

The Main Guarantees to Provide Social Security for Women at Legislative Level



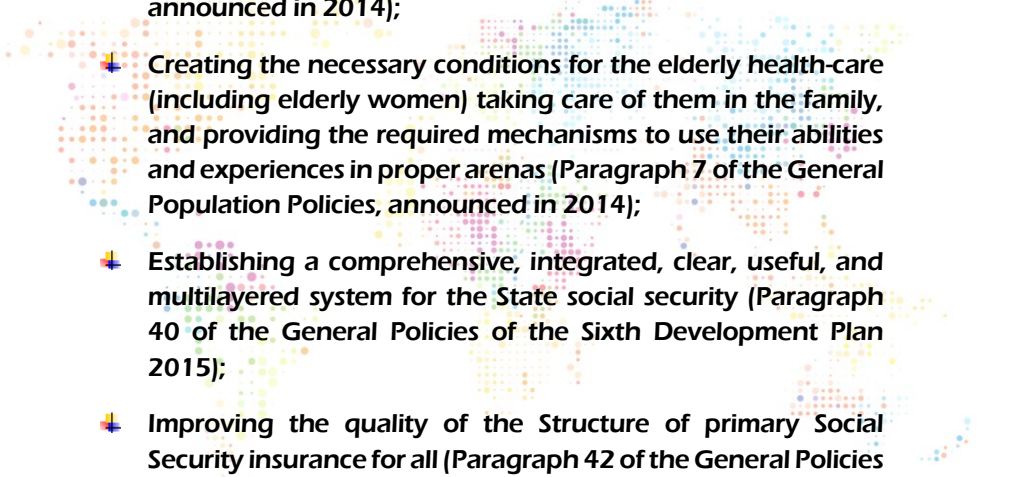
Vice Presidency for
Women and Family Affairs



1

Providing guarantees for women's social security in the Constitution, developmental plans and policies

- ✚ The government's obligation to provide welfare, eliminate poverty, and remove any form of deprivation regarding nutrition, housing, labor, health, and expansion of insurance for all citizens (including women) (Paragraph 12 of Article 3 of the Constitution of Iran 1979, amended in 1989);
- ✚ The citizens' rights (including women) to enjoy social security in cases of retirement, unemployment, aging, disability, lack of guardianship, destitution, accidents, health, and medical treatments through insurance (Article 29 of the Constitution of Iran 1979, amended in 1989);
- ✚ Providing proper grounds for women to grow their personality and restore their material and spiritual rights, protecting mothers, especially during pregnancy and child-caring period, supporting children without guardians, and providing special insurance for widows, elderly women, and those without guardians (Paragraphs 1, 2 and 4 of Article 21 of the Constitution of Iran 1979, amended in 1989);
- ✚ Providing the essential needs, including housing, food, clothing, health, medical care, education, and the necessary needs of starting a family for all (including women) (Paragraph 1 of Article 43 of the Constitution of Iran 1979, amended in 1989);
- ✚ Providing the ground for all (including women) to enjoy health, welfare, food security, social security, equal opportunities, and income distribution (Iran's Vision Document 2025, approved in 2013);

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- ✚ Providing proper facilities for mothers, especially during pregnancy and breastfeeding period, and covering the costs of delivery and infertility cure of men and women through insurance and strengthening related protective agencies and institutions (Paragraph 3 of the General Population Policies, announced in 2014);
 - ✚ Creating the necessary conditions for the elderly health-care (including elderly women) taking care of them in the family, and providing the required mechanisms to use their abilities and experiences in proper arenas (Paragraph 7 of the General Population Policies, announced in 2014);
 - ✚ Establishing a comprehensive, integrated, clear, useful, and multilayered system for the State social security (Paragraph 40 of the General Policies of the Sixth Development Plan 2015);
 - ✚ Improving the quality of the Structure of primary Social Security insurance for all (Paragraph 42 of the General Policies of the Sixth Development Plan 2015);
 - ✚ Building culture and preparing the necessary grounds to actualize General Population Policies (Paragraph 45 of the General Policies of the Sixth Development Plan 2015);
 - ✚ Cultural, economic, and legal support of the families with female heads (Paragraph 13 of Family General Policies, announced in 2016);

- ✚ The government's obligation to improve business environment, employment, cyberspace, productivity of financial resources for the State economy, and just payment system, eliminate discrimination, and empower poor people with priority of women heading households (Paragraph 4 of Article 80 of the Sixth Economic, Social and Cultural Development Plan of the Islamic Republic of Iran 2017 – 2021, enacted in 2016);
- ✚ The government's obligation to provide compulsory health insurance for all citizens allot subsidies for insurance premiums per capita, and facilitate these for the women heading households (Article 70 of the Sixth Economic, Social and Cultural Development Plan of the Islamic Republic of Iran 2017 – 2021, enacted in 2016);
- ✚ The government's obligation to make a comprehensive plan for the empowerment of women heading households (Paragraph 4 of Article 80 of the Sixth Economic, Social and Cultural Development Plan of the Islamic Republic of Iran 2017 – 2021, enacted in 2016);
- ✚ The Ministry of Cooperative Labor and Social Welfare's obligation to provide social insurance for housewives with at least three children (Paragraph 2 of Article 103 of the Sixth Economic, Social and Cultural Development Plan of the Islamic Republic of Iran 2017 – 2021, enacted in 2016);

- ✚ The government's obligation to support and develop primary and complementary health insurance coverage for mothers, from pregnancy to the end of the breastfeeding period (Paragraph 10 of Article 102 of the Sixth Economic, Social and Cultural Development Plan of the Islamic Republic of Iran 2017 – 2021, enacted in 2016);
- ✚ Providing and expanding social justice, decreasing the social gap by making subsidies targeted, access all people to social security services, empowering, creating businesses, and eliminating unfair discriminations in using public resources (Paragraph 6 of the Social Security General Policies, announced in 2022);
- ✚ Providing the ground for women and men to benefit from relief and support pillars, stratification of services which include relief affairs provided by the insurance coverage, public participation, and government's assistance; supporting affairs to eliminate poverty and social damage and provide the basic level of services from public and governmental resources, basic insurance affairs for all people in the society by their condition provided from the insurance premium of share of the insured, employers and the government, and affairs of complementary and excess insurances supported by the participation of the insured and employers together with tax incentives and legal support of the government in the competitive environment (Parts 1, 2, 3 and 4 of Paragraph 5 of the Social Security General Policies, announced in 2022);

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- ✚ Maintaining purchasing power of weak sections of the society through adjusting employees' salaries, retirees' pensions, and the unemployed's wages and implementing a proper approach to eliminate the explicit manifestation of poverty and social damage from the less privileged areas of the city and rural and tribal regions (Parts 5 and 6 of Paragraph 5 of the Social Security General Policies, announced in 2022).

2

Providing guarantees for ensuring women's social security in the laws

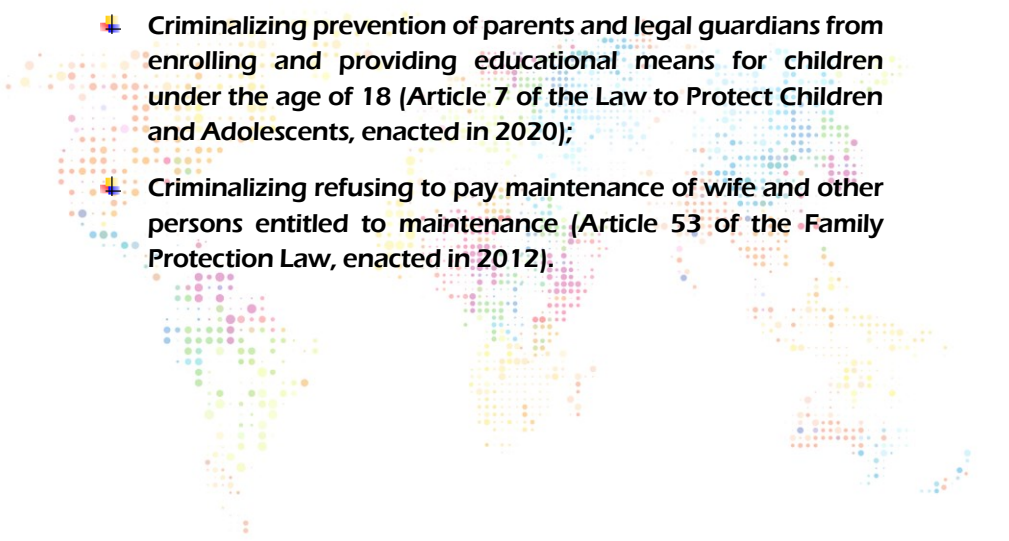
- ✚ Criminalizing prohibition of education of children under the age of 18 by a father, mother, or legal guardian who has financial ability and in places where means of education are provided by the Ministry of Education (Article 2 of the Law on Providing Facilities and Means of Education for Iranian Children and Youths, enacted in 1974);
- ✚ Providing cultural, social, and financial support from related governmental organizations for women who are widowed or divorced, or whose husbands are absent or in prison, and elderly women with no financial income (the subject of the Law to Support Women and Children with no Guardians, 1992);
- ✚ Criminalizing abusing personal requirements of immature persons (including children under the age of 18) by a guardian, executor, or custodian and acquiring commercial and non-commercial document which entails loss or creates commitment for the immature person or generates profit for the perpetrator and the other person (Article 596 of the Islamic Penal Code (Discretionary and Preventive Punishments), enacted in 1996);
- ✚ Protecting mothers, especially during pregnancy and child-caring period (Paragraph 8 of Article 1 and Paragraph 19 of Article 4 of the Law of the Structure of Welfare and Social Security Comprehensive System, 2004);

- ✚ Protecting children and women without guardianship (Paragraph 19 of Article 1 of the Law of the Structure of Welfare and Social Security Comprehensive System, 2004);
- ✚ Providing special insurance for widows, elderly or self-guardian women (Paragraph 32 of Article 1 of the Law of the Structure of Welfare and Social Security Comprehensive System, 2004);
- ✚ Reducing inequality and poverty (Paragraph 25 of Article 1 of the Law of the Structure of Welfare and Social Security Comprehensive System, 2004);
- ✚ Covering all families with no guardians and self-guardian women (Paragraph 13 of Article 4 of the Law of the Structure of Welfare and Social Security Comprehensive System, 2004);
- ✚ The right to enjoy a decent life (Paragraph 1 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, approved by the Islamic Consultative Assembly in 2006);
- ✚ The right to enjoy social justice in the implementation of law regardless of gender (Paragraph 6 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);
- ✚ The right of girls with no guardians or bad guardians to be protected by governmental organizations (Paragraph 19 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);

- ✚ The right of women to enjoy material and spiritual protections during pregnancy and breastfeeding period (Paragraph 34 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);
- ✚ The right of mothers to have spiritual and material security, especially during elderly and disability period (Paragraph 38 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);
- ✚ The right to mental and physical health in personal, familial, and social life (Paragraph 47 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);
- ✚ The right of needy girls with no guardians, and divorced, widowed, elderly, or self-guardian women to enjoy general insurance, social work services, and special insurance for health and treatment (Paragraph 57 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);
- ✚ The right to proper assistance and rehabilitation for girls and women with psychological, mental, or physical injuries or those subjected to them (Paragraph 58 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);

- ✚ The right of women to access information, education, vocational skills, and facilities for proper jobs, and the right to be protected in this regard for the women heading households and self-guardian women (Paragraph 102 of section 2 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);
- ✚ The right to enjoy social security and economic facilities (Paragraph 108 of Section 2 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);
- ✚ The right of employed women with severe disabilities or those having children under 6 years old or having a husband or child with a disability or disease difficult to cure to reduce working hours from 44 to 36 hours but with the same salaries and benefits of 44-hour employers (the Law to Reduce Working Hours of Employed Women with Special Conditions, 2016);
- ✚ Criminalizing marriage of men to women under the age of 13 without the court's permission + considering the expediency + permission of the father (Article 50 of the Family Protection Law, enacted in 2012);

- ✚ The criminalizing refrain of the person in charge of the child's custody from fulfilling their duties regarding the child's care and parenting (including mistreatment resulted in the child's emotional – psychological harm) (Article 54 of the Family Protection Law, enacted in 2012);
- ✚ The right of women having husbands with disabilities to receive nursing or social working fees for family-oriented protection of the husbands (Article 7 of the Law to Protect the Rights of People with Disability, 2018);
- ✚ The Ministry of Roads and Urban Development's obligation to provide low-priced and properly built housing for couples with disabilities (Article 17 of the Law to Protect the Rights of People with Disability, 2018);
- ✚ Considering subsistence allowance for people with very severe or severe disabilities who have no job or income including women with disabilities (Article 27 of the Law to Protect the Rights of People with Disability, enacted in 2018);
- ✚ Exempting 50% of the salaries and benefits of employed women having a child with a disability from tax (Article 25 of the Law to Protect the Rights of People with Disability, 2018);
- ✚ Exempting husbands of women with disabilities from military service for the time being the guardian of their women (Note of Article 26 of the Law to Protect the Rights of People with Disability, 2018);

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- ✚ Providing facilities for the part-time service of women having a husband or child with a disability in case of taking care of the person with a disability in the house (Article 27 of the Law to Protect the Rights of People with Disability, 2018).
 - ✚ Criminalizing prevention of parents and legal guardians from enrolling and providing educational means for children under the age of 18 (Article 7 of the Law to Protect Children and Adolescents, enacted in 2020);
 - ✚ Criminalizing refusing to pay maintenance of wife and other persons entitled to maintenance (Article 53 of the Family Protection Law, enacted in 2012).

3

**Providing guarantees regarding ensuring social security
in the regulations (the cabinet's enactments)**

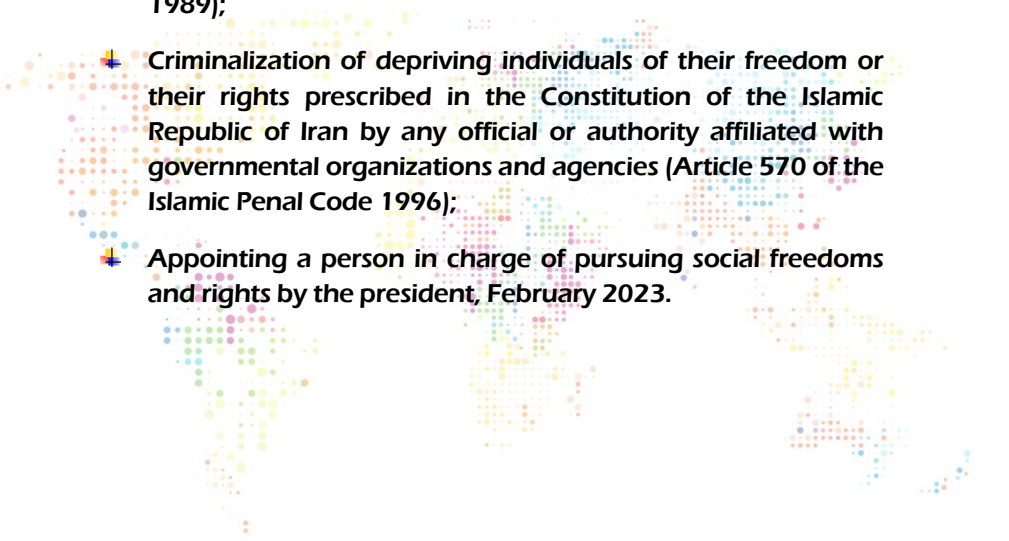
- ✚ In the evolution document of the popular government, enacted in 2022/2/27 by the Islamic Republic of Iran's president as the action plan of the thirteen government, an independent section is allocated to the women's rights issue and a part of this section is allocated to the "identification, prevention and decrease of social damages facing women". To make this part operational, actions, plans, and main and associated responsible organizations have been defined and at the same time, the control and monitoring unit for implementation of the document is obliged to constantly observe the function of related administrative organizations regarding the realization of these aims and receive periodic reports from them;
- ✚ Identification of all rights and duties of Iranian nationals regarding children whose Iranian nationality has been recognized according to the amendment to the law on determining the nationality of children born from a marriage of Iranian women and foreign men (2019) (Article 21 of the By-law on granting Iranian citizenship to children of Iranian women married to foreign men, enacted in 2020/5/20);
- ✚ Housing the women heading households through decreasing the applicants' cash contribution and providing low-cost facilities (the Letter of Approval regarding determining support packages to help housing the women heading households of (1) to (6) income deciles, enacted in 2021/7/18 by the Council of Ministers);

- ✚ Providing the ground to give facilities of occupation to the women heading households. Based on this plan, the Ministry of Cooperatives, Labor, and Social Welfare with the cooperation of the Vice Presidency for Women and Family Affairs was obliged to issue a guarantee for the agent banks for receiving facilities of minor occupation for the women heading households of 1 to 5 income deciles using the capacity of the Cooperative Investment Guarantee Fund and its credits (the Letter of Approval to facilitate issuing guarantees of small loans for the occupation of the women heading households in 1 to 5 income deciles using the capacity of the Cooperative Investment Guarantee Fund, enacted in 2022/9/11 by the Council of Ministers);
- ✚ Building a “working group on women, promoting bureaucratic health and security and combating corruption” to highlight 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's working group, improving bureaucratic health and security, and combating corruption, enacted in 2022/12/28 by the National Headquarters for Women and Family).

4

Sanctions relating to the rights governing the realization of social security

- ✚ Providing the rights for people to observe the function of executive, judicial, and legislative authorities and to make complaints to the 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;

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- ✚ The possibility of annulling governmental enactments and by-laws opposed to citizenship rights through the 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 the Islamic Republic of Iran by any official or authority affiliated with 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.

5

Providing financial credit for the realization of the rights governing social security

- ✚ **Allocating special budget rows for the realization of women's necessary supports and rights in financial laws and regulations following 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, based on 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 are 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).**

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