

Concluding Observations Committee on the Rights of the Child CRC/C/IRN/CO/3-4 para 72

Full recommendation:

In the light of its General Comment No. 4 (2003) on adolescent health and development, the Committee recommends that the State party adopt a comprehensive sexual and reproductive health policy for adolescents throughout the country and ensure that sexual and reproductive health education is part of the mandatory school curriculum and is targeted at adolescent girls and boys, with special attention to preventing early pregnancy and sexually transmitted infections. It also urges the State party to take measures to provide LGBTI children with access to information on gender identity and sexual orientation.

Assessment using Impact Iran human rights indicators¹

A. Adopt a comprehensive sexual and reproductive health policy for adolescents throughout the country

While the need for a comprehensive national program to educate adolescents about sexual and reproductive policy is an issue that has been raised among Iranian officials in recent years, there is still no law in place that addresses these concerns. While Government-controlled institutions have recently undertaken some steps in this regard, they have not been concluded. The Ministry of Education has prepared a "Student Sex Education" plan and submitted it to the Supreme Council of the Cultural Revolution ("Council") for final review and approval. The plan has been approved by the Council's internal commission, and is currently being reviewed by the Council itself. Since the text of this plan has not been published, it therefore cannot be comprehensively evaluated.²

The Council, a supranational body, is responsible for macro-policies in the fields of education and cultural matters. Accordingly, if a subject wants to be included in the curriculum of the educational plan of the country, it must have the approval of this institution. The Council is directly accountable to the Supreme Leader of the Islamic Republic, and the legislative bodies of the country cannot adopt any law that contradicts the resolutions of this council.³

In addition, issues related to sex, sexual awareness, sexual education are often considered "taboo" in Iranian society, especially in the traditional strata, and any raising of awareness around these issues is viewed as "promoting corruption and prostitution." Most religious institutions are

¹ CRC.28.1.S.1; CRC.29.1.S.1;
CRC.19.1.P.1; CRC.29.1.P.1;
CRC.8.1.O.2.

² <https://www.irna.ir/news/83413340/>

³ <https://seccr.ir/en>

sensitive to such issues and create many barriers around any application of such programs.

These include the events surrounding the government's efforts to implement the 2030 Sustainable Development Goals (“SDGs”) document. The Ministry of Education had planned to implement a national plan on sexual education which drew upon the SDGs, but in the face of religious resistance,⁴ these measures were stopped.⁵ The efforts, which were opposed by religious institutions, were banned by order of Supreme Leader Ayatollah Khamenei.⁶ Among the topics that were objected to by religious institutions was the emphasis on the need to provide sexual education to children and adolescents, which opponents of the plan referred to as "promoting corruption and teaching sex to children."⁷

In recent years, Government officials, including Ministry of Education officials, have discussed the question of provision of sexual and reproductive health education in secondary education institutions.⁸ Yet in practice and based on publicly available information, the Government’s approach to sexual and reproductive health education for adolescents has not changed at all.⁹

Such an atmosphere, in practice, makes it difficult to advance any comprehensive program in this field in Iran. For example, an official at the Ministry of Education points to the difficulties of implementing such programs and suggests that such programs be presented as a "hidden curriculum."¹⁰

Sexual education is currently offered at the tertiary educational level,¹¹ and there are courses available on the subject matter for couples approaching marriage. While the Government allegedly provides some education on sexual and reproductive health to adolescents, this practice does not constitute a comprehensive national policy, with the Government claiming that there are educational and moral limitations on providing such education.¹²

B. Ensure that sexual and reproductive health education is part of the mandatory school curriculum and is targeted at adolescent girls and boys, with special attention to preventing early pregnancy and sexually transmitted infections

The Committee on the Rights of the Child stipulates that State parties should provide adolescents with access to sexual and reproductive information, including information on family planning and

⁴ <https://www.mehrnews.com/news/4438936/>

⁵ <https://www.mashreghnews.ir/news/978633/>

⁶ <https://www.bbc.com/persian/iran-features-39835884>

⁷ <https://tn.ai/1423953>

⁸ <https://www.irna.ir/news/83413340/>; <http://www.baharnews.ir/news/151327/>; <https://www.ilna.news/fa/tiny/news-924283>

⁹ <https://www.ilna.news/fa/tiny/news-924283>

¹⁰ Ibid.

¹¹ A list of topics covered in such courses. Pre-marital, in-marriage and post-marital education is included in this list. The target groups of these trainings are people over 10 years old. See <http://health.kaums.ac.ir/Default.aspx?PageID=209>

¹² <https://www.ilna.news/fa/tiny/news-924283>

contraceptives, on the dangers of early pregnancy and on prevention and treatment of HIV/AIDS and other sexually transmitted diseases.¹³ The Government has reportedly provided some sexual health and reproductive education to adolescents.¹⁴

In the document on fundamental transformation of education, the guidelines of the education system and the national curriculum, the issue of sex education has been considered.¹⁵ The course is called "Sexual Health and Puberty", though the details of the document have not yet been prepared and approved by the Council, and as such it has not been implemented. All this shows that there are indications of progress, though large-scale structural barriers in the country's decision-making system put such plans at a standstill.

Most of the programs and initiatives in the field of sex education in Iran focus on family formation, and usually do not pay attention to children and adolescents. There is a very limited scope for preventing unwanted pregnancies and sexually transmitted diseases. According to the family planning program, contraceptives must be provided free of charge at health centers and safe houses.¹⁶

Given that there is no law in Iran that guarantees non-discrimination between girls and boys, in this case, too, there is no mechanism that guarantees gender non-discrimination in the use of limited educational facilities. In practice, this may amount to gender discrimination, in violation of Articles 2 and 24 of the Convention on the Rights of the Child. As the Committee on the Rights of the Child states, “[a]ll policies and programmes affecting children’s health should be grounded in a broad approach to gender equality that ensures young women [...] equal rights related to sexual and reproductive health; and equal access to information”.¹⁷

C. Take measures to provide LGBTI children with access to information on gender identity and sexual orientation

In general, according to Article 19 of the Constitution, all Iranians, regardless of ethnicity or tribe, have equal rights, and "colour, race, language" will not lead to privilege and superiority. In addition, Article 29 of the Constitution states that access to health care and medical care is a "universal right". Access to health care must therefore be non-discriminatory.

The laws of the Islamic Republic are based on Shi’ite Islam, which to a large extent explains inadequate healthcare access for certain communities, most notably the LGBTI community.

¹³ General Comment No. 4 (2003), CRC/GC/2003/4, para 28, <https://undocs.org/CRC/GC/2003/4>

¹⁴ <https://www.ilna.news/fa/tiny/news-924283>

¹⁵ <https://sccr.ir/Files/6609.pdf>

¹⁶ <http://health.kaums.ac.ir/Default.aspx?PageID=209>

¹⁷ General Comment No. 15 (2013) on the right the child to the enjoyment of the highest attainable standard of health, CRC/C/GC/15, para 10, <https://undocs.org/CRC/C/GC/15>. See also General Comment No. 4 (2003), CRC/GC/2003/4, para 4, <https://undocs.org/CRC/GC/2003/4>

LGBTI practices are criminalised in Iranian law and those deemed to be perpetrators face heavy penalties.¹⁸ People who do not conform with religious and traditional norms are heavily discriminated against, including members of the LGBTI community.¹⁹

Given this legal and cultural context, LGBTI children face considerable barriers to access to information on gender identity and sexual orientation. There is no readily available information to demonstrate that the Government has undertaken any measures to provide LGBTI youth with access to such information.

Recommendation Status:

This recommendation has **NOT** been implemented.

¹⁸ The Islamic Penal Code, articles 233 to 241.

¹⁹ <https://outrightinternational.org/region/islamic-republic-iran>