



Home Office

Country Information and Guidance

Iran: Women

Version 1.0

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Preface

This document provides country of origin information (COI) and guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained with this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the European Asylum Support Office’s research guidelines, [Country of Origin Information report methodology](#), dated July 2012.

Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please [e-mail us](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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Guidance

1. Introduction

1.1 Basis of Claim

- 1.1.1 Fear of gender-based persecution or serious harm because the person is a woman.
- 1.1.2 For the purposes of this instruction, gender-based persecution or serious harm includes domestic violence, sexual violence including rape, honour crimes, and women accused of committing adultery or having extra-marital relations.

1.2 Other Points to Note

- 1.2.1 In addition to this guidance decision makers should also refer to the Asylum Instructions on [Gender issues in the asylum claim](#).

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2. Consideration of Issues

2.1 Is the person's account credible?

- 2.1.1 For information on assessing credibility, see sections 4 and 5 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Do women from Iran constitute a particular social group?

- 2.2.1 Women in Iran form a particular social group (PSG) within the meaning of the Refugee Convention. This is because they share an immutable (or innate) characteristic – their gender - that cannot be changed; and have a distinct identity in Iran.
- 2.2.2 Although women in Iran form a PSG, this does not mean that establishing such membership will be sufficient to make out a case to be recognised as a refugee. The question to be addressed in each case will be whether the particular person will face a real risk of persecution on account of their membership of such a group.
- 2.2.3 For further guidance on particular social groups, see section 7.6 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.3 Is the person at risk of persecution or serious harm?

- 2.3.1 The constitution in Iran guarantees equality for men and women but the Government do not enforce this and the law is based on Islamic Sharia law which in practice treats men and women differently on the grounds of gender. Iran remains a heavily patriarchal society in which women are subjected to widespread and systematic discrimination throughout many areas in law and in practice. Laws give women subordinate status to men and they often receive disproportionate punishments for crimes, with a woman's testimony or life being worth only half that of a man. Discrimination also restricts women's economic, social, political, academic and cultural rights. Further discriminatory legislation was introduced in 2015 to reduce women's access to employment, divorce and family planning (see [Legal rights](#)).
- 2.3.2 Personal status laws giving women subordinate status to men in matters such as marriage, divorce, child custody and inheritance remained in force. Iran's Penal Code penalizes women who fail to cover their head and adhere to a strict Islamic dress code with imprisonment or a cash fine: the Basij forces and vigilante groups target women through intimidation, harassment, physical violence and imprisonment to enforce this. Forced marriages take place in Iran and the victims have no legal or social protection.
- 2.3.3 Violence against women is widespread, particularly domestic violence, rape and so-called 'honour crimes' (see [Violence against women](#)).
- 2.3.4 The level of discrimination against women in Iran, although severe, does not in general amount to persecution. The onus is on the person to demonstrate that she would be personally at risk of persecution or serious harm.
- 2.3.5 See also [Country Information and Guidance on Iran: Adultery](#)
- 2.3.6 For further information on assessing risk, see section 6 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.4 Are those at risk able to seek effective protection?

- 2.4.1 Decision makers must assess whether effective protection is available in relation to the particular circumstances and profile of the person. Any past persecution and past lack of effective protection may indicate that effective protection would not be available in the future. The onus is on the person to demonstrate why they would be unable to access effective protection.
- 2.4.2 For detailed information on the effectiveness of the security forces in Iran please see the [Country Information and Guidance on Iran: Background Information, including actors of protection and internal relocation](#))
- 2.4.3 Abuse in the family is considered a private matter and not to be discussed publicly. Societal values means police intervention in family disputes is discouraged. The standard of proof for such crimes is high, including the presence of two adult male witnesses to the assault. Victims also fear being

charged themselves for crimes as cases of non-consensual sex has in some instances led to the victim being convicted of illegal sexual intercourse (without coercion) and sentenced to flogging. (see [violence against women](#))

- 2.4.4 There are shelters run by both the state and non-governmental organisations in Iran.. Whilst some services exist it would appear that they are almost non-existent outside of major cities and the service that are available are inadequate and do not provide long term support for women trapped in abusive situations. (see [rape and domestic violence](#))

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Victims of domestic violence

- 2.4.5 Violence against women in Iran remains a problem and women are often the victims of sexual crime. There is no specific law in Iran which criminalises domestic violence. Victims who wish to report domestic violence are required to file a complaint and meet the evidentiary requirements of providing two male witnesses to the assault.
- 2.4.6 Obtaining a divorce to escape an abusive marriage may also be difficult for a woman. They must prove a threat to their life and safety. This has been made more difficult by the new proposed family bill which provides judges with bonuses for the number of divorce cases before them which result in reconciliation. The courts often therefore send women who are in danger of domestic violence back to their violent husbands. (see [rape and domestic violence](#))

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Victims of rape

- 2.4.7 Whilst rape is illegal in Iran the government does not always enforce the law effectively. Rape is difficult to document as it is under-reported. Most rape victims did not report the crime because they feared societal reprisals, retaliation or punishment as they could be charged with indecency, immoral behaviour or even adultery. In some rape cases the authorities appear to have a tendency to blame the victim. Spousal rape is not addressed in Iran as sex within a marriage is considered consensual by definition. There were reports of government officials raping women in custody. (see [rape and domestic violence](#))

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Honour crimes

- 2.4.8 Honour killings occur in many of Iran's outermost provinces and among Iran's ethnic minorities living near the border areas. Punishment for those who commit an honour crime has been reportedly circumvented in some cases and, even though the authorities attempted to cease the tradition by imposing long prison sentences, families found different ways to murder women accused of damaging a family's honour. Reports also suggest that women can be pressured into committing suicide so no one will be punished for their death. In honour killing and domestic violence cases, it is extremely unlikely for the head of the family to demand punishment. Perpetrators

therefore frequently get away with a short prison sentence or may avoid punishment altogether. (see [honour killings](#))

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Women's rights activist

- 2.4.9 Some women's rights activists have received harsh treatment and been subject to disproportionate punishment for their activities. This includes threats, interrogations, arrests and jail terms. Women who have taken part in organised gatherings, seminars or expressed criticism of discriminatory laws find themselves arrested and facing jail terms even though their activities are not illegal. Once arrested many have been denied access to a lawyer with some receiving heavy sentences. (see [Government suppression of women's rights activists](#))
- 2.4.10 For further guidance on assessing the availability of state protection, see section 8.1 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.4.11 See also [Country Information and Guidance Iran: Background information, including actors of protection and internal relocation](#).

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2.5 Are those at risk able to internally relocate?

- 2.5.1 Decision makers must give careful consideration to the relevance and reasonableness of internal relocation on a case-by-case basis taking full account of the individual circumstances of the particular person.
- 2.5.2 Women can face difficulties in Iran travelling alone and can face official and societal discrimination when doing so in rural areas. Men are able to restrict their wives movements outside of the home and women are required to seek permission from their spouse before applying for a passport or travelling abroad. Reports also suggest that men are able to stop their wives from travelling even if they have previously given their consent.
- 2.5.3 Divorced or widowed women are more independent in the eyes of the law, although this depends on their socio-economic situation and the traditions of the area where they live.
- 2.5.4 Decision makers must also take into account the general position of women in Iran society . Internal relocation is likely to be unduly harsh for many women.
- 2.5.5 Decision makers need to also consider the ability of the persecutor to pursue the person to the proposed site of relocation and whether effective protection is available in that area. Decision makers will also need to consider the age, health, level of education, ethnicity, religion, financial circumstances/ability to secure access to a livelihood and/or support network of the person. The security, human rights and socioeconomic conditions in the proposed area of relocation and the person's ability to sustain themselves should also be taken into account.
- 2.5.6 See [Country Information and Guidance Iran: Background information, including actors of protection and, internal relocation](#).

- 2.5.7 For further guidance on considering internal relocation and factors to be taken into account, see section 8.2 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.6 If refused, is the claim likely to be certifiable?

- 2.6.1 Where a claim falls to be refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.6.2 For further information on certification, see the [Asylum Instruction on Non-Suspensive Appeals: Certification Under Section 94 of the NIA Act 2002](#).

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3. Policy summary

- 3.1.1 **Whilst women in Iran play a considerable and very visible role in the public sphere they continue to face systematic discrimination, both in law and in practice, in all areas of their lives, but this in itself does not generally amount to persecution.**
- 3.1.2 **Acts of gender based violence against women - particularly domestic violence, rape and so-called 'honour crimes' - are reportedly common in Iran.**
- 3.1.3 **Effective state protection is unlikely to be available for women fearing gender based violence. However, each case needs to be carefully considered on its facts.**
- 3.1.4 **Internal relocation is likely to be unduly harsh for many women in Iran. However, each case needs to be carefully considered on its facts with regard to the availability of state support, employment and family members or friends in other parts of the country.**

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4. Overview

- 4.1.1 The US State Department's Country Report on Human Rights Practices 2014, released on 25 June 2015 stated that: 'The constitution prohibits discrimination based on race, gender, disability, language, and social status "in conformity with Islamic criteria," but the government did not effectively enforce these prohibitions. The constitution does not prohibit discrimination based on sex, sexual orientation, or gender identity.'¹
- 4.1.2 According to Amnesty International: 'Women remained subject to widespread and systematic discrimination in law and practice. Personal status laws giving women subordinate status to men in matters such as marriage, divorce, child custody and inheritance remained in force.'²
- 4.1.3 The US State Department's, Country Report on Human Rights Practices 2014, released on 25 June 2015 stated that:
'Women sometimes received disproportionate punishment for crimes such as adultery, including death sentences. Discriminatory laws against women continued to be introduced. The 2013 revised Islamic penal code, which came into force in June 2013, retains provisions that value a woman's testimony in a court of law as half that of a man's, and a woman's life as half that of a man's. The blood money paid to the family of a woman who was killed is half the sum paid for a man.'³
- 4.1.4 The UN General Assembly noted in a report dated 31 August 2015 that 'women continue to face systemic inequalities and discrimination, both in law and in practice, and in all areas of their lives.'⁴
- 4.1.5 The UN General Assembly further noted that: 'Women are not allowed to travel abroad without permission from their husband or legal custodian, and the Government is reluctant to promote unmarried women in public service.'⁵
- 4.1.6 Human Rights Watch noted in a report dated 28 October 2015 that:

¹ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 29 September 2015]

² Amnesty International, Amnesty International report 2014/15, 25 February 2015, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iran/report-iran/> [accessed 29 September 2015]

³ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 29 September 2015]

⁴ UN General Assembly, Situation of human rights in the Islamic Republic of Iran : report of the Secretary-General, 31 August 2015, para 31, <http://www.refworld.org/docid/55fc00854.html> [accessed 18 December 2015]

⁵ UN General Assembly, Situation of human rights in the Islamic Republic of Iran : report of the Secretary-General, 31 August 2015, para 34, <http://www.refworld.org/docid/55fc00854.html> [accessed 30 September 2015]

'Women's rights are severely restricted in Iran, to the point where women are even forbidden from watching men's sports in stadiums. That ban includes Iran's national obsession – volleyball...

'The ban on women in sports stadiums is emblematic of the repression of women across the country. Women confront [serious discrimination](#) on issues such as marriage, divorce, and child custody. Women have been sent to jail for publicly speaking out in favor of equal rights for women. Because the government wants Iran's population to grow, it's even moving to ban voluntary medical procedures women can undergo to avoid becoming pregnant...

'...Women in Iran are forced to wear the hijab, the headscarf worn by some Muslim women, in public. This even applies to young schoolgirls, who are required to wear the head covering to attend elementary school. Moreover, married women can't even leave the country without their husband's permission.'⁶

- 4.1.7 The Suuntaus project report compiled by the Finnish Immigration Service on 'Violence against women and honour- related violence in Iran' dated 26 June 2015 states that:

'Women in Iran are subject to systematic discrimination on the basis of gender, which stems from culture, religion, society and legislation. The country's male-dominated and conservative governance structure is conducive to discrimination against women in multiple spheres of society from criminal and family law to education and employment. Iran is one of the few countries in the world that have not ratified the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

'Women in Iran are subject to restrictions imposed by both their family and society. The country has a patriarchal culture that gives men power over women and property. According to the UN Special Rapporteur on Violence against Women, the subordinate status of women in Iranian society is perpetuated by two main factors: patriarchal values and attitudes favouring the norm of male supremacy and a state-promoted institutional structure based on hard-liner interpretations of Islamic principles. While the former is a universal phenomenon, the latter is particular to Iran's gender politics and policies prevalent in the country since the 1979 Revolution. Both factors emphasize the notion that a woman's role is primarily that of a wife and a mother, which is used as justification for restricting women's public lives.'⁷

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⁶ Human Rights Watch, Women's Rights in Iran, 28 October 2015, <https://www.hrw.org/news/2015/10/28/womens-rights-iran> [accessed 18 December 2015]

⁷ Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015, http://www.migri.fi/download/61597_Suuntaus-raportti_Vakivaltalran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 30 September 2015]

5. Legal rights

- 5.1.1 The Suuntaus project report compiled by the Finnish Immigration Service on 'Violence against women and honour- related violence in Iran' dated 26 June 2015 states that:

'The Constitution of Iran guarantees equality for men and women but only in so far as is in conformity with Islamic criteria. The country's legislation is based on the Islamic Sharia law, which treats women and men differently on the grounds of gender. In principle, Sharia law views a woman as half the worth of a man, which impacts unfavourably on women's rights in matters such as the weight given to testimony in court, damages awards and inheritance. The Islamic concept of justice sets a lower age of maturity for girls than for boys, which robs girls of many of the rights of a child in terms of criminal responsibility and marriage. In addition to being disadvantaged in the eyes of criminal and family law, women in Iran are subject to a strict dress code and many restrictions on their social lives.'⁸

- 5.1.2 The Iran Human Rights Documentation Centre article on Gender Inequality and Discrimination: The Case of Iranian Women dated 8 March 2013 notes that:

'Under the IRI's criminal law, some crimes and their elements are based on gender discrimination and some punishments differ between the genders. In some exceptional cases, the law gives a lesser punishment to women as compared to men for the same crime, such as the crime of homosexuality for which men get the death penalty, while women receive 100 lashes. However in most other cases the law, as written and as applied, imposes harsher punishments on women. One example of a punishment which is applied with more frequency and severity to women is stoning to death for the crime of adultery. Under the Shari'a law, sexual intercourse is only permitted within a marriage and sex out of marriage is considered to be a hadd crime. The crime of zina has been defined as sexual intercourse between a man and a woman who are not married to each other...

'Persons who have committed zina can be punished with the hadd penalties of either 100 lashes or death by stoning, depending on their legal status...'⁹

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⁸ Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015, http://www.migri.fi/download/61597_Suuntaus-raportti_VakivaltaIran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 30 September 2015]

⁹ Iran Human Rights Documentation Centre, Gender Inequality and Discrimination: The Case of Iranian Women, 8 March 2013, <http://www.iranhrdc.org/english/publications/legal-commentary/1000000261-gender-inequality-and-discrimination-the-case-of-iranian-women.html> [accessed 5 October 2015]

6. Political rights

6.1.1 The Suuntaus project report compiled by the Finnish Immigration Service on 'Violence against women and honour- related violence in Iran' dated 26 June 2015 states that:

'Women's participation in political decision-making is near non-existent. No women have served on the religious High Councils that govern the country, barring a couple of exceptions. Women are not permitted among the country's religious leadership, but the question of whether a woman can be elected President is ambiguous. Of the country's close to 300 Parliamentary seats, fewer than 10 are held by women. Only one woman has ever served as a Minister, during President Mahmoud Ahmadinejad's second term in office, which is the highest office that an Iranian woman has held so far.'¹⁰

6.1.2 The Freedom House (FH) report, Women's Rights in the Middle East and North Africa 2010 – Iran, published 3 March 2010 noted:

'Women in Iran have the right to vote and run for public office but are excluded from holding leadership roles in the main organs of power, such as the office of the supreme leader, the Assembly of Experts, the Guardian Council, the Expediency Council, the judicial branch, and the presidency. These positions have been reserved exclusively for men, most of whom are also clerics. After the establishment of the Islamic Republic, women were barred from serving as judges, and existing female judges – including Shirin Ebadi, Iran's first female chief judge of a district court – were demoted to administrative positions. Changes made in 2003 allowed women to hold the rank of judge and the right to serve as legal counselors, but they remain prohibited from issuing and signing final verdicts.

'Even with sex segregation, discriminatory laws, and state policies stressing women's domestic duties, women in Iran play a considerable and very visible role in the public sphere. Using any available spaces and legal rights, they have demonstrated their activism in both formal and informal political and civil society organizations. A growing women's rights movement, especially in the past 10 years, has been challenging discriminatory laws and policies in various areas of life, including those that prevent women from taking part in high-level decision-making and political power. Women's activities have been constrained by some cultural traditions and state repression, especially under the presidency of Ahmadinejad.'¹¹

'Female candidates face a number of gender-specific obstacles while campaigning for office, namely the sex segregation of many public spaces

¹⁰ Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015, http://www.migri.fi/download/61597_Suuntaus-raportti_VakivaltaIran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 30 September 2015]

¹¹ Freedom House, Women's Rights in the Middle East and North Africa 2010 – Iran, 3 March 2010 https://freedomhouse.org/sites/default/files/inline_images/Iran.pdf [accessed 13 October 2015]

and the difficulty of meeting with male voters or holding mixed-gender assemblies.¹²

6.1.3 The UN General Assembly's report on the Situation of human rights in the Islamic Republic of Iran dated 31 August 2015 noted that: 'Women are underrepresented in decision-making positions. Currently, 3 per cent of parliamentarians are women and there is no female Cabinet minister'¹³

6.1.4 Data compiled by the Inter-Parliamentary Union (IPU), correct as of 1st September 2015, showed that in May 2012, nine of the 290 seats in the lower house (Majlis) were filled by women (3.1 per cent).¹⁴

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7. Social and economic rights

7.1 Overview

7.1.1 The US State Department's, Country Report on Human Rights Practices 2014, released on 25 June 2015 stated that:

'The constitution provides for equal protection for women under the law and for all human, political, economic, social, and cultural rights in conformity with Islam. The government did not enforce the law, however, and provisions in the Islamic civil and penal codes, particularly sections dealing with family and property law, discriminate against women. Discrimination restricted women's economic, social, political, academic, and cultural rights. The governmental Center for Women and Family continued to publish reports on women's rights with a conservative religious slant and limited the debate on women's issues to matters related to the home. The center did not raise ideas contrary to the government or its interpretation of Islam.'¹⁵

7.2 Reproductive Rights (including Abortion)

7.2.1 The US State Department's, Country Report on Human Rights Practices 2014, released on 25 June 2015 stated that:

'The law recognizes the basic right of married couples to decide freely and responsibly the number, spacing, and timing of their children. Couples are entitled to attain the highest standard of reproductive health and to have the information and means to do so, free from discrimination, coercion, and violence. On June 24, the parliament approved a bill that provides for punishment of anyone who performs birth control procedures, such as

¹² Freedom House, Women's Rights in the Middle East and North Africa 2010 – Iran, 3 March 2010 https://freedomhouse.org/sites/default/files/inline_images/Iran.pdf [accessed 18 December 2015]

¹³ UN General Assembly, Situation of human rights in the Islamic Republic of Iran : report of the Secretary-General, 31 August 2015, <http://www.refworld.org/docid/55fc00854.html> [accessed 20 December 2015]

¹⁴ Inter-Parliamentary Union, Women in National Parliaments, 1 September 2015 <http://www.ipu.org/wmn-e/classif.htm> [accessed 13 October 2015]

¹⁵ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 29 September 2015]

vasectomy and tubectomy. According to the state news agency, the law provides that violations are to be considered a crime and violators fined. It is illegal for an unmarried woman to access contraception, although most single women had such access, particularly in urban areas.¹⁶

7.2.2 Amnesty Internationals Annual Report for 2014/15 published on 25 February 2015 notes that:

‘Two population-related draft bills under parliamentary consideration threatened to reduce women’s access to sexual and reproductive health services, thereby affecting their rights to life, privacy, gender equality and the freedom to decide the number and spacing of their children. One draft bill aimed to prevent surgical procedures aimed at permanently preventing pregnancies by imposing disciplinary measures on health professionals who conducted such procedures. The other bill sought to reduce divorces and remove family disputes from judicial decision-making, hence prioritizing preservation of families over addressing domestic violence. Neither law had been enacted by the end of the year [2014]. A proposed law to afford women protection against violence made no progress and the authorities failed to take steps to address violence against women and girls, including early and forced marriages, marital rape and domestic violence.’¹⁷

7.2.3 The Iran Primer’s report titled ‘Proposed Laws Could Restrict Women’s Reproductive and Divorce Rights’ dated 16 March 2015 notes:

‘The Bill to Increase Fertility Rates and Prevent Population Decline (Bill 446) threatens women’s right to sexual and reproductive health. If passed, the law would curb women’s use of modern contraceptives, outlaw voluntary sterilization, ban the provision of information on contraceptive methods, and dismantle state-funded family planning programmes, the very programmes that have been so widely praised for improving women’s access to contraceptive goods and information, including in remote and poverty-stricken areas of the country.’

‘The authorities are also seeking to accelerate population growth through the Comprehensive Population and Exaltation of Family Bill (Bill 315). This proposes various harmful and discriminatory measures aimed at encouraging early marriage, repeated childbearing and lower divorce rates, at the risk of trapping women in abusive relationships. The Bill allows discrimination against female job applicants, particularly if they are single or without children; makes divorce more difficult for men and women; and discourages police and judicial intervention in family disputes, including those involving violence against women.’¹⁸

¹⁶ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 29 September 2015]

¹⁷ Amnesty International, Amnesty International report 2014/15, 25 February 2015, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iran/report-iran/> [accessed 29 September 2015]

¹⁸ The Iran Primer, Report: Proposed Laws Could Restrict Women’s Reproductive and Divorce Rights, 16 March 2015, <http://iranprimer.usip.org/blog/2015/mar/16/report-proposed-laws-could-restrict-women%E2%80%99s-reproductive-and-divorce-rights> [accessed 6 October 2015]

7.3 Marriage

7.3.1 The Suuntaus project report compiled by the Finnish Immigration Service on 'Violence against women and honour- related violence in Iran' dated 26 June 2015 states that:

'Islam views marriage as a contract regulated by rights and responsibilities of both parties. The man is the head of the family, and the woman lives in the family under a male guardian (wali). Before marriage, a woman's guardian is her father or grandfather, and, after marriage, her guardian is her husband. Divorced or widowed women are more independent in the eyes of the law, although this depends on their socio-economic situation and the traditions of the area where they live. A woman who is marrying for the first time, and who is assumed to be a virgin, cannot choose her spouse freely but needs permission from her guardian. In special circumstances, a court can give a woman permission to marry if her father does not have a just reason to object to the marriage. This applies to both permanent and temporary marriages.'¹⁹

7.3.2 Human Rights Watch in their 'World Report 2015' notes that:

'Iranian women face discrimination in many aspects of their lives, including personal status matters related to marriage, divorce, inheritance, and child custody. Regardless of her age, a woman cannot marry without the approval of her male guardian, and women generally cannot pass on their Iranian nationality to a foreign-born spouse or to their children. Child marriage, though not the norm, continues, as the law allows girls to marry at 13 and boys at age 15, and at younger ages if authorized by a judge.'²⁰

7.3.3 The US State Department's, Country Report on Human Rights Practices 2014, released on 25 June 2015 stated that:

'The law permits a man to have as many as four wives and an unlimited number of "temporary wives" (sigheh), based on a Shia custom under which a woman may become the time-limited wife of a Muslim man after a simple religious ceremony and a civil contract outlining the union's conditions. Temporary wives and any resulting children are not granted rights associated with traditional marriage, but the contract is enforceable.'

'Women may not transmit citizenship to their children or to a noncitizen spouse. The government does not recognize marriages between Muslim women and non-Muslim men, irrespective of their citizenship. The law states

¹⁹ Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015, http://www.migri.fi/download/61597_Suuntaus-raportti_VakivaltaIran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 6 October 2015]

²⁰ Human Rights Watch, World Report 2015: Iran, 29 January 2015, <http://www.hrw.org/world-report/2015/country-chapters/iran> [accessed 29 September 2015]

that a virgin woman or girl wishing to wed needs the consent of her father or grandfather or the court's permission, even if she is over the age of 18.²¹

- 7.3.4 The Suuntaus project report compiled by the Finnish Immigration Service on 'Violence against women and honour- related violence in Iran' dated 26 June 2015 states that:

'Forced marriages take place not just among the poor and conservative population in the countryside but also more extensively in different kinds of families and among different social classes. The victims of forced marriages have no legal or social protection. The authorities return girls who have run away from home to their parents instead of giving them a place in a shelter. Schools, teachers and others who work with children cannot intervene in forced marriages. Married girls are also not allowed to attend the same schools as unmarried girls and instead have to take evening classes with adults if they wish to continue their education.'²²

- 7.3.5 The US State Department's, Country Report on Human Rights Practices 2014, released on 25 June 2015 stated that:

'The legal minimum age of marriage for girls is 13, but girls as young as nine may be married with permission from the court. The law requires court approval for the marriage of boys younger than 15. According to UN statistics, at least 48,580 girls between the ages of 10 and 14 were married in 2011, all but 13 of whom reportedly had at least one child before they reached 15. Approximately 40, 635 marriages of girls under age 15 were also registered between March 2012 and March 2013, of which more than 8,000 involved men who were at least 10 years older. At least 1,537 marriages of girls under the age of 10 were registered in 2012, compared with 716 registered between March 2010 and March 2011.'²³

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7.4 Adultery

- 7.4.1 See [Country Information and Guidance on Iran: Adultery](#).

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7.5 Divorce and child custody

- 7.5.1 The US State Department's, Country Report on Human Rights Practices 2014, released on 25 June 2015 stated that:

²¹ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 29 September 2015]

²² Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015, http://www.migri.fi/download/61597_Suuntaus-raportti_Vakivaltalran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 6 October 2015]

²³ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 20 December 2015]

'A woman has the right to divorce only if her husband signs a contract granting that right, cannot provide for his family, or is a drug addict, insane, or impotent. A husband is not required to cite a reason for divorcing his wife. Traditional interpretations of Islamic law recognize a divorced woman's right to part of shared property and to alimony. These laws were not enforced. In 2011 the Supreme Court ruled that a woman could withhold sex from her husband if the husband refused to pay a personal maintenance allowance. By law such an allowance may be requested during the marriage as well as after a divorce. According to the Islamic Students' News Agency, if the allowance is not paid, the wife may "reject all legal and religious obligations" to her husband. If the allowance is not paid after the divorce, the woman may sue her former husband in court. Despite this ruling, the ability of a woman to seek divorce was limited.'²⁴

7.5.2 The Suuntaus project report compiled by the Finnish Immigration Service on 'Violence against women and honour- related violence in Iran' dated 26 June 2015 states that:

'A new provision was added to the Iranian Civil Code in 1982 that gives women the right to ask for a divorce on the grounds of unbearable circumstances ('osr va haraj). In these cases, the wife must convince the court that continuing the marriage would cause unreasonable harm ('osr) and difficulty (haraj). In practice, divorce can only be granted in these circumstances for a very weighty reason, such as danger of death or serious financial problems. Courts often send women who are seeking divorce back to their violent and abusive husbands. Men, on the other hand, do not need a reason for divorce. All the husband has to do is to go to his local Register Office and register the divorce in the presence of two witnesses.'

'The Iranian state considers it its duty to protect families and frowns upon divorce. On the whole, Shia philosophy of law restricts the man's unilateral right for divorce more than its Sunni equivalent. Before a divorce can be granted, couples are referred to mediation in the hope that their differences can be reconciled. Divorce cases in Iranian courts are often lengthy and acrimonious. Divorce is also seen as shameful, and traditional communities avoid it at all costs. Divorced women generally become dependent on their own family, and the father's support and approval is often what decides whether a woman goes ahead with a divorce. In the eyes of the law, however, women who are divorced or widowed have the most autonomous status of all.'²⁵

7.5.3 The UN General Assembly noted in their report on the situation of human rights in Iran dated 31 August 2015 that: 'Women face numerous obstacles

²⁴ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 29 September 2015]

²⁵ Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015, http://www.migri.fi/download/61597_Suuntaus-raportti_VakivaltIran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 14 October 2015]

when seeking a divorce. Women wishing to leave their husband must prove a significant risk of bodily harm or a threat to their life and safety.’

The report also noted: ‘the proposed comprehensive population and exaltation of family bill (No. 315), currently under discussion by the parliamentary cultural affairs committee, could potentially expose women to increased risks of domestic violence. In the bill, bonuses are proposed for judges on the basis of the number of divorce cases before them that result in reconciliation rather than divorce. In addition, police intervention in family disputes is discouraged.’²⁶

7.5.4 AI Monitor reported that: ‘Statistics published by the National Organization for Civil Registration shows that the divorce rate has continually increased from 2006 to 2013. The number of divorces was 94,039 in 2006, which showed a 65% increase in 2013 by reaching 155,369.’²⁷

7.5.5 The US State Department Country report for 2014 noted that: ‘The law provides divorced women preference in custody for children up to age seven. After the child reaches age seven, the father is entitled to custody unless he is proven unfit to care for the child. Divorced women who remarry must give the child’s father custody. Courts determine custody in disputed cases.’²⁸

7.5.6 The Suuntaus project report noted that:

‘Children are viewed as a continuation of the husband’s family. It is customary for women to lose their right to raise their children when they remarry, unless the new husband is a close relative of the previous one. In Iran’s traditional communities, widows typically marry the brother of their late husband. According to the Iranian Civil Code, the mother is the primary custodian of any children under the age of seven, after which custody is automatically transferred to the father. This can nevertheless be challenged, in which case the court will rule in the child’s best interests. Children who have reached the Islamic age of maturity – nine lunar years for girls and 15 lunar years for boys – have a right to express their views in court.

‘Normally, the mother cannot be a child’s legal guardian in Iran even if she has the right to raise the child in her home in practice. Legal guardianship, and therefore the power to make decisions about important matters pertaining to the child, such as marriage, financial arrangements and international travel, automatically belongs to the father. The mother can generally only gain legal custody of her children in the absence of the children’s father and paternal grandfather.’

²⁶ UN General Assembly, Situation of human rights in the Islamic Republic of Iran : report of the Secretary-General, 31 August 2015, <http://www.refworld.org/docid/55fc00854.html> [accessed 30 September 2015]

²⁷ AI Monitor, Why are young Iranians losing interest in marriage? 5 June 2015 <http://www.al-monitor.com/pulse/originals/2015/06/iran-birth-rate-marriage-decline-divorce.html#> [accessed 14 October 2015]

²⁸ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 6 October 2015]

With regards to service for those seeking divorce the Sunnataus project noted that: ‘Generally speaking, there are family courts that only hear family dispute cases and larger cities such as Tehran also have separate courts that specialise in custody matters. Family courts also provide legal advice.’²⁹

- 7.5.7 The Iran Human Rights Documentation Centre noted in their report Gender Inequality and Discrimination: The Case of Iranian Women dated 8 March 2013 that:

‘Even during the priority age (before the child reaches seven years of age), custody will devolve upon the father if the mother remarries. In other words, if a mother wants to keep the custody of her child after divorce, she must refrain from re-marriage; otherwise, she will lose custody. Article 1170 of Civil Code provides:

“If the mother becomes insane or marries another man during her period of custody, the custody shall devolve upon the father.”

‘There is no such restriction for the father. When a father obtains the custody of his child, even if he marries, he will keep the custody and the child’s mother cannot claim the custody back on this ground.’³⁰

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7.6 Dress code and gender segregation

- 7.6.1 Iran Human Rights Documentation Centre noted in their report Gender Inequality and Discrimination: The Case of Iranian Women dated 8 March 2013 that:

‘Hijab is a generic term for the proper Islamic dress for women. According to Islamic sources, women are required to cover their whole bodies with the exception of their face and their hands from the wrist and their feet from the ankle. They are allowed to uncover their head to a certain group of male family members called mahram including their father, grandfather, brother, and of course their husband. Men are only required to cover their private areas, although social norms require more.

‘Article 683- “Those women that appear in the streets and public places without the Islamic hijab, shall be sentenced from ten days to two months’ imprisonment or fined from fifty thousand to five hundred thousand Rials.’

‘There is no similar rule for men in the Penal Code and the rule clearly denies women the freedom to dress as they see fit. Moreover, there are no certain rules and measures for these restrictions; instead, its implementation

²⁹ Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015, http://www.migri.fi/download/61597_Suuntaus-raportti_VakivaltIran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 14 October 2015]

³⁰ Iran Human Rights Documentation Centre, Gender Inequality and Discrimination: The Case of Iranian Women, 8 March 2013, <http://www.iranhrdc.org/english/publications/legal-commentary/1000000261-gender-inequality-and-discrimination-the-case-of-iranian-women.html> [accessed 5 October 2015]

has been left to the discretion of law enforcement forces, which are not limited to official police officers but also include numerous fanatical Basij forces. These forces seize every opportunity to remind women of the implications of violating the hijab. For example, during holy periods, such as Moharram and Ramadan, checks on violations of the hijab increase and special units stop at busy places or patrol the streets in search of violations. The interference with a woman's appearance, including her hair, makeup and clothing, can sometimes border on the ridiculous. For instance in 2007, the Chief Commander of Police for greater Tehran announced that women were not allowed to wear long boots over their trousers, and if seen doing so they would be arrested.³¹

7.6.2 The US State Department's, Country Report on Human Rights Practices 2014, released on 25 June 2015 stated that:

'The law provides that a woman who appears in public without an appropriate headscarf (hijab) may be sentenced to lashings and fined. Absent a clear legal definition of "appropriate hijab" or the punishment, however, women were subject to the opinions of disciplinary forces or judges. For example, on September 25, the volunteer militia Ansar-e Hizballah renewed its threats to patrol Tehran's streets to confront improperly veiled women.'

'The government enforced gender segregation in many public spaces, including for patients during medical care, and prohibited women from mixing openly with unmarried men or men not related to them. Women must ride in a reserved section on public buses and enter public buildings, universities, and airports through separate entrances.'³²

7.6.3 Amnesty International reported in January 2015 that in:

'In October 2014 there were a string of acid attacks on women in Esfahan. Official sources confirmed four attacks while unofficial sources cited figures as high as 15, including one case that led to a death. On 21 October, Justice Minister Hojjat ol-Eslam Mostafa Purmohammadi said to the Islamic Republic News Agency (IRNA): "We are very concerned and hope that the perpetrators of these attacks are arrested and brought to justice". The same day the spokesman of Iran's Judiciary, Gholam-Hosseini Mohseni-Ezhe'i said: "The information gathered so far does not support at this point that the perpetrators were trying to counter those with improper veiling". However, many Iranians have expressed concern that the victims of the acid attacks were targeted for failing to comply with a strict Islamic dress code.

'Iran's Penal Code penalizes women who fail to cover their head and adhere to a strict Islamic dress code with imprisonment or a cash fine. This law has

³¹ Iran Human Rights Documentation Centre, Gender Inequality and Discrimination: The Case of Iranian Women, 8 March 2013, <http://www.iranhrdc.org/english/publications/legal-commentary/1000000261-gender-inequality-and-discrimination-the-case-of-iranian-women.html> [accessed 5 October 2015]

³² US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 29 September 2015]

been used by the police, paramilitary Basij forces and vigilante groups to justify patrolling public spaces in the name of promoting and protecting a “culture of modesty and chastity”, and to target women for intimidation, harassment, physical violence and imprisonment.³³

7.6.4 The UN Human Rights Council published a report dated 12 March 2015 and noted that:

‘On 16 October 2014, the Iranian Students' News Agency (ISNA) published a report on at least four incidents of acid attacks where women who were driving in the city of Esfahan were severely injured by acid thrown on them by unknown individuals. Rumors immediately spread on social media that the individuals might have been targeted on the basis of their clothing, and that the number of victims was higher than four. Farhikhtegan Newspaper reported on the attack of Ms. Soheila Jorkesh on 20 October 2014. The article stated that “families of the Esfahan victims have claimed that before throwing acid on the victims, the perpetrators exclaimed: ‘We confront women with poor hijab.’”³⁴

7.6.5 The UN General Assembly’s report on the Situation of human rights in the Islamic Republic of Iran dated 31 August 2015 notes that:

‘On 20 June 2015, the Ministry of the Interior issued a circular in which a new dress code for State and private sector employees was introduced. Women are now required to strictly respect the new dress code and to refrain from wearing jewellery and make-up in offices. Women are required to observe the Islamic dress code in public places. More than 2.9 million women reportedly received a warning for failure to observe the code between March 2013 and March 2014.’³⁵

7.6.6 The Suuntaus Project report published in June 2015 noted that ‘there are plans to introduce stricter laws on hijab, the Islamic dress code for women, which would include not just provisions on dress and differentiating between the sexes but also new restrictions on women’s working hours.’³⁶

³³ Amnesty International, Iran: Protester against acid attacks jailed: Mahdiah Golrou, 19 January 2015, <http://www.refworld.org/docid/54be42c94.html> [accessed 7 October 2015]

³⁴ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Ahmed Shaheed, 12 March 2015, para 137, http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_70_en.doc [accessed 20 December 2015]

³⁵ UN General Assembly, Situation of human rights in the Islamic Republic of Iran : report of the Secretary-General, 31 August 2015, <http://www.refworld.org/docid/55fc00854.html> [accessed 30 September 2015]

³⁶ Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015, http://www.migri.fi/download/61597_Suuntaus-raportti_Vakivaltaliran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 20 December 2015]

- 7.6.7 The same Suuntaus Project report notes that: 'In Iran, almost three million women are given an official warning by the morality police on the basis of how they dress every year.'³⁷
- 7.6.8 Freedom House note in their Freedom in the World- 2015 report published in March 2015 that: 'Women are regularly harassed and detained by the police for not fully observing the obligatory Islamic dress code. In June 2014, the parliament described skin-tight leggings that have become popular among Iranian women as a threat to society. There is also pressure on young men over certain forms of dress or appearance, such as wearing pony tails or clothing deemed Western.'³⁸
- 7.6.9 Human Rights Watch's World report 2015 notes that:
 'On June 30 2014, authorities arrested Ghoncheh Ghavami, 25, a dual Iranian-British national, and others who had participated in a peaceful protest against an official ban on women attending men's volleyball matches in Tehran's Azadi Stadium. Ghavami, who was initially detained at Evin prison, where authorities denied her access to a lawyer, was later tried and convicted on the charge of "propaganda against the state" in a closed trial. In September, authorities announced that Shahla Sherkat, editor of a new women's magazine, was to appear before the press court for promoting un-Islamic ideas.'³⁹
- 7.6.10 The UN General Assembly reported on 31 August 2015 that 'On 4 April 2015, the Deputy Minister for Sports announced that women would be permitted to enter sports stadiums and attend some sporting events, ending the ban on women's access to stadiums. The authorities had justified the ban by referring to the lack of proper infrastructure, including seats and sanitary services for women.'⁴⁰
- 7.6.11 Radio Free Europe/Radio Liberty's article Iranian women barred from attending volleyball game published on 19 June 2015 reported that:
 'Iranian women were reportedly banned from attending a June 19 volleyball game between the United States and Iran at Tehran's Azadi Sports Complex despite a promise by the government to partially lift a ban on female spectators attending male sports events.'

³⁷ Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015, http://www.migri.fi/download/61597_Suuntaus-raportti_Vakivaltalran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 6 October 2015]

³⁸ Freedom House, Freedom in the World 2015- Iran, 16 March 2015 https://freedomhouse.org/report/freedom-world/2015/iran#.VfBQt_n5zyM [accessed 9 September 2015]

³⁹ Human Rights Watch, World Report 2015: Iran, 29 January 2015, <http://www.hrw.org/world-report/2015/country-chapters/iran> [accessed 29 September 2015]

⁴⁰ UN General Assembly, Situation of human rights in the Islamic Republic of Iran : report of the Secretary-General, 31 August 2015, <http://www.refworld.org/docid/55fc00854.html> [accessed 30 September 2015]

'The announcement made earlier this month by Iran's vice president for women's affairs Shahindokht Molaverdi had been met with criticism by hardliners, with some even threatening to spill blood if women were to attend matches hosted by Iran as part of the International Volleyball Federation's (FIVB) World League.'

'On June 17, a small group of hardliners staged a protest in front of the Sports Ministry. Later the semi-official ISNA news agency quoted sources inside Iran's volleyball federation as saying that the "entry of all women to the Azadi Sports Complex during the World League matches has been forbidden." Dozens of Iranians inside and outside the country protested the ban on social media.'⁴¹

- 7.6.12 Amnesty International reported that: 'Authorities had also banned women musicians from appearing on stage in 13 of Iran's 31 provinces by the end of the year. In June, security authorities arrested women who participated in a peaceful protest outside Azadi Stadium, a Tehran sports venue, to demand equal access by women to sport stadiums.'⁴²

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7.7 Women in the workplace

- 7.7.1 The US State Department's, Country Report on Human Rights Practices 2014, released on 25 June 2015 stated that:

'Social and legal constraints limited women's professional opportunities. Women were represented in many fields, including in the parliament, on municipal councils, on police forces, and as fire fighters, but the law requires a woman to obtain her husband's consent before working outside the home. There were no female officials appointed to the level of minister in the government. Despite the high proportion of women in universities, the unemployment rate for women was nearly twice that for men. The law does not provide that women and men must be paid equally for equal work. According to a survey for the World Economic Forum's 2013 Global Gender Gap Report, women earned on average 61 percent as much money as their male counterparts for similar work. Women may not run for president or serve in many high-level political positions or as judges, except as consultants or research judges without the power to impose sentences.'⁴³

- 7.7.2 Amnesty International's annual report for 2014/15 notes that:

'Women also faced restrictions on employment. Official statistics from September 2014 showed that the number of women in employment had fallen by 100,000 annually over the previous eight years. In August, the

⁴¹ Radio Free Europe/Radio Liberty, Iranian women barred from attending volleyball game, 19 June 2015, <http://www.refworld.org/docid/55b5f3f06.html> [accessed 30 September 2015]

⁴² Amnesty International, Amnesty International report 2014/15, 25 February 2015, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iran/report-iran/> [accessed 29 September 2015]

⁴³ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 29 September 2015]

Head of the Public Buildings Office of the Police said that no women should be employed in coffee shops or traditional Iranian restaurants except in their kitchens, out of public view. In July, the Tehran Municipality reportedly prohibited its managers from recruiting women to secretarial and other administrative posts. Official efforts to create gender-segregated workplaces intensified.⁴⁴

7.7.3 The UN Special Rapporteur noted in a report dated 28 February 2013:

‘The Special Rapporteur maintains that certain legal limitations placed on women’s employment, coupled with recent revisions of laws that impact their socioeconomic rights, severely weaken the Government’s ability to promote gender equality and to make progress on those recommendations communicated by the CESCR in 1993, and during the 2010 UPR. These limitations include Article 1117 of Iran’s Civil Code, which provides men with the right to legally prohibit their wives from engaging in work outside the home if they can prove that the work is incompatible with the family’s interests.’⁴⁵

7.7.4 The Suuntaus project report compiled by the Finnish Immigration Service on ‘Violence against women and honour- related violence in Iran’ dated 26 June 2015 states that:

‘Despite being highly educated, Iranian women are poorly represented in the labour force: the unemployment rate for women is more than double that of men. Iran has one of the lowest rates globally of female participation in the labour force: only 17% of Iran’s working-age women actively engage in the labour market, either by working or looking for work. The number of women in the labour force is dropping by approximately 100 000 each year as a result of increasing restrictions on the right of women to work.’⁴⁶

7.7.5 Human Rights Watch noted in their 2015 report on Iran, that: ‘In 2014, authorities announced or implemented discriminatory policies, including restricting the employment of women in coffee shops, certain restaurants, and other public spaces and limiting access to family planning as part of official measures to boost Iran’s population.’⁴⁷

7.7.6 Amnesty International noted on 18 November 2015 that:

⁴⁴ Amnesty International, Amnesty International report 2014/15, 25 February 2015, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iran/report-iran/> [accessed 29 September 2015]

⁴⁵ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 28 February 2013, http://www.ohchr.org/Documents/Countries/IR/A-HRC-22-56_en.pdf [accessed 20 December 2015]

⁴⁶ Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015, http://www.migri.fi/download/61597_Suuntaus-raportti_VakivaltaIran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 6 October 2015]

⁴⁷ Human Rights Watch, World Report 2015: Iran, 29 January 2015, <http://www.hrw.org/world-report/2015/country-chapters/iran> [accessed 29 September 2015]

'The Comprehensive Population and Exaltation of Family Bill (Bill 315) sanctions discrimination against women in the labour market based on their marital status and whether they have children or not. Article 9 of the Bill mandates that all private and public entities give hiring priority, in sequence, to men with children, married men without children, and women with children. Articles 10 and 16 prevent unmarried women and men from assuming teaching positions or obtaining a licence to practice family law.'⁴⁸

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7.8 Education

7.8.1 The US State Department's Country Report on Human Rights Practices 2014 notes:

'According to UN statistics, the literacy rate among women between the ages of 15 and 24 increased from 96.1 percent in 2000 to 99.2 percent in 2012. Women had access to primary and advanced education, although the percentage of female students entering universities decreased from 62 percent in 2007-2008 to 48 percent in 2012-13, following the institution in 2012 of gender-rationing policies. Quotas and other restrictions limited women's university admissions to certain fields, such as medicine and engineering, as well as to master's and doctoral programs. According to the UN special rapporteur's October 2013 report, the government did not reverse several universities' 2012 decision to restrict 77 fields of study to men.'⁴⁹

7.8.2 The International Campaign for Human Rights in Iran report 'Vigilante Violence- The acid attacks against women in Iran and the State's assault on womens rights' dated 5 March 2015 stated that;

'In August 2012, a Mehr News Agency report found that women were now prevented from admission in 77 majors in 36 universities, including such areas as accounting, education, advising and counselling, historical restoration, chemistry, and engineering. The Mehr report found that Mohaghegh Ardabili University had 24 majors restricted to men, Lorestan University had 18 majors, and the Imam Khomeini International University had 15 male-restricted majors. These three universities had the highest number of men-only majors. Civil Engineering and Topographical Survey, and two-year Civil Engineering majors comprised the largest men only majors in 15 universities, followed by Management groups, and then Mine Engineering in 12 universities.'⁵⁰

⁴⁸ Amnesty International, Iranian Bill a Threat to Women's Rights, 18 November 2015, <https://www.amnesty.org/download/Documents/MDE1328842015ENGLISH.pdf> [accessed 20 December 2015]

⁴⁹ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 29 September 2015]

⁵⁰ International Campaign for Human Rights in Iran, Vigilante Violence- The acid attacks against women in Iran and the State's assault on womens rights, 5 March 2015, <http://www.iranhumanrights.org/2015/03/vigilante-violence-report/> [accessed 14 October 2015]

7.9 Freedom of Movement

7.9.1 The US State Department's, Country Report on Human Rights Practices 2014 published in June 2015 notes:

'Women, especially in rural areas, sometimes faced official and societal harassment for travelling alone. Conservative social norms often restricted the free movement of women in rural areas outside the home or village. Women in those areas often required the supervision of a male guardian or chaperone to travel.'⁵¹

7.9.2 Freedom House note in their Freedom in the World- 2015 report published in March 2015 that: 'Freedom of movement is restricted, particularly for women and perceived opponents of the regime. Women are banned from certain public places, such as sports stadiums, and can obtain a passport to travel abroad only with the permission of their fathers or husbands.'⁵²

7.9.3 The Suuntaus project noted in July 2015 that: 'Men have the right to restrict their wives' movements outside the home. In the most extreme cases, men can prevent their wives from studying, working and seeing their family and friends.'⁵³

7.9.4 Iran Human Rights Documentation Centre note in their report Gender Inequality and Discrimination: The Case of Iranian Women dated 8 March 2013 that:

7.9.5 'Under Iranian laws, a woman, if married, needs her husband's consent to obtain a passport and travel outside the country. Husbands can forbid their wives from leaving the country by refusing to sign the papers that will allow them to apply for a passport and travel. According to Article 18 of Passport Law 1973: "A passport shall be issued for the following persons according to this article: ... 3-Married women, even if under 18 years old, with the written agreement of their husbands..."

7.9.6 'According to Article 19 of the same law, husbands even have the ability to notify the government and forbid their wives from leaving the country. In such cases their wives' passports will be seized. In fact, even if they give their consent at first, husbands are not bound to their previous consent and are free to change their minds at any time. This exclusive right of the husband may cause many difficulties for their wives and can be abused by

⁵¹ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 2d, 25 June 2015, <http://www.state.gov/j/dri/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 20 December 2015]

⁵² Freedom House, Freedom in the World 2015- Iran, 16 March 2015 https://freedomhouse.org/report/freedom-world/2015/iran#.VfBQt_n5zyM [accessed 9 September 2015]

⁵³ Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015, http://www.migri.fi/download/61597_Suuntaus-raportti_VakivaltIran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 6 October 2015]

husbands. It is possible, especially in cases of dispute, for a husband to use this right as a punishment or as revenge. As natural guardians, fathers can also forbid their underage children from leaving the country. Wives and mothers do not have the same right.⁵⁴

- 7.9.7 The Danish Refugee Council, Landinfo and the Danish Immigration Service in their February 2013 joint fact finding mission report referred to information provided by Mr. Hossein Abdy, Head of Passport and Visa Department who explained that:

‘The purpose of the law is to protect the family as an entity...the consent given by the husband is valid for five years, i.e. the length of time that the passport is valid. When asked if such a consent given by the husband can be annulled, it was further explained that a husband that has an outstanding issue with his wife has the option of going to the courts in order to get the consent annulled. However, if the husband is living outside of Iran, he cannot get his consent annulled.

‘Regarding the permission a woman has to have from her husband in order to travel, a well-educated Iranian woman with links to international communities explained that her husband would sign a form before a notary public. The husband would consent to either a single exit or unlimited exits by ticking either the ‘one time only’ box or the box ‘permanently’. But even if consent was given ‘permanently’, it would only take a phone call to the Airport Security or a letter to prevent the wife from exiting Iran. The husband could call any level of Airport Security, be directed to the right person, revoke the consent and prevent his wife from leaving. He would be asked to send in a handwritten statement as well as a copy of his identification card (Kart e- Melli). This could be arranged from the time the wife left the house to before she had arrived to the airport. She would be denied exit at the passport control and told to get the issues sorted out before she could leave.⁵⁵

- 7.9.8 The same report stated that ‘With regards to children, a mother who wishes to take her children outside of Iran must have the consent from the father of the children in order to do so’ and cited a well-educated Iranian woman with links to international communities who ‘stated that if a woman leaves Iran with her children without the consent of their father, this is considered a criminal and a civil offence. Even if the mother has custody of the children, the consent from the father is necessary in order to take the children out of Iran. If the woman returns to Iran, she would most likely be given a fine for the illegal exit. Illegal exit would not lead to jail. She could also face a civil case in a family court as a result of taking the children out

⁵⁴ Iran Human Rights Documentation Centre, Gender Inequality and Discrimination: The Case of Iranian Women, 8 March 2013, <http://www.iranhrdc.org/english/publications/legal-commentary/1000000261-gender-inequality-and-discrimination-the-case-of-iranian-women.html> [accessed 5 October 2015]

⁵⁵ Danish Refugee Council, Landinfo and Danish Immigration Service 2013, Iran: On Conversion to Christianity, Issues concerning Kurds and Post-2009 Election Protestors as well as Legal Issues and Exit Procedures, February, p.70 <http://www.nyidanmark.dk/NR/ronlyres/A8C2C897-1CA9-49D1-BA32-EC3E599D646D/0/Iranendeligudgave.pdf> [accessed 6 October 2015]

of the country without the father's consent, but the result here would also not be a prison sentence. The source mentioned that courts differ depending on geography and the financial situation of the parties involved, but even outside Teheran she did not think that a prison sentence would be the result. She had not heard of prison sentence given to a mother after she had returned with her children, however, the source added that she would not rule out that this could happen if the father was rich or powerful enough and angry enough even after his children were returned to him.⁵⁶

7.9.9 The Immigration and Refugee Board of Canada noted in a report dated 26 June 2014 that:

'The US Department of State's Country Reports on Human Rights Practices for 2012 indicates that the Iranian government "restricted freedom of assembly and closely monitored gatherings," such as women's meetings and protests. The IHRDC reports that authorities monitored telephone and email communication of women's rights activists. Sources report that some activists have also been subjected to travel bans. The Professor [at California State University who is also the former Chair of Gender and Women's Studies, and whose research focuses on gender, politics, and women's rights movements in Iran and Azerbaijan] noted that the Mothers of Park Laleh group is still "illegal," that its members are not allowed to meet. According to the Professor, the One Million Signatures campaign is "dormant" and "not active" while women associated with the group continue to face "harrassment, threats of arrest, and repression."⁵⁷

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8. Violence against women

8.1 Rape and domestic violence

8.1.1 The US State Department's, Country Report on Human Rights Practices 2014, released on 25 June 2015 stated that:

'Rape is illegal and subject to strict penalties, including execution, but it remained a problem, and the government did not enforce the law effectively. There were reports of government forces raping individuals in custody. Sex within marriage is considered to be consensual by definition, and therefore spousal rape is not addressed, including in cases of forced marriage.'

⁵⁶ Danish Refugee Council, Landinfo and Danish Immigration Service 2013, Iran: On Conversion to Christianity, Issues concerning Kurds and Post-2009 Election Protestors as well as Legal Issues and Exit Procedures, February, pp.70 <http://www.nyidanmark.dk/NR/ronlyres/A8C2C897-1CA9-49D1-BA32-EC3E599D646D/0/Iranendeligudgave.pdf> [accessed 6 October 2015]

⁵⁷ Canada: Immigration and Refugee Board of Canada, Iran: Treatment by society and authorities of women's rights activists and women working for women's rights organizations, including those involved in divorce and custody issues (2012-2014), 26 June 2014, IRN104897.E, available at: <http://www.refworld.org/docid/550fd91c4.html> [accessed 21 December 2015]

'Cases of rape were difficult to document due to non-reporting. Most rape victims did not report the crime because they feared retaliation or punishment for having been raped, as they could be charged with indecency, immoral behaviour, or adultery for being in the presence of an unrelated male while unaccompanied. They also feared societal reprisal, such as ostracism. By law four Muslim men or a combination of three men and two women are required to have witnessed a rape for conviction. A woman or man found making a false accusation of rape is subject to 80 lashes.'⁵⁸

8.1.2 Amnesty International noted in its report published in March 2015:

'Iran has yet to adopt specific legislation on domestic violence. Currently, women must file a complaint of domestic violence under the provisions of the Penal Code relating to bodily assault, and meet a range of evidentiary requirements. These include the presence of two adult male witnesses to the assault, which makes domestic violence difficult if not impossible to prove (Articles 160-200). Even if such claims are proven, the sentence will typically be the payment of diyah, which will be granted only upon the request of the victim (Article 401). In some cases, an additional punishment of two to five years in prison may be imposed if the offence is found to have disrupted public order or the security of society and raised fears that the offender or others may again commit assault (Article 614).

'Discriminatory provisions exposing women to violence extend beyond the Islamic Penal Code. According to the Civil Code, the husband is the head of the family (Article 1105) and consequently a woman is obliged to obey her husband. If a woman refuses to comply with the "duties of marriage" without a legitimate reason, she is not entitled to spousal maintenance (Article 1108). Refusal to "submit" (tamkin) can include a wide range of conduct such as "refusal to have sex" and "going out of the house without permission". Moreover, under the Civil Code, men have the exclusive right to determine their wives' place of residence (Article 1114). A wife will be considered "disobedient" (nashezeh) and not entitled to alimony if she leaves her husband's place of residence (Articles 1005 and 1108). A woman can be given permission to leave the marital house only if she can prove to a court of law a risk to her body or "honour". A woman denied such permission risks finding herself with no choice but to endure domestic violence or lose her right to alimony. Other hurdles include, as observed by the Special Rapporteur on violence against women, its causes and consequences, fear of shame and being ostracized, lack of crisis centres and emergency shelters, and lack of long-term support through employment and housing for women trapped in abusive situations.'⁵⁹

⁵⁸ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 29 September 2015]

⁵⁹ Amnesty International, You shall procreate: Attacks on women's sexual and reproductive rights in Iran, 11 March 2015, MDE 13/1111/2015, available at: <http://www.refworld.org/docid/5502a9784.html> [accessed 21 December 2015]

8.1.3 The Suuntaus project report compiled by the Finnish Immigration Service on 'Violence against women and honour- related violence in Iran' dated 26 June 2015 states that:

'Sexual harassment of women is a common problem across Iran. Women are also often the victims of sexual crime, although people convicted of rape are frequently executed. However, in some rape cases, the authorities appear to have a tendency to blame the victim. Motives for the act are sometimes found in the victims' clothing or other un-Islamic behaviour. Rapists can be charged under Article 224d of the Iranian Penal Code (zina be 'onf or illegal sexual intercourse by coercion), and if convicted, the perpetrator can be sentenced to death. In practice, due to the shame attached to rape, victims' threshold for taking rape cases to court is high, and criminal police and judges have been known to be biased against victims. In addition, it can be difficult to prove that the act was non-consensual, which has in some cases actually led to the victim being convicted of illegal sexual intercourse (without coercion) and sentenced to flogging.

'There have also been multiple cases in Iran in which government authorities have been the ones inflicting violence on women. ... Women in Iranian prisons are subjected to sexual violence and torture.'⁶⁰

8.1.4 The US State Department notes; 'The law addresses sexual harassment in the context of physical contact between men and women, but the law is biased against women. Physical contact between unrelated men and women is prohibited and punishable by lashing. There was no reliable data on the extent of sexual harassment. Media reports indicated that unwanted physical contact and verbal harassment occurred, but there were no known government efforts to combat and address these acts.'⁶¹

8.1.5 The Suuntaus project report notes that:

'According to public sources, violence against women is commonplace in Iran. The most detailed quantitative study on the subject found that more than 50% of women had suffered psychological abuse (such as intimidation, swearing, repeated belittlement and humiliation) and more than one in three had suffered acts of physical abuse (such as slapping, kicking, hitting and beating). Almost one in three of the surveyed women reported having experienced restrictions, which included limiting contacts with friends and family and preventing them from pursuing employment, education and participation in public affairs.'⁶²

⁶⁰ Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015, http://www.migri.fi/download/61597_Suuntaus-raportti_Vakivaltalran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 6 October 2015]

⁶¹ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 29 September 2015]

⁶² Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015,

8.1.6 The UN Human Rights Council published a report dated 12 March 2015 and noted that:

‘On 25 October 2014, authorities executed Ms. Reyhaneh Jabbari, despite repeated calls for the stay of her execution by international human rights organizations, including UN human rights mechanisms. Ms. Jabbari was convicted of murdering a man she claimed had tried to sexually assault her prior to the incident in question. Concerns were raised about due process and fair trial violations in the case. Under Iranian law, the family of the victim of a murder is entitled to retaliatory action (“*qisas*”). The family of the murdered individual in this case refused to pardon Ms. Jabbari, and officials did not override this decision. Judicial authorities have claimed that Ms. Jabbari was granted a fair trial, as evidenced by the length of time of her appeals process; and that they attempted in good faith, but without success, to convince the “heirs of the blood” to pardon her.’⁶³

8.1.7 The US State Department notes in their annual human rights report that:

‘The law does not specifically prohibit domestic violence. The Census Bureau, the government agency responsible for data collection, does not permit international organizations to study domestic violence in the country and has never conducted its own study of violence against women. According to a 2011 University of Tehran study, a woman was physically abused every nine seconds in the country, an estimated three to four million women were battered each year by their husbands, and half of marriages had at least one instance of domestic violence. Abuse in the family was considered a private matter and seldom discussed publicly. Some nongovernmental shelters and hotlines assisted victims during the year, but such services were virtually nonexistent outside major cities.’⁶⁴

8.1.8 The UN General Assembly report on the Situation of human rights in the Islamic Republic of Iran dated 31 August 2015 notes that:

‘Some 66 per cent of Iranian women have reportedly experienced domestic violence and a recent study found that 14.1 per cent of women had been subject to violence by their partner during pregnancy.’

‘The Islamic Republic of Iran has no specific law criminalizing domestic violence. Women who experience violence must file a complaint under the provisions of the Islamic Penal Code governing bodily assault and satisfy the evidentiary requirements, which include producing two adult male witnesses.’

http://www.migri.fi/download/61597_Suuntaus-raportti_VakivaltIran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 6 October 2015]

⁶³ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Ahmed Shaheed, 12 March 2015, para 137, http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_70_en.doc [accessed 20 December 2015]

⁶⁴ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 29 September 2015]

‘Similarly, to obtain a divorce under the Civil Code as a result of domestic violence, women must prove that the abuse was intolerable. In commenting on the present report, the authorities argued that women could file for divorce if they faced violence and that various mechanisms existed to support victims of domestic violence, including intervention and rehabilitation centres, a social emergency telephone line, rehabilitation centres for affected women and girls, 31 health houses and specialized social assistance.’⁶⁵

8.1.9 With regards to shelters and facilities provided for victims of violence the Suuntaus Project report notes that Iran has:

‘Forensic Medical Centres, shelters for abused women and police authorities that specialise in domestic violence cases in all Iranian cities.’

‘Iran has shelters run by both the state and non-governmental organisations. According to the UN, there are nevertheless not enough shelters and they do not provide long-term support through employment and housing for women trapped in abusive situations. The Iranian State Welfare Organisation (Sazman-e Behzisti) has maintained a network of approximately 30 ‘health houses’ for unmarried girls who have run away from home since the beginning of the 21st century. These institutions provide temporary housing, professional counselling and skills development for runaway girls. However, reports indicate that girls have also been sexually abused by the authorities in at least one of these institutions. In any case, the shelters built on the initiative of the Cabinet of the reformist President Khatami have been said to be a failure, as they are not widely used or run properly.’

‘It was also reported in 2015 that 18 new shelters for women escaping abusive relationships would be opened across the country. In addition to the above, there are almost 180 crisis centres that provide advice for couples who are having problems. The locations of shelters are kept secret to protect their customers. According to the Head of the State Welfare Organisation’s Department of Social Problems, who oversees the operation of the shelters, the shelters are open 24 hours a day and provide therapy for victims of domestic violence free of charge. Based on the information released by the State Welfare Organisation, temporary shelters in different provinces helped a total of 2000 victims of domestic violence last year. The victims came to the shelters either on their own initiative or were referred there by social services, police or courts. There is also a special helpline (Seda-ye Yara) for victims of violence against women.’

‘Women who have lived in shelters are stigmatised, and shelters are not considered a good solution to families’ problems, as, according to one shelter worker, “if a woman cannot adapt to family life, she will also not be able to adapt living in society”.’⁶⁶

⁶⁵ UN General Assembly, Situation of human rights in the Islamic Republic of Iran : report of the Secretary-General, 31 August 2015, <http://www.refworld.org/docid/55fc00854.html> [accessed 30 September 2015]

⁶⁶ Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015,

8.2 Honour killings

8.2.1 The US State department notes in their annual human rights report that: 'There were no official reports of killings motivated by "honour" or other harmful traditional practices during the year [2014], although human rights activists reported they occurred, particularly among rural and tribal populations.'⁶⁷

8.2.2 The Suuntaus project report compiled by the Finnish Immigration Service on 'Violence against women and honour- related violence in Iran' dated 26 June 2015 states that:

'Honour killings are an established phenomenon in many of Iran's outermost provinces, while they are less common in cities.'

'Honour killings most commonly take place among the ethnic minorities living near Iran's borders (Kurds, Lori, Arabs, Baloch and Turkish-speaking communities), whose social practices are more conservative than those of the mainstream Persian population. Honour killings are especially common in areas where state infrastructure is scarce and tribal traditions strong. The likelihood of honour killings decreases with education, urbanisation and access to society's services.'

'Islamic law includes a principle called qisas, which gives private individuals the right to demand retaliation in kind for a murder or deliberate bodily injury. The principle is prone to creating a culture of impunity in situations in which the perpetrator and the victim are from the same family. In honour killing and domestic violence cases, it is extremely unlikely for the head of the family to demand punishment. Perpetrators therefore frequently get away with a short prison sentence or may avoid punishment altogether if the head of the family forgives the act. The qisas principle does not apply if a father or a grandfather kills his own child or grandchild. In these cases, a judge will impose a prison sentence of between three and ten years. However, there have also been reports of cases in which a father has spent just six months in prison after killing his daughter due to the latter's marriage intentions.'

'Articles 299 and 630 of the Iranian Penal Code protect perpetrators of honour killings. Pursuant to Article 299, the qisas punishment that normally follows from a murder, which can be as severe as execution, does not apply to a father or a paternal grandfather who kills his own child. Article 630 gives a man the right to kill his adulterous wife and her lover if he catches them in the act. Although a man has a legal right to kill his wife and lover if he catches them in the act of adultery, cases in which the provision is applied in practice are rare. According to Sharia law, the man would need to have four

http://www.migri.fi/download/61597_Suuntaus-raportti_Vakivaltainran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 6 October 2015]

⁶⁷ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dlid=236598> [accessed 29 September 2015]

witnesses to the act, which is almost impossible to achieve in practice. In one case reported by the media, a man who had killed his wife's lover after catching them in the act was sentenced to death under the qisas principle, as he was unable to prove that adultery had taken place. The qisas sentence was nevertheless overturned on appeal. The wife was sentenced to 99 lashes but escaped the death penalty as the act could not be proven by the four witnesses required under Sharia law.'

'The fact that Iranian culture encourages honour killings nevertheless contributes more to honour killings than legislation. Experiences from Khuzestan show that when the authorities tried to weed out the tradition by sentencing perpetrators to long prison terms, a new strategy quickly evolved to circumvent punishments: families began to hire outsiders to run over girls who needed to be murdered for damaging the family's honour, which left them with just small fines to pay. Tribes in Khuzestan even have shared kitties for paying blood money. Based on the interviews conducted by Bakhtiarnejad, perpetrators of honour killings in Khuzestan in particular know the law and the potential repercussions well. Perpetrators get a prison sentence of ten years at most or possibly just one or two years and are celebrated as heroes after their release. The local community gives strong support to perpetrators, and whole neighbourhoods can join forces to prevent the police from arresting the guilty parties.'

'Women are also sometimes pressured into committing suicide so that no one will be punished for their deaths. More than half of the honour killings of women that came to the attention of the UN Special Rapporteur on Violence against Women were made to look like suicides by self-immolation. According to the Ebtekar newspaper, suicides committed by women are especially common in certain areas where forced marriages and repression of women's rights are wide-spread. For example, a high number of female suicides by self-immolation have been reported in Ilam in the last decade, many of which, according to the UN Special Rapporteur on Violence against Women, were linked to lack of shelters and legal protection for female victims of violence, difficulty in obtaining a divorce, child custody laws that favour the father and pervasive gender discrimination throughout society.'⁶⁸

8.2.3 Amnesty International noted in its report published in March 2015:

'Under the Penal Code, men who assault or even kill their wives are excluded from the punishments ordinarily applied to such [honour] crimes (Article 630). Fathers or paternal grandfathers who kill their children or grandchildren are not subject to proportional punishments (Article 301), which may exacerbate the risk of "honour crimes" against girls and women.'⁶⁹

⁶⁸ Suuntaus Project, Finnish Immigration Service- Country Information Service, Violence against women and honour-related violence in Iran, 26 June 2015, http://www.migri.fi/download/61597_Suuntaus-raportti_Vakivaltainran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288 [accessed 7 October 2015]

⁶⁹ Amnesty International, You shall procreate: Attacks on women's sexual and reproductive rights in

8.3 Government suppression of women's rights activists

8.3.1 Open Democracy in their report 'Iranian women human rights defenders: challenges and opportunities' dated 20 April 2015 stated that:

'More than fifty Iranian women human rights defenders are currently behind the bars in Iran. They are spending their lives in prison because they refused to be silenced: whether in voicing their political and religious beliefs, raising their ethnic demands, or simply challenging gender-related restrictions that are imposed on them as women.'

'The cases of women human rights defenders are considered to be political ones, and therefore come under the jurisdiction of the Revolutionary Courts. Despite the constitutional and legal requirement for courts to conduct hearings in the presence of a defence lawyer, in practice many women's rights activists are denied this right and placed on trial without access to a lawyer.'

'In order to silence women human rights defenders and prevent them from working together, the state has employed different methods. Threats, interrogations, arrests and jail terms have been the fate of tens of women who have organized gatherings, written articles in criticism of discriminatory laws, given interviews or taken part in seminars, despite none of these activities being illegal. A number of these individuals have been acquitted, and others have been handed suspended jail sentences; some, however, have received heavy sentences.'

8.3.2 The Open Democracy article goes on to give some details of human rights defenders who have been convicted: 'Bahareh Hedayat is a student activist and a human rights defender, currently serving her nine and a half years' sentence on the false accusation of propaganda against the state. Her only "crime" is promoting human rights and democracy in Iran. Mahnaz Mohammadi is a filmmaker sentenced to five years of imprisonment because of her activities to advance human rights. Zeynab Jalalian, a 33-year old Kurdish citizen who was initially been sentenced to death for her so-called 'political' activities. Her death sentence has now been commuted to life imprisonment. Hakimeh Shokri, a member of the "Mourning Mothers" (a group of women who have lost their children in political crises) was sentenced to three years in prison on charges of "propaganda against the state," and "acting against national security" for her human rights activities and participation in peaceful gatherings.'⁷⁰

8.3.3 Freedom House note in their Freedom in the World- 2015 report published in March 2015 that:

Iran, 11 March 2015, MDE 13/1111/2015, available at:
<http://www.refworld.org/docid/5502a9784.html> [accessed 21 December 2015]

⁷⁰ Open Democracy, Iranian women human rights defenders: challenges and opportunities, 20 April 2015, <https://www.opendemocracy.net/5050/leila-alikarami/challenges-faced-by-women-human-rights-defenders-in-iran> [accessed 7 October 2015]

'The constitution states that public demonstrations may be held under the condition that they are not "detrimental to the fundamental principle of Islam." In practice, only state-sanctioned demonstrations are permitted, while other gatherings, including several peaceful protests by women's rights activists, have in recent years been forcefully disrupted by security personnel, who have detained participants. In June 2014, a group of women who had attempted to watch a volleyball game and protest the ban on female spectators at a sports stadium in Tehran were dispersed by authorities, who briefly detained more than a dozen of them. One, British-Iranian citizen Ghoncheh Ghavami, was reportedly rearrested several days later and transferred to Evin prison.'⁷¹

- 8.3.4 The UN Human Rights Council published a report dated 12 March 2015 and noted that:

'Following the Esfahan [acid] attacks [in 2014], the administration announced its intent to work with the Judiciary to intensify punishment for such attacks. Authorities, however, prohibited protests against the attacks and in support of investigations. Although, on 24 October 2014, MP Abed Fatahi from Urumiah defended the rights of protestors. Civil society actors, including Ms. Nasrin Sotoudeh, Mr. Peyman Aref and Ms. Giti Pourfazel, who participated in a demonstration to protest the attacks in front of the Interior Ministry in Tehran, were arrested.'⁷²

- 8.3.5 The US State Department's Country Report on Human Rights Practices 2014, released on 25 June 2015 stated that:

'On October 22 [2014], the semi-official Fars news agency reported that 2,000 residents of Isfahan had staged a protest demanding that authorities take stronger action to investigate a spate of acid attacks directed against at least eight women since October 15. Authorities arrested women's rights activist Maudie Gilroy on October 23 after she attended a Tehran demonstration against these attacks, according to the ICHRI. At year's end Gilroy remained detained in solitary confinement in Evin Prison's Ward 2A. Government officials reportedly warned local media against linking the acid attacks to an ongoing parliamentary debate over proposed legislation that would impose additional fines and training for improperly veiled women.'

'The persecution and arrests of women human rights defenders has become more serious after the presidential elections of 2009, the aftermath of which forced some prominent women human rights defenders to leave the country, and reside in Europe or the United States. Unfortunately, those who prefer to stay in the country and continue their struggles under the current political situation have no platform to voice their demands, and no space to freely

⁷¹ Freedom House, Freedom in the World 2015- Iran, 16 March 2015
https://freedomhouse.org/report/freedom-world/2015/iran#.VfBQt_n5zyM [accessed 20 December 2015]

⁷² UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Ahmed Shaheed, 12 March 2015, para 137,
http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_70_en.doc [accessed 20 December 2015]

carry out their peaceful activities. Although they have reorganised and changed strategies to be able to continue their tasks, state repression has had a negative impact on their activities.⁷³

8.3.6 The Immigration and Refugee Board of Canada noted in a report dated 26 June 2014 that:

'In correspondence with the Research Directorate, a Senior Research Associate at the UK-based Foreign Policy Centre, "an independent, progressive foreign affairs think tank" indicated that in Iranian society, "women who are activists, in any field, are portrayed as problematic characters and often branded as prostitutes" and that "violence and discrimination against women's rights activists remain rampant" (Senior Research Associate 19 June 2014). The same source added that some members of society "continue to label and mistreat women human rights activists and defenders in order to stigmatise and dehumanize them".⁷⁴

8.3.7 Radio Free Europe/Radio Liberty, reported in an article titled 'AI decries prison time for Iranian female activists' dated 2 June 2015 that:

'Amnesty International says the sentencing of Iranian artist and activist Atena Farghadani to more than 12 years in prison is a "terrible injustice" and a "violation her rights to free expression and association." The London-based group said on June 2 that Farghadani was sentenced to 12 years and nine months in prison on charges that included "insulting members of parliament through paintings." AI Deputy Director for the Middle East and North Africa Hassiba Hadj Sahraoui said, "Such harsh and unjust sentences seem to be part of a disturbing trend in Iran, where the cost of voicing peaceful dissent is escalating." Farghadani's initial arrest last year is said to be linked to her image that features Iranian lawmakers depicted as animals while voting on a draft law that restricts access to contraception. Amnesty said the case follows the sentencing last month of another Iranian woman, Atena Daemi, to more than 10 years in prison, "also on charges stemming from her peaceful activism." "Both are prisoners of conscience and must be freed immediately," it added.⁷⁵

8.3.8 Amnesty International, reported in an article titled 'Indecency trial of jailed cartoonist and her lawyer for shaking hands absurd' dated 2 October 2015 that:

'The trial of satirical cartoonist Atena Farghadani and her lawyer on a charge of "illegitimate sexual relations falling short of adultery" after they shook hands is not only absurd and extreme but clearly politically motivated, said

⁷³ US Department of State, Country Report on Human Rights Practices 2014, Iran, Section 6, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236598> [accessed 29 September 2015]

⁷⁴ Canada: Immigration and Refugee Board of Canada, Iran: Treatment by society and authorities of women's rights activists and women working for women's rights organizations, including those involved in divorce and custody issues (2012-2014), 26 June 2014, IRN104897.E, available at: <http://www.refworld.org/docid/550fd91c4.html> [accessed 21 December 2015]

⁷⁵ Radio Free Europe/Radio Liberty, AI decries prison time for Iranian female activists, 2 June 2015, <http://www.refworld.org/docid/558bc4d628.html> [accessed 30 September 2015]

Amnesty International ahead of the General Criminal Court session starting tomorrow in Tehran. Both Atena Farghadani, whom Amnesty International regards as a prisoner of conscience, and her lawyer Mohammad Moghimi may face up to 99 lashes if found guilty. The organization believes the cartoonist and activist have been detained solely for exercising her right to freedom of expression.⁷⁶

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⁷⁶ Amnesty International, Iran: Indecency trial of jailed cartoonist and her lawyer for shaking hands absurd, 2 October 2015, <http://www.refworld.org/docid/561229ed4.html> [accessed 7 October 2015]

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Clearance

Below is information on when this version of the guidance was cleared:

- version **1.0**
- valid from **2 February 2016**
- this version approved by **Sally Weston, Deputy Director, Legal Strategy Team**
- approved on: **2 February 2016**

Changes from last version of this guidance

First publication of Women CIG.

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