

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

Research Response Number: IRN34896
Country: Iran
Date: 26 May 2009

Keywords: Iran – Pre-marital sex – Punishment – Morality law – Protection from family members

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Questions

- 1. Please provide any information which suggests that pre-marital sex is punishable by law in Iran?**
- 2. If so, what punishment would be issued?**
- 3. Please provide any information relating to laws of morality in Iran which would be applicable in this case?**
- 4. Please provide information whether State authorities would protect a woman from any possible harm from family members?**

RESPONSE

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Sources indicate that under the Shariah law and the Penal Code derived from it, pre-marital sex is punishable in Iran. In reality, however, it is not common that the punishment is meted out especially in recent years in the large cities. It appears that the usual punishment is 100 lashes or flogging for the unmarried while it can mean death for the married. The only report of execution found for pre-marital sex among the unmarried is one about a young girl who had been jailed several times for the offence previously. However, the Shariah law does not apply to everyone but Muslims and co-religionists regarded as Muslims in the country.

The Iranian Penal Code “stipulates that the penalty for fornication is flogging, i.e. 100 strokes of the lash, for unmarried male and female offenders” (Women's Forum against Fundamentalism in Iran 2005, ‘IRAN: Official Laws against Women in Iran’ – Attachment 1).

Article 83 and 88 of the Iranian Penal Code state respectively:

Article 83: Adultery in the following cases shall be punishable by stoning:

(1) Adultery by a married man who is wedded to a permanent wife with whom he has had intercourse and may have intercourse when he so desires;

(2) Adultery of a married woman with an adult man provided the woman is permanently married and has had intercourse with her husband and is able to do so again.

Note. Adultery of a married woman with a minor is punishable by flogging

Article 88: The punishment for an unmarried adulterer or adulteress shall be one hundred lashes (Mission for Establishment of Human Rights in Iran (undated), ‘Islamic Penal Code of Iran’, mehr.org website http://mehr.org/Islamic_Penal_Code_of_Iran.pdf - Accessed 18 May 2009 – Attachment 2).

A 2004 publication by the Safra Project, a resource project for lesbian, bisexual and transgender Muslim women also notes that:

Generally it can be said that according to Shari.ah sexual relations are only allowed within a (heterosexual) marriage. Therefore, most sexual relations outside of marriage qualify as adultery or fornication both of which are sinful and punishable by flogging for unmarried men and women, or death for married men and women (Safra Project 2004, *Country Information Reports: Iran*, p 3 – Attachment 3).

In her article in *The Washington Post*, Nora Boustany comments that:

Under Iran's penal code, girls as young as 9 can be executed by hanging or stoning for adultery or what are referred to as morality crimes (Boustany, Nora 2007, ‘33 Activist Women Arrested in Tehran: Group Was Protesting Trial of 5 Others’, *The Washington Post*, 6 March <http://www.washingtonpost.com/wp-dyn/content/article/2007/03/05/AR2007030501366.html> - Accessed 18 May 2009 – Attachment 4).

Similarly, a children’s rights group states that:

Flogging of young people is commonly ordered for such offences against the law as mixing of the sexes, drinking alcohol, and premarital sexual relations, including against girls as young as 9 years (Global Initiative to End All Corporal Punishment of Children 2005, ‘Ending legalised violence against children: Report for Middle East & North Africa Regional Consultation’, p 18 http://www.endcorporalpunishment.org/pages/pdfs/Report-MidEast_NAfrica.pdf - Accessed 25 October 2006 – Attachment 5).

In 2007, an organization called “Against Death Penalty in the World” noted that:

Iran’s interpretation of Sharia law prescribes whippings for sexual relations before marriage, lashings for drinking alcohol and amputation of hands and feet for petty thieves (‘Offences punishable by death include:’2007, Hands Off Cain website, 1 January <http://english.nessunotocchicaino.it/news/index.php?iddocumento=9000736> - Accessed 19 May 2009 – Attachment 6).

Several reports comment on specific incidents where the punishment was carried out for the offenders. Referring to a 16 year old Atefeh Rajabi, *Iran Focus* noted in August 2004 that:

The orphaned 16-year-old girl hanged in front of residents in this town [Neka] close to the Caspian Sea on August 15 suffered years of brutal violence, exploitation and torture in the hands of relatives, local officials and plain strangers, and in a country where girls are the most vulnerable members of society, she had no one to go to for help...

According to judicial records, by the time Atefeh was 16, she had been convicted five times of having sex with unmarried men. Each time she spent some time in jail and was given 100 lashes (Under Iran's law, punishment for having sex with a married man would have been far heavier.)...

Mina [one of Atefeh's friends] sobs as she recalls her friend's tormented life, but many of these horrendous experiences are everyday facts of life for girls being brought up under a rigid theocratic regime that has institutionalized misogyny in its laws and practices ('Violence, poverty and abuse led girl, 16, to gallows' 2004, *Iran Focus*, 31 August http://www.iranfocus.com/en/index.php?option=com_content&task=view&id=137 - Accessed 18 May 2009 – Attachment 7).

In 2006, Antoinette McGowan stated that:

Under Iranian law a girl over the age of nine can face capital punishment for having premarital sex. While for boys to face the same punishment they have to over the age of 16.

Last year a girl was sentenced to 100 lashes for such a crime. The judge claimed it was done because she originally lied about being raped. The boys involved only received 30 to 40 lashes a piece.

In 2004 another woman was stoned to death for having sex outside of marriage (McGowan, Antoinette 2006, 'Countries Where Sex Outside of Marriage is a Crime', Associated Content website, 18 December http://www.associatedcontent.com/article/101676/countries_where_sex_outside_of_marriage.html?cat=37 - Accessed 19 May 2009 – Attachment 8).

Relying on *AFP*, the International Federation of Iranian Refugees notes that:

(May 28 AFP) Police arrested some 80 people of both sexes who went on a bus trip to a scenic region and were found to have been indulging in group photography and carrying contraceptive pills. Accused of "illegal and immoral behaviour," they were in a party of some 200 who had organised a "field trip" to Fuman in northern Gilan province. Most were aged between 26 and 27 and included 33 students. No further details on the "immoral" behaviour of the youngsters were given, but under Iran's Islamic law, pre-marital sex is considered a crime. Islamic laws also lay down flogging for consuming, purchasing and selling alcohol (International Federation of Iranian Refugees 2002, *Iran Monitor 1*, 18 June, pp 1 – 2 – Attachment 9).

Amnesty International quotes a report by the *Boston Globe* on three men publicly flogged after they were convicted of drinking alcohol and 'illicit sex' (Amnesty International 2001, *Amnesty International News For Health Professionals: Iran – flogging for pre-marital sex and consumption of alcohol*, 16 February, AI Bulletin Vol 4, No. 4, ACT 84/004/2001– Attachment 10).

Referring to adultery and sex related offences, the US Department of State notes that:

Adultery remained punishable by death by stoning. On July 20 [2008], the international press reported that courts sentenced eight women and one man to death by stoning for adultery and sex-related offenses. On August 5, judiciary spokesman Ali Reza Jamshidi announced that the government had suspended several stoning sentences and commuted four to lashings or prison terms. However, according to domestic human rights activists, on December 25, officials in Mashhad executed two men by stoning, including Houshang Koudadadeh, who was convicted of rape and adultery. A third convicted man, identified only as Mahmoud G., escaped during the stoning (US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – Iran*, February, Section 1 (a) – Attachment 11).

As to the changing societal attitude towards premarital sex in the country despite of the theocratic rule of the country, Laura Secorr comments that:

In a country where premarital sex with multiple partners is increasingly common but remains culturally taboo and punishable under the law (Secor, Laura 2008, 'Stolen Kisses: Iran's Sexual Revolutions' *The Nation*, 2 December http://www.alternet.org/sex/109545/stolen_kisses:_iran's_sexual_revolutions/ - Accessed 19 May 2009 – Attachment 12).

Referring to the old Shia custom of *sigheh* which allows couples to establish temporary unions, Robert Tait comments that:

Iran's interior minister has challenged a social taboo by urging the revival of the ancient Shia practice of temporary marriage to give young people easier legitimate access to sex...

The custom of *sigheh*, which allows couples to establish unions lasting from a few minutes to 99 years, is permitted under Shia Islam but has been likened in Iran to prostitution.

But Pourmohammadi, a conservative cleric, described it as "God's rule" and said it was an acceptable alternative to pre-marital sex, which is forbidden under Islamic law.

"The increase in the marriage age in this country has caused many problems," he told a conference in Qom. "Is it possible that Islam is indifferent to a 15-year-old youth into whom God has put lust? We have to find a solution to meet the sexual desire of the youth who have no possibility of marriage. Islam is a comprehensive and complete religion and has a solution for every behaviour and need, and temporary marriage is one of its solutions for the needs of the youth."...

Pourmohammadi's plea echoed a similar call in 1990 by Iran's president at the time, Hashemi Rafsanjani, who said temporary marriage was preferable to being "promiscuous like the Westerners".

However, the idea has been attacked by women's groups ...

The custom is thought to have originated among pre-Islamic Arab tribes. The Prophet Mohammed recommended it to his companions and soldiers, though it was later banned under Sunni Islam (Tait, Robert 2007, 'Iran: minister's alternative to pre-marital sex', *Mail & Guardian Online*, 11 June <http://www.mg.co.za/article/2007-06-11-iran-ministers-alternative-to-premarital-sex> - Accessed 19 May 2009 – Attachment 13).

A 2001 RRT Research Response lists a number of sources on the penalties for living together before marriage as follows:

A 1999 DFAT cable states that "sexual relation between unmarried Moslems... carries a sentence (e.g. imprisonment, lashes or a fine)", but comments that "given the gap between laws and actual practice in Iran, in reality the above punishments appear to be rarely pursued (unless there are political or other reasons to do so)". (DIMA Country Information Service 1999, *Country Information Report No. 119/99 - Iran: Adultery and other issues - CIS request No. IRN-AC823* (sourced from DFAT advice of 21 April 1999), 22 April - Attachment 14).

A 1988 excerpt from Afshar gives details of traditional Muslim attitudes behind the Iranian laws on sex before marriage. (Afshar, H 1988, 'Behind the veil: The public and private faces of Khomeini's policies on Iranian women', *Structures of Patriarchy*, London - Attachment 15. RRT Country Research 2001, *Research Response IRN14774*, 14 August, Q 3 – Attachment 16.

Another research response comments on Iranian agencies policing "Islamic morality" and their *modus operandi* (RRT Country Research 2003, *Research Response IRN16361*, 15 December – Attachment 17).

4. Would State authorities protect her from any possible harm from family members?

Many sources indicate that no adequate protection is provided by the state for women facing harm from family members.

In April 2009, the UK Home Office website stated that:

23.42 According to the USSD report 2007... although spousal abuse and violence against women occurred, statistics were not available. Abuse in the family was considered a private matter and was seldom discussed publicly although surveys (e.g. Tehran University surveys) indicate levels of domestic violence are very high, women have almost no legal redress, and there is a fair amount of social tolerance of domestic violence...

23.43 UNHCR reported in their 'Comments on the Iran Country Report of April 2005' of August 2005 that the:

"UN Special Rapporteur on violence against women, Yakin Erturk, urged Tehran to adopt a national action plan to promote and protect human rights which would emphasise the elimination of violence against women. Although they had seen some advances, Iranian women still face violence in and outside the home and are blocked from defending their rights by discriminatory laws and an unfair justice system, Erturk said. 'Discriminatory laws and malfunction in the administration of justice result in impunity for perpetrators and perpetuate discrimination and violence against women,' she said. Erturk issued her criticism in a preliminary report for the world body's Human Rights Commission – which holds its annual six-week session in Geneva in March and April – following a government-approved visit to the country."

... she said: 'In the family, women face psychological, sexual and physical violence' which existing laws did little to protect against, while divorce and custody of children were difficult for abused wives to obtain. In the wider community, victims of rape face numerous obstacles in accessing justice, she said. Women risk punishment for adultery if they fail to prove rape, and can face death for killing a rapist in self-defense (Reuters, U.N. expert criticises Iran on women's rights, executions, 8 February 2005)."

23.44 According to the Special Rapporteur on Violence against Women, its causes and consequences, in his report of the Mission to Iran dated 27 January 2006:

“Violence against women in Iran is ingrained in gender inequality, which is upheld and perpetuated by two factors: (a) patriarchal values and attitudes based on notions of male supremacy, and (b) a State-promoted institutional structure based on gender-biased, hard-line interpretations of Islamic principles. While the former is a universal and historically rooted phenomenon, the latter is particular to Iran and is rooted in gender politics and policies prevalent in the country. Both factors, however, represent a male-dominated society with male-empowering laws and practices. While the official ideological underpinning of the State gender discourse rests on the premise that women in the Islamic Republic have been attributed [sic] with honour and due dignity, this very ideology has served to rationalize subordinating women, discriminating against them and subjecting them to violence. Furthermore, it is instrumental in silencing defiance and enforcing compliance.

“The ruling clergy, in their reading of the sharia that shapes both the attitudinal as well as the institutional structures, have tended towards conservative, gender-biased interpretations.

“This has been the source of divisive debates in the political arena between the hardliners and the reformists. The Sixth Majlis was reportedly a turning point for the articulation of reformist politics of gender in Iran. Within this process...some positive change has occurred in the laws and the administration of justice. However, gender-biased provisions and practices that prompt women’s vulnerability to violence in the private as well as public spheres are still the norm.” (UK Home Office 2009, *Country of origin information report: Iran*, 21 April – Attachment 18).

Quoting a number of sources on the issue of state protection for women in Iran, a 2007 RRT research response notes that:

In 2005, the United Nations Special Rapporteur (UNSP) on violence against women visited the Islamic Republic of Iran between 29 January and 6 February. The UNSP’s findings on the causes and consequences of violence against women in Iran are highlighted in the following extracts...:

74. To prioritize the elimination of violence against women as a public policy issue and to prevent, investigate and punish all acts of violence against women, whether perpetrated by private or State actors, it is recommended that the Government:

Provide effective protection to women who have experienced violence by ensuring that they are able to approach the police, to secure alternative housing and to access medical care... (UN High Commissioner for Human Rights 2006, ‘Integration of the Human Rights of Women and a Gender Perspective: Violence against Women’, *United Nations Economic and Social Council*, E/CN.4/2006/61/Add.3, 27 January – Attachment 19).

Iranian lawyer and Nobel Peace Prize Laureate, Shirin Ebadi, highlighted the discrimination against women living in Iran in a 2004 report by Amnesty International (AI). She concludes that the government “is of no help to those [women] who have actually experienced violence”. The pertinent extracts follow in detail.

...”Women in Iran are terrorized. We are facing discriminatory laws as well as family violence. These laws represent the biggest problem. If laws were just, violence would diminish. That is why the fight against laws that discriminate is given priority.”

She says that the laws are not adapted to today’s society. Today, 63% of students in Iran are women, yet many laws violate human rights because they systematically discriminate against women.

“A man may have four wives; two female witnesses make up for one male witness; in compensation cases, the price of a woman’s life is worth half the price of a man’s; filing for a divorce is more difficult for a woman than for a man. One type of violence against women is forbidden, but another type is permitted”, she explains.

“If a woman is killed on the street or in the house, the murderer may be prosecuted. The problem is that such violence is rarely reported to the police. If, however, the woman is killed by her husband because she is unfaithful or is caught in bed with another man, the murderer will not be punished.”

... She says that she thinks the government offers some degree of protection against family violence, but it is of no help to those who have actually experienced violence.

“We have no social help. If a husband beats his wife and she reports him for violence, the incident will be investigated. He will get a fine and the wife will be allowed to file for a divorce. But what can a divorcee with small children do -- no job and no income, no house and no social help? It is not sufficient for the authorities to punish a violent husband. In reality, the woman has no alternative but to stay married.” (Tin, I. 2004, ‘Iran: Women are Terrorized’, Amnesty International website, 29 December <http://news.amnesty.org/index/ENGMDE130492004> – Accessed 12 March 2007 – Attachment 20).

The UK Home Office’s 2007 *Operational Guidance Note: Iran* states the following in relation to state protection for women in Iran:

3,10,12 Sufficiency of protection

If the claimants fear is of ill treatment amounting to persecution by the state authorities, they cannot apply to these authorities for protection.

3,10,13 Abuse in the family is considered a private matter and is seldom discussed publicly. It is difficult for many women, particularly those living outside large cities, to obtain legal redress. Iran is a highly developed country particularly in the major cities such as Tehran, Mashad or Esfahan with constitutional and legal safeguards aimed at protecting women’s rights. However, Iran is also a conservative traditional society and those provisions may not always be enforced, for example, in some rural areas sufficiency of protection may not be available. Caseworkers should take into account inconsistency in application of the legal system that is part of the every day life in Iran. In light of this caseworkers will need to decide whether the authorities are willing and able to provide protection on the facts of each individual claim (UK Home Office 2007, ‘Operational Guidance Note: Iran’, UK Home Office website, 27 February – Attachment 21).

A 2006 campaign initiated by human rights activists in Iran attempted to emphasise the discrimination faced by Iranian women. According to an article by the Middle East Media Research Institute (MEMRI), the campaign was to be officially launched on 27 August 2006 with a seminar however “Iranian security forces prevented the event from taking place”. The article discusses the alleged hostile attitude of security forces towards public activities involving women and the widespread violence committed by men against Iranian women. The pertinent extracts follow in detail:

... In May 2006, Zohreh Tabibzadeh Nouri, advisor to Iranian President Mahmoud Ahmadinejad, was appointed head of the Iranian Center for Women and Family Affairs. Upon taking office, she declared her philosophy, saying: “I do not deny that

there are gaps in the [Iranian] law when it comes to protection of women's rights... [However,] as long as I live and remain in charge of this center, I will not let anyone sign international charters [or] declarations of international conferences on women's rights, since we can [fix] the gaps and existing problems through the Islamic faith. I see no reason to follow the unsuccessful Western model."

Conversely, the prominent dissident journalist Akbar Ganji, recently released after six years in an Iranian prison, announced his intention to join the campaign for women's equality in Iran. He called on Iranian women to fight against the discriminatory laws in their country and against violence perpetrated by men against women in Iran, stating that "women's rights, and equality between men and women, are among the fundamental principles of the democratic movement." Ganji, who is currently conducting an information campaign in the West, stated that from now on, one of his campaign's major goals will be to draw attention to the status of women in Iran.

...On the Regime's Use of Policewomen against Women Demonstrators

In an article posted July 14, 2006 on the reformist Internet daily Rooz, journalist Lili Pourzand wrote against the regime's cynical ploy of exploiting women under the pretense of "involving them in society." As an example, she cites the establishment of the women-only police force used to break up demonstrations for women's rights:

"...This may be the first time that the Iranian security forces have employed women trained as police [officers] to suppress demonstrations on the street. For several years now, the Iranian security forces have been recruiting women candidates and holding special courses to provide them with military training. The Iranian authorities have presented this activity as an innovation within the male-dominated system that controls the Iranian security forces, and have carried out an intensive propaganda campaign [touting this activity] as evidence of the inclusive nature of the Iranian security forces.

"But on Monday, [June 12, 2006,] we witnessed for the first time the anti-feminist achievement of this new force: Iranian women were beaten with clubs and sticks by the women of the security forces. They were very badly injured, and then were loaded onto prison buses by the policewomen, with handcuffs on their wrists...

...Journalist Ali Afshari also commented in a Rooz article about the regime's policy of using women to oppress women. He argued that the regime's reaction to the women's demonstration stems from its fear of the women's campaign for equal status:

"The women's protest rally on June 12 this year, which was harshly broken up by the regime, was an important and momentous occasion for a number of reasons... The regime's reaction revealed [its] fears and vulnerability more than it demonstrated [its] power. The authorities are afraid that the huge potential inherent in women's power may be realized, and that is why they implement security orders and [use] intimidation, arrests and fabricated criminal lawsuits against the leading activists, all aimed at stopping this movement...

"The use of the women's police [unit] is another facet of this incident. The regime sent out women to fight [other] women demonstrating for their rights. It used the tactic of 'women against women' to camouflage its anti-feminist policy, and in order to observe the custom that 'forbids a man to attack women not from his immediate family'...

“In fact, by using this [tactic], the regime means to show that the demonstrating women do not express a demand [by] all the women in [Iranian] society, and that the [Iranian] women themselves set out to confront this movement, which they regard as ‘stupefied by the West’ and as deviating from the tenets of Islam. By bringing women who support the regime to the [demonstration] site, the regime meant to transform the confrontation from a women’s struggle against the regime into a struggle between [two groups of] women. But [the fact that] several members of the conservative seventh Majlis objected to the violence that broke out [during the demonstration] casts doubt on the success of this policy... Beatings, clubs, handcuffs, arrests, and fabricated lawsuits will not be able to stop the clear progress of the women’s movement towards growth and development.” (Mansharof, Y. 2006, ‘Human Rights in Iran: Women’s Struggle Against Discrimination by the Regime’, Middle East Media Research Institute (MEMRI) website, 29 September – Attachment 22).

In her report on the causes and consequences of violence against woman in Iran, the UN’s Special Rapporteur revealed a culture in which violence against women is propagated by attitudes of male supremacy and is ingrained in gender inequality. The UNSP’s report particularly underlines the lack of acknowledgement by authorities in viewing violence against women as a serious problem, and the ensuing lack of reporting by victims of violence. The pertinent extracts follow in detail.

A. Manifestations of violence against women

34. Given the ideological framework referred to above, violence against women in Iran is rarely acknowledged as a serious problem by the authorities and rarely reported by the victims. The 1999 *Human Development Report of Iran* indicates that domestic violence, in particular, is a hidden social phenomenon which is not discussed openly. The report concludes that no action has been taken to change prevailing attitudes or reform the pertinent laws and regulations. Although the report is outdated, the Special Rapporteur’s interviews did not indicate fundamental changes. It was particularly clear in Ilam that women feel compelled to tolerate violence, inflicted not only by their husbands but also by other family members, for fear of shame, of being ostracized, or of being divorced and for lack of alternatives to the abusive environment. The Special Rapporteur found that some of the cases of self-immolation in the city are linked to the lack of legal protection for women victims of violence, lack of shelters, difficulty in obtaining a divorce, child custody laws that favour the father and pervasive gender discrimination throughout society

35. The self-immolation incidents are also said to be related, in some cases, to honour crimes, which are particularly common in Ilam and Khouzistan province. According to statistics provided by a consultant to the governor of Khouzistan in 2003, there have been 45 cases of honour killings of women under the age of 20 in one tribe alone. In 2001, a total of 565 women lost their lives in honour-related crimes, of which reportedly 375 were staged as self-immolation cases of women who were forced to set themselves on fire.

36. Reports also indicate that there is a worrying increase in the trafficking of girls and women. Most of the trafficking is said to occur in the eastern provinces and mainly in border towns with Pakistan and Afghanistan where women are kidnapped, bought or entered into temporary marriage in order to be sold into sexual slavery in other countries. The officials with whom the Special Rapporteur spoke informed her that measures were being taken to combat trafficking. Since 1999 about 28 “health houses” have been set up by the State-run Welfare Association to provide assistance to unmarried girls who have run away from their homes and are at risk of being trafficked. These institutions provide temporary housing, professional counselling

and skills development for runaway girls. However, reports indicate that girls may be trapped in abusive situations even in these shelters. For instance, in February 2001, senior State officials were charged with trafficking girls living at the Jasmine Centre. A judge of the Revolutionary Court was among those accused.

...38. While the various forms of violence observed in intimate relations and in the community at large are a concern, the bulk of complaints received with regard to violence against women are related to incidents condoned by State agents. During the Special Rapporteur's mission, she interviewed a number of defenders of women's human rights, including lawyers and journalists who relayed similar experiences of being arrested without charge by plain-clothes agents allegedly from the Ministry of Intelligence and Security, detained incommunicado in secret detention centres for periods of one month or more, tortured or maltreated under detention and their house being searched periodically without a warrant. The Constitution of Iran forbids the use of all forms of torture "for the purpose of extracting confession or acquiring information". However, human rights organizations continue to report that torture and other inhuman treatment take place in various detention facilities in Iran. In this regard, the case of Zahra Kazemi, an Iranian-Canadian photojournalist, who died in custody in Iran on 10 July 2003, is of concern. The authorities initially claimed that Ms. Kazemi died of a digestive disorder and then claimed that she died of a stroke, but reports indicate that she had been subjected to torture and ill-treatment while in detention. It is reported that the Government has denied requests from Ms. Kazemi's family and the Government of Canada to examine the body. There has been no comprehensive public investigation into Ms. Kazemi's death and the parts of the initial inquiries that have been carried out were reportedly censored.

...41. The death penalty, particularly by stoning, has been a major area of concern. The Special Rapporteur received numerous reports of women on the death row, sentenced mainly for sexually or morally oriented offences such as adultery. At the time of her visit there were 397 women in Evin Prison, 200 of whom were sentenced for "moral crimes", some awaiting execution. The Special Rapporteur spoke to some of these women. Their stories reflect gender biases in the attitudinal and institutional structure of the country within which they, some still children, have become labelled criminals (UN High Commissioner for Human Rights 2006, 'Integration of the Human Rights of Women and a Gender Perspective: Violence Against Women', *United Nations Economic and Social Council, E/CN.4/2006/61/Add.3*, 27 January – Attachment 19). (RRT Country Research 2007, *Research Response IRN31489*, 21 March – Attachment 23).

In 1997, a professor of sociology at York University in Toronto commented on a woman facing harm from her brother as follows:

Depending on the extent or type of abuse, it is possible for an unmarried adult woman to launch a complaint against her brother in a court of law. Under the present circumstances, however, it is left to the discretion of the judges to rule in favour of women or not. In any case, it would be very hard for a woman to take any legal action against abuse by members of her family.

A brother does not hold any legal responsibility for his adult sister. The authority of the brother is moral and socio-cultural. "Defence of the family honour" is a ground for a brother to use this authority against his sister. In traditional families brothers often assume the responsibility of overseeing the rights and wrongs of their sisters' moral conduct, on behalf of (and sometimes despite) the father.

The professor further informed the Research Directorate in a 1 May 1998 telephone interview that there are no shelters for battered women in Iran. The same information was given to the Research Directorate by a representative of the Foundation for Iranian Studies in Bethesda, Maryland, in a 28 April 1998 telephone interview. The representative further informed the Research Directorate that there are no legal barriers to an unmarried adult woman living away from her parents' home in Iran, but such an arrangement would be disapproved of on the social level (Immigration and Refugee Board of Canada 1998, *IRN29217.E – Iran: Information on whether there are any avenues of redress or state protection available to an adult unmarried woman who is being abused by her brother; under what circumstances it would be possible for the brother of an unmarried woman to assume legal or social responsibility for his sister; under what circumstances unmarried women in Iran are allowed to live on their own, away from their parents' home; and whether there are any legal penalties, secular or religious, for severe abuse of a female family member*, 1 May – Attachment 24).

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UK Home Office <http://www.homeoffice.gov.uk/>

US Department of State <http://www.state.gov/>

CIA *Factbook* <https://www.cia.gov/>

United Nations (UN)

UNHCR <http://www.unhcr.ch/cgi-bin/texis/vtx/home>

Non-Government Organisations

Amnesty International <http://www.amnesty.org/>

Human Rights Watch <http://www.hrw.org/>

International News & Politics

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