

On 1st anniversary of Mahsa Amini's death, UN submission sheds light on dire human rights for women and girls in Iran

Human rights organizations urge Iran to enact major reforms to improve the social and political rights of women and girls in line with international standards.

LEBANON, BEIRUT, September 16, 2023 /EINPresswire.com/ -- On the first anniversary of Mahsa Amini's tragic death in custody following her arrest by Iran's "morality police," human rights organizations [Centre for Supporters of Human Rights](#) (CSHR), Equality Now, and [Femena](#) have made a joint [submission](#) to the UN Human Rights Committee, requesting the Committee raise significant concerns with the Iranian state about the dire situation regarding women's and girls' civil and political rights in the country.

Issues raised in the submission include the excessive use of force by Iranian law enforcement against women for violating the country's mandatory dress code, and human rights violations committed by state forces against the country's citizens, including reports of torture, ill-treatment, and sexual and gender-based violence, particularly against women, men, and children in state custody.

Also highlighted are the harmful impacts of gender and sex-discriminatory personal status laws governing family matters like marriage, divorce, child custody, and inheritance, and the continuing prevalence of female genital mutilation and child marriage.

The Human Rights Committee oversees the implementation of the International Covenant on



Demonstrators march in solidarity with protesters in Iran'. Getty Images. Photo credit: Omer Messinger



Civil and Political Rights (ICCPR) by countries, and the submission has been made in advance of the Committee's upcoming review and dialogue with Iranian state representatives, taking place during the 139th session at the UN in Geneva between October 9 and November 3, 2023.

The Committee plays a vital role in promoting and monitoring human rights by reviewing reports on countries, addressing concerns, and issuing recommendations to uphold civil and political rights. It also engages in dialogue with states to promote positive action.

Iran has failed to comply with its human rights obligations under the ICCPR, which explicitly prohibits violence against persons and discrimination on the basis of sex and gender. CSHR, Equality Now, and Femena request that the Committee call on Iran to enact significant reforms to protect the rights of women and girls and ensure compliance with ICCPR principles.

MAHSA AMINI'S DEATH

Mahsa Amini was detained by Iran's "morality police" on September 13, 2022, for allegedly incorrectly wearing a hijab, or headscarf, in accordance with Iran's strict and compulsory dress code, as outlined in Article 638 of the Islamic Penal Code, which mandates that women may be imprisoned or fined for failure to wear prescribed Islamic dress.

Mahsa died of her injuries in hospital three days later, on September 16. The Iranian state claims she fell into a coma following a heart attack and brain seizure shortly after her arrest, and the authorities have attributed this to pre-existing medical problems. But her family disputes it, saying that she had no prior health issues, and eyewitnesses report that police had severely beaten her.

Her death triggered nationwide outrage in Iran, with demonstrators rallying under the slogan,



"Woman, Life, Freedom," and many demanding accountability in the face of increasing state oppression and violence. Over 500 people are reported to have been killed in subsequent protests, and hundreds more have been wounded. Thousands have been arrested, many remain imprisoned, and some have received death sentences.

Two brave journalists, Niloofar Hamed and Elahe Mohammadi, who were among the first to report on Mahsa death, remain behind bars, facing serious criminal charges and closed-door court hearings.

IRAN SEEKS TIGHTER RESTRICTIONS WITH DRACONIAN NEW CHASTITY AND HIJAB BILL

Alarming, Iranian authorities are currently considering a draconian new draft law titled "Bill to Support the Family by Promoting the Culture of Chastity and Hijab," which includes 70 articles prescribing harsher penalties for women who defy the law, including heavy fines, loss of employment, confiscation of property, and up to 10 years in prison.

Alongside being penalized for not wearing a headscarf in public, women face punishment for dressing in "indecent attire," including round-neck t-shirts, short-sleeved clothing, and three-quarter-length or ripped trousers. More severe penalties are also stipulated for celebrities who openly disregard the rules.

Included within the bill is the use of artificial intelligence to enforce dress code violations, and the state is reportedly investing heavily in smart cameras that use facial recognition technology.

Furthermore, the bill enables members of the public to report people for not adhering to the law and allows them to apprehend others if law enforcement personnel are not there. This risks creating opportunities for abusers who could claim they are apprehending women for non-adherence or could use threats to report as a tool of coercive control. The proposed legislation also increases state jurisdiction over businesses, including shutting them down for serving women without a hijab.

A group of UN Human Rights Council-appointed experts said authorities appear "to be governing through systemic discrimination with the intention of suppressing women and girls into total submission."

Other oppressive laws and regulations, including the "protecting those who command the good and forbid the evil" law, empower military and civil forces to violate women's rights with state backing and intimidate businesses and civil service providers into infringing upon women's rights.

In November 2022, the UN Human Rights Council launched the Independent International Fact-Finding Mission on the Islamic Republic of Iran to investigate human rights violations, particularly

regarding women and children.

In a recent oral update, the Mission expressed grave concerns about the use of facial recognition technologies to target women and girls who defy sex-discriminatory laws. It also reported suspensions of female students and fines or closures of businesses for non-enforcement of obligatory veiling laws.

INTERNATIONAL CALLS FOR IRAN TO ADDRESS CRITICAL HUMAN RIGHTS ISSUES

Equality Now, CSHR, and Femena, have presented a comprehensive submission to the UN Human Rights Committee, calling on Iran to take immediate action to address the following critical issues, amongst others:

Amend and Remove Gender Discriminatory Clauses:

The Iranian state must revise and eliminate all gender-discriminatory clauses present in civil and criminal codes, particularly focusing on Articles 199, 209, and 638 of Iran's Islamic Penal Code of 2013, Books I, II, and V.

Revise the Constitution:

Specific constitutional amendments are required, targeting the preamble, Articles 2, 3, 4, 21, and Article 115, to abolish all regulations allowing State agents to monitor and control women's dress or behavior in public or private life.

Abolish Discriminatory Laws:

Iran must abolish the law known as "protecting those who command the good and forbid the evil," which allows and empowers military and civil forces to violate women's rights with the support of the state. Furthermore, all other laws and regulations should be repealed that force businesses and civil service providers to violate the rights of women on the state's behalf.

End State Backlash and Ensure Protection:

Iran must cease all forms of State retaliation against people engaging in protests and against those reporting on and advocating for women's rights. Women must be effectively safeguarded from all violence, harassment, abuse, and torture.

Conduct Independent Investigations:

Iran should initiate national-level independent, thorough, and prompt investigations into the use of extreme violence against protestors, killings, and all forms of violence against women. Perpetrators must be held accountable for their actions.

Enact Laws, Action Plans, and Policies On Female Genital Mutilation (FGM):

Iran needs to provide national, statistical, disaggregated, and reliable data on the number of women and girls living in Iran who have either undergone FGM or are at risk of undergoing FGM and enact a law that explicitly prohibits all forms of FGM in Iran. Girls as young as ten years are

being subjected, but there is a lack of statistics addressing this.

Implement Laws And Policies To Address Child Marriage:

Where girls and boys are legally allowed to be married at the ages of 13 and 15, Iran must enact and implement laws and policies that meaningfully address child marriage. This includes enacting and implementing a law that specifies the minimum age of marriage for both girls and boys is 18 years of age, without exception. Comprehensively tackling the prevalence of child marriage also requires addressing systemic concerns such as violence against women and girls; lack of access to available, accessible, acceptable, and adaptable education; and economic hardship. This must be coupled with outreach and training that challenges harmful and long-held social norms and violence against women and girls.

Ratify International Conventions:

Iran remains one of only six countries - alongside Palau, Somalia, Sudan, Tonga, and the United States - that has not signed or ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). It is also one of the twenty-one countries not to have signed or ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT). Iran should sign and ratify these international agreements to demonstrate its commitment to promoting gender equality and aligning with international standards for the empowerment and protection of women.

Antonia Kirkland, Global Lead for Legal Equality and Access to Justice at Equality Now, warns, "Discriminatory laws have a negative, and sometimes deadly, impact on women's and girls' abilities to enjoy their civil and political rights. In this case, Iran has clearly violated and is continuing to violate its duty and obligations under the International Covenant on Civil and Political Rights (ICCPR) to promote and protect the rights of women and girls' rights."

Shabnam Moinipour, CSHR Program Director, expressed, "We welcome the UN Human Rights Committee's consideration and inclusion of discriminatory laws in its List of Issues (LOI) for Iran's Fourth Periodic Report. However, we remain concerned about the Iranian state's response to this LOI where it refused to acknowledge that its authorities used excessive force and violence in the case of Mahsa Amini, which led to her death. We hope the Committee will address this and all the underlying legal and systemic issues in its scheduled dialogue with Iranian state representatives in October."

Sussan Tahmasebi, Director of Femena, concludes, "The instigation of the Woman, Life, Freedom uprisings led to the detention of many women human rights defenders (WHRDs), some of whom have received heavy prison sentences. Some WHRDs, such as Niloufar Hamed and Elahe Mohammadi, the two journalists arrested for covering the death and funeral of Mahsa Amini, have been in temporary detention for nearly a year, awaiting court verdicts. Scores of others have been arrested in the past months, and many rights defenders have been forced to leave the country.

“We demand Iranian authorities to unconditionally release and end judicial proceedings for all protesters and human rights defenders arrested, charged, and sentenced in relation to the Woman, Life, Freedom protests.”

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Centre for Supporters of Human Rights is a non-governmental organization established in the UK in 2012. One area of its work focuses on improving women's rights and providing solutions to advance human rights in Islamic countries, particularly in Iran.

Equality Now is an international non-governmental human rights organization that works to protect and promote the rights of all women and girls around the world by combining grassroots activism with international, regional, and national legal advocacy. Our international network of lawyers, activists, and supporters achieve legal and systemic change by holding governments responsible for enacting and enforcing laws and policies that end legal inequality, sex trafficking, online sexual exploitation, sexual violence, and harmful practices such as female genital mutilation and child marriage.

Femena supports women human rights defenders (WHRDs), their organizations, and feminist movements in the MENA and Asia regions, with a particular focus on contexts where civic space is shrinking or closed as well as contexts impacted by conflict and extremism.

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