

**STATEMENT**  
**UPR Pre-session on Iran**  
**Geneva, 10 October 2019**  
**Delivered by: [Impact Iran](#)**

1. **Presentation of the Organization:** This statement is delivered on behalf of Impact Iran, a coalition of non-governmental organizations that draw attention to the situation of human rights in Iran, and encourage the Iranian government to address concerns expressed by the international community and international human rights bodies. We organize public advocacy campaigns aimed at the United Nations (UN) member states, and lead high-level human rights discussions to collectively spark action by the international community to promote and protect the rights and dignity of all in Iran.
2. **National Consultations for the Drafting of the National Report:** The space for CSOs to work on human rights issues has shrunk in recent years, with instances of reprisals reported, as reflected in the report of the UNSG from September 2019 (A/HRC/42/30). As such, in these circumstances, it is not only that NGOs are not consulted, but they also face restrictions and crackdown on their work.
3. **Plan of the statement:** This statement addresses the following issues: (1) child marriage, (2) economic participation, and (3) women human rights defenders.
4. **Statement:** Women face various forms of gender-based discrimination in law and practice in the Islamic Republic of Iran. Iran’s legislation enshrines many barriers for women to access basic rights in areas such as employment, marriage and citizenship. The Penal Code also treats women and men differently, from criminal responsibility to compensation and the value of testimonies. Approximately 20% of recommendations offered during Iran’s second review touched on the rights of women and girls. The Government accepted over 40% of these recommendations, committing to better address violence against women, strengthen protections against child marriage, and to reduce barriers to their enjoyment of social and economic rights. Some 60 percent of the 21 women’s rights recommendations offered by states during Iran’s first UPR called for addressing discrimination against women in the country’s civil and penal codes, alongside improved national legislation to protect the full enjoyment of their human rights. Despite these recommendations and repeated calls for reforms from human rights bodies, none of the core discriminatory provisions have been repealed in Iran’s Civil Code and the Islamic Penal Code since the last review.

**i. Child Marriage**

- A. **Follow-up to the Previous Review:** Over 1/3 of recommendations accepted by the Government in 2014 related to women’s human rights focused on various forms of violence against women and girls (VAWG). Not-accepted recommendations on VAWG included those about early and forced marriage, a concern on which nearly 10% of UPR recommendations offered on women’s rights in 2014 were focused. Article 1041 of Civil Code settles the minimum marriage age to 13 for girls and 15 for boys. However, the law provides that if the father or the legal guardian and the court give consent, a girl can be married before that age, with no minimum legal age, effectively legalizing child marriage. There is a legal attempt (Article 50 of the Family Protection Act adopted in 2012) to criminalize child marriage. Nevertheless, this legal endeavor will not resolve the challenge at hand given that the suggested amendment does not revoke the last part of Article 1041 of the Civil Code, leaving room for flexibility regarding child marriage.
- B. **New Developments since the Previous Review:** The Convention on the Rights of the Child (CRC), that in 2016 reviewed Iran’s compliance with the CRC, has urged Iran “ to further increase the minimum age for marriage for both girls and boys to 18 years, and to take all necessary measures to eliminate child marriages in line with the State party’s obligations under the Convention” ([CRC/C/IRN/CO/3-4](#), para.28). Nevertheless, the challenge remains unresolved to date. According to official statistics, children under the

age of 15 were parties to approximately 4% of all marriages in Iran from 2010 and 2014, at the time of the second review. This proportion increased by 1.5% between 2014-2018. In 2017-2018, 35,333 registered marriages involved girls between 10 and 14, and 217 involved girls under 10. Internal family dynamics, poverty, addiction and migration impact the likelihood of child marriage. In Sistan-Baluchestan province, at least 40% of new marriages per year involve a child groom or bride, with child bride facing higher rates of domestic violence.

Meanwhile, attempts for legal reforms remain unsuccessful in this arena. For instance, The Child Marriage bill to amend Article 1041 of Iran's civil code, aimed at increasing the minimum age of marriage to 16 for girls and 18 for boys was rejected by judicial committee of the Islamic Legislative Assembly (Majles) in June 2019, and is now undergoing revisions. Moreover, the Comprehensive Provision of Women's Security Against Violence, a work-in-progress zero draft of which was brought forth in 2015, aims to provide support for women against various dimensions of violence, including domestic violence and matters of marital violence. Nevertheless, its status remains as under-preparation and officially unpublished after a few years.

### C. Recommendations

- Expedite the adoption of the pending draft bill entitled the Comprehensive Provision of Women's Security Against Violence, in a form that ensures adherence to international standards related to protection of women and girls against violence
- Re-introduce and adapt a bill that unconditionally increases the minimum marriage age, in line with the recommendation from the CRC
- Accede to CEDAW without reservations

### ii. Economic Participation

**A. Follow-up to the Previous Review:** Iran has received 4 recommendations calling for the enhancement of women's participation in economic life - 3 out of which it accepted. However, almost 5 years later, the economic participation rate for women in Iran remains one of the lowest in the world. In 2018, while women's enrollment in secondary education was at 72.7%, the labor force participation stood at 17.9% for women, compared to 75.2 % for men. According to the 2018 World Economic Forum Gender Gap Report, Iran was in the bottom 5% of countries with the lowest economic participation of women, which looks at their participation in the labor force, at wage inequality, estimated earned income, and presence of women among senior officials and managers.

The Iranian Labor Code forbids women from being employed in 'dangerous, arduous or harmful work,' while the Civil Code gives a husband the right to bar his wife from any job that he considers to be 'against family values or inimical to his or her reputation.' Some employers require engaged or married women to provide a written statement of permission from their husbands in order to be hired. Employers often directly or indirectly discriminate against women in their hiring practices. Many are reluctant to hire women for senior positions because this could be damaging for the company's image. Cultural norms also dictate men should provide for the family, and therefore are often seen as more deserving of employment. These legal, practical and cultural barriers are well known and had been identified by the CESCR in 2013 already, as well as by the Special Rapporteur on human rights in Iran. Since the last UPR, no reform was introduced to remove them and to encourage greater participation of women in economic life.

**B. New developments Since the Previous Review:** According to Minority Rights Group's recent [report](#), several recent legislative initiatives have the potential to worsen the discrimination experienced by Iranian women in the labor market, in particular in the private sector. For instance, in July 2016, the Parliament ratified the Reduction of Office Hours Act for Women with Special Circumstances. According to this law, women who have children under six years of age, who have a family member with disabilities or terminal illness, or who are heads of households are entitled to work a reduced 36-hour week, while receiving the payment and benefits for a 44-hour week. While seemingly positive, the gendered application of these

benefits, as well as their associated costs, are likely to disincentivize employers from hiring women due to the higher costs this would entail.

**C. Recommendations**

- Remove restrictions on the types of jobs that women can obtain, as well as the requirement to obtain the husband’s permission
- Ensure that discrimination against women at work or in access to work is prohibited and that employers who discriminate against women are appropriately sanctioned

**iii. Women Human Rights Defenders**

**A. Follow-up to the previous review:** Iranian human rights advocates, and in particular women human rights defenders, have for long peacefully advocated for human rights, gender equality and the rights of marginalized groups nationwide. Iran cracks down on peaceful expression of grievances and activities aimed at human rights advocacy and awareness-raising, and is particularly restrictive toward women’s rights activism. In the previous UPR review, Iran received 16 recommendations regarding the protection of freedom of expression of human rights defenders, only 3 of which it accepted. Nevertheless, today the situation of Iranian human rights defenders, and in particular women human rights defenders is grim.

**B. New developments since the previous review:** In recent years, there has been an aggressive and systematic attack against women human rights defenders including lawyers, journalists, artists, labor rights activists, environmental rights and women’s rights defenders that have worked to change discriminatory laws and practices against women. Many of these women have been prosecuted for their peaceful activities, some increasingly facing heavy charges and held in custody in inhumane prison conditions. Charges against them have included “collusion to commit crimes against national security” and “propaganda against the regime”. These charges are systematically characterized under the umbrella of national security in order to limit standard due process rights. For instance, from January 2018 till March 2019, at least 30 protesters against compulsory hijab have been arrested across Iran and indicted on charges of “encouraging immorality or prostitution,” which carries a ten-year prison sentence. Similarly, lawyers defending these protesters have also faced arrest on multiple national security related charges that incur stiff penalties.

**C. Recommendation**

- Uphold the rights to freedom of peaceful assembly, including for women protestors, and make sure that women’s rights activists and lawyers defending them are not prosecuted for exercising their human rights
- Conduct investigations into prison conditions of women human rights defenders and initiate prosecution of the police and parastatal forces or other relevant authorities as appropriate

Thank you for your attention!