restriction of its nuclear program.<sup>101</sup> Iran's rate of economic growth skyrocketed after the nuclear deal, rising from 0.6% in 2015 to 4.5% in 2016.<sup>102</sup> However, much remains to be done to ensure that this economic growth is inclusive and benefits all segments of the Iranian population, starting by the most marginalized groups. Women still face barriers in terms of access to the job market, persons belonging to ethnic minorities are still disproportionately affected by unemployment, and limitations in terms of labor rights and rights to form independent trade unions limits Iranian workers' ability to take a more active part in macro and microeconomic decisions that affect them.

**8.5:** By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value

42. Despite stronger economic growth, the rate of unemployment in Iran continued to rise through

2016, from 10.7% in January to 12.7% by year's end.<sup>103</sup> Unemployment among those aged 20-24 in 2016 was more than twice the national average at 31.9%. At 19.7%, the unemployment rate among women in Iran is about twice as high as for men, even though Iranian women are now achieving higher levels of education.<sup>104</sup>

43. Women lag far behind men in finding employment at every level of education. About one out of three Iranian women with a bachelor's degree are unemployed compared to one out of six or seven men. At the master's degree level, about one out of five women are unemployed compared with about one out of ten men and at the PhD level, one out of five women are unemployed to one out of 39 men.<sup>105</sup> In all, despite making up 49% of the Iranian population, women account only 17% of the country's workforce.<sup>106</sup>
44. As discussed above, discriminatory laws such as article 1117 of the Iranian labor code permits a husband to bar his wife from taking a job he deems "incompatible with the family interests or the dignity of himself or his wife."<sup>107</sup>As a result some employers require women to get written permission from a husband or fiancé before they are allowed to work.<sup>108</sup>Unmarried women and those whose husbands permit them work can also face difficulty in finding a job. Iranian law does not prohibit employers from including explicit gender preferences in job listings.
45. According to Human Rights Watch, many job listings, especially in the lucrative fields of science, technology, engineering and mathematics explicitly express a preference for male applicants. The exclusion of women, particularly from fields like engineering, is exacerbated by Section 75 of the labor code which prohibits the hiring of women for jobs involving "dangerous, arduous or harmful work."<sup>109</sup>
46. In the public sector, most vacancies are either reserved for men or a preference for men is expressed in the listing. According to Human Rights Watch, 60% of the over 7,000 advertised public service job listings they analyzed included an explicit preference for men.<sup>110</sup> Certain agencies such as the tax administration earmark up to 96% of their job openings for men.<sup>111</sup> For women who are employed, Section 38 of the Iranian labor code requires that they be paid the same as men for equal work.<sup>112</sup>In practice however, women receive about 41% less than their male colleagues because employers often reserve bonuses, overtime and promotions for men.<sup>113</sup>

**8.8:** Protect labor rights and promote safe and secure working environments for all workers, including migrant workers.... and those in precarious employment

47. The Iranian labor code includes numerous protections and benefits for workers. Among other protections, the law states that employees cannot be dismissed arbitrarily and must be given a month's pay if fired. They cannot be made to work more than eight hours per day and are entitled to regular payment in cash at or above a minimum wage, which is currently about US\$241 a month.<sup>114</sup>
48. Despite progressive labor laws, many Iranian workers are deprived of their rights through the use of temporary contracts by employers. Between 50 to 80 percent of Iranian workers are

currently working under 60-90 day temporary contracts and are therefore excluded from essentially all of the rights and protections set forth in the labor code. Temporary contract workers can be arbitrarily dismissed and receive only a small fraction of the severance pay permanent workers are entitled to under the labor code.<sup>115</sup>In addition, new employees are increasingly being made to sign blank contracts even before their duties and responsibilities have been clearly defined.<sup>116</sup>Employers have been known to use signed blank contracts to reduce the duration of worker's' tenure or to claim that workers had agreed to waive some of their rights.<sup>117</sup>

49. Workers have little recourse to address these violations. Independent labor unions are not recognized in Iran, and many workers doubt that state-sanctioned guilds and Islamic Labor Councils will protect them and therefore keep their grievances to themselves.<sup>118</sup>Those who attempt to organize workers and form independent labor unions have been subjected to harassment and arrest on charges such as "colluding against state security," "spreading propaganda against the system," "propaganda against the state" or "endangering the security of the state."<sup>119</sup>Strikes are also prohibited and workers who attempt to are met with violence by law enforcement.<sup>120</sup>

50. Migrant workers in Iran face even greater hardship and injustice. There are an estimated 1.5 to 3 million migrant workers in Iran, most are from neighboring Afghanistan.<sup>121</sup> Only 190,000 have been granted work permits, the rest therefore are working illegally and have no legal rights. Afghan migrants, registered and unregistered are generally made to take jobs refused by most Iranians, in dangerous and low-paying fields such as plaster manufacture, making acid for batteries, digging, brick-making, asphalt and concrete laying, garbage burning, loading and unloading trucks, stone cutting, road building and mining.<sup>122</sup>These workers are susceptible to workplace accidents that can cause lasting injuries. Afghans are also paid less than the minimum wage and sometimes face non-payment of wages.<sup>123</sup>Furthermore, many Afghan migrant children, until 2015 largely excluded from any educational opportunity in Iran, have taken on hazardous jobs such as tiling and welding, sometimes from the age of nine.<sup>124</sup>

## Recommendations

To achieve the goal of ensuring all Iranians have access to gainful employment, it is important that Iran address the following human rights violations:

- Rescind *gozinesh* policies, and other discriminatory measures, and strengthen protections against de facto exclusion of religious minorities from the public sector.
- Enact and enforce legislation that prohibits hiring practices which discriminate against women and ethnic/religious minorities.
- Extend the full, legal protections to temporary contract workers.

- Allow the formation of independent labor associations or guilds, in accordance with international law.
- Ensure safe and dignified working conditions for migrant workers and effectively enforce laws prohibiting child labor.

### SDG 10: Reduced Inequalities

51. While it may not be possible to completely eliminate inequality, the United Nations has identified significant reductions inequality within countries and among countries as a goal all states should be working towards. Iran’s Constitution includes some provisions for ensuring that Iranians, regardless of gender, race, or ethnicity are treated equally.<sup>125</sup> President Hassan Rouhani reaffirmed this commitment during his first presidential campaign in 2013, stating “all Iranian people should feel there is justice. Justice means equal opportunity. All ethnicities, all religions, even religious minorities, must feel justice.”<sup>126</sup> However, the Iranian political, social and economic systems, in law and practice, are marked by lack of equal opportunities, barriers to access and systemic inequalities, which concern in particular women and girls, as well as people belonging to ethnic and religious minorities.

**10.2:** By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status

52. As mentioned previously in this report, despite constitutional provisions against discrimination and the Citizens’ Rights Charter, women and ethnic minorities including but not limited to Arabs, Balochs and Kurds continue to face systemic forms of discrimination. These groups as well as other ethnic minorities are still underrepresented at decision-making levels of Iranian politics, 2009.<sup>127</sup> Ethnic Arabs comprise about 70% of the population in the province of Khuzestan, but hold less than 15% of municipal government positions and 5% of provincial administrative positions.<sup>128</sup>
53. Iran’s ethnic and religious minorities also face discrimination in the hiring sector. The constitution states that Shi’a Islam is the country’s official religion, with only Christians, Jews and Zoroastrians recognized as religious minorities.<sup>129</sup> In 1985, Iran established the *gozinesh* or ‘selection’ process for all applicants to positions in the government bureaucracy or state-run companies. Applicants must demonstrate their understanding of and allegiance to the state religion. Non-Shi’as, and often times by extension, ethnic minorities, are effectively excluded from government jobs. The consequences of these discriminatory policies are compounded by the fact that the government is the largest employer in Iran.<sup>130</sup>
54. Members of the unrecognized Baha’is face additional obstacles. Baha’is are barred from all government positions.<sup>131</sup> Furthermore, authorities routinely deny Baha’is licenses to start businesses and shut down existing Baha’i owned businesses for being closed on Baha’i holy days.<sup>132</sup> Employers who hire Baha’is also routinely face pressure from authorities to dismiss them.<sup>133</sup>

**10.3:** Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard

55. The treatment of Iran’s religious minorities is another area of concern. Unrecognized religious minorities such as the Baha’is are deprived of their most basic human and constitutional rights. Despite constitutional mandates that all Iranians be treated equally under the law, the Baha’i community has been marked for virtual extermination by the Iranian state. A memorandum signed by Ayatollah Khamenei in 1991 states that the government must treat the Baha’is in such a way that “their progress and development are blocked.”<sup>134</sup>
56. In addition to the denial of their opportunities for higher education, gainful employment and entrepreneurship previously discussed in this report, Baha’is have been subjected to unwarranted arrest, detention and surveillance by state authorities, violence and vandalism which routinely go unpunished and routine defamation emanating from state media and ranking state officials. State-level defamation contributes to exclusion or and discrimination by non-state actors against Baha’is more broadly.
57. Though they, unlike the Baha’is, are recognized by the Iranian constitution, Christians, Jews and Zoroastrians are faced with discriminatory state policies which limit their political and economic participation.<sup>135</sup> They are law, or practice, excluded from many sectors of Iranian government. Non-Muslims are prohibited from serving as Presidents of the Republic, commanders in the armed forces and judges at any level. Also, non-Muslims may not hold any seats in Parliament besides the five reserved for Jews, Armenian and Assyrian Christians and Zoroastrians.<sup>136</sup>
58. The *gozinesh* laws discussed in Section 8 of this report, make it difficult for religious minorities to access state employment.

### Recommendations

The Iranian government will be more effective in meaningfully reducing inequality if it takes steps to:

- Enforce the mandate set forth both in the Iranian constitution that guarantees equal treatment for all Iranians under the law.
- Abolish the *gozinesh* employment selection process and afford equal access to Iranians of all faiths to gainful state employment.
- End the broad-based discrimination against religious minorities, including members of the Baha’i community

### SDG #16: Peace, Justice and Strong Institutions

59. In every nation, peace, stability, strong domestic institutions and the rule of the law are critical to achieving sustainable development. The United Nations has committed to working with communities and governments across the world in reducing all forms of violence, political and societal instability and strengthening governing institutions and the rule of law.

**16.2:** End abuse, exploitation, trafficking and all forms of violence against and torture of children



60. The Islamic Republic of Iran has been a party to the Convention on the Rights of the Child since 1994. State parties to the Convention agreed, among other provisions, to “take all appropriate legislative, administrative, social and educational measures” to protect children from “all forms of physical or mental violence, injury or abuse.”<sup>137</sup>
61. However, the Government ratified the Convention with reservations, stating that it will not abide by any provision which it deems “incompatible with the domestic laws and Islamic standards.”<sup>138</sup> The definition of the term ‘child’ is a point of divergence between the text of the Convention and Iranian law. The Convention defines a ‘child’ as any human being under the age of 18, Iran’s penal code defines a ‘child’ as anyone under the age of puberty stipulated in Islamic law which is age 15 for boys and 9 for girls.<sup>139</sup> Iran has asserted that Islamic law provides for all the rights and needs of children and that despite its reservation, it has “tried to implement the provisions of the Convention, to the extent possible, in their entirety.”<sup>140</sup>
62. Iran does have laws protecting children from abuse. Articles 1173, 1177 and 1178 of the Iranian Civil Code prohibit parents from denying their children access to education and from inflicting punishment upon their children deemed “beyond the limits of correction.” In the event a child is abused, neglected or forced into begging, prostitution or smuggling by its parents, the court may transfer custody to relatives, a guardian or to the state.<sup>141</sup> Furthermore, Article 112 of the Iranian Penal Code mandates the death penalty for the sodomy of a minor.<sup>142</sup>
63. Parents are allowed the “moderate and expedient” use of corporal punishment on their children under the Civil Code.<sup>143</sup> This is reiterated in Article 59 of the Iranian Penal Code which states that “acts committed by parents and legal guardians of minors and insane people in order to chastise or protect them,” if “exercised within the customary limit,” are not to be considered crimes.<sup>144</sup>
64. A 2014 study published in the Iranian Journal of Psychiatry estimated that about 43.6% of Iranian children suffered physical abuse of some kind at home.<sup>145</sup> This figure however ranges from 9.7% to 67.5 % among different parts of the country.<sup>146</sup> Most studies show that boys more often than girls are victims of physical abuse.<sup>147</sup> In the civil and penal codes, the terms “moderate” and “customary limit” are left undefined. These terms generally refer to the absence of physical marks after corporal punishment, nevertheless, the use of such vague terms and the absence of legal definition is an area of concern.<sup>148</sup>
65. Corporal punishment is utilized by the state as a form of punishment including for juvenile offenders. Article 49 of the penal code permits this provided the punishment is “moderate and expedient.”<sup>149</sup> Iran has in recent years however, reformed its criminal code and now prohibits flogging and other forms of corporal punishment for children under the age of 18 who have committed *ta’zir* crimes or crimes for which there is no specific punishment in Islamic law such as drug trafficking or lying unclothed with an unrelated member of the same sex.<sup>150</sup>
66. Juveniles are still subject to corporal punishment and the death penalty for crimes discussed in Islamic law. While Iran insists that no person under the age of 18 has been executed, many executed prisoners were minors at the time of their arrest and therefore were not subject to capital punishment under international law.<sup>151</sup> According to Amnesty International, 73 juvenile offenders were executed in Iran between 2005 and 2015.<sup>152</sup> Over 80% of those juveniles executed were convicted of rape, murder or both.<sup>153</sup> 1.4% were executed for the vague offense of ‘enmity against God,’ and the charges against 12.3% of those executed are unknown.<sup>154</sup>

67. The illicit trafficking of children to and from Iran is another area of concern. Trafficking, trading and exploiting children is illegal in Iran and is punishable by fines and imprisonment.<sup>155</sup> However, the selling of infants, primarily by impoverished, drug addicted or prostitute mothers is one the rise, including in Tehran.<sup>156</sup>

**16.3:** Promote the rule of law at the national and international levels and ensure equal access to justice for all

68. Iran's constitution includes several mandates aimed at enforcing the rule of the law and ensuring equal access to justice for all citizens. Articles 19 and 20 guarantee equal rights and protections under the law for all citizens regardless of race or gender.<sup>157</sup> Articles 32 through 39 promise Iranians the right to access and seek justice from competent courts, the right to legal counsel regardless of ability to pay, presumption of innocence until proven guilty, protection from arbitrary arrest and the right to be promptly informed of charges if arrested, protection from torture and dignified, respectful treatment if detained, arrested or imprisoned.<sup>158</sup>

69. However, these constitutional provisions are routinely infringed upon or violated. Critics of the government including activists, artists, bloggers, journalists, students, filmmakers, musicians and poets face arbitrary arrest by authorities. According to United for Iran, there are 697 political prisoners and prisoners of conscience detained in Iran at this writing.<sup>159</sup> Among this number, in last twelve months at least 68 journalists and bloggers have been in prison 28 of whom have been released. Similarly 56 human rights defenders (including labor rights advocates) detained for their exercise of freedoms of expression, association, or peaceful assembly during past twelve months of whom 29 have been released.<sup>160</sup>

70. The World Prison Brief estimated that, as of 2014, 25.1% of all those imprisoned in Iran have not had a trial.<sup>161</sup> Ethnic and religious face additional challenges in the Iranian legal system and violations of their constitutional rights. Legal proceedings are conducted exclusively in Persian, which is a second language to most ethnic minorities and oftentimes no translation services are made accessible to those who have difficulty understanding the proceedings.<sup>162</sup>

### Recommendations

To achieve the goal of ensuing justice and equal rights for all of its citizens it is important that Iran,

- Clearly outlaw forms of corporal punishment and child abuse that are contrary to international standards, including the Convention on the Rights of the Child to which Iran is a party, in its legal codes.
- End the execution and sentencing to death of all persons who were minors at the time their crimes were committed.
- Duly combat the selling, exploitation and illegal trafficking of children to and from Iran, in conformity with human rights standards, and provide shelter and support for victims.
- Ensure journalists, human rights defenders and others are not subjected to criminal justice proceedings and detention for the exercise for freedoms of expression, association, or peaceful assembly.

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