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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Maat for Peace, Development and Human Rights Association, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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Discrimination against women in Qatar and Iran

International legal framework for the elimination of discrimination against women

In its seventh preamble paragraph, The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) recognizes that "discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity". In the ninth preamble paragraph, it stressed that the establishment of a new international economic order based on equity and justice would contribute to the promotion of equality between men and women.

Article 2 of the Convention also recognizes the need for all States to adopt policies aimed at eliminating discrimination against women. This can be done by including the principle of equality between men and women in the national constitutions then practically by recognition of this principle in the legislation. Moreover, Countries should ensure legal protection of women's rights and justice for women. It is also stated that countries should refrain from engaging in any discriminatory act against women, and take all appropriate measures to eliminate discrimination against women by individuals or institutions, as well as to eliminate any discriminatory penal provisions against women.

The Convention included many articles that recognized civil, political, economic and social rights. It clarified the need for States to take all measures to eliminate discrimination against women in political and public life through their right to vote in all elections and referenda, to participate in the formulation of governmental policies and to represent their State internationally. It is also affirmed that the State parties need to grant women equal rights with men to acquire their nationality, marry a foreigner and give their children their nationality unconditionally. In addition, the convention addressed the right of women to all forms of education and exercise of sports activities. It also stated the right of women to work without discrimination, whether in the choice of profession and the type of work, right to promotion, and obtain their full rights equal to men in the same field.¹

By applying the previous mentioned information on Qatari and Iranian laws, we find that in general the Qatari Constitution didn't include clear provision for women's rights, but rather provisions guaranteeing equality and equal access to justice in general.

As for the Iranian constitution and legislation, the preamble to the Iranian constitution states that "the family is the main component of society and the main entity for human growth and integration." Hence, the Iranian government is obliged to provide all the requirements to secure the rights of all men and women.

However, the actual practices in Iran and Qatar were different. All these rights, which have been adopted by the Constitution and other legislations in Qatar or Iran are not implemented. This is evident by observing the discrimination against women in both countries.

Discrimination against women in Iran

Iranian women suffer from violence and discrimination as a result of the perceived inferiority of all official bodies in the state which is reinforced by women's inferior status in Iranian culture. The Iranian society regards women as second-class citizens in political, social and economic rights and duties. The inferiority of Iranian women is reflected in their social and family status as they suffer from physical violence, whether through husbands,

¹ For more information kindly check Convention on the Elimination of All Forms of Discrimination against Women.

family or official bodies. Especially, this discriminatory trend is supported by the religious leadership. This appears in several areas:

1. Political Field

Political discrimination is one of the most discriminatory terms facing Iranian women. They are deprived of leadership positions. Iranian legislation prohibits women from running for president and judiciary, and for most prestigious positions in many sectors, such as education. The leadership positions in the Iranian government are restricted to men only. Women's representation in specialized councils such as the Islamic Consultative Assembly and the Guardian Council are disproportionate to the reality of women in Iranian society. The issue of discrimination against Iranian women goes beyond exclusion from leadership to exclusion from parliamentary life by conservatives and reformists alike, as both sides refuse to recognize woman as a presidential candidate.²

2. Economic field

There is also economic discrimination against women, which is consistent with the general trend of Iranian society. Despite the high percentage of females in Iranian society in terms of quantity and educational qualifications, jobs in the administrative system are restricted to men only. This has led to a rise in unemployment rates among women, ranging from 35 to 50 percent. Women present only 16 percent of the labor force in this discriminatory environment because of government policies that do not adequately protect women against discrimination in the public and private sectors. In addition, women working in Iran have no comparative advantage, deprived of their financial rights for several months, and if they decide to organize any demonstrations to demand their rights, they are arrested and tortured.³

3. Social Field

The social impact of this discrimination has led to the widespread phenomenon of marginalized and homeless women. As a result, women tend to work in difficult and often fatal jobs in order to manage living expenses as well as to migrate abroad. Sunni Ahwazi, Kurds and Sunni Baloch women suffer from arrests, torture and rape in Iranian prisons, particularly by the Revolutionary Guards, who have not been convicted or tried in these cases. This has led to increase in suicide percentage to reach 20 percent⁴. Iranian law also places women in a lower rank than men. In many cases women have to obtain permission from the father or brother to leave the country. In the court, the testimony of a man equals the testimony of two women, as well as in the inheritance the woman receives half the share of her brother⁵.

4. Human Rights field:

The law requires women to wear headscarves in public places. Any objection of wearing headscarves in public events is considered a red line, which is clearly contrary to the right of women to choose their clothes. At the beginning of 2018, dozens of women were arrested because they challenged this rule. A famous human rights lawyer Nasrin Sotoudeh was sentenced to prison after defending some of them⁶. Sotoudeh will face nearly four decades in prison and 148 lashes for her peaceful work in the field of human rights, including seven years for defending women protesting against the obligatory headscarves laws in Iran, five years for gathering and involvement in crimes against National security,

² - المرأة الإيرانية: تعددت الاشكال والتمييز واحد، العين الإخبارية، 27 أغسطس 2016، الرابط، <https://al-ain.com/article/241341>

³ المرأة الإيرانية: تعددت الاشكال والتمييز واحد، العين الإخبارية، 27 أغسطس 2016، الرابط، <https://al-ain.com/article/241341>

⁴ المرأة الإيرانية: تعددت الاشكال والتمييز واحد، العين الإخبارية، 27 أغسطس 2016، الرابط، <https://al-ain.com/article/241341>

⁵ - فرص واعدة أما النساء في ايران ولكن عقبات قديمة لا تزال ماثلة، فرانس 24، 4 فبراير 2019، الرابط، <https://www.france24.com/ar/20190204>

⁶ فرص واعدة أما النساء في ايران ولكن عقبات قديمة لا تزال ماثلة، فرانس 24، 4 فبراير 2019، الرابط، <https://www.france24.com/ar/20190204>

⁶ فرص واعدة أما النساء في ايران ولكن عقبات قديمة لا تزال ماثلة، فرانس 24، 4 فبراير 2019، الرابط، <https://www.france24.com/ar/20190204>

and two years for insulting the supreme leader. Sotoudeh has devoted her life to defend women's rights and speak out against the death penalty. Thus, it is shameful to be punished by the Iranian authorities for her human rights work. Her condemnation and verdicts confirm Iran's reputation as an oppressive state of women's rights⁷.

Continued discrimination against women in Qatar

Women in Qatar suffer from discrimination, especially with regard to the Nationality Law, which prohibits granting of citizenship to the children of Qatari woman married to foreigner, unlike that of Qatari men. This type of discrimination violates the right to equality preserved in the Qatari Constitution and results in consequent discrimination of Qatari women in education, health care and access to jobs for their children. The amended law, which was approved by the Qatari Council of Ministers, allowed Qatari children of non-Qataris father to obtain permanent residence and not full citizenship which made them second-class citizens. The law violates Qatar's international obligations under the Convention on the Elimination of All Forms of Discrimination against Women that children should have the nationality of their mother if she married a foreigner. In addition, it violates the Qatari Constitution that recognizes gender equality. While Qatar allows men to give citizenship to their children, Qatari mothers and non-nationals fathers can apply for citizenship only on strict terms. As specified in the Qatari Nationality Law 2005, residents for more than 25 years may apply for citizenship, giving priority to those who have Qatari mothers on specific terms but the Qatari government has consistently disapproved these applications⁸. While the Qatari government refuses to grant citizenship to the children of Qatari women, Qatari citizenship has been granted to a number of leaders of the Muslim Brotherhood organization accused of terrorism in other Arab countries to protect them from the danger of extradition.

Recommendations

Iran must adopt a comprehensive anti-discrimination law to eliminate discriminatory provisions in the current legal system and ensure equal protection for women participating in the labor market.

The Iranian government should adopt legislative reforms, address gender-based stereotypes in the workplace and remove barriers to women's equal participation in the labor market.

The Qatari government should review the Nationality and Penal Code and include criminalization of domestic violence or marital rape.

⁷ - حكم صادر بالسجن 33 عام و148 جلدة للمدافعة عن حقوق الانسان نسرين ستوده، منظمة العفو الدولية، 11 مارس 2019، الرابط، <https://www.amnesty.org/ar/latest/news/2019/03/iran-shocking-33-year-prison-term-and-148-lashes-for-womens-rights-defender-nasrin-sotoudeh>

⁸ قانون الإقامة القطري أبقى على التمييز ضد المرأة، موقع فطريليكس، 8 أغسطس 2017، الرابط، <https://bit.ly/2IgWP4S>