

# WOMEN'S RIGHTS IN IRAN

## KEY AREAS OF CONCERN

- ▶ New laws, draft laws, and policies are further eroding women's rights, in part to promote population growth
- ▶ Ongoing restriction, harassment, and detention of women's rights defenders
- ▶ Women's low participation in government and limits to standing for election
- ▶ Institutional discrimination against women in areas of family law, access to justice, and cultural life and sport
- ▶ Lack of protections against gender-based violence and forced early marriage

## RECENT CONTEXT

Women and girls in Iran remain subject to widespread and systematic discrimination in law and practice. Moreover, new legislation and policies are further eroding women's rights and reversing gains for women in recent decades.

### Population Policies

Iran's Supreme Leader Ayatollah Ali Khamenei increasingly promotes national family policies that encourage population growth. In a 2012 televised speech, Khamenei denounced existing population control policies—such as contraception distribution or family planning education programs—and began advocating for policies designed to increase the birth-rate in the country. In September 2016, he issued a 16-point declaration to all three branches of government, setting the goal of making Iran a more “family-oriented society” though encouraging an “Islamic paradigm of family” These guidelines further curtail women's meaningful participation in public space.

### Persistent barriers to economic advancement of women

Population promotion policies coupled with other official efforts seriously impede women's employment and entrepreneurship. These policies included gender-based quotas in university admissions and restricting women from enrolling in the fields that the government considers to be more appropriate for men, such as medicine, math and engineering. Additionally, some government offices and municipalities have moved towards restricting employment for men only.

Authorities in Rouhani's administration have made small efforts to challenge some of these discriminatory policies. For example, a portion of gender-based quotas on women's access to higher education has been removed. In addition, on 31 July 2016, the Rouhani administration issued an executive order freezing the civil service exam and all hires of new government employees until the hiring practices guarantee equal opportunities for women. Out of the 2,800 public sector job openings, 35% of positions were allocated solely to male applicants, while only 15% of positions which were mostly based with the Education Ministry were reserved for women. The public exam resumed in November after almost doubling the percentage of public sector job opening for women.

### Attacks on women's rights defenders

Women's rights defenders have repeatedly faced threats, arrests, and imprisonment for expression or association aimed at promoting the status of women in the country. For example, on 14 October 2017, Iran

Intelligence agents arrested women’s rights activists Dr. Sedigheh Vasmaghi upon arrival at Imam Khomeini Airport. She was released after few hours but asked to reappear for interrogation. On Sunday 22 October, she was tried before the 28. Branch of the revolutionary court. The trial lasted 12 minutes, and she was not allowed to speak. She was transferred to the Evin prison the same day, with an unusually high amount set for bail.

### INSTITUTIONAL DISCRIMINATION AGAINST WOMEN

On a whole, Iranian law and polices discriminates against women on multiple levels and specifically fails to protect women from gender based violence.

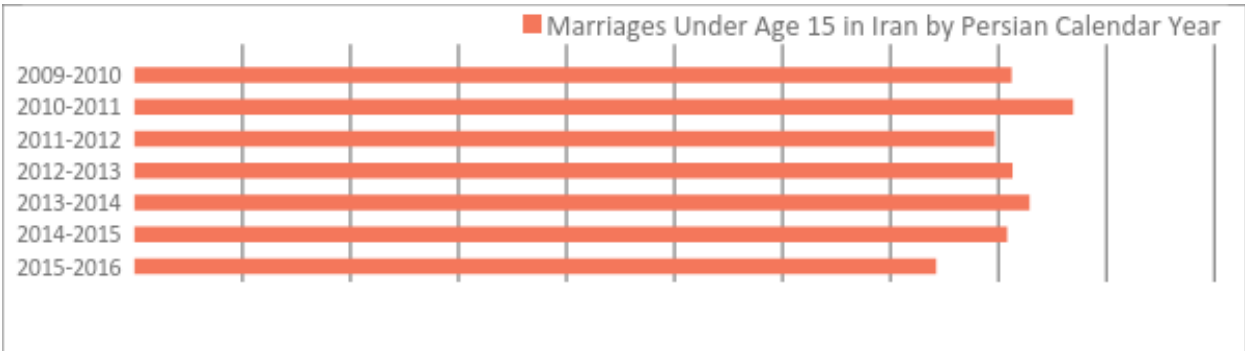
#### Judicial System

Women are less than equal in the justice system. For example, criminal punishment for bodily harm inflicted on man is far greater than if the victim was a woman. Women's testimony legally has half the evidentiary value of the testimony of men, meaning a man’s testimony must be given more weight. The age of criminal responsibility for girls is nine lunar years, whereas for boys it is 15 lunar years.

#### Family Law

IN THE REALM OF PERSONAL STATUS LAWS, WOMEN DO NOT HAVE EQUAL RIGHTS TO MEN IN MARRIAGE, DIVORCE, CHILD CUSTODY OR INHERITANCE. Men hold arbitrary power over women. 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. Under Iranian law the nationality of a woman is not automatically transferred to her children. However, the same does not apply for a man.

The legal age of marriage for girls is 13 and fathers can apply for permission to arrange for their daughters to be married at an even younger age. The result is tens of thousands of forced early marriages annually, a large number of which result in the pregnancy of girls under the age of 18-years. According to the Global Gender Gap Report of 2015, 21% of females ages 15 to 19 years old were married. These marriages and pregnancy impair the access of women and girls to education and employment.



#### Gender Based Violence

According to UN Secretary-General’s 2016 UNGA report, 60% of women in Iran experience some form of domestic abuse. 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

draft 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.

### **Participation in and Access to Sports**

State policies have also limited Iranian women’s participation in the cultural life of the country, such as enjoyment of 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 27 April 2017, Shiva Amini was removed from the futsal national team after being photographed with her hair uncovered abroad.

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. The Legislation details 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.**
- The Plan to Promote and Protect Virtue and Prevent Vice, which passed into law on 29 April 2015, 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.**
- 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.
- 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.

Anti-Women's Rights Legislation	Discriminates between husbands and wives	Restricts freedom of movement	Curbs access to women's health and family planning	Limits protections from gender-based violence	Places undue limits on the right to work	Increases risk of under-aged marriage
Family Protection Law (passed into law on 11 April 2013)						
Law for the Protection of Children & Adolescents without Guardians or with bad Guardians (passed into law on 19 October 2015)						
Plan to Promote and Protect Virtue and Prevent Vice (passed into law on 29 April 2015)						
Plan to Reduce the Working Hours of Women with Special Conditions (passed into law on 29 September 2016)						
Comprehensive Population and Family Excellence Bill (pending in Parliament)						
Bill to Increase Fertility Rate and Prevent Population Decline (returned to majlis from the GC)						
Plan to Protect Hijab and Modesty (pending in Parliament)						

## WOMEN'S PARTICIPATION IN PRESIDENTIAL ELECTIONS

Iran has one of the lowest participation rates of women in elected positions globally. During the parliamentary elections in February 2016, women rights activists initiated a campaign to increased number of women-held seats. Though this only led to the election of 17 women and doubling the percentage of female representation to 6. The result was the highest number of women-held seats in Iran's history.

Candidates for national office, however, must be approved by the 12-person Guardian Council, whose members are appointed directly or indirectly by Iran's Supreme leader. The Guardian Council has never approved a female candidate for president. For example, Azam Taleghani, the Secretary-General of the Islamic Revolution Women's Society, registered as presidential candidate in 1997, 2009, and 2017. Her candidacy was rejected by the Council both years. However, the responsibility to vet candidates for municipal elections is on the Interior Ministry. Hence, it is more open to independent candidates. One significant development was that all registered candidates in the Baluchistan municipal elections were women.