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Compilation on the Islamic Republic of Iran

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies^{1, 2}

2. The Islamic Republic of Iran presented a midterm report in 2016 under the second cycle of the universal periodic review.³

3. The Special Rapporteur on the situation of human rights in the Islamic Republic of Iran took the view that the outcome of the universal periodic review, which had been conducted in October 2014, provided a sound platform for collaboration with the Iranian authorities.⁴

4. In 2017, the Committee on the Rights of Persons with Disabilities recommended that the State withdraw its reservation to the Convention on the Rights of Persons with Disabilities and take measures to sign and ratify the Optional Protocol to the Convention.⁵

5. The Committee on the Rights of Persons with Disabilities recommended that the State ratify the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol.⁶ The Special Rapporteur on the Islamic Republic of Iran and the Committee on the Rights of the Child recommended that the State ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance. The Committee on the Rights of the Child recommended that the State ratify the Optional Protocol to the Convention against Torture.⁷ The Committee also recommended that the State, in order to further strengthen the fulfilment of children's rights, consider ratifying the Optional Protocols to the Convention



on the Rights of the Child on the involvement of children in armed conflict and on a communications procedure.⁸

6. The Committee on the Rights of Persons with Disabilities encouraged the State to take all necessary steps to ratify and implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled as soon as possible.⁹

7. In 2016, the Committee on the Rights of the Child urged the State to review the general nature of its reservation to the Convention on the Rights of the Child and encouraged the State to withdraw it in a clear time frame. The Committee recommended that the State bring its domestic laws and regulations into compliance with the Convention and ensure that the provisions of the Convention prevailed whenever there was a conflict with the domestic law.¹⁰

8. The Committee on the Rights of the Child recommended that the State consider ratifying the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, the Hague Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations, and the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children.¹¹

9. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged the State to ratify the Convention on the Protection and Promotion of the Diversity of Cultural Expressions as a means of promoting access to and participation in creative expressions and thus contributing to the implementation of the right to take part in cultural life.¹²

10. In 2016, the General Assembly called upon the State to deepen its engagement with international human rights mechanisms by cooperating fully with the Special Rapporteur on the Islamic Republic of Iran, including by accepting the repeated requests made by the Special Rapporteur to visit the State in order to carry out the mandate; and by implementing all accepted universal periodic review recommendations from its first cycle, in 2010, and its second cycle, in 2014, with the full and genuine participation of independent civil society and other stakeholders in the implementation process.¹³

III. National human rights framework¹⁴

11. The Committee on the Rights of Persons with Disabilities recommended that the State establish a national mechanism to monitor the implementation of the Convention, with the participation of an institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), in line with article 33 (2) of the Convention, and ensure full participation of persons with disabilities, through their representative organizations, in the monitoring process in line with article 33 (3) of the Convention.¹⁵

12. The Committee on the Rights of the Child recommended that the State take measures to expeditiously establish, in compliance with the Paris Principles, an independent mechanism for monitoring human rights, including a specific mechanism for monitoring children's rights that was able to receive, investigate and address complaints by children in a child-sensitive manner, ensure the privacy and protection of victims, and undertake monitoring, follow-up and verification activities for victims.¹⁶

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination¹⁷

13. The Committee on the Rights of the Child urged the State to urgently repeal its laws and policies that were discriminatory against girls and religious and ethnic minorities and ensure that all children, irrespective of their gender, ethnicity or religious beliefs, enjoyed equal rights and freedoms as guaranteed under the Convention.¹⁸

14. The Committee on the Rights of Persons with Disabilities expressed concern about the absence of a definition of disability-based discrimination, including denial of reasonable accommodation as a form of discrimination, and recommended that the State introduce disability as a ground for discrimination in its legislation and prohibit direct and indirect discrimination on the basis of disability, intersectional and multiple discrimination, including discrimination by association.¹⁹

15. The Committee on the Rights of the Child expressed concern about the continued discrimination against children belonging to religious minorities, especially Baha'i children and Sunni children, as well as children who belonged to minority ethnic and linguistic groups, children born out of wedlock and, to a certain extent, asylum-seeking and refugee children. Furthermore, it was concerned that lesbian, gay, bisexual, transgender and intersex children continued to face discrimination because of their real or perceived sexual orientation or identity and that the same-sex sexual behaviour of adolescents above the current age of criminal responsibility was criminalized and punished with penalties ranging from flogging to the death penalty.²⁰

16. The Special Rapporteur on the Islamic Republic of Iran called on the State to ensure the protection of the rights of lesbian, gay, bisexual, transgender and intersex individuals by repealing laws that punished people based on their sexual orientation and gender identity, and enacting effective anti-discrimination laws, and to ban forced and involuntary treatment and medical procedures.²¹

2. Development, the environment, and business and human rights²²

17. The Committee on the Rights of the Child expressed concern about the adverse environmental effects of the river diversion programme, sugar-cane farming and industrial pollution in Khuzestan province and about the negative impact on the enjoyment by Ahwazi Arabs of their rights to an adequate standard of living and health. The Committee recommended that the State take urgent steps to counter the impact of river diversions and industrial activity in Khuzestan on agriculture and human health, which included environmental pollution and water shortages.²³

B. Civil and political rights

1. Right to life, liberty and security of person²⁴

18. The Special Rapporteur on the Islamic Republic of Iran welcomed the amendment to the drug trafficking law that had entered into force on 14 November 2017. According to the amended law, punishments for certain drug offences that had previously carried the death penalty or life imprisonment were now subject to a maximum prison term of 30 years. However, the amended drug trafficking law retained mandatory death sentences for a wide range of drug-related offences.²⁵

19. He reiterated the grave concerns previously expressed with respect to the continuing execution of juvenile offenders in the State, noting that at least four juvenile offenders had been executed in the first half of 2018.²⁶

20. He further reiterated the concerns expressed by the United Nations High Commissioner for Human Rights in February 2018 with respect to the retention of the death penalty under the amended Islamic Penal Code for boys who were at least 15 lunar years of age and girls who were at least 9 years of age for *qisas* or *hudud* crimes such as homicide, adultery, rape, theft, armed robbery or sodomy, in contravention of the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child.²⁷ The High Commissioner expressed her deep concern that the State continued to sentence children to death, highlighting that the authorities had sentenced and executed two boys under the age of 18 in April 2019. She also expressed particular concern about the high number of child offenders on death row – possibly more than 85 individuals – with some at risk of imminent execution.²⁸

21. The Committee on the Rights of the Child deplored that the State continued to execute children and those who had committed a crime while under 18 years of age, despite its previous recommendations and numerous criticisms by human rights treaty bodies. The Committee strongly urged the State as a matter of utmost priority to end the execution of children and persons who had committed a crime while under the age of 18; take legislative measures to abolish death sentence for persons who had committed a *hudud* or *qisas* crime while under the age of 18 years, which was currently established in the Islamic Penal Code without leaving any discretion to the courts; and commute all existing sentences for offenders on death row who had committed a crime while under the age of 18 years.²⁹ The Secretary-General also expressed alarm about the execution of child offenders.³⁰

22. The Committee on the Rights of Persons with Disabilities expressed concern that persons with disabilities, particularly persons with psychosocial or intellectual disabilities, might face a greater risk of incurring the death penalty because of a lack of procedural accommodations in criminal proceedings, and recommended that the State take measures to replace the death penalty as a form of punishment and ensure that persons with disabilities were not arbitrarily deprived of their life.³¹

23. The Committee on the Rights of Persons with Disabilities expressed concern about the lack of information about measures to prevent exploitation, violence and abuse, including gender-based violence against women and children with disabilities, and recommended that the State adopt a strategy to prevent and combat all forms of exploitation, violence and abuse against persons with disabilities, including through early identification of instances of exploitation and specific risks of gender-based violence against women and children with disabilities.³²

24. The Committee on the Rights of Persons with Disabilities expressed concern about the enforcement of mutilation as a form of criminal sentence, and the stigmatization of persons who had impairments as a consequence of such punishment, and recommended that the State provide explicit guidelines for judges in order to replace the punishment of mutilation with other types of penalty, and combat stigma against persons with physical impairments due to mutilation.³³

25. The Committee on the Rights of the Child expressed concern that a number of children had been killed or wounded due to landmines placed during the war between the State and Iraq, in Western Azerbaijan, Ilam, Kurdistan, Kermanshah and Khuzestan, and urged the State to clear its entire territory of landmines and all remnants of the war as soon as possible, with the support of international organizations.³⁴

26. The Special Rapporteur on the Islamic Republic of Iran reminded the State that violating *jus cogens* norms such as the prohibition of torture or other cruel, inhuman or degrading treatment or punishment could not be justified on the basis of inconsistent domestic laws.³⁵ The Special Rapporteur stated that consistent reports suggested a pattern of physical or mental pressure applied upon prisoners to coerce confessions, some of which were broadcast.³⁶

27. In August 2017, the Working Group on Arbitrary Detention noted a pattern in the way that those affiliated with different pro-democracy institutions of the West – especially those with dual nationality – were treated in the State. The Working Group had made findings of arbitrary detention with respect to several cases involving dual nationals, and considered that there was an emerging pattern involving the arbitrary deprivation of liberty

of dual nationals in the State.³⁷ The Special Rapporteur on the Islamic Republic of Iran urged the State to address the concerns highlighted in the context of detained dual and foreign nationals in the State, which represented an ongoing pattern of deep concern and emblematic examples of due process failings.³⁸

2. Administration of justice, including impunity, and the rule of law³⁹

28. The Committee on the Rights of the Child urged the State to ensure that the interpretation and implementation of its legislation was not left to the wide discretion of the judiciary without providing the necessary training and interpretative guidelines.⁴⁰

29. The Special Rapporteur on the Islamic Republic of Iran expressed concern about the pattern of reported violations related to due process and fair trial in the State, in particular with respect to human rights defenders, trade unionists, journalists, political prisoners and prisoners of conscience, members of opposition, minority and religious groups, and foreign and dual nationals. The pattern was often characterized by an arbitrary arrest; prolonged solitary confinement; interrogation; denial of access to a lawyer of choice, in particular during the investigative phase; short trials after which the verdict was rarely published or provided in written form; and the issuance of long prison or death penalty sentences based on charges related to espionage or national security. In many cases, such patterns occurred within the context of revolutionary courts, which were reported to be responsible for the majority of death sentences on the basis of available data.⁴¹

30. A group of special procedure mandate holders stated that the State should immediately free prominent human rights lawyer and defender Nasrin Sotoudeh from jail pending a review of her conviction and sentence. Ms. Sotoudeh's situation was emblematic of an increase in the harassment, arrest and detention of human rights lawyers in the State in recent months.⁴²

31. A group of special procedure mandate holders called on the State to urgently provide Nazanin Zaghari-Ratcliffe and Narges Mohammadi access to appropriate health care, and reiterated calls for their immediate release. The experts stated that the situation of Ms. Zaghari-Ratcliffe and Ms. Mohammadi was emblematic of numerous reports received related to the denial of appropriate treatment and care of imprisoned individuals in the State, and urged the authorities to ensure that appropriate treatment and care was afforded to all those in need of it.⁴³ Another group of special procedure mandate holders expressed serious concern that the State continued to deny appropriate health care to detainees.⁴⁴

32. The General Assembly urged the State to uphold, in law and in practice, procedural guarantees to ensure fair trial standards, including timely access to legal representation of one's choice from the time of arrest through all stages of trial and all appeals, the right not to be subjected to torture, cruel and inhuman or degrading treatment or punishment and consideration of bail and other reasonable terms for release from custody pending trial.⁴⁵

33. The Special Rapporteur on the Islamic Republic of Iran recommended that the State provide further information, including whether independent, prompt and effective investigations had been carried out following allegations of torture and other ill-treatment, and the outcomes of such investigations with respect to ensuring the accountability of perpetrators, reparation and redress to victims, and fair trial processes.⁴⁶

34. The Special Rapporteur on the Islamic Republic of Iran expressed the belief that the Government should not delegate its responsibility to protect the right to life to the victim's next of kin.⁴⁷ The former Special Rapporteur on the Islamic Republic of Iran reiterated the recommendation that the State abolish the revolutionary tribunals and religious courts in line with the recommendations made by the Working Group on Arbitrary Detention following its visit to the State in 2004.⁴⁸

3. Fundamental freedoms⁴⁹

35. The Committee on the Rights of the Child remained concerned about the continued discrimination against members of religious minorities, especially those that were not recognized by the State, including the Baha'i religious minority. It was particularly

concerned about harassment, intimidation and imprisonment of persons of the Baha'i faith, including their children, on the account of their religion.⁵⁰

36. The Committee expressed concern at the reports that content-based offences such as "propaganda against the State" or "insulting Islam" were not clearly defined and interpreted, and could incur prison terms, flogging, and even death sentences, thus limiting the right of children to freedom of expression. It was also concerned about the broad interpretation of offences such as "membership in an illegal organization" and "participation in an illegal gathering" infringing the right of children to freedom of association and peaceful assembly.⁵¹

37. The Committee expressed concern about the widespread censorship of information, stipulated by laws regulating the press and the Internet. It was also concerned that any information, including harmless information, could be restricted in the name of national security without justification.⁵²

38. The Special Rapporteur on the Islamic Republic of Iran stated that during the previous three years, the Government had reportedly closed seven million web addresses, including Facebook, Twitter, Instagram and the websites of human rights and political opposition groups. In August 2017, the Supreme Cyberspace Council had introduced regulations, which would increase surveillance capabilities, and require social media and messaging platforms to either move their servers to the State or face blocking orders.⁵³

39. The Special Rapporteur on the Islamic Republic of Iran stated that protests that had taken place during a period of 12 days from 28 December 2017 to 9 January 2018 had been on a scale unparalleled since the presidential election of 2009 and spread across the State. Reports indicated that the reasons for the protests had included widespread discontent related to unemployment, inflation and rising living costs and followed the publication of the government budget for the Persian year 1397 (March 2017–March 2018). The Special Rapporteur was aware of numerous reports indicating a violent crackdown on protesters by security forces, which had led to the death of at least 22 people.⁵⁴ The Secretary-General deplored the loss of life in the protest and urged respect for the rights to peaceful assembly and freedom of expression.⁵⁵

40. The United Nations High Commissioner for Human Rights urged the Iranian authorities to handle the wave of protests that had taken place around the State with great care so as not to further inflame violence and unrest, and to investigate all deaths and serious injuries that had occurred.⁵⁶

41. A group of special procedure mandate holders urged the authorities to exercise restraint and respond proportionately in their efforts to control the protests, to limit the use of force to a strict minimum, and to fully respect the human rights of the protesters, including their rights to life, freedom of expression and peaceful assembly.⁵⁷

42. The Committee on the Rights of the Child expressed serious concern about the reported repression of non-governmental organizations working on children's rights, and about harassment and persecution of child rights defenders. The Committee urged the State to put an end to repression against non-governmental organizations working in the area of children's rights and to hold those responsible for harassment and persecution of human rights activists accountable.⁵⁸

4. Prohibition of all forms of slavery

43. The Committee on the Rights of the Child remained concerned about the ongoing issue of the trafficking and sale of persons under the age of 18 years, particularly young girls from rural areas, facilitated by "temporary marriages" or *sigheh*, as well as the trafficking of girls from a third country to the State, sold or sent by their families.⁵⁹

44. The Committee recommended that the State develop programmes and policies for the prevention, recovery and social reintegration of child victims, including child brides, in accordance with the documents adopted at the World Congresses against Commercial Sexual Exploitation of Children.⁶⁰

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work⁶¹

45. The Special Rapporteur on the Islamic Republic of Iran had continued to receive reports of the intimidation and arrest of labour union leaders. In that regard, the Special Rapporteur had previously reported on the conviction and imprisonment of teachers, bus drivers and general worker unions, on the basis of charges relating to, inter alia, national security, propaganda and disrupting public order and peace.⁶²

46. The Special Rapporteur on the Islamic Republic of Iran referred to concerns related to rising inflation, working conditions, late or unpaid wages, living standards, and access to work, food, health care and water. He stated that people from diverse sections of society, from truck drivers to teachers to factory workers, across the State had protested.⁶³

2. Right to social security⁶⁴

47. The Committee on the Rights of the Child recommended that the State conduct a comprehensive assessment of the budget needs of children and allocate adequate budgetary resources for the implementation of children's rights, and in particular, increase the budget allocated to social sectors and address disparities on the basis of indicators related to children's rights.⁶⁵

48. The Committee on the Rights of Persons with Disabilities observed with concern the lack of health insurance beyond the basic level for persons with disabilities who did not qualify as "war disabled veterans" or martyrs.⁶⁶

3. Right to an adequate standard of living⁶⁷

49. The Committee on the Rights of the Child noted that the effects of the sanctions were reflected in the difficult economic and social situation prevailing in the State, which had had repercussions on children's enjoyment of their rights, in particular in the socioeconomic field.⁶⁸ The United Nations Children's Fund (UNICEF) echoed that observation, and noted that sanctions on banking, financial systems and shipment had led to scarcity of quality life-saving medicines. The impacts of sanctions had been more intense on the lives of poor people, patients, women and children.⁶⁹

50. The Secretary-General noted that due to internal and external factors, the State had seen growing difficulties in its economy. The value of the Iranian national currency, before it had stabilized recently, had reportedly fallen by up to 60 per cent in 2018, significantly increasing import costs. In that context, the affordability of medical care had deteriorated. According to some medical academics, patients with Parkinson's disease were experiencing difficulties in accessing treatment due to its high cost.⁷⁰

51. The United Nations High Commissioner for Human Rights noted that the reimposition of sanctions in November 2018 was likely to exacerbate economic challenges affecting the enjoyment of economic and social rights.⁷¹

52. The Committee on the Rights of the Child expressed concern about the high levels of poverty in certain underdeveloped regions. In particular, it was concerned about poor living conditions in regions traditionally inhabited by ethnic minorities, that in some cases completely lacked basic services such as electricity, plumbing, sewage systems, public transport, medical facilities or schools, which had a direct negative impact on the rights of children living in those regions. The Committee recommended that the State strengthen its efforts to further reduce poverty and extreme poverty, in particular in provinces populated by ethnic minorities, such as Sistan and Baluchestan, Khuzestan and Kurdistan.⁷²

4. Right to health⁷³

53. The Committee on the Rights of the Child expressed concern that early pregnancies of girls below the age of 15 years had resulted in high rates of maternal and infant mortality, and that insufficient investment had been made by the State in the health clinics and other facilities in remote rural areas.⁷⁴

54. The Committee expressed concern about the negative impact of still ongoing public executions witnessed by children, on their mental health and well-being.⁷⁵

55. The Committee expressed concern at reports that lesbian, gay, bisexual, transgender and intersex children were subjected to electric shocks and the administration of hormones and strong psychoactive medications for the purpose of “curing” them.⁷⁶

5. Right to education⁷⁷

56. The Committee on the Rights of the Child welcomed the progress in the area of education, including the high rate of enrolment of children in primary and secondary schools. However, the Committee was concerned about: (a) the high dropout rates of girls in rural schools upon reaching puberty, and of indigenous Arab children; (b) the restrictions on the right of girls to education, by court ruling, if the husband found the wife’s education to be “incompatible with the interests of the family or with his or his wife’s dignity”; and (c) lack of availability of education in the native languages of ethnic minorities, such as Azeri, Kurdish, Arabic and other languages.⁷⁸

57. UNESCO stated that the State’s legislation did not provide for pre-primary education that was free and compulsory, and that main reasons for children to be out of school were poverty and disability.⁷⁹

58. UNESCO stated that the State should be encouraged to extend the duration of compulsory primary and secondary education to at least 9 years and progressively introduce at least one year of pre-primary education as well as 12 years of education free of charge, in accordance with the requirements of the Education 2030 Framework for Action; increase efforts to expand access to education for all, especially in rural areas, and reduce the number of school dropouts; and adopt comprehensive measures to eradicate illiteracy and foster the acquisition of basic skills for all.⁸⁰

D. Rights of specific persons or groups

1. Women⁸¹

59. A group of special procedure mandate holders expressed deep concern about Ms. Sotoudeh’s conviction and the prison sentence imposed, and stated that her detention and the charges against her appeared to relate to her work as a human rights lawyer, especially representing Iranian women human rights defenders arrested for peacefully protesting against laws making the wearing of veils compulsory for women.⁸²

60. The Committee on the Rights of the Child expressed concern that the hijab requirement for girls as young as 7 years of age irrespective of their religious affiliation constituted a serious breach of article 14 of the Convention.⁸³

61. The Special Rapporteur on the Islamic Republic of Iran stated that, in the course of his mandate, he intended to examine reports of discriminatory rules concerning the dress code imposed on women and girls and to monitor and report on alleged violations of the right to freedom of opinion and expression of women who had publicly challenged compulsory veiling.⁸⁴

62. The Special Rapporteur on the Islamic Republic of Iran noted that women in the State did not have equal rights to men in marriage, divorce, child custody or inheritance. Husbands had an incontestable right to divorce. Married women could not obtain a passport without permission from their husband.⁸⁵

63. The Committee on the Rights of the Child deplored the fact that the State allowed sexual intercourse involving girls as young as 9 lunar years and that other forms of sexual abuse of even younger children were not criminalized. The Committee was seriously concerned that article 1108 of the Civil Code, which obliged wives to fulfil the sexual needs of their husbands at all times, placed child brides at risk of sexual violence, including marital rape. The Committee urged the State to repeal all legal provisions that authorized, condoned or led to child sexual abuse and to ensure that perpetrators of child sexual abuse

were brought to justice. The State should also increase the legal age of consent to sexual relations to 16 years and criminalize marital rape.⁸⁶

64. The Committee expressed concern that although female genital mutilation was criminalized by article 663 of the Islamic Penal Code, it continued to be performed on large numbers of girls in Kurdistan, Western Azerbaijan, Kermanshah, Ilam, Lorestan and Hormozgan. The Committee urged the State to take measures to stop, effectively, the practice of female genital mutilation throughout the State.⁸⁷

65. The Committee expressed grave concern about the persistent discrimination against girls in the State's legislation, and in practice in many aspects of life, such as the discriminatory treatment of girls in family relations, the criminal justice system, property rights, and compensation for physical injury, among other things.⁸⁸

66. The Committee, echoed by UNESCO, expressed particular concern that under the State's legislation, there was obligatory male guardianship over girls, which was incompatible with the Convention.⁸⁹ The Committee was also concerned that gender stereotypes and patriarchal values placed severe limitations on girls' enjoyment of their rights under the Convention.⁹⁰

67. The Committee on the Rights of Persons with Disabilities expressed concern about multiple and intersectional discrimination faced by women and girls with disabilities, including various forms of gender-based violence against them, as well as the absence of public policies aimed at ensuring their development, advancement and empowerment.⁹¹

68. The Special Rapporteur on the Islamic Republic of Iran noted that discrimination against women in the job market continued. Civil law codified discrimination in the State, barring women from working in certain professions except those deemed "mentally and physically suitable for women". It further allowed husbands to prevent their spouses from working in particular occupations under certain circumstances.⁹²

2. Children⁹³

69. The Committee on the Rights of the Child expressed serious concern that the age of majority remained set at predefined ages of puberty, namely 9 lunar years for girls and 15 lunar years for boys, which resulted in girls and boys above those ages being deprived of the protections under the Convention. The Committee urged the State to revise, as a matter of urgency and priority, its legislation in order to ensure that all persons below the age of 18 years, without exception, were considered as children and were provided with all the rights under the Convention.⁹⁴

70. The Committee on the Rights of the Child expressed deep concern that the age of marriage, which was set at 13 years for girls and 15 years for boys, gravely violated rights under the Convention and placed children, in particular girls, at risk of forced, early and temporary marriages, with irreversible consequences on their physical and mental health and development. The Committee urged the State to further increase the minimum age for marriage for both girls and boys to 18 years, and to take all necessary measures to eliminate child marriages in line with the State's obligations under the Convention.⁹⁵

71. The Committee on the Rights of the Child urged the State to review its legislation with a view to prohibiting all forms of corporal punishment irrespective of its purpose, including by parents, guardians and teachers, and instead to promote positive, non-violent and participatory forms of child-rearing and discipline.⁹⁶ The Committee on the Rights of Persons with Disabilities recommended that the State enact legislation to prohibit all corporal punishment of children with disabilities and to protect them from such practices.⁹⁷

72. The Committee on the Rights of the Child remained concerned that article 1169 of the Civil Law relating to the custody of children after divorce prevented the court from taking into account the best interests of the child, and it reiterated that custody determined solely on the basis of a child's age was both arbitrary and discriminatory.⁹⁸

73. The Committee expressed serious concern about the large number of children employed under hazardous conditions, such as in garbage collection, brick kilns and industrial workshops, without protective clothing and for very low pay. The Committee

urged the State to prohibit the employment of children below the age of 18 years in hazardous conditions that jeopardized physical, mental or moral health and the safety of children.⁹⁹

74. The Committee expressed concern that some children continued to live in the streets, and were subjected to various forms of economic exploitation, used drugs, suffered from sexual abuse and exploitation by the public and police officers and were at a greater risk of HIV/AIDS infection.¹⁰⁰

3. Persons with disabilities¹⁰¹

75. The Committee on the Rights of Persons with Disabilities recommended that the State bring its legislation, particularly the Comprehensive Law on Protection of the Rights of Persons with Disabilities (2004), into line with the Convention on the basis of the human rights model of disability, and repeal derogatory terminology referring to persons with disabilities, including in the new Criminal Code.¹⁰²

76. The Committee expressed concern concerned by the lack of recognition of Persian Sign Language and the limited provision of sign language interpreters, and recommended that the State recognize Persian Sign Language as an official language and its use in schools, and establish, jointly with organizations of deaf persons, a mechanism to certify the quality of interpretation services and ensure opportunities for continuous training for sign language interpreters.¹⁰³

4. Minorities and indigenous peoples¹⁰⁴

77. The Special Rapporteur on the Islamic Republic of Iran expressed concern about the substantial violations of the rights of religious and ethnic minorities.¹⁰⁵ Some ethnic minority groups in the State constituted a disproportionately large percentage of persons executed or imprisoned.¹⁰⁶

78. The Committee on the Rights of the Child expressed deep concerned at the widespread discrimination against children from ethnic minorities such as the Ahwazi Arab, Azerbaijani Turkish, Baloch and Kurdish minorities. It was particularly concerned about the reports of targeted arrests, detention, imprisonment, killing, torture and execution of members of such groups by law enforcement and judicial authorities.¹⁰⁷

5. Migrants, refugees, asylum seekers and internally displaced persons¹⁰⁸

79. UNICEF noted that the State continued to host one of the largest refugee populations in the world.¹⁰⁹ The Committee on the Rights of the Child noted that fact with appreciation, but expressed concern that refugee children were forced to pay school fees, while education was free for Iranian children, and that children could easily be separated from their families in the process of deportation, with no opportunity for communication or for challenging the deportation.¹¹⁰

80. The Committee urged the State to take measures to ensure the birth registration of all children, regardless of their parents' legal status and/or origin, and, in doing so, to ensure that children of registered refugees and unregistered foreigners were provided with birth certificates without any conditions.¹¹¹

81. The Committee recommended that the State ensure prompt registration of all its asylum-seeking and refugee children in order to provide them with access to all basic services, including health care and education for free. The Committee also recommended that the State ensure that unaccompanied asylum-seeking and refugee children were given guardianship, free legal assistance with immigration proceedings, and access to adequate shelter, food, health care and education.¹¹²

6. Stateless persons¹¹³

82. UNICEF stated that a bill had been submitted to the parliament for review and approval on 20 November 2018, according to which children born to Iranian mothers and foreign fathers could be given Iranian citizenship at the request of their mothers. Under the bill, such children could apply for Iranian citizenship upon reaching the age of 18 in cases

where the mother had not done so before, and provided that they did not have any security problems.¹¹⁴

Notes

- ¹ Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for the Islamic Republic of Iran will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/IRIndex.aspx.
- ² For relevant recommendations, see A/HRC/28/12 and Corr.1, paras. 138.1–138.26, 138.28, 138.50–138.51, 138.54–138.56, 138.65, 138.67–138.86, 138.92, 138.146, 138.287–138.288 and 138.291.
- ³ See <https://lib.ohchr.org/HRBodies/UPR/Documents/Session20/IR/Iran2ndCycle.pdf>.
- ⁴ A/73/398, para. 9.
- ⁵ CRPD/C/IRN/CO/1, para. 7.
- ⁶ Ibid., para. 15.
- ⁷ A/73/398, para. 12, and CRC/C/IRN/CO/3-4, para. 95.
- ⁸ CRC/C/IRN/CO/3-4, para. 94.
- ⁹ CRPD/C/IRN/CO/1, para. 57.
- ¹⁰ CRC/C/IRN/CO/3-4, para. 10.
- ¹¹ Ibid., para. 62.
- ¹² UNESCO submission for the universal periodic review of the Islamic Republic of Iran, para. 20.
- ¹³ General Assembly resolution 71/204, para. 20.
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