



The Main Guarantees to Protect Women against Violence
(Ensuring Women Individual Security)
at Legislative Level



1

Ensuring women's individual security in the Constitution, developmental plans and policies





- Protecting the life, property, domicile and occupation of all persons (including women) from violence (Article 22 of the Constitution of Iran 1979, amended in 1989);
- Prohibition of investigating into one's ideas (Article 23 of the Constitution of Iran 1979, amended in 1989);
- Respecting individual privacy as regards prohibition of inspecting letters and confiscating them, recording and disclosing conversations, disclosing telegraphic and telex communications, censoring and not delivering them, wiretapping conversations and any kind of inspection (Article 25 of the Constitution of Iran 1979, amended in 1989);
- The right to freedom from arbitrary arrest and detention (Article 32 of the Constitution of Iran 1979, amended in 1989);
- The crime and punishment should be in accordance with law (Article 36 of the Constitution of Iran 1979, amended in 1989);
- The principle of presumption of innocence (Article 37 of the Constitution of Iran 1979, amended in 1989);
- Prohibition of torture and violence against the dignity of persons being accused or convicted (Article 38 and 39 of the Constitution of Iran 1979, amended in 1989).

2

Ensuring women's individual security in the laws





- Providing the right to divorce for women victims of violence (Article 1130 of the Civil Code 1928 with its subsequent amendments);
- Preventing women's social and cultural harms and empowering them against social and cultural injuries, raising their awareness towards physical, mental and environmental health as well as proper nutrition of women and children (strategy 1 of the policies to improve the leisure time of women and girls, approved by the Supreme Council of Cultural revolution in 2002);
- Criminalization of exploiting women in human trafficking (the Law on Combating Human Trafficking, 2004);
- The necessity of ensuring social, physical and mental health of women during all stages of their life and protecting them against family's violence (Paragraphs 4 and 6 of the Aims and Principles of Family Formation and Policies to Strengthen and Raise the Status of Family, approved by the Supreme Council of Cultural Revolution in 2015);
- The right of the girls without guardian or with bad guardian to enjoy governmental support (Paragraph 19 of the charter of rights and responsibilities of women in Islamic Republic of Iran, approved 2004);
- The right of mothers to enjoy spiritual and material security, especially when they are old or disabled (Paragraph 38 the charter of rights and responsibilities of women in Islamic Republic of Iran, approved 2004);
- The right of women with physical, mental or spiritual injuries or those subjected to injury to receive proper aids and rehabilitation (Paragraph 58 of the charter of rights and responsibilities of women in Islamic Republic of Iran, approved 2004);



- Compensating the damages resulted from breaking-off an engagement (Paragraph 1 of Article 4 of the Family Protection Law, 2012);
- Criminalization of girls' marriage under the age of 13 without obtaining due permission from the competent court and without considering the child's best interests (Article 50 of the Family Protection Law, 2012);
- Obliging the man to register and annul the marriage (Article 20 of the Family Protection Law, enacted in 2012);
- Criminalization of man's refusal to register or annul the marriage (Article 49 of the Family Protection Law, 2012);
- Criminalization of denying the marriage (Article 52 of the Family Protection Law, 2012);
- Prohibition of bothering pregnant woman (Article 662 of the Islamic Penal Code, 2013);
- Prohibition of having sexual relationship with a woman without her consent while she is sleep, unconscious or drunk (Note 2 of Article 224 of the Islamic Penal Code, 2013);
- Prohibition of having sexual relationship with underage girls by deceiving, threatening or kidnapping them (Note 2 of Article 224 of the Islamic Penal Code, 2013);
- Prohibition of attributing illegitimate relationship to a woman by her husband (Paragraph 4 of Article 261 of the Islamic Penal Code, 2013);
- Prohibition of defloration of girls without their consent (Article 658 of the Islamic Penal Code, 2013);



- Criminalization of female genital mutilation (Article 664 of the Islamic Penal Code, 2013);
- Providing compensation for the woman getting sexually transmitted disease as a result of commitment of a crime (Article 660 of the Islamic Penal Code, 2013);
- Criminalization of cutting woman's breast or injuring her ability to produce breast milk (article 669 and 670 of the Islamic Penal Code, 2013);
- Criminalization of injuring woman's fertility (Article 706) and her sexual pleasure power (Article 706);
- Criminalization of injuring a woman in such a way that she cannot have sexual relationship anymore (Article 707 of the Islamic Penal Code, 2013);
- Criminalization of injuring a woman in such a way that she cannot menstruate anymore (Article 708 of the Islamic Penal Code, 2013);
- Any investigation or interrogation of women should be done by trained female executive officers (Article 42 of the Criminal Procedure Code 2013, amended in 2015);
- The possibility for non-governmental organizations active in the field of women's rights to bring suit to protect women victims of violence and to pursue the case in judicial authorities (Article 66 of the Criminal Procedure Code 2013, amended in 2015);
- Taking necessary measures to eradicate or reduce crime and violence and creating the Supreme Council of Crime Prevention in the Judiciary constituted of related governmental and judicial organizations, as well as inviting related experts and professionals (the Crime Prevention Law, 2011).



- Intensifying the punishment of perpetrators of acid attacks and protecting its victims. According to article 5 of this law, in case the trial judge finds that the perpetrator cannot afford the costs of treatment, the related costs are paid from the Bodily Injury Indemnity Fund (the Law on Intensifying the Punishment of Acid Attack and Protecting Its Victims, enacted in 2019);
- Criminalizing parents' continuing and gross negligence results in sexual harassment of children (girls under the age of 18) (Note of Article 9 of the Law to Protect Children and Adolescents, enacted in 2020);
- Criminalizing contact and non-contact sexual harassment and abuse or incest raping of children (girls under the age of 18) (Paragraphs 1 to 4 of the Law to Protect Children and Adolescents, enacted in 2020);
- Criminalizing as well as intensifying the punishment of those who are children's (girls under the age of 18) guardian, executor or custodian or take care of children in any way for contact or non-contact sexual harassment or child raping; sexual exploitation of the child through offering, taking hold of, forcing or employing them for pornography or sexual abuse; giving or making obscene content or material accessible to the child; using the child for creating, producing, distributing, propagating, showing, selling and keeping obscene audiovisual materials; importing, exporting, propagating, distributing, offering, trading or uploading obscene materials or content in which children are exploited, or keeping and transporting them; communicating with children in the cyberspace with the intention of any sexual harassment or illegal sexual relation (Article 10 and Paragraph 1 of Article 22 of the Law to Protect Children and Adolescents, enacted in 2020);



- Issuing “temporary order to remove the child (girl under the age of 18) from dangerous environment and take them to a safe place by the prosecutor” as an urgent and immediate support of the child in danger (Article 35 of the Law to Protect Children and Adolescents, enacted in 2020);
- Issuing a verdict limiting the right of visitation, custody or guardianship of children (girls under the age of 18) according to the children’s benefits (Article 42 of the Law to Protect Children and Adolescents, enacted in 2020);
- Criminalizing prohibition of children’s (girls under the age of 18) education by their parents or legal guardians; threatening or encouraging children to escape home or school; neglecting results in bodily injury to children; contact and non-contact sexual harassment of children; child trafficking; offering, taking hold of, forcing or employing children for pornography or sexual abuse; buying and selling children; using children for creating, producing, distributing, propagating, showing and selling obscene audiovisual materials; providing the means for children’s suicide; economic exploitation of child labor and selling narcotics to children (Articles 7 to 16 of the Law to Protect Children and Adolescents, enacted in 2020);
- Paragraph 9 of article 10 copes with the impunity of adults regarding abusing children (girls under the age of 18) in the virtual space and networks, communicating with them in the cyberspace with the intention of any sexual harassment or illegal sexual relation (Paragraph 9 of Article 10 of the Law to Protect Children and Adolescents, enacted in 2020);



- Obliging the broadcasting organization to ban producing, broadcasting or advertising of any program or product harmful to the health, training, morality or other rights of children (girls under the age of 18) (Part 4, Paragraph 8 of Article 6 of the Law to Protect Children and Adolescents, enacted in 2020);
- Combating virtual violence against children (girls under the age of 18) and ordering to provide emergency call numbers and take judicial measures regarding violation of children's rights in the cyberspace (the Document to Protect Children and Adolescents in the Cyberspace, enacted in 2021);
- Part 1, paragraph 1 of article 6 makes legal aid and other supporting services accessible to children (girls under the age of 18) victims of violent in care centers (Part 1, Paragraph 1 of Article 6 of the Law to Protect Children and Adolescents, enacted in 2020);
- Establishing special judicial branches for prosecution of crimes and claims related to the law to protect children and adolescents (Article 28 of the Law to Protect Children and Adolescents, enacted in 2020).

3 Ensuring women's individual security in the regulations





- Codifying an executive by-law regarding socially damaged women and girls and those subjected to social damages (special) (24 May 1992);
- Empowering women living in informal settlements (the By-law on the Informal Settlements, Paragraph 2, approved by the Cabinet in 2003);
- Drafting the comprehensive plan of social emergencies in times of disaster (the State Welfare Organization, 2014);
- The strategy to expand special cares of children subjected to danger and to avoid harmful procedures, and to strengthen child-friendly customs in the Comprehensive Plan of Action for the Rights of Children and Juveniles (National Document) within the Framework of Vision 2025; executive strategies and plans approved by the Ministry of Justice in 2016;
- Building a “working group on women, promoting bureaucratic health and security and combating corruption” with the aim of highlighting women’s role and status in the process of identifying, preventing, combating, controlling and reducing corruption in the sense of misusing public positions for personal benefits, the necessity of educating and protecting women against moral, economical and bureaucratic corruption and the necessity of creating required infrastructure to implement this competency to improve women’s status in all aspects, including the issue of preventing and combating corruption and protecting women against them. (the Letter of Approval for building the women working group, improving bureaucratic health and security and combating corruption, enacted in 2022/12/28 by the National Headquarters for Woman and Family).

4 Providing Social Emergency Services





- The social emergency program is a combination of intervention during social, family and personal crisis (social emergency center), social emergency telephone number (123), social emergency mobile team and social services' base (in the slum dwelling and vulnerable regions). This program considers an important feature of providing social services; that is being specialized, on time and accessible. In this regard, the following lines are designed to provide free telephone services:
 - Social emergency hot line for on time intervention to protect female victims subjected to violence, with the telephone number 123;
 - Counseling line of the State Welfare Organization, with the telephone number 1480;
 - Addiction counselling line of the State Welfare Organization and Drug Control Headquarters, with the telephone number 09628;
 - Online counseling website of the State Welfare Organization, addressed <http://123.behzisti.ir>.

5 Guarantees relating to the rights governing women's individual security





- Providing the rights for people to observe the function of executive, judicial and legislative authorities and to make complaint to Islamic Consultative Assembly regarding the function of executive, judicial and legislative branches of power (Article 90 of the Constitution of Iran 1979, amended in 1989);
- Obliging the General Inspection Organization of Iran to supervise the appropriate proceedings of affairs and the correct implementation of laws by governmental authorities (Article 174 of the Constitution of Iran 1979, amended in 1989);
- Obliging the Judiciary to protect social and individual rights and to actualize justice (Article 156 of the Constitution of Iran 1979, amended in 1989); to implement this principle, the supreme courts and the legal and criminal courts, based on the defined duties in laws, including Civil Procedure Code, Criminal Procedure Code, and Administrative Justice Procedure Act, are responsible to protect citizenship rights through receiving complaints about violation of rights by individuals and organizations responsible for executing, investigating, issuing and enforcing of orders;
- The possibility of annulling governmental enactments and by-laws opposed to citizenship rights through Administrative Justice Court at the request of any citizen (Article 170 of the Constitution of Iran 1979, amended in 1989);
- Criminalization of depriving individuals of their freedom or their rights prescribed in the Constitution of Islamic Republic of Iran by any official or authority affiliated to governmental organizations and agencies (Article 570 of the Islamic Penal Code 1996);
- Appointing a person in charge of pursuing social freedoms and rights by the president, February 2023.

6

Providing financial credit for realization of the rights governing women's individual security

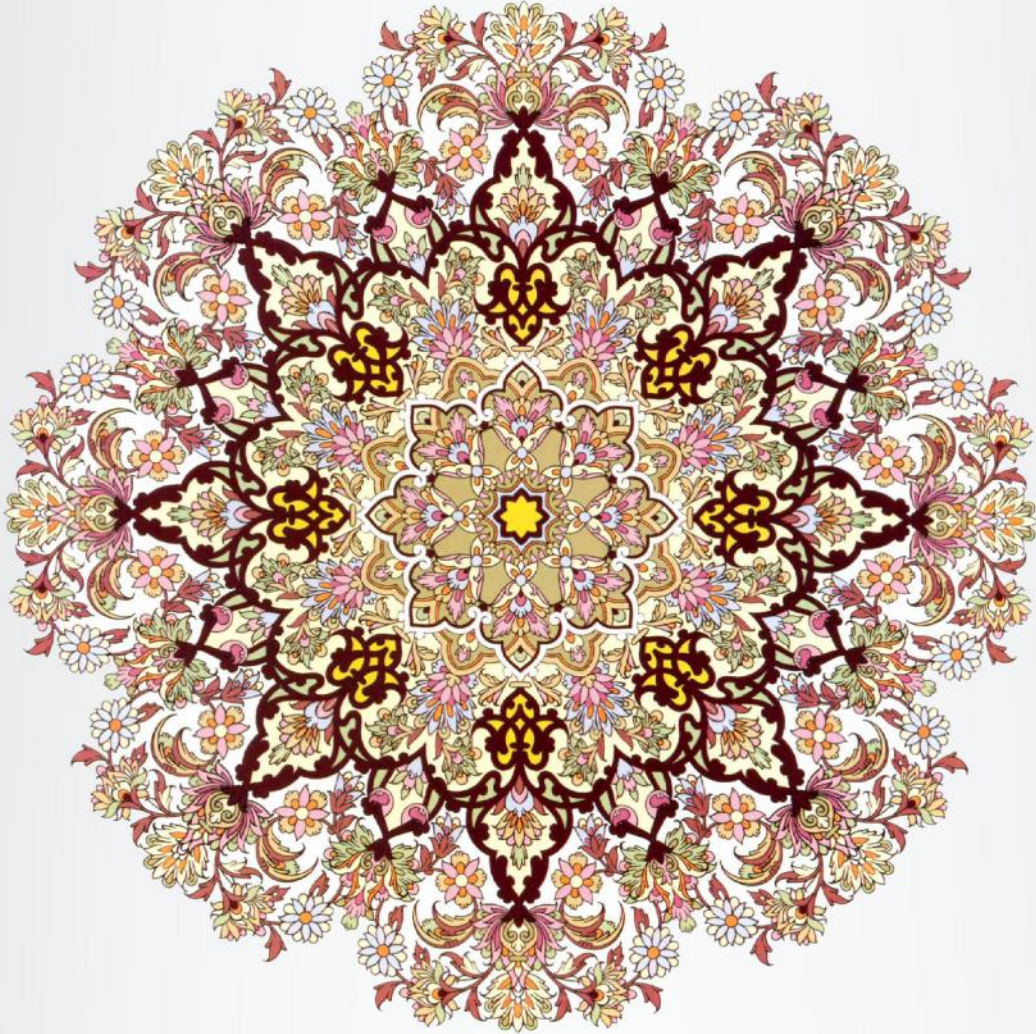




- Allocating special budget rows for realization of women necessary supports and rights in financial laws and regulations in accordance with the rules of the General Auditing Code of Iran approved in 1987 with its subsequent amendments. In this regard, proposed by the cabinet in the Islamic Consultative Assembly, the Law of the Budget Plan is approved annually, on the basis of which the necessary financial credits and budget for governing authorities are defined and, considering activities of the related organization, different topics are explained and defined under the budget row, and their required financial credit are allocated; among these topics is various sections relating to women and family;
- The possibility of auditing all the accounts of the ministries, organizations, state companies and other executive organizations by the Accounting Bureau to ensure that all allocated sums are spent for their proper purpose and to submit the assessment report to the public (Article 55 of the Constitution of Iran 1979, amended in 1989).



Islamic Republic of Iran
Vice Presidency for Women and Family Affairs



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