

The Main Guarantees to Realize Gender Justice at Legislative Level



1 Providing guarantees for the realization of gender justice in the Constitution, developmental plans, and policies

- ✚ Eradication of unjust discrimination and establishment of fair facilities for all citizens, including men and women (Paragraph 9 of Article 3 of the Constitution of Iran 1979, amended in 1989);
- ✚ Securing all-inclusive rights of people, including men and women (Paragraph 14 of Article 3 of the Constitution of Iran 1979, amended in 1989);
- ✚ Equality of all, men and women, before the law (Articles 19 of the Constitution of Iran 1979, amended in 1989)
- ✚ Equal legal protection for all men and women (Article 20 of the Constitution of Iran 1979, amended in 1989)
- ✚ Providing necessary grounds to improve women's personalities and to realize their material and spiritual rights (Paragraph 1 of Article 21 of the Constitution of Iran 1979, amended in 1989);
- ✚ Providing necessary conditions and facilities for employment of all citizens, including men and women (Paragraph 2 of Article 43 of the Constitution of Iran 1979, amended in 1989);
- ✚ Providing equal opportunities and eradicating discrimination up to 2023 (Iran's Vision Document 2025, approved in 2013);
- ✚ Observing justice in employment and promotion of human resources, and continuance of their service (Paragraph 2 of the General Policies on the Administrative System, announced by the Leader in 2010);

- ✚ Observing justice in the payment system (Paragraph 6 of the General Policies on the Administrative System, announced by the Leader in 2010);
- ✚ The fair and professional selection of the human workforce without bias and prejudice (Paragraph 3 of the General Policies on the Administrative System, announced by Ayatollah Khamenei, 2010);
- ✚ Vindicating women’s legal and religious rights in all sectors (Paragraph 46 of the General Policies of the Sixth Development Plan 2015);
- ✚ Realizing gender equality in all policies, programs, and plans of the governmental sections (Article 101 of the Law of the Sixth Economic, Social and Cultural Development Plan of Iran 2017 – 2021, enacted in 2015).
- ✚ Family consolidation and removing the barriers to women’s growth and prosperity (Paragraph 15 of the General Policies of the Seventh Development Plan, announced in 2022);
- ✚ Expanding and securing social justice, access of all people to social security services, empowering, creating businesses, and eliminating unfair discrimination in using public resources (Paragraph 6 of the Social Security General Policies, announced in 2022).

2

**Providing guarantees for the realization of gender justice
in the Laws of the Islamic Consultative Assembly**

- ✚ **Prohibition of discrimination by gender in paying wages and salaries (Article 38 of the Labor Law of Iran, 1990);**
- ✚ **Providing job security for women and helping them to enjoy social security during times of unemployment, sickness, disability, or aging (the policies for women's employment in the Islamic Republic of Iran, approved in 1992 by the Supreme Council of Cultural Revolution);**
- ✚ **The right of girls to enjoy the facilities of family without discrimination (Article 18 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);**
- ✚ **The right to participate in policy-making, law-making, management, implementation, and observation of health issues (Paragraph 49 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);**
- ✚ **The right of knowledge and participation of women in making decisions regarding fertility control and family planning (Paragraph 52 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);**
- ✚ **The right to all-inclusive and fair access to sports facilities and training related to physical education (Paragraph 53 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);**

- ✚ **The right to participate in policy-making, law-making, management, implementation, and supervision of cultural affairs (Paragraph 70 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);**
- ✚ **The right to enjoy education up to the highest educational levels with special attention to the girls in deprived areas and the girls with disabilities (Paragraphs 76, 77, 79, and 84 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);**
- ✚ **The right to research, compile, translate, and publish books and articles (Paragraph 85 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);**
- ✚ **The right to employ and enjoy equal wages and benefits regarding a job with equal conditions (Paragraphs 101 and 104 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);**
- ✚ **The right to participate in the making of economic policies and creating and managing economic parties and becoming a member of them (Paragraph 109 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);**
- ✚ **The right to freedom of expression (Paragraph 114 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);**

- ✚ **The right to participate in elections and to be elected in Majlis and different councils and to participate in government's planning, as well as to occupy high management positions (Paragraph 116 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);**
- ✚ **The right to actively participate in regional and international gatherings (Paragraph 119 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006)**
- ✚ **The right to bring suit and defend in judicial courts and other legal authorities (Paragraph 136 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);**
- ✚ **The right to enjoy social justice in the implementation of the law regardless of gender (Paragraph 6 of the Law to Support the Rights and Responsibilities of Women in Various Domestic and International Areas, 2006);**
- ✚ **Observing equality between employees of executive organizations having similar conditions, in being appointed to organizational posts and payment of wages and salaries (Paragraph 4 of Article 68 of the State Services Management Law, 2007);**

- ✚ **Adopting a differential criminal policy for all the accused boys and girls below 18 years of age regarding offenses having Ta'zir punishments (Articles 88 to 95 of the Islamic Penal Code 2013);**
- ✚ **Equality of all in the criminal procedure processes (Article 2 of the Criminal Procedure Code 2013, with its amendments in 2015);**
- ✚ **Considering a special procedure for all individuals less than 18 years of age irrespective of their gender (Articles 285 – 287 of the Criminal Procedure Code 2013, with its amendments in 2015);**
- ✚ **Enjoying equal opportunities by all men and women with disability (the Law to Support the Rights of Persons with Disability, 2018)**
- ✚ **Transmitting nationality from Iranian women to their children by enacting the amendment to the law on determining the nationality of children born from a marriage of Iranian women and foreign men (2019). Since based on Civil Law, the nationality is transmitted from father to child, to support Iranian women married to foreign men and the children born from this marriage, the legislator enacted this law in 2019/9/24. According to this law, in case an Iranian woman marries a foreign man and a baby is born from this marriage, after the child's birth, the mother can refer to the related Iranian authorities and request for identification of the child's Iranian nationality and the related authorities identify the**

child's nationality and issue their Iranian Identity card based on the rules of this law.



3

Providing guarantees regarding ensuring gender justice in the regulations (the cabinet's enactments)

- ✚ **Obliging administrative organs to prepare and submit their action plans including their qualitative goals covering national and provincial dimensions, administrative measures, and approved resources of the organ to improve and promote continuous monitoring of the indicators for gender justice to the Administrative Secretariat of the National Headquarters for Woman and Family based on the announced indicators of the secretariat and analysis of their status (the Enactment of the measures by all administrative organs to determine indicators of gender justice separately sorted by gender, enacted in 2018/9/12 by the Cabinet);**
- ✚ **The necessity of identifying, monitoring, and promoting indicators measuring gender justice realization; in other words, measuring the impact of plans and programs by administrative organs on the promotion of gender justice indicators and strengthening of the system for policy making, decision making and macroplanning in the domain of women and family (the Executive By-law of Article 101 of the Law on the Islamic Republic of Iran's Sixth Five-Year Economic, Cultural and Social Development Plan, enacted in 2019/2/17 by the Cabinet);**
- ✚ **In the judicial evolution document enacted in 2020/12/20, to observe the laws on women and realize gender justice, the Chief Justice reiterated the following points and also defined the time frame and the organ responsible for its implementation. At the same time, he receives periodic and continuous reports about the implementation of defined duties in this document from the organs associated with the Judiciary and monitors their function:**

- Providing a system to insert legal duties regarding women, implement them by the related judicial organs, and pursue cases of breach of duty;
- Creating a system for job promotion of women working in the Judiciary with emphasis on the maximum use of their capacity for positions and activities related to domains like family, women, and children (the Deputy for Human Resources and Cultural Affairs, Subsidiaries – medium term)

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 in this part, the necessity of realizing the following cases is reiterated. 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:

- Balancing between family and social roles of women;
- Promoting personal abilities;
- Observing human rights;
- Revising the laws on women;

- **Strengthening structures of women's domain at the level of the Executive Power.**
- ✚ **Identifying all rights and duties of Iranian nationals for children whose Iranian nationality has been identified 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 Bylaw on granting Iranian citizenship to the children of Iranian women married to foreign men, enacted in 2020/5/20);**
- ✚ **Considering a position as a counselor of women and family affairs in all administrative organs, especially with the aim of continuous monitoring of policies, plans, laws, regulations and programs related to the family and woman's domain in the related administrative organ, effective participation in the organ's macro decision making processes regarding women and family issues as well as in macro decision makings, main councils and internal working groups of the administrative organ, adjusting and approving structures and planning, organizing and coordinating organs' activities regarding women and family and continuous monitoring and evaluating of the degree of realization of executive aims, policies and plans in the organs and submitting periodic report to the High Council and other competent authorities in the domain of women and family (Paragraphs 2 and 3 of the Enactment on planning, directing, procedural unity and monitoring function of the organs in women and family affairs, enacted in 2022/7/31);**

- ✚ **Facilitating and making activism more efficient regarding various issues of women including social, cultural, and economic issues by implementing a comprehensive statistical system based on all indicators cited in the domain of women (the Enactment on providing a comprehensive statistical system for women and family, enacted in 2022/12/28 by the National Headquarters for Woman and Family);**
- ✚ **The necessity of providing the required grounds for balancing between family and occupational duties of women (the Enactment on developing a national comprehensive plan to reorganize the occupation status of women, enacted in 2022/12/28 by the National Headquarters for Woman and Family);**
- ✚ **The necessity of realizing women's citizenship rights in all areas of urban life (Paragraph 3 of the Charter of Citizenship Rights of Tehran City Council, 2015);**
- ✚ **Adopting strategies to improve the fundamental rights of children, including prohibition of discrimination, the right to life, the right to be heard, and securing the best interests them in the Comprehensive Plan of Action for the Rights of Children and Adolescents (National Document) within the Framework of 2025 Vision, enacted in 2016 by the Ministry of Justice.**

4

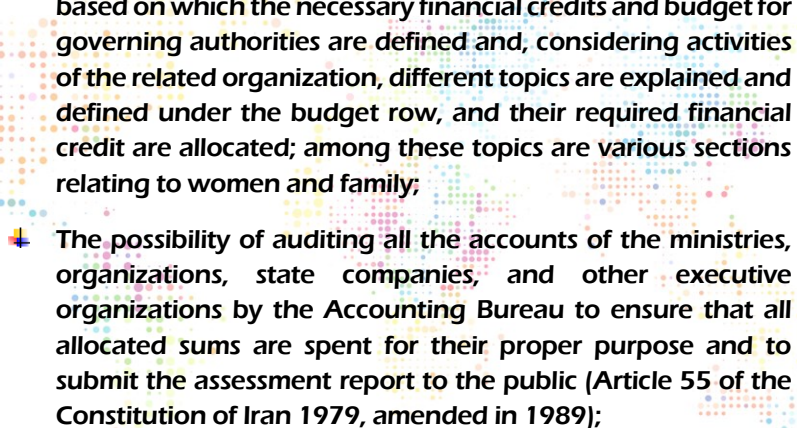
Sanctions relating to the rights governing the realization of gender justice

- ✚ 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;
- ✚ 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 rights governing ensuring social security

- 
- ✚ **Allocating special budget rows for the realization of women's necessary supports and rights in financial laws and regulations by 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);**

The Main Guarantees to Realize Gender Justice at Legislative Level

