



International Alliance for Peace and Development

A black and white line drawing of a woman's face and hair, positioned on the left side of the page. The drawing shows the woman's eye, nose, and long, flowing hair, rendered in a simple, sketchy style.

# **Violence against women in Iran**

**November 2019**

## Introduction

The United Nations has designated November 25 as the International Day for the Elimination of Violence against Women to stop and raise awareness of abuses against women. The 2019 theme for the International Day for the Elimination of Violence Against Women is ‘Orange the World: Generation Equality Stands Against Rape’. Violence against women is a violation of their human rights and a major obstacle to their development in various spheres of life, and adversely affects their health, aspirations in education and employment and their ability to participate effectively in society.

Historically, the date is based on the date of the 1960 assassination of the three Mirabal sisters, political activists in the Dominican Republic; the killings were ordered by Dominican dictator Rafael Trujillo. Several months later, his regime fell and he was killed.

Like in previous years, this year's International Day will mark the launch of 16 days of activism that will conclude on 10 December 2019, which is International Human Rights Day.

According to the UN, violence against women and girls (VAWG) is one of the most widespread, persistent and devastating human rights violations in our world today remains largely unreported due to the impunity, silence, stigma and shame surrounding it. In general terms, it manifests itself in physical, sexual and psychological forms, encompassing: Battering, psychological abuse, rape, killing, forced sexual acts, child sexual abuse, forced marriage, street harassment, stalking, cyber- harassment, human trafficking (slavery, sexual exploitation) and female genital mutilation.

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The Declaration on the Elimination of Violence Against Women issued by the UN General Assembly in 1993, defines violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”

The adverse psychological, sexual and reproductive health consequences of VAWG affect women at all stages of their life. The UN considers violence against women continues to be an obstacle to achieving equality, development, peace as well as to the fulfillment of women and girls' human rights. UN statistics show that: 1 in 3 women and girls experience physical or sexual violence in their lifetime; almost 750 million women and girls alive today were married before their 18th birthday; 1 in 2 women killed worldwide were killed by their partners or family since 2012, while only 1 out of 20 men were killed under similar circumstances; and 71% of all human trafficking victims worldwide are women and girls, and 3 out of 4 of these women and girls are sexually exploited. The UN warns that violence against women is as serious a cause of death and incapacity among women of reproductive age as cancer.

On this occasion, and within the framework of the interest of the International Alliance for Peace and Development (Geneva) in women's issues with great concern for the various types and patterns of violence against them throughout the world, especially in the Islamic Republic of Iran. Iranian women suffer from violence and discrimination as a result of the perceived inferiority of all official bodies in the state, reinforced by their inferior status in Iranian culture. The Iranian society considers women as second-class citizens in political, social and economic rights and duties. The inferiority of Iranian women is reflected in their social and family status, whereas they suffer from physical violence, whether by husbands, family or official bodies; which appears in several areas.

In Iran, women are deprived of leadership positions. Iranian legislation bans women from running for president and the judiciary, and for most prestigious posts in many sectors, such as education. The leadership positions in the Iranian government are restricted to men only. However, the high proportion of females than males in the Iranian society in terms of quantity and access to scientific qualifications, which has led to high rates of unemployment among women, ranging from 35% to 50%. Women constitute only 16 % of the labour force in this discriminatory environment

## Constitutional and Legal Framework

Article 1 of the Universal Declaration on the Elimination of Violence against Women defines the term "violence against women" as "any act of gender-based

violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”

According to Article 2 of the Declaration, violence against women shall be understood to encompass, but not be limited to, the following:

(a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

(b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

(c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

The Universal Declaration on the Elimination of Violence against Women was proclaimed by General Assembly resolution 48/104 of 20 December 1993, as the General Assembly recognizes the urgent need for the universal application to women of the rights and principles with regard to equality, security, liberty, integrity and dignity of all human beings.

There are countries that greatly assist in the oppression of women within their communities and practice violence and discrimination against them, including the Islamic Republic of Iran. Domestic violence against women in Iran has increased by 20% last year, from March 2018 to March 2019. A number of sociologists and social researchers in Iran have confirmed the escalation of domestic violence against women in Iranian society.

The Iranian government is harnessing its power and policy for the idea of "subjecting women to discrimination" through its national legislation that favors men over women, as well as a lack of state-issued data to monitor the monitoring of violence against Iranian women.

Iran's Constitution encourages early marriage, child abuse, domestic violence and honor killings through recognizing the age of marriage for girls from 13 years of age

and allows the father to marry his daughter even below that age with the consent of the court judge. The parliament's rejection of a bill proposing to increase the age of marriage for girls to 16, saying it is contrary to religious teachings, confirms Iran's policy of violence against women.

The Iranian Constitution allows sexual intercourse with girls at 9 lunar years and that other forms of sexual abuse of younger children are not criminalized under Iran's penal code. In addition, Article 1108 of the Civil Code in Iran forces wives to fulfill the sexual needs of their husbands at all times, posing a risk to child brides from sexual violence, including marital rape. According to its legislative framework, Iranian women do not have equal rights as men to marry, divorce, custody of children or inheritance. Men have the right to divorce and are indisputable, while married women cannot obtain a passport without the permission of their husbands. A bill to protect women against violence has been stalled since 2012. Although female genital mutilation is criminalized under Article 663 of the Iranian Penal Code, this practice continues to occur for large numbers of girls in Kurdistan, Western Azerbaijan and Kermanshah, Ilam, Lorestan and Hormozgan.

The bill includes a distinction between women themselves; the word "women" has been replaced by "mesdames", which refers only to married women. Therefore, girls under the age of 18, unmarried women and victims of social diseases who are subjected to such damages are not included in this bill. The bill does not criminalize sexual harassment, rape and sexual exploitation of women, and does not include any punishment for perpetrators.

Another serious problem is the lack of effective and adequate safeguards in the bill to prevent or respond to violence against women. The law on Protection of Children and Adolescents (2002) does not criminalize physical abuse and does not mention sexual assault. Moreover, the Constitution recognizes that the father owns the blood of his daughter, and therefore condones the killing of honor by the parents.

## Compulsory Veiling for Girls and Women

The state and the family are the biggest perpetrators of violence against women in Iran. Over the past four decades, the Iranian authorities have tried to impose the veil on women and girls, reflecting the ideological values of the Islamic revolution.

The legal and political institutions of Iran facilitate violence and abuse against women in the name of promoting virtue and prohibiting vice, so that state-sponsored violence to impose the compulsory wearing of veil has become the most common form of violence against women in Iran. Police Chief Hossein Ashtari stated in September 2016 that his forces arrest at least 2,000 women every day from all over the country on charges of “corruption and prostitution.” These arrests are characterized by force and violence.



In 2015, the Parliament announced the adoption of a law to support the protection of participants in the promotion of virtue and prohibition of vice. Article 17 of that law allows them to promote virtue and prohibit vice mainly and to reflect Shari'a in the civil justice system. According to this law, no natural or legal person has the right to prevent the promotion of virtue and the prohibition of vice. In case of the derogation of that article, a deterrent punishment will be imposed.

The Office of the High Commissioner for Human Rights (OHCHR) has also reported some information on the serious violations committed by the Iranian authorities against women, represented in the reports issued by the Committee on the Rights of the Child on its concern at the imposition of the compulsory veil on young girls since the age of 7, regardless of their religious affiliation and considerations. The Committee considers it a serious breach of Article 14 of the Convention.

The Special Rapporteur on the situation of human rights in Iran stated that during his mandate he had intended to examine reports on discriminatory rules relating to the dress code imposed on women and girls and to monitor and report on alleged violations of the right of women protesting against the compulsory veil to freedom

of opinion and expression. UN experts issued a statement saying at least 32 people have been arrested and at least 10 imprisoned in 2018 for protesting against the mandatory wearing of the hijab.

## Executions and Ill-treatment of women prisoners

Iran is the world's most country carries out executions of women; 97 women were executed during Rouhani's term of office, 11 of them from November 2018 to November 2019. Many of those executed were victims of domestic violence or committed murder out of self-defense.

Political prisoners are systematically assaulted and brutally forced to make false confessions, cooperate with the regime, or provide information. A group of special procedures mandate holders expressed grave concern over the conviction and imprisonment of Nasrin Sotoudeh, stating that her detention and the charges against her appeared to be linked to her work as a human rights lawyer and, especially, her representation of Iranian human rights defenders arrested for peacefully protesting against compulsory veiling laws.

Since the past year, the regime has issued flogging sentences ranging from 74 to 148 lashes for women. Atefeh Rangrez, Parisa Ravi, Nahed Khodjo, Merzieh, Nisrine Javadi, Sepideh Farhan, Nisrine Sotoudeh were among those sentenced to flogging this year. Moreover, a Sufi woman, Ilham Ahmadi, was flogged 74 lashes after she completed her sentence and before she was released from prison.

## Early Marriage

Early marriage in Iran is a common form of violence against women. Iranian law allows the marriage of minors by reducing the minimum age of marriage to 13. Lawmakers have also allowed the marriage of girls as young as 9 with the consent of the father and the judge, leading to a high rate of marriage of minors.

Statistical Centre of Iran has released new statistics on early marriages in Iran stating that 234,000 marriages of girls under the age of 15 were officially registered from March 2017 to March 2018 and 194 of these marriages were girls under the age of 10. Ali Kazemi, Advisor to the Legal Attorney of the Judicial System of Iran,

announced in March 2019 that between 5,000 and 6,000 children get married every year in Iran. This figure relates to officially registered marriages and does not include marriages that have not been officially registered.

The UN Special Rapporteur on the situation of human rights in Iran reported that some 40,635 marriages of girls under 15 were registered between 2012 and 2013, of them more than 8,000 cases the husband was at least 10 years older. The government has not yet issued sound data on the registration of girls due to the lack of a national mechanism to inventory married girls in the country



The UN Committee on the Rights of the Child has regretted that the Iranian authorities allow sexual relations with girl children from the age of 9 years and that other forms of sexual abuse of younger children are not criminalized. The Committee expressed serious concern that the age of criminal responsibility is set at 9 lunar years (eight years and eight months) for girls and 15 lunar years (14 years and six months) for boys, leading to deprivation of legal protection for girls and boys over that age.

The Committee has also expressed concern about article 1169 of the Civil Code, concerning custody of children after divorce, which prevents the court from taking into account the best interests of the child, reaffirming that resolving custody on the basis of the child's age is only arbitrary and discriminatory.

## Honor Crimes and Domestic Violence

Iran has witnessed unprecedented new forms of honor killings over the past year due to domestic violence and the patriarchal culture promoted by the Iranian government as well as the hangings that are carried out in front of the public eyes. There were numerous instances over the past year where a husband hanged his own wife,



including: Monireh Abou, 35 and eight-months pregnant was hanged by her husband in Bukan; Maryam Mohebbi, mother of two, was hanged by her husband in Songhor for coming home late; Maryam Bakhtiai, 29, was hanged by her brother in Dehloran and subsequently beheaded; and Shiba Kamran, 21, was set alight by her parents-in-law in Urmia.

Statistics show that 98% of those who refer to the social emergencies are women who have been battered at home. 15% of these women have higher education. Nevertheless, the Iranian government refuses to announce clear and accurate statistics. 16,420 cases of domestic violence against wives were referred to different centers of the Coroner's Office. Iran has not given any justification for this, although Tehran ranks sixth in violence against women.

721 cases of violence against wives were reported in 2018, just in the province of Boyerahmad and Kohgiluyeh. In only one of the districts in this province called Dishmuk, 11 women self-immolated in just six months.

Iran rejected 31 of the 56 recommendations it received regarding women's rights, including those calling for ratifying the Convention on the Elimination of All Forms of Discrimination Against Women, raising the minimum age of marriage to 18 years and eliminating the practice of forced and early marriage, criminalizing domestic violence, and reforming discriminatory laws. Iran has failed to make progress on the 25 recommendations it accepted, including to prevent and punish discrimination and violence against women, and enhance their participation in political decision-making processes. Women face entrenched discrimination in family law and criminal law. Iran's legal system puts women in a subordinate status relative to men. Iran has failed to criminalize gender-based violence, including domestic violence and marital rape. A bill to protect women against violence has been stalled since 2012.

## Recommendations

The International Alliance for peace and Development calls upon the Government of Iran to take a positive attitude towards the 329 recommendations, especially those related to women's rights, it received at its Universal Periodic Review in 2019, and recommends it to:

- Accede to the International Convention on the Elimination of All Forms of Discrimination against Women.
- Establish a quick and effective mechanism to assist women in the state to report in the case of domestic violence.
- Conduct prompt investigations into all crimes of rape committed against Iranian women.
- Raise the minimum age of marriage to 18 years.
- Eliminate early and forced marriage, criminalize domestic violence, and reform discriminatory laws.
- Promote women's participation in decision-making processes.

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