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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Verein Sudwind Entwicklungspolitik, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[5 June 2012]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

A report on the status of violence against women in the Islamic Republic of Iran

A number of women's rights activists from Iran wrote a report on the status of violence against women in Iran hoping to submit to the 20th session of the Human Rights Council. In order to make their voices be heard in Human Rights Council, Sudwind extracted this statement from their report and the original report will be distributed on the session.

In recent years, despite broader publicity on the issue of violence against women, extensive research and seminars, some of which was initiated by the government agencies to identify and combat the issue, endeavours to reduce violence against women through a positive approach have come to naught. On the contrary, legislation and policy-making has merely aggravated the problem.

In terms of the law, domestic violence has not been defined and there is no legislation to protect the victims, nor have preventative methods been legislated. On the other hand, there are laws that give rise directly or indirectly to violence against women. Some of the Islamic criminal codes that perpetuate violence against women are penalties related to extramarital relationships (Zina), which can encompass flogging and stoning to death. Furthermore, laws related to homosexuality, crimes against public morals and ethics, honour killings and abortion, the age of criminal responsibility, while a woman's testimony only carries half the weight of a man's, all contribute to the increase in violence against women. Civil law in Iran supports men's supremacy in the family, permits polygamy for men, gives men the unilateral right to divorce, unequal inheritance, child marriage, child guardianship and custody to men and allows them to punish their children. Such provisions inherently violate women's rights, but also provide further opportunities for violence against them. Recent legislation, including the family protection law, prohibit women from any social growth and empowerment, and increase the gender gap in socio-economic status that ultimately lead to various types of gender-based violence, including domestic violence against women.

Moreover, laws and initiatives such as mandatory dress code and adoption of policies and anti-women's rights programs, implicitly limit women's presence in public places because they would be subject to attack by the law enforcement agents. Additionally, these laws provide a massive justification for intensified harassment, individual and collective, rapes and murders of women. As a result of various schemes, including "Chastity and Hijab", public places are becoming more insecure. The police forces, purportedly the agents of peace and security, violate women's rights and intimidate them on a daily basis. Every day, more and more public places are designated for the exclusive use of men. This has sparked hatred towards women in the social arena. Although difficult living conditions and insecurity due to unemployment and rising inflation has generally increased violence in society, violence had been directed more towards women than men. For example, the murder of women in public places has increased. Individual and collective rapes and acid attacks on women are on the rise. Discrimination in employment and higher education, particularly gender quotas are paving the way for further violence against women in the society and in family.

These limitations coupled with the lack of supportive legislation, judiciary system and civil behaviour towards female victims are further contributory factors in the increase in the rates of suicide and self-immolation, girls running away, honour killings and both men and women murdering their partners. News reports show that these are widespread everyday occurrences.

Anti-women's rights government policies, such as policies against women activists, human rights activists and organizations supporting victims of violence against women, have limited any chances of civil society reducing violence against women. For example, Nasrin Sotoudeh, a prominent women's lawyer, and Narges Mohammadi, a women's rights activist, have both been sentenced to long-term imprisonment and deprived of any right to be socially active once they have served their terms.

The following two examples, examples of fatal outcomes of domestic violence (homicide of husband or wife) are the result of discriminatory laws and the lack of judicial and social support of women:

1. Omolbanin a 22-year old woman in the southwest of Tehran, was imprisoned for 12 days in a basement and tortured by her husband, which eventually led to her death. On her body, the old signs of burns and torture from various periods were identified. She was being pressured to confess under torture to extra-marital relationships. She had made the following statement before her death, "Sometimes my husband kept me for several days in an underground prison and used to burn me with cigarettes or hot skewer. My mother-in-law and her other son were aware of the torture, yet did not allow my voice to be heard by anyone. My husband had written on my behalf that I have had clandestine extra-marital relationships with several local residents and wanted to force a confession out of me. We have only just recently come to this neighbourhood and I did not know anyone here (Karimi-Majd, 1376: 9)". Omolbanin's story is not an exceptional case of domestic violence in Iran. Many wife killings are the result of harsh violence and suspicion by male partners.

2. Another example of a difficult divorce case is one that resulted in a spouse being killed. Farzaneh M. has been charged with complicity in the murder of her husband and is currently being held in prison. Farzaneh was forced into marriage at the age of 19 and moved far away from her parents. After having two sons, she was subjected to violence on the part of her husband. Her husband was a very suspicious man; according to his sons, he had extra-marital affairs. Moreover, her husband was a drug addict which led to even more violence against Farzaneh. When she went to court to file legal proceedings against her husband with a detailed forensic medical examination report in hand, she was told that she had to provide 3 such reports relating to 3 different periods of time. Furthermore, she should include details of the duration and kind of medical treatment she subsequently received from a physician.

When she went to court to get divorce based on his addiction, she was told to provide evidence of her husband's having been hospitalized three times in attempt to cure him of his addiction. If he was still seen to be using addictive drugs, she could file for divorce.

Thus, the divorce process became so difficult; her sole option was to kill her husband to save herself.

We demand the implementation of new policies and strategies that are fully compatible with the declaration on the elimination of violence against women. We believe that the following recommendations should be put into effect as urgent and immediate measures to limit violence against women in Iran:

- criminalization of all forms of violence against women in all aspects, be physical, psychological, sexual or economic;
- substitution of appropriate restorative punishments for perpetrators of violence against women rather than the current situation of involving repressive punishments such as the death penalty for rape;
- setting up an appropriate judicial body specifically designated to consider cases of domestic violence;

- developing a system of due process based on the urgency to prevent the continued consequences of violence during the process;
- developing a system of due process to provide assured and secure assistance to victims that strengthens women's confidence and helps them to find legal counsel;
- codification of rules that help victims of violence, such as providing welfare needs, psychological counselling and shelters; and
- rules and regulations that people and institutions can follow in order to combat violence against women as well as provide for adequate legal consequences for the perpetrators.

Women's rights activists in Iran expect the international community to urge the Iranian authorities to implement the recommendations provided in this statement, in order to help us to address violence against women in Iran. At the same time, we wish to recall our opposition to any international sanctions or military alternatives, as such initiatives would, directly and indirectly, result in further violation against women.
