

Special Rapporteur on the situation of human rights in the Islamic Republic of Iran A/HRC/43/61 para 68(k)

Full recommendation:

End the policy of prohibiting or severely limiting women's attendance at public sporting events, and bring both laws and policies protecting women's rights into compliance with international standards.

Assessment using Impact Iran human rights indicators¹

Article 3 of the Constitution of the Islamic Republic of Iran stipulates that it is the duty of the State to work towards “the abolition of all forms of undesirable discrimination and the provision of equitable opportunities for all, in both the material and the intellectual spheres.”² Article 20 of the Constitution guarantees that all citizens of Iran, men and women, enjoy the equal protection of the law and of rights, “in conformity with the Islamic criteria.” Article 21 of the Constitution emphasises that “the government must ensure the rights of women in all respects, in conformity with Islamic criteria”. According to Article 4 of the Constitution, the Guardian Council of the Islamic Republic of Iran is entrusted with the definition and determination of the framework of what constitutes the “Islamic criteria” or standards. Among the 12 non-elected members of the Guardian Council, only the six male clerics, directly appointed by the Supreme Leader, are responsible for such task. While the aforementioned provisions supposedly safeguard the human rights of women and protect them from discrimination, such legal guarantees exist as long as they are in conformity with the “Islamic criteria.” The room for interpretation of what is to be considered “in conformity with Islamic criteria” has often resulted in provisions that discriminate or have a discriminatory impact on various grounds, including gender.

The Iranian Islamic Penal Code (2013) is largely based on the government's interpretation of Islamic *Sharia* precepts and contains provisions which directly discriminate between girls and boys. One of the most telling examples is the age of criminal responsibility, which is set at nine lunar years for girls (the Gregorian equivalent of eight years, nine months) and fifteen lunar years for boys (the Gregorian equivalent of fourteen years, seven months).³

Additionally, a large number of provisions under the Iranian Civil Code are discriminatory towards women. These provisions notably include the legal age of marriage,⁴ the share of

¹ CCPR.2.1.S.1; CCPR.2.2.S.1; CCPR.3.1.S.1; CCPR.3.1.S.4; CCPR.23.4.S.1; CCPR.2.1.P.2; CCPR.2.3.P.1; CCPR.3.1.P.3; CCPR.23.2.P.1; CCPR.2.3.O.4; CCPR.3.1.O.4

² Constitution of the Islamic Republic of Iran, <https://irandataportal.syr.edu/wp-content/uploads/constitution-english-1368.pdf>

³ Criminal responsibility, Articles 140, 146 and 147 of the Islamic Penal Code, 2013 <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/>

⁴ Article 1041, Civil Code of the Islamic Republic of Iran. <https://iranhrdc.org/the-civil-code-of-the-islamic-republic-of-iran/>

inheritance,⁵ and the right to divorce.⁶ In marriage, the Civil Code provides rights to the husband over those of the wife,⁷ notably by establishing that the position of the ‘head of the family’ is the exclusive prerogative of the husband. Under Iranian law the husband is entitled to control aspects of his wife’s life⁸ and demand that she performs her ‘duties’.⁹

Additionally, women and girls have limited access to recreational environments in Iran, including access to places to practice sports. According to reports, some cities in Iran have started to establish women-only parks, one of the most emblematic examples being the “Mother’s Paradise” park in Tehran.^{10 11} Currently, at least 20 cities in Iran have ‘women-only parks’. Gender-segregation extends into other areas of leisure and recreation in Iran.¹² As a consequence, women and girls have limited access to public spaces where they may be able to practice physical activity and sports.

Women’s participation in sports is also restricted. Women are not allowed to practice sports such as wrestling and boxing.¹³ In May 2019, the prosecutor for Isfahan stated that women were prohibited from riding bicycles.¹⁴ For sports that women are allowed to practice, budget allocation and facilities are generally limited.^{15 16}

A significant number of women’s sports are banned from being broadcasted on State television.¹⁷ While not written into law, there is an effective ban on women attending sport events in Iran,^{18 19} although a few exceptions have been seen recently.^{20 21} Women attending sports events despite the ban have faced arrests.²² The Government of the Islamic Republic of Iran has made limited efforts to increase women’s and girls’ access to leisure and sports. For example, the government

⁵ Articles 861 to 948, Civil Code of the Islamic Republic of Iran. <https://iranhrdc.org/the-civil-code-of-the-islamic-republic-of-iran/>

⁶ Article 1133, Civil Code of the Islamic Republic of Iran. <https://iranhrdc.org/the-civil-code-of-the-islamic-republic-of-iran/>

⁷ Articles 1102 to 1119, 1133 to 1142, Civil Code of the Islamic Republic of Iran. <https://iranhrdc.org/the-civil-code-of-the-islamic-republic-of-iran/>

⁸ For instance, under Article 1117 of the Civil Code of the Islamic Republic of Iran “The husband can prevent his wife from occupations or technical work which is incompatible with the family interests or the dignity of himself or his wife.” <https://iranhrdc.org/the-civil-code-of-the-islamic-republic-of-iran/>

⁹ Article 1108, Civil Code of the Islamic Republic of Iran. <https://iranhrdc.org/the-civil-code-of-the-islamic-republic-of-iran/>

¹⁰ Radio Free Europe, <https://www.rferl.org/a/1117504.html>.

¹¹ <https://titreshahr.com/fa/news/5407/>

¹² Independent Persian, <https://www.independentpersian.com/node/63061/>

¹³ Ibid.

¹⁴ Center for Human Rights in Iran, <https://iranhumanrights.org/2019/05/isfahan-prosecutor-bans-sinful-act-of-women-riding-bicycles/>

¹⁵ ISNA, <https://www.isna.ir/news/99052417613/>

¹⁶ <https://tn.ai/2444201>

¹⁷ France 24, <https://observers.france24.com/en/20181002-iran-doesnt-broadcast-women-sports-fans-create-own-coverage-social-media>

¹⁸ BBC, www.bbc.com/news/world-middle-east-43243414

¹⁹ Human Rights Watch, www.hrw.org/news/2019/08/16/iran-women-detained-accused-flouting-stadium-ban

²⁰ Amnesty International, www.amnesty.org/en/latest/news/2019/10/iran-limited-allocation-of-football-tickets-for-women-a-cynical-publicity-stunt/

²¹ Associated Press, <https://apnews.com/article/9f168224782641b9a7e9ff7a4e88675c>.

²² Human Rights Watch, <https://www.hrw.org/news/2018/03/08/banned-watching-soccer-women-iran-are-being-failed-fifa>.

has reportedly encouraged sports federations to amend their bylaws in order to ensure the presence of a woman vice president on the federation's board of directors.²³ A number of football stadiums have been equipped to welcome women spectators.²⁴

Despite these limited efforts and exceptions, gender-segregation in public parks, the prohibition for women and girls to practice certain sports and the general ban on women and girls to attend sports events remain.

The Islamic Republic of Iran has not ended the policy of prohibiting or severely limiting women's attendance at public sporting events, and has not brought both laws and policies protecting women's rights into compliance with international standards.

Recommendation Status:

This recommendation has **NOT** been implemented.

²³ <https://tn.ai/2444201>

²⁴ IRNA, <https://www.irna.ir/news/83486036/>