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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 Maat for Peace, Development and Human Rights Association, 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.

[03 June 2019]

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\* Issued as received, in the language(s) of submission only.

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## Early marriage in the Islamic Republic of Iran

### Preface

The phenomenon of marriage of underage girls in the Islamic Republic of Iran, which does not usually guarantee the rights of women to complete their studies, choose their partner, and choose their own clothing is widespread. The end of these marriages is often a failure.

According to specialist doctors, early marriage has serious negative effects on the health of women, children and society. Most research and studies indicate that complications of pregnancy and childbirth are very high in early marriages than in marriages after the age of 18, leading to a high mortality rate among newborns. There are other effects of early marriage, including the inability to have children and to have children with deformities.

Thus, Maat for Peace, Development and Human Rights Association wish to raise concerns on the issue of early marriage in Iran through this written intervention.

### In Iran Legal framework allowing early marriage

Although the husband's sexual acts and practices with his wife, the "girl" who is not yet 18 years of age, is constituted as a sexual violence in the medical and psychological proofs; the Iranian law allows the marriage of minors. The law reduces the age of marriage to 13, However, lawmakers allowed less-than-nine-year-old to marry - with the consent of the father and the judge, which led to a high rate of underage marriage, under the rule of law and justice with little regard for girls' physical and psychological integrity.

Early marriage is one of the most serious violations against Iranian women. Iranian society is a of religious one. Article 21 states that the government must guarantee the rights of women in all fields in accordance with Islamic standards. The area for clerics to interpret laws relating to women, this is what is already done in the case of marriage of underage girls<sup>1</sup>. According to the Iranian Civil Code, the legal age for marriage is 13 years for girls and 15 years for boys. Which contravenes the Convention on the Rights of the Child<sup>2</sup>, which Iran ratified on 1989, it defines a child as "every person under the age of 18 who has not yet reached majority under the law of the State", but Iran has not changed its legal age in accordance with the Convention on the Rights of the Child. It also contravenes the provisions of the Convention on the Rights of the Child in article 16, which states that no arbitrary or unlawful exposure to the child in his private life, family, home or correspondence, nor any unlawful interference with his honor or reputation, to be protected by law from such exposure or prejudice.

Although some legislators have seriously thought of changing the existing marriage law but have not succeeded because of strict opposition from clerics, a bill banning child marriage in Iran is still in place, amid strong opposition from lawmakers and hardliners under the parliament, On the pressure from top parties, and proposes a bill so-called "child marriage," which was presented to the Parliament in 2016, an absolute ban on the marriage of girls under the age of 13 and the marriage of boys under 16 years. For the marriage of girls between the ages of 13 and 16 and for children aged 16 to 18, the bill requires parental consent and permission from the court. Because of this strong opposition, the law remained stuck between the Parliament and the Trusteeship Council (the state body that reviews all legislation to comply with Islamic law), but some see that part of the obstruction of this law is also due to the culture of society itself.<sup>3</sup>

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<sup>1</sup> Iranian constitution: <https://bit.ly/2l62aOt>

<sup>2</sup> UN Convention on child's rights- <https://bit.ly/2w1hn9z>

<sup>3</sup> Child marriage law The latest victims of the Iranian regime, Sky News Arabia, December 25, 2018. <https://bit.ly/2IEoahH>

### The effects of early marriage in Iran

In October 2018, a 17-year-old Kurdish girl, Zainab Skaund, was sentenced to death for murdering her husband, who was forcibly married to a 15-year-old girl. Skunk was beaten and raped by her husband. . The court sentenced her to death in 2014, with clear disregard to the Iranian authorities for the conditions she suffered. Crimes usually occur within a family framework because of the unwillingness of children to tolerate marital violence and child-raising parents.<sup>4</sup> At the age of 12, Nahid who married at the age of 12, was exposed to several risks after her pregnancy and her first child. At the age of 13, she was always abortive until she miscarried three children and was physically abused.<sup>5</sup>

According to government statistics in Iran there are approximately 24,000 widows under the age of 18, and marriages under the age of 18 often lead to divorce<sup>6</sup>. The number of divorced children has increased to more than 36,000, all under the legal age. Early marriage also has a number of health risks. When we introduce early marriages, there is an increase in the rate of miscarriage, for reasons including a uterus that has not yet been completed because a baby's womb is not yet ripe for puberty.

Early marriage also contributes to education dropouts, The deputy of Education Minister Radwan Hakimzadeh stated that 50% of the girls living in the border areas have dropped out of education due to cultural reasons, the most prominent of which is the marriage of girls at an early age, according to the International Institute for Studies Iran<sup>7</sup>

In February 2019, Masouda Ebtikar, the deputy of the Iranian president for women and family affairs, announced that about 300,000 underage marriages were documented under the age of nine and 40,000 under the age of 13, all of which are not registered<sup>8</sup>.

The rate of early marriage in Iranian cities comes the city of "Gujan" on top<sup>9</sup> which includes 101 thousand people, is one of the province of Khurasan Radwan in the first place in terms of early marriage according to statistics of the Women's and Family Affairs in the Presidency of the Republic in 2018, where the number of Early marriages 6759 cases between the ages of 10 and 14 years for girls. The province of Eastern Azerbaijan is ranked second in terms of the highest rate of early marriage. In 2018, there were 3348 marriages between 10 and 14 years. Sistan and Baluchistan ranked third, with 2355 marriages and 14 years for girls in 2018.

Finally, it is possible to say that the legislative structure is not only conducive to early marriage, but also a factor affecting poverty. It is the biggest challenge faced by a number of Iranian families, forcing most of them to make their daughters marry at an early age to elderly men hoping to win a sum of money. To repay some of the accumulated debt, and support the rest of the family, and it is known that child marriage is more common among poor families to try to find a way out of financial crises.

As the percentage of underage marriage in Iran continues to grow, the government ignores any new legislation on amending the law and raising the age of marriage. The government itself practices disgraceful acts in violation of all international conventions.

### Recommendations

- We urge the Iranian authorities to ratify the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) without reservations.

<sup>4</sup> Iranian authorities execute a victim of covert and sexual violence - 2-10-2018 <https://bit.ly/2zMSgdN>

<sup>5</sup> Early marriage in Iran - Nahid is not the first victims - 12-4-2019 <https://bit.ly/2DfqkR9>

<sup>6</sup> Early marriages are the biggest injustice to girls in Iran - The People's Mujahideen of Iran - October 27, 2018 <https://bit.ly/2v7NSTw>

<sup>7</sup> 50% of girls drop out of education, Google removes Iran apps from his shop - 10 September 2017 - International Institute of Iranian Studies <https://bit.ly/2UEqVXd>

<sup>8</sup> Secret trial of 8 on charges of espionage and marriages of girls under 13 because of poverty February 3, 2019 - International Institute of Iranian Studies <https://bit.ly/2v6EAHr>

<sup>9</sup> Early marriage in Iran - Nahid is not the first victims - 12-4-2019 <https://bit.ly/2DfqkR9>

- We call the Iranian authorities to Proceed towards the elimination or amendment of all laws and legislation in the Civil Code concerning early marriage, including: Article 1041 of the Civil Code on the marriage of girls from the age of 13 years.
- We call the Iranian Parliament to review the laws currently in force and to raise the age of marriage.
- We call on the Human Rights Council to show strong support for urging the State of Iran to raise the age of marriage for girls.
- We call on the OHCHR to prepare a report on the collection and analysis of data on the statistics of underage marriages in Iran.

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