MASTER EXHIBIT SERIES

IRAN

STATUS OF WOMEN

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All the sources of information contained in this document are identified and are publicly available.

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The July 27, 1990 Regulations, "Aliens and Nationality" Asylum and Withholding of Deportation Procedures," mandated the creation of a new corps of Asylum Officers to provide an initial, nonadversarial adjudication of asylum claims. Asylum Officers use asylum law, interviews with asylum applicants, and relevant information on country conditions to determine the merits of individual claims for asylum.

The Resource Information Center was created to assist Asylum Officers domestically, and Immigration Officers determining refugee status overseas, by collecting and disseminating credible and objective information on human rights conditions. As specified in the Regulations (8 CFR 208.12, as amended), such information may be obtained from the Department of Justice, the Department of State, and "other credible sources, such as international organizations, private voluntary organizations, or academic institutions."

Master Exhibits are one means by which credible information on a given group deemed "at risk" is presented to Asylum and Immigration Officers. Master Exhibits are submitted by private voluntary organizations, law firms, or other groups, which are credited on the title page of the Exhibit. The contents of each Master Exhibit distributed by the Resource Information Center, taken as a whole, meet certain basic standards on credibility, relevance and format, and can provide Asylum Officers with valuable background material for evaluating country conditions.

This Master Exhibit provides publicly available information, analyses, or comment. All sources are cited. Updates to this Master Exhibit may be made from time to time. This Master Exhibit, however, cannot be, and does not purport to be, either exhaustive with regard to the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum. It is for the Asylum Officer adjudicating a particular case to determine what evidentiary weight to give to the information in this Master Exhibit.

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A. Non-Governmental Organization Reports


On August 11, 1997, Zoleykhah Kadkhoda was reportedly arrested, charged with engaging in sexual relations outside marriage, and immediately sentenced to death by stoning. On the same day she was buried from the waist down in a ditch and stoned.


According to Iranian newspaper reports, an Iranian woman was sentenced to death on charges including "organizing corrupt gatherings and ...immoral contacts." She may have been executed on January 31, 1997. Amnesty International believes her arrest is connected to the case of her husband, who was executed a month earlier.


"Restrictions on personal liberty had a harsh impact on women. In Nov. 1995, the security forces announced that they had detained 86,000 suspects in the previous 12-months. "Most of them were thought to have been women detained for violating the dress code ...."

A4. Committee for Humanitarian Assistance to Iranian Refugees (CHAIR), "Fact Sheet: Gender-Based Persecution" (New York, NY), November 1996.

Discusses gender-based persecution as it relates to Iranian women, including sexual discrimination, imputed persecution, sexual violence, and penalties imposed due to women's transgression of social norms.


"Iranian women, as a group, have been denied police protection, tortured, and/or executed because of their gender. Mistreatment of women is not only condoned but also promoted by the Islamic Republic of Iran; the Islamic laws, beliefs of Ayatollah Khomeini and Islamic jurisprudence support it." Cites writings from Koran, Ayatollah Khomeini, human rights organizations, and current laws in Iran.


Covers legal, social and economic situation of women in Iran including women in the constitution, employment, legal standing, dress code, segregation, temporary marriage, divorce and child custody, inheritance, adultery, sexuality, citizenship and treatment of women prisoners. Facts indicate institutionalized discrimination against women in Iran.
Women continued to be hounded by to comply with petty restrictions by extra-governmental enforcers of Islamic orthodoxy. In May, police authorities began implementation of decree prohibiting women from riding in the front seat of taxis. Detention of women for failure to observe a rigid dress code continued. In an interview, president Rafsanjani "urged women to accept the 'limitations' nature had impose on them."

Two women are sentenced to execution by stoning for adultery in western Iran. Amnesty International considers stoning to death a particularly cruel and inhuman form of punishment.

Cites increasing arbitrary harassment of women. In June 1993, police issued statement condemning women's smiles as arousing corruption in men. In September, women riding motorcycles with men were condemned by the Minister of the Interior as being un-Islamic. In August, in the city of Tabriz, hundreds of demonstrators were arrested and some were killed in protests after the Basij (militia) attacked young women who had mixed with men at the end of a soccer match. The government fords social mixing of women and men. Reports two cases of women stoned to death for adultery.

"The Islamic Penal Code of Iran provides for punishment of adulterers and certain other offenders. The Penal Code stipulates the 'in the punishment of stoning to death, the stones should not be so large that the person dies on being hit by one or two of them, nor should they be so small that they should not be defined as stones.' At least 24 of the more than 40 people reportedly stoned to death for adultery in Iran were women, executed for offenses such as adultery and prostitution." Men imprisoned in Iran have often reported that interrogators threatened their wives, mothers and sisters with torture or rape.

Calls for the release of eight women imprisoned since 1983 who were, "subjected to lengthy pre-trial detention without judicial supervision during which they faced torture or other forms of coercion, then convicted at summary trials." They were detained for their own or their husbands' association with opposition political parties. Theft political acts were peaceful. Theft cases are described and 'represent a fraction of the thousands of political prisoners...who have been imprisoned, and in many cases executed, since the Islamic Revolution of 1979.'

**B. Governmental and Inter-Governmental Reports**


States that discrimination against women has increased since the revolution. It is difficult for many women, particularly outside large cities, to obtain any legal redress. "Although domestic violence is
known to occur, little is known about its extent. Abuse in the family is considered a private matter and seldom discussed publicly. There are no official statistics on the subject. The families of female victims of violent crimes often have to pay the assailant's court cost to bring him to trial. The government permitted women to attain the rank of judges, but does not permit female judges to preside over legal hearings.


Documents status of women as "third class" citizens and establishes state accountability through discriminatory laws and direct action. Quotes high level government officials stating women's irrational decision making and smaller brains as reasons for women's subjection. Demonstrates that such reactionary views create a climate which officially sanctions acts of brutality and severe discrimination against women in the family, schools, economy, government institutions and the streets.


Details situation of women in law and in practice. Under the penal code, the punishment for lesbianism is 100 lashes and the death penalty the fourth time the offense is repeated. Under the civil code, temporary marriage is limited by a period of time (minimum of one hour) and a predetermined sum to be paid to the woman. Rafsanjani has encouraged the practice. Cites a New York Times article saying that prostitution had increased and is practiced largely in the form of temporary marriage.


States that situation of women did not change in 1994. Reports on step up in campaign against improperly veiled women, banning of women in football stadiums, separation of men and women in public transportation, hospitals and universities. A female student activist found dead on May 5, 1994 is believed murdered by government.


Recounts reports that many women in southwestern Iran are beheaded by their male relatives for real or imagined sexual misconduct and that killers often went free. Quotes a court official stating that every year large numbers of women and girls are beheaded. On May 23, 1993, a 24 year old woman had acid thrown in her face by Revolutionary Guards and lost her eyesight. On June 24, 1993, over 800 "inadequately covered" women were arrested and sentenced to flogging. A 20 year old woman was killed for the same offense on September 2. Iranian delegation to the U.N. flatly rejected Special Representative's criticisms saying the Special Representative is ignorant of Islamic precepts. Minister of Interior reported that women's employment is decreasing by 2% annually.


The report takes exception to Iranian government's practice of imposing punishments aimed at curbing freedom of choice simply because a woman does not wear Islamic dress. States that women receive unequal treatment with regard to marriage, divorce, inheritance, criminal penalties, residence, travel and other areas of life. The position of women is different from men in situations where they have
the same capacities, as in capacity to give evidence: in some cases a woman's evidence is not considered valid and in others a man's evidence is equivalent to that of two women."


Strict sexual segregation of teachers and students has resulted in the closure of many schools for girls, especially in rural areas. It was said that more than 40,000 women elementary and high school teachers were fired by the government between 1980-1985. Voices concerns over reports indicating that 89% of rural Iranian women are illiterate. On 14 Dec. 1992, the Secretary General of Imam Khomeini's Relief Committee stated that "...the deprived people living in Khorassan's northern areas sell their young daughters for up to 10,000 tomans. The buyers of these girls...take them there [Gonbad area] to work in the farms and workshops..."

C. Articles Concerning National and International Law


Under new personal status law (including return of arbitrary divorce, polygamy and temporary marriage), women must be under the constant guardianship of their husbands and fathers. Should a wife leave her husband's home due to physical abuse, she is likely to be denied economic rights if they are divorced. Physical abuse must result in permanent injury for it to be grounds for divorce. Courts frequently order women to return to their husband's home. Many remain in abusive marriages because they fear losing their children. Although the regime emphasizes women's role as mother, fathers and paternal grandfathers have exclusive right to child custody. While claiming to honor women and mothers, the state has rendered them second-class citizens.


Saideh Fisher applied for asylum in the U.S., claiming she had been harassed for refusing to adhere to the regime's "moral codes". The Ninth Circuit found that the Board of Immigration Appeals had erred in failing to consider evidence of current enforcement practices in Iran in evaluating Fisher's claim and in evaluating persecution solely on the basis of physical sanction imposed by the Iranian regime. "...Fisher did not have to show that if returned to Iran she will take conscious steps to violate the moral codes..."


The more obvious the need to rely on legal sanctions and police measures to enforce what are officially described as 'cultural' norms (i.e. Islamic culture and religion), the more the legal regimes repressing women begin to resemble regimes of apartheid, in which the State establishes and maintains the domination of one group and the systematic oppression of another.... In February 1993, in response to a critical U.N. report on Iran's human rights...the Iranian government asserted that its dress requirements and personal stares laws affecting women were part of religion and, as such, willingly accepted by Iranians. The government wrote: "...until now there have been no confrontations with females who do not observe the Hijab properly."
Countries whose legal systems are based on Islamic law, or Sharia, are perhaps the most well known examples of how religion has the potential to persecute women who do not follow its dictates... Calling for reforms of discriminatory practices would be, in effect, blasphemy. Cites the Koran: "men are the managers of the affairs of women because Allah has made the one superior to the other and because men spend of their wealth on women.." Women have been murdered when their virginity was not proven by a blood-stained sheet, and the law punishes the murderer with only six months imprisonment. The law states that if a man witnesses his wife in a situation which could be construed as intercourse, he is immune from punishment if he injures her. This law was used to excuse a man from killing his sister when he saw her get out of a taxi with a male stranger.'

Discusses legal issues relating to Iranian family's female members and highlights the contrast between the legal rights of men and women in the family. Covers laws relating to a woman as wife and daughter. For example, under inheritance, a husband inherits one quarter of his wife's estate, from all her property, while a wife inherits one eighth of her husband's estate, from movable property, buildings and trees. Each son's share of the inheritance from the parent is twice that of each daughter.

Lists articles in the Islamic Penal Code, implemented since December 1991, that concern women. For example, Article 300 states, "the blood money (compensation paid to the family of a victim) for the first or second-degree murder of a Muslim woman is half that of a murdered Muslim man." Under Article 209, if a man murders a woman, the penalty of retribution is applied only after the woman's family pays the murderer half of his blood money.

D. Academic Articles


Discuss mistreatment of women in the penal code, family law, employment, education and the arts. Woman are not permitted to marry foreigners without written permission from the Ministry of the Interior. Married women may not work or travel without written permission from their husbands. In 1986, special camps had been established for women caught not observing the dress code. Other penalties include: "their feet may be put in a gunny sack full of mice and cockroaches, their faces splashed with acid or cut with razor blades." On June 15, 1991, several women were reportedly shot by Revolutionary Guards for protesting against the dress code. "It is considered meritorious to rape women prisoners, especially virgins...who will thereby be barred from heaven..."


Islamic state adopted policy of admitting university applicants who had proven their devotion to
the regime by passing ideological screening. Islamicization of male-female relations was intended "to restrict the professional and educational domains of women's lives and to restore them to what the regime considered women's primary role in society: domestic responsibility and child-bearing. A major method was to close certain fields of study to women on grounds that they are "emotionally and physically weak". Allowing women into the legal profession is against Islamic principles. Single women faculty members, students and researchers are not allowed to travel abroad. Concludes that there is direct, open and legal suppression of academic freedom.


Demonstrates that 'reforms' since the 1979 Islamic revolution in Iran, such as women parliamentary representatives, women in the labor sector, and the 1992 Personal Status Law (concerning remuneration for housework, women advisors to judges, divorce, etc.) have not had significant effects on lives of majority of Iranian women. Argues that regime cannot end sexual apartheid since its main doctrine advocates sexual apartheid. Concludes that the role of women in society has not improved since 1979.


"Men's authority over women in both public and private spheres is recognized and sanctioned by law because men are perceived as having an economic function outside the home..." If a wife refuses to comply with her husband's authority (including sexual demands), he is legally allowed to sanction her by refusing to provide her financial support. 'Personal status law grants excessive privileges to men on grounds of their economic function. For this very reason if women succeed in assuming functions outside of the family institution, the enforced Islamic laws on the subject would also be questioned.' According to government statistics, 10.8 % of all women were employed in 1976 - 1977 compared to 6.1% in 1986-1987.


"The subjection of women has been paraded as the public endorsement and evidence of the continuing supremacy of Islamic law...Veiled women have become the symbols of the success of Islamicization. Women came out in mass demonstrations against imposition of the veil and Islamic law in 1979. Iranian president Rafsanjani argued:" In practice, women graduates do not go and serve the society so the money spent on them is wasted; even when they do work they don't work well enough..."

E. Articles In Periodicals


"All issues regarding interactions between men and women - including sexuality - are referred to male clerics." Asserts that Ayatollah Khomeini believed "differences in men and women's 'natural propensities' point to God's informed consent to the subjugation of women in exchange for men's protection of them and their brood." Mentions inconsistencies such as a 9 year old girl being legally competent to enter into a marriage contract while a woman of any age is viewed to be 'too impulsive' to be given the right to initiate a divorce. Boys are treated as juveniles until they are 15 years old, but a female child of nine is tried and punished as an adult.

Life for women in Iran has regressed steadily since President Ali Rafsanjani was elected in 1992. Dreaded patrols and roadblocks are back, checking women to see if they are wearing make-up and violating other codes.

F. Newspaper Articles


Members of the state-run volunteer militia attacked cyclists at the only complex where both men and women can cycle. Police called to the scene did not intervene in scuffles between the militia and cyclists. Women are not permitted to ride bicycles in public because, according to Islamic scholars, it is "indecent" and provocative. The daughter of President Rafsanjani has come under attack for waging a campaign in favor of sports for women.


Women have paid the price of Islamic rule. "The Tehran family court today is like a horror chamber of male vengeance. Men, who can have up to four wives under Islamic law, may divorce any of them at will. A divorce is nearly impossible for a woman to obtain without her husband's permission." Cites Koran which says if wives are suspected of 'disloyalty and ill-conduct,' husbands may 'admonish them . . . refuse to share their bed...and beat them.' Wife beating is not grounds for divorce. Most child custody laws are equally futile for Iranian mothers. Under Sharia law, boys older than 2 and girls older than 7 belong exclusively to their fathers.'


Discusses women's struggle against repression in an environment where "...a secret report prepared by a special commission for the Supreme Council for Iran's National Security lists women among challenges to national security..."