

Concluding Observation Committee on the Rights of the Child CRC/C/IRN/CO/3-4 para 60(d)

Full recommendation

In the light of its general comment No. 18 (2014) on harmful practices, adopted jointly with the Committee on the Elimination of Discrimination against Women, take measures to enforce article 663 of the Islamic Penal Code and to stop, effectively, the practice of female genital mutilation throughout the country.

Assessment using Impact Iran human rights indicators¹

Article 663 of the Islamic Penal Code (2013) prohibits cutting or damaging a woman's genitals and sentences the practice with the payment of a *diyat*, or fine.² The amount of a *diyat* is based on the country's currency value and depends on the gender of the victim: the Islamic Penal Code stipulates that a man shall receive the full amount of the *diyat* while women shall only receive half. According to Article 663, in case of such genital mutilation, the sentence of payment of *diyat* amounts to half of the full *diyat* granted to woman, in other words, ¼ of the amount of the *diyat* allocated to men. Additionally, Articles 706 and 708 criminalise acts that reduce the possibility of *lezate mogharebe* (the joy of intercourse) or pregnancy.³

Despite these legal safeguards, the practice of female genital mutilation (FGM) is considered a tradition within several provinces in Iran, notably in Kurdistan, Western Azerbaijan, Kermanshah, Ilam, Lorestan and Hormozgan. Reportedly, in Hormozgan province, 60% of women have been subjected to FGM.^{4 5} According to local media reports, especially in southern Iran, the practice of FGM still regularly occurs.⁶

Despite the publication of a number of reports⁷ indicating that field studies have been conducted by research institutions on FGM in Iran, there is no indication that the government has implemented a specific program to eradicate it. Additionally, there is no mechanism to ensure the full implementation of the prohibition of FGM in Iran.

¹ CRC.19.1.S.1; CCPR.7.1.S.1
CRC.19.1.P.1; CRC.19.1.P.2; CRC.34.1.P.2; CCPR.7.1.P.1
CRC.19.1.O.3; CRC.34.1.O.2

² Islamic Penal Code (2013):<<https://shenasname.ir/subjects/salamat/1571-mojazat92> >

³ Minority Rights Group, https://minorityrights.org/wp-content/uploads/2019/09/MRG_CFR_Iran_EN_Sept191.pdf

⁴ Ahmady, K., *A Comprehensive Research Study on Female Genital Mutilation/Cutting (FGM/C) in Iran*, 2015.

⁵ Minority Rights Group, https://minorityrights.org/wp-content/uploads/2019/09/MRG_CFR_Iran_EN_Sept191.pdf

⁶ Sobhe Sahel, a local newspaper in Hormozgan province. < <https://sobhesahel.com/news/27552/%22%20/h> >

⁷ < <https://www.rouydad24.com/fa/news/203470/> >

The Islamic Republic of Iran has not taken measures to enforce Article 663 of the Islamic Penal Code and has not, effectively, stopped the practice of female genital mutilation throughout the country.

Recommendation Status:

This recommendation has **NOT** been implemented.