**Reproductive health in the Islamic Republic of Iran**

**Submitted to:** Special Rapporteur on Violence against Women

**Submitted by:** Maat for Peace. Development and Human Rights (In a consultative status with UN Social and Economic Council)

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* **Preface**

In the context of the concern of Maat for Peace, Development and Human Rights (Egypt) regarding the human rights situation in the Middle East, Maat informs the special procedures that there are many violations against women's rights in the Islamic Republic of Iran, particularly, the right to reproductive health. According to the World Health Organization (WHO), Reproductive Health enables people to have a satisfying and safe sex life with the capability to reproduce and the freedom to decide if, when and how often to do so[[1]](#footnote-1). Taking into consideration that definition, reproductive rights include some of the human rights recognized in accordance with national laws, international institutions and conventions on human rights.

These rights are based on the recognition of the fundamental right of all couples and individuals to decide freely and responsibly the child birth and timing of it. Also, to have the right information and means to do so and their right to the highest attainable standard of sexual and reproductive health, including the right to make reproductive decisions without facing discrimination, Coercion or violence.

* **Legislative Framework**

In accordance with article 16 of the Convention on the Elimination of All Forms of Discrimination against Women, which stipulates that women shall be equal to men regarding the same rights and decide freely and responsibly the number of their children, the period between the birth of the child and the other, as well as the access to information, education and means to enable them to exercise these rights. General recommendation 24 of the Committee on the Elimination of Discrimination against Women, recommends that States should give priority to preventing unwanted pregnancy through family planning and sex education. The general comment of the Committee on Economic, Social and Cultural Rights also indicated that the provision of maternal health services was a fundamental obligation of States. As well as the states have a direct commitment to take deliberate, concrete and targeted steps towards the realization of the right to health regarding pregnancy and childbirth.

However, Iran uses legislative practices to suppress Iranian women. The Iranian Constitution deals with the role of women in society in a lower manner than men as they aren't equal. According to the Iranian constitution, the family responsibility is solely on raising a "Faithful man"[[2]](#footnote-2). This is not the only legislative framework that Iran uses in suppressing the most basic rights, namely health. Iran has determined birth control according to what Iran released from Islamic religious fatwas and orders, in addition to the statements made by the High guide *"Al-Morshad"* of the Islamic Republic of Iran to increase reproduction and to prevent all means that limit the child birth[[3]](#footnote-3). For instance, there were billboards in Tehran bearing the slogan "Enjoy a better life through the birth of more children", making it a god of procreation only. This is contrary to Article 10 of the Convention on the Elimination of All Forms of Discrimination against Women. This article explicitly states the right of women to education. This education includes access to specific educational information that helps to ensure the health and well-being of the family, including information and guidance on family planning. Not only that but the right of a woman to control issues related to her reproductive and sexual life also. Which is contrary to the way that Iran deals with the women through. The constitutional legislations and legal regulations issued by the state are what controlling Iranian women's life, in a way of violating their health conditions.

* **Lack of health care**

With Iran's legislative process which violate the women's reproductive health, in 2018, Iran's population was about 81 million, according to the statistics released by the Iranian Center for Government Statistics. These statistics showed an increase of 2017 rates[[4]](#footnote-4), set by the Iranian government, at 79.93 million. Men are 51% of the total population compared to 49% for females which means (104 male per 100 females). As well, the number of families in Iran reached to 24 million and 196 thousand with an average size of one family 3 individuals[[5]](#footnote-5).

The widespread interest of the State in raising fertility rates has led to some medical deficiencies in the health care system. Health systems are generally aimed at providing high-quality maternal and child care services. While the Health care in public hospitals and medical procedures in Iran are almost non-existent, especially since they rely on medical students or "midwife"; because there is a shortage of staff, skills and competencies. This is due to the policies and protocols followed by Iranian health care systems. According to a study conducted by the Ministry of Health and Medical Education on a group of Iranian women to determine the negligence of health facilities in Iran, the followings have shown:

1. One 35-year-old Iranian woman said that since she was pregnant, she was referred to the emergency department of a public hospital. The medical student began to fill the patient's records, which lasted about 3 to 4 hours, although she was supposed to be in the operating room. The student made many mistakes due to the lack of professional cadres to help women, which puts their lives at risk.[[6]](#footnote-6)
2. Another 19-year-old girl indicated that she was not satisfied at all and this was due to the small number of staff while she needed health care.[[7]](#footnote-7)
3. The staff and the access to staff during the required time of birth are factors that pose a threat to the life of the mother and child; this is due to the dereliction in public hospitals within the state. Indeed, one woman said that she was endangered by the exit of the head of the child at that time of attempts to call a nurse, which made the other women crying. The nurse was treating 10 other patients at the same time, as described by them she was unable to meet their needs or even listen to them.

It is not only the absence of workers to provide medical assistance to Iranian women, but also caesarean section is not allowed in public hospitals. According to the study, the C-section is virtually non-existent.[[8]](#footnote-8) This contravenes article 12 of the International Covenant on Economic, Social and Cultural Rights, which states that everyone has the right to the highest attainable standard of physical and mental health.

* **Lack of social and cultural climate related to reproductive health**

In the life of a woman, the period of reproduction that includes pregnancy, childbirth and the postpartum period is a critical period, because it may result in disability or even death. Therefore, the men's participation during the period of childbirth has a great importance to maternal health. According to medical studies conducted to reduce premature birth rate and low birth weight, restrict fetal development, a medical study has monitored some cases, including:

1. Cultural barriers and narratives were the most common cause of men's non-participation in perinatal care. There are negative trends in men's participation in pregnancy, childbirth and Postnatal care, due to men's fear of social stigma for their participation in their women health care, according to some study participants.
2. One of the women participating in the study said that society, especially the husband's family, considers giving birth as a duty for women, and that procreation has nothing to do with the husband. Woman who is entirely responsible for her health and reproductive status and for the child, not the husband.[[9]](#footnote-9)

This situation directly contravenes article 25 of the Universal Declaration of Human Rights with regard to the right to health, which states that everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, especially food, clothing, housing and medical care.[[10]](#footnote-10)

* **Banning abortion and contraceptive methods**

Iranian law prohibits the use of contraceptives and bans abortion. This prohibition does not come within the scope of caring about women's lives. It comes in the context of increasing the number of state employees, violating the rights of women within the state and resorting to ways that may endanger women's lives.

However, it was allowed to abort foetuses since they are 12 weeks in addition to therapeutic abortion. But, after 1979, the situation changed to became more conservative and tightly controlled approach and abortion was considered an assault and a crime.[[11]](#footnote-11) In general, abortion may occur in several ways, including (medical abortion, unintentional abortion, criminal abortion and intentional abortion). In many countries, there are no criminal intentions in medical abortion and can be performed with the doctor's permission to save the mother's life. So, abortion is legal in these countries.[[12]](#footnote-12)

According to article 180 of the Iranian Penal Code prior to the Islamic Revolution, abortion is generally considered a crime and its sentence is between 3 and 10 years. The sentence is enforced unconditionally and in all cases without taking the case of mother in the consideration. In one case only, Iranian law allows abortion to save the mother's life if at least three specialist doctors agree on it.[[13]](#footnote-13)

Despite Iran's strict legal framework, women use a search engine (how to use), one of the online medical abortion resources, in an attempt to find other options. Studies indicate that every woman out of 6 Iranian women in the reproductive age conduct an abortion. There are 200,000 abortion cases of 1.7 million annual pregnancies, only 6,000 are registered, which means that most abortions take place underground in Iran.[[14]](#footnote-14)

One study also found that abortion rates in Iran were among married women, aged 30 to 34 years. The study confirmed that 85% of married women living in Tehran use contraception methods secretly.[[15]](#footnote-15)

As well as, some medical studies have reported that Iranian women who have had clandestine abortions were not aware of the warning signs that should be sought in case of complications. Moreover, women who undergo out-of-hospital abortions and don't follow-up with specialists, face very risk serious complications. Women in Iran indeed need access to safe abortion options.[[16]](#footnote-16)

* **Recommendations**

Maat for Peace, Development and Human Rights informs the Special Rapporteur that there is a severe lack of data on reproductive health in Iran. Therefore, it recommends that wide provision and availability of information and data. Also, to establish a committee to investigate violations of women's rights in relation to sexual and reproductive health care.

The Maat Association stresses that there must be a clear legislative framework that protects women's sexual and reproductive health in Iran. Maat urges the state to follow and work according to international conventions and international norms by supporting the natural rights of women stipulated in these charters.

It also notes that there should be surveillance over public hospitals in Iran in terms of increasing the number of doctors, nurses and staff to meet the needs of Iranian women. And, to put a strategic framework for hospitals to ensure the delivery of medical services approved by most national and international laws.

1. The concept of reproductive health, WHO, <https://www.who.int/bulletin/volumes/88/7/09-063412/ar/> [↑](#footnote-ref-1)
2. Iranian constitution, <https://bit.ly/2l62aOt>

   [↑](#footnote-ref-2)
3. مقال الزيادة السكانية فى إيران – الشرق الأوسط -3 مايو 2014 - <https://bit.ly/2H53E8o> [↑](#footnote-ref-3)
4. تقرير معدل الوفاة في إيران -2018 -<https://bit.ly/2DN5pFt> [↑](#footnote-ref-4)
5. احصائية نمو السكان فى إيران – موقع فنك -23 يناير 2019  <https://fanack.com/ar/iran/population/> [↑](#footnote-ref-5)
6. وجهات نظر النساء حول المرافق العامة – المكتبة الوطنية للدراسات الطبية – 8 فبراير 2019  <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6368775/> [↑](#footnote-ref-6)
7. **Ibid.** <https://bit.ly/309SEhQ> [↑](#footnote-ref-7)
8. The study, **Op-cit.,** <https://bit.ly/309SEhQ> [↑](#footnote-ref-8)
9. دراسة النوعية: عوائق التي تحول دون مشاركة الرجال في رعاية الفترة المحيطة بالولادة - المكتبة الوطنية للدراسات الطبية – يناير 2019- <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6350307/> [↑](#footnote-ref-9)
10. جامعه  منيسوتا – مكتبة حقوق الإنسان – دليل دراسى (الحق فى التمتع بأعلى مستوى من الصحة يمكن بلوغه ) <http://hrlibrary.umn.edu/arabic/SGrighttohealth.html> [↑](#footnote-ref-10)
11. الإجهاض فى إيران – فبراير 2014  - research gatet <https://bit.ly/2JgnnUm> [↑](#footnote-ref-11)
12. الاجهاض فى ايران ابريل 2019 – iran chamber society  <http://www.iranchamber.com/society/articles/abortion_iranian_law.php> [↑](#footnote-ref-12)
13. إيران تحظّر وسائل منع الحمل حفاظًا على القوة العسكرية - أخبار الآن – 17 مايو 2014

    <https://bit.ly/2LskDWG> [↑](#footnote-ref-13)
14. الاجهاض فى ايران لماذا يبحث المستخدمون الايرانيون عن كيفية الاستخدام – 22- how to use abortion pill مارس 2018 <https://bit.ly/2LsPVwE> [↑](#footnote-ref-14)
15. **Ibid.** [↑](#footnote-ref-15)
16. **Ibid.** [↑](#footnote-ref-16)