

UPR of IRAN – 34th session – November 2019

Fact sheet on discrimination against women in Iran

1. INTRODUCTION

Iran is one of just **six UN member states** that are not party to the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).

Iran's legislation enshrines many barriers to accessing basic rights in areas such as employment, marriage and citizenship. The Penal Code is rife with instances in which women and men are treated differently, from criminal responsibility to compensation and the value of testimony.

These issues are especially pronounced for minority women, who often face intersectional discrimination on account of both their gender and their ethnic, linguistic or religious identity.

RECOMMENDATIONS

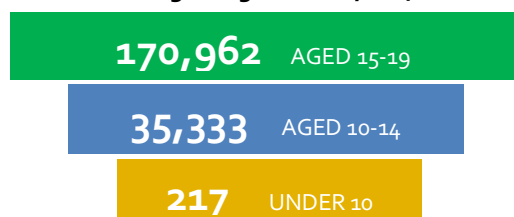
- ◇ Accede to CEDAW without reservations
- ◇ Adopt an action plan to implement the many recommendations on women's rights received from treaty bodies, the UPR, Special Procedures, and other UN mechanisms

2. MARRIAGE AND FAMILY MATTERS

Family law in Iran entrenches a system of **male guardianship** over women through the institution of marriage. As a result, women face limits on their autonomy across the processes of marriage, divorce, and child custody. For example, while men have an incontestable right to divorce their wives, women can only apply for divorce in limited cases, such as the husband's addiction, imprisonment or refusal to support the family financially. While Muslim men are permitted to marry women belonging to the constitutionally recognized religions, Muslim women are not allowed to marry non-Muslim men.

Child marriage is effectively legalized by Iran's Civil Code, which does not explicitly state a minimum legal marriage age. Internal family dynamics, poverty, addiction and migration impact the likelihood of child marriage. In Sistan-Baluchestan province, at least **40% of new marriages** per year involve a child groom or bride. Child brides face higher rates of domestic violence, they are much more likely to drop out of school and are at risk of becoming mothers at a young age, which involves serious health concerns.

New marriages of girls in Iran, 2017-2018



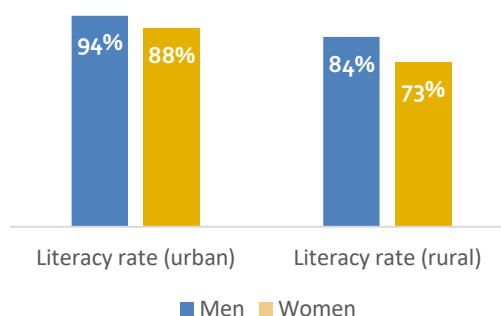
Until recently, women did not have the **ability to transfer their nationality** to their children. This affected thousands of Iranian women married to foreign men, especially women from the Baluchi community and women married to men from Afghanistan or Iraq. Children of these marriages, many of whom did not possess birth certificates or Iranian nationality documents, faced limited access to healthcare, education, and other state benefits. Thanks to a legislative reform to the Civil Code in October 2019, women can now transfer their nationality to their children. However, there is a provision in the law requiring security clearances to complete the process, which may hinder children from ethnic minorities and migrant communities from fully realizing their rights.

RECOMMENDATIONS

- ◇ Legislate a minimum legal age for marriage in line with CRC standards and penalties for those who facilitate child marriages
- ◇ Simplify the procedures allowing children at risk of statelessness to obtain documentation

3. EDUCATION

While Iran has dramatically expanded women's access to education in recent decades, significant gaps remain. Women in rural areas continue to attain significantly lower levels of education. The literacy rate among rural women is only 73%, compared to 88% in urban areas. Also, the gap between literacy rates for men and women is much wider in rural areas, showing that gender discrimination, and not only economic factors, is at play.



Girls from ethnic minorities are doubly marginalized, facing both economic exclusion and gender discrimination. Many of the provinces home to ethnic minorities are among Iran's poorest, and most marginalized regions. Sistan-Baluchestan province, populated by the Baluchi ethnic group, has the **lowest literacy rate in the country at 76%**, while in Kurdistan province, the literacy rate of 82% is also far below the national average (88%).

In 2018, more than **151,046 girls dropped out of school**. Factors behind the high dropout rates among girls in rural areas include families' reluctance to allow girls to travel long

distances to schools; the lack of female teachers; and cultural and religious norms that emphasize marrying early and having children. On top of that, in economically marginalized areas, families often rely on their children as labourers, which tends to affect girls more than boys.

RECOMMENDATION

- ◇ Improve educational facilities in rural areas and design measures to address the social and economic barriers preventing girls from attending school

4. EMPLOYMENT

The economic participation rate for women in Iran is one of the lowest in the world: in 2018, it stood at 15.9%, compared to 64.1% for men. Moreover, the unemployment rate for women (19.1%) is nearly double the rate for men (10.1%). University-educated women are three times more likely than their male counterparts to be unemployed.

64.1%

MALE ECONOMIC PARTICIPATION RATE

15.9%

FEMALE ECONOMIC PARTICIPATION RATE

The Iranian Labour Code forbids women from being employed in 'dangerous, arduous or harmful work,' while the Civil Code gives a husband the right to bar his wife from any job that he considers to be 'against family values or inimical to his or her reputation.' Some employers require engaged or married women to provide a written statement of permission from their husbands in order to be hired.

Employers often directly or indirectly discriminate against women in their hiring practices. Many are reluctant to hire women for senior positions because this could be damaging for the company's image. Cultural norms also dictate men should provide for the family, and therefore are often seen as more deserving of employment.

RECOMMENDATIONS

- ◇ Remove restrictions on the types of jobs that women can obtain, including the requirement to obtain the husband's permission
- ◇ Ensure that employers who discriminate against women are appropriately sanctioned

5. POLITICAL PARTICIPATION

Women's participation in political life in Iran is extremely limited, especially at high levels. For example, Iran has never had a woman president. In the 2017 presidential election, the Guardian Council **disqualified all 137 women** who registered to become presidential candidates. Women have never been permitted to stand for election to the Assembly of Experts of the Leadership and are completely prohibited from holding the position of Supreme Leader.

Iran has only had one woman minister since the Revolution, who was dismissed from her post in 2012. Despite campaign promises to include more women in government, neither President Hassan Rouhani's first (2013-2017) nor second (2017-present) cabinet included any women as ministers.

While the **17 women** currently serving in Parliament is the highest number ever in the history of the Islamic Republic,

this represents only 5.86% of the total seats. Even after being elected, women face many forms of gendered abuse, from increased scrutiny of their personal lives to regular defamation from their male counterparts.

5.86%

OF CURRENTLY ELECTED MPs IN IRAN ARE WOMEN

At the local level, there are only eight women serving as mayors or heads of city councils, three women county governors (out of a total of 430 county governors) and 13 women holding district governor positions (out of a total of 1,058.) Women who run for local office often have to go up against the objections of family members, religious leaders, and clan elders, many of whom do not approve of women holding positions of political leadership.

RECOMMENDATIONS

- ◇ Improve the gender balance in the distribution of civil service posts, ministerial portfolios and other high-ranking political positions
- ◇ Initiate awareness-building campaigns to underline the important roles played by women in politics and society and combat stereotypes

6. WOMEN HUMAN RIGHTS DEFENDERS

Iran witnessed an upsurge in women's rights activism and protest during 2018, and a resultant government backlash against women human rights defenders (WHRDs). Women who are targeted for state repression include lawyers, journalists, and artists, who are often imprisoned for exercising their right to freedom of expression. According to HRANA, there were **113 arrests of WHRDs** (women/men) in 2018.

Many of those arrested were protesting compulsory veiling. According to Iran's Penal Code, women who do not wear a hijab may be imprisoned from ten days to two months, and/or required to pay fines from 50,000 up to 500,000 rials. State and parastatal forces, including Basij Forces, Gasht-e-Ershad (Guidance Patrols) and vigilante militias such as Ansar-E-Hezbollah have violently mistreated people protesting against compulsory hijab and so called 'bad hijab' women. Compulsory veiling is not only a violation of women's freedom of expression, but also of freedom of religion or belief, since it is also mandatory for women belonging to religious minorities.

Women arrested for human rights activism are typically prosecuted under vaguely-worded national security charges such as 'propaganda against the state.' In cases of crimes against internal or external security, they must select their attorneys during the investigation stage from a list approved by the head of the judiciary.

RECOMMENDATIONS

- ◇ Guarantee the rights to freedom of opinion, expression and assembly and cease arrests of women engaged in peaceful protest
- ◇ Conduct investigations into the conduct of the police and parastatal forces and initiate prosecution where appropriate

For more comprehensive information about women's rights in Iran, see our report *Beyond the Veil: Discrimination against women in Iran* (2019)

<https://minorityrights.org/publications/beyond-the-veil-discrimination-against-women-in-iran-english-and-persian/>