



Human Right Developments in Iran

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The Human Rights Development of Iran Newsletter, stresses on the promotion of human rights through monitoring positive actions and developments that have occurred with regards to human rights and raising the awareness of the audience in this regard. This newsletter, compiles measures taken for the promotion and realisation of human rights for the transparency of the real human rights situation in Iran through benefiting from correct information and credible documents.

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1- Children's Rights

1-1 Parliament's proposed Amendment of Article 1041 of the Civil Code Regarding the Marriage of Girls under 13 and Boys under 16

On 26 September 2018, in the open session of the Parliament, 67 MPs called for the speedy action of the Parliament on the marriage of girls under 13 and boys under 16, in the framework of the proposed amendment bill of Article 1041 of the Civil Code¹, while explaining the social, physical damages, deprivation of education, problems created in raising children and the rise in number of divorces.

Figures show that most of the children who are victims of low age marriages are under 13 years of age. Mostly they are not from middle or upper economic class families, but they are raised in impoverished families and because of two problems of economic poverty and lack of opportunities they are married off. The lack of education facilities, particularly for girls, prevents them from continuing education. This is why many families force their children into marriage to relieve themselves from economic burdens. The existence of legal basis although

¹ Article 1041: marriage of girls before reaching 13 full solar years and boys before reaching 15 full solar years is conditional to the approval of the guardian conditional to recognition of the best interest by a competent court.

is not enough to prevent them from occurring, but condition is necessary. Thus, the government has a special commitment to construct and reconstruct schools in its working agenda.

On 26 September 2018, out of 209 MPs present in Parliament session, with a 151 for, 34 against and 7 abstains, the urgent investigation of this social issue by the Parliament was approved.

It must be said that Article 646 of the Islamic Penal Code also prohibits marriage below the age of puberty under certain conditions, and sets punishment for the offender. According to this Article: “marriage below the age of puberty without the guardian’s consent is prohibited. In the event that a man marries a girl who has not reached the minimum puberty contrary to Article 1041 of the Civil Code and its Clause, he will be sentenced to six months to two years in prison.”

Also it is important to note that the registration of marriage is mandatory in accordance with the laws and the regulations of Iran. According to Article 645 of the Islamic Penal code: “for the purpose of the preservation of the family unit the registration of permanent marriage and divorce in accordance with regulations is mandatory, in the event that a man goes into permanent marriage or divorce outside of official registry offices, he shall be sentenced to a sentence of up to a year in prison.”

1-2 The National Pre-school Coverage has Reached 71 Percent

According to the figures published on 21 November 2018 by the Education and Training Ministry, 71 percent of children have benefited preschool services for the education year 2018-19. This is while approximately 10 percent of children under the age of 6 also previously benefit from preschool services. Counting these figures the coverage of the total preschool education period from zero to the official first entry to school has approximately reached 81 percent, which has a distance from global standards which is 95 percent, but compared to previous years it has seen acceptable increase.

New studies indicate that preschool education results in underprivileged children find approximately have the same levels as children from middle and upper classes. Also these services provide the opportunity for children from ethnic and linguistic minorities whose command of the official language of the country is poor in comparison with other children, to reach other children's levels.

1-3 Campaigns of 23 Centres for Education of Child Labourers/Three Thousand Children Accepted in 2017

According to reports published on 17 November 2018 by the National Welfare Organization, around 23 centres have been created in the private sector with the

cooperation of the Welfare Organization, which provide basic services to child labourers and street children, these include education and health services. As well as these services to children, assistance is also provided for child labourer children's families, in a way that the health, employment, mental health, the stability of the family financial, cultural issues of the families are also reviewed.

In the last year around 3,000 child labourers were taken in by these centres. But what is important is that studies have shown that over 70 percent of child labourers and street children are foreign nationals. Furthermore, around 70 percent of these individuals are illegal aliens and do not have any form of IDs. This is why it is difficult to identify and provide services to this group.

According to latest figures, street children who are registered on the basis of being taken in by governmental and nongovernmental centres, in governmental centres in the six months from March to September 2017 there were approximately 524 individuals and for the same period in 2018, 583 children were taken in which shows an increase of 10.12 percent.

In the governmental sector 280 street children were given literacy services between March and September 2018, 230 street children were sent to cultural-recreational camp, and 542 children received cultural or sports services. This is why getting allowance, issuing of identity documents and health insurance

have also been provided for these children. Figures for street children on the basis of being taken in by family and child support-education centres (private sector for the March-September period in 2017 was 1834 children and for the same period this year 20146 which is an increase of 17 percent.

Furthermore in the private sector and NGOs also 1112 children received literacy services 250 received profession training, 269 received benefits, 1419 went to cultural-recreational camp, three children received ID documents, 6 children got health insurance coverage and 1190 street children received cultural and sports services in this year's March-September period.



2- Women's Rights

2-1 Adoption of the Citizenship Bill for Children Born of Iranian Women-Foreign Nationals

The Presidency's Women and Family Affairs Deputy gave news of the approval of the Iranian Citizenship of the Children of Women with Foreign Husbands draft bill by the cabinet.

On 4 November 2018 in her Twitter account while announcing that this approval will go to the Parliament as bill to be amended, Maasoomeh Ebtekar said that after a prolonged time the citizenship bill of children of

women that have foreign husbands was approved by the cabinet of ministers. On the basis of this bill women who have foreign husbands can apply for Iranian citizenship for their children under 18. This bill has gone to the Parliament for the amendment of the current law.

2-2 Improvement of Women's Education Indexes

According to information published by the Presidency's Women and Family Affairs Deputy on 12 November, the education levels of women in the country's universities has had a notable increase in the last four decades. According to this information, currently the ration of women and men at bachelor levels is equal. In the masters' level there are more women students than men. But in doctorate levels there are less women than men. Women's share as researchers in research, sustainable development, peace and security in 2015 was fluctuating.

Currently, out of the 4.3 million university population in Iran, there are 2 million girls and 2.3 million boys. In this regard women are more or less as equal as men in inclination to enter higher education.

Figures show that in the early 1980s women only made up 5 percent of higher education, but currently 27 percent of Iranian women are in higher education.

According to released figures, in the 2017-18 education year there were 275,749 people who were studying in universities, 33.2 percent of which were women and 66.8 percent men. For the same period, Hurmuzgan with 31.6

percent, Kerman with 30.8 percent and Fars with 28.7 percent have the highest share of full time women members of the scientific board out of the country's provinces.



3- Refugees Rights

3-1 The Number of Foreign National School-children in Iran

According to news published by the Ministry of Education's Center for International Affairs and Schools Abroad on 21 October 2018, the Islamic Republic of Iran is the fourth refugees host country in the world and is the

only country which has the highest number of urban refugees. Approximately one million registered Afghans (Refugees and two million illegal Afghan nationals/undocumented are currently living in Iran, a notable number of which are undocumented Afghan children in need of education. In the current school year approximately 480,000 Afghan students including undocumented ones managed to register in Iranian state schools, which compared to last year's figures has had an increase. From 2015 onwards, from the Iranian Supreme Leader's decree that no child living in Iran should be denied education, the number of illegal Afghan children who have been enrolled in the Iranian public schools has notably increased.

It must be said that one of the main problems of the government in improving the situation is the need for education centres. To this aim Iran needs the further participation of international organizations, the UN in particular.

3-2 Creation of Equal Opportunities for Foreign Nationals Prisoners in Iranian Prisons

With the efforts of NGOs and relevant authorities with the order of the Supreme Leader of Iran, Afghan refugees' children's rights to education in Iran up to high school has been confirmed.

With the order of the Supreme Leader with regards to no Afghan child in Iran must be denied education in 2017 the 2004 proposal of the Cabinet with regards to the education of undocumented children was suspended and the opportunity for the education of Afghan children up to high school diploma was ratified.

4-Introduction of Human Rights Institutions

4-1 The Iranian Islamic Human Rights Commission (IHRC)

The Iranian Islamic Human Rights Commission was founded by a group of top law experts in 2005 alongside high officials of the country as an independent institution in the field of human rights. This Commission is a body which is totally independent and for the interest of the public in the domestic law system, and is non-partisan and non-governmental, but it has been considered for playing an independent national institution, with the consultative presence of a number of officials and is in continued interaction with governmental bodies for influencing practices and conducting reforms towards the advancement of human rights. On this basis in the Commission's High Council, alongside top law experts of the country, the consultative presence of representatives

from the three branches of power has been considered and the activities of the four committees of the Commission that include scientific, women and children domestic monitoring of the observation of human rights and foreign monitoring of the observation of human rights also usually depending on case, representatives of relevant organizations and official institutions are invited so that all organizations can take part in the advancement of human rights process through the Commission. In instances where the subject is related to religious minorities the invitation of the said minorities leaders and activists is deemed necessary.

According to article 5 of the Commission's Statute the overall objectives of the Commission which are done in a vast sphere in each case are: 1 – Setting, education and expansion of human rights, 2 – Monitoring the enjoyment and observation of human rights through legal and individual persons, 3 – Propose and present suitable solution to take action and positions on human rights violation cases, particularly against Muslims in all countries, 4 – Investigation and follow through on human rights violation cases which come to the attention of the Commission in various forms, 5 – Cooperation of national and international human rights organizations, particularly investigation and follow up on matters related to the Islamic Republic of Iran, and 6 – Review of the situation of Iran with regards to international covenants and conventions in the field of human rights.

The Islamic Human Rights Commission was officially recognised in 1996 by the then UN Commission on Human Rights (E/CN.4/RES/1996/64) as an independent national human rights institution in Iran.²

² ...welcomes the establishment of national commission for human rights by the Governments of India, Indonesia and the Islamic Republic of Iran; (Para. 17)